CONTRASTING POLICIES AND EXPERIENCES OF ASYLUM SEEKERS IN TURKEY

A THESIS SUBMITTED TO
THE GRADUATE SCHOOL OF SOCIAL SCIENCES
OF
MIDDLE EAST TECHNICAL UNIVERSITY

BY

ÇİĞDEM MANAP KIRMIZIGÜL

IN PARTIAL FULFILLMENT OF THE REQUIREMENTS
FOR
THE DEGREE OF MASTER OF SCIENCE
IN
THE DEPARMENT OF SOCIOLOGY

DECEMBER 2008

Approval of the Graduate School of Social Sciences

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ABSTRACT

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December, 2008, 166 pages

The purpose of this thesis is to describe the asylum seekers that reside in Turkey temporarily, from their own standpoint and from the viewpoint of workers and representatives working in the agencies and institutes involved in the field. This work focuses on the inconveniences experienced by asylum seekers and refugees during their stay in Turkey and the reasons of these inconveniences, in the context of social exclusion. The research for this thesis is based on the analysis of the in-depth interviews that were done with the asylum seekers, representatives and workers in UNHCR, government and in several NGOs. Relevant report by the UNHCR, and the scholarly literatures on migration and asylum and on transit migration and asylum seeking through Turkey was examined. The results of the study can be sorted as follows: Firstly, there is an increasing and visible reluctance

to accept refugees in the world. Secondly, it is seen that Turkey does not have an effective asylum policy and legal arrangements on this issue. Thirdly, not only the asylum seekers but also the officers who are dealing with them face some problems. Lastly, it had been observed during the interviews asylum seekers are being excluded different ways during the period of living in Turkey.

Keywords: Refugee, asylum seeker, social exclusion, Turkey, asylum law

ÖZ

TÜRKİYE'DE SIĞINMACILARIN DENEYİMLERİ ve ÇELİŞEN POLİTİKALAR

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Aralık 2008, 166 sayfa

Bu tezin amacı, Türkiye'de geçici olarak ikamet etmekte olan sığınmacıların mevcut durumunlarını, kendi algılarından ve konuyla ilgili kurumların temsilcilerinin gözünden betimlemektir. Çalışma Türkiye'de kaldıkları süre boyunca sığınmacıların yaşadıkları sıkıntılara ve bu sıkıntıların sebeplerine sosyal dışlanma bağlamında odaklanmaktadır. Araştırma on sığınmacıyla yapılan derinlemesine görüşmelere ve ilgili kurum temsilcileriyle yapılan görüşmelere dayanmaktadır. Araştırma kapsamında UNHCR'ın konuyla ilgili raporları, göç ve sığınma literatürü ve transit ülke konumunda olan Türkiye'nin göç ve sığınma literatürü incelenmektedir. Çalışmanın sonuçları şu şekilde sıralanabilir: İlk olarak mültecileri kabul etme konusunda tüm dünyada artan ve görünür bir isteksizlik olduğu gözlenmektedir. İkinci olarak, Türkiye'nin etkili bir iltica politikası ve yasal düzenlemesi olmadığı görülmektedir. Üçüncü olarak, sadece sığınmacıların

değil konuyla ilgili kurumlarda çalışanların da bir takım sorunları olduğu gözlemlenmiştir. Son olarak, sığınmacıların Türkiye'de kaldıkları süre boyunca çeşitli şekillerde sosyal dışlanmaya maruz kaldıkları gözlemlenmiştir.

Anahtar Kelimeler: Mülteci, sığınmacı, sosyal dışlanma, Türkiye, sığınma yasası

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ACKNOWLEDGMENTS

Finally, I want to express my grateful sense to my dear husband Ali Kırmızıgül, who always has been supportive and helpful throughout my studies, for his patience, understanding and encouragement.

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CHAPTER I

INTRODUCTION

The thesis will discusses the status of asylum seekers that reside in Turkey temporarily, from their own standpoint and from the viewpoint of workers and representatives working in the agencies and institutes involved in the field. This study will mainly analyze the experiences of asylum seekers during their stay in Turkey in the context of social exclusion. The research question of this study will be how (social) exclusion is experienced by asylum seekers.

Due to political, social or other reasons, every year hundred thousands of people are obliged to leave their country and look for a new future in a foreign country for a more secure and humane life. People are sometimes obliged to leave their country for economic reasons, and because of natural disasters and violations of human rights. Military coups, bloodbaths, wars and similar causes also result in people leaving their country and living under severe conditions with an identity of refugee. At the end of year, 2007 number of refugees under the responsibility of UNHCR was announced as 11.4 million. The picture we get with the officially announced numbers and unrecorded refugees deserves to be analyzed as a sociological fact. Besides statistical data, the severe conditions which asylum seekers experience in their home country, during their migration and in destination country make the subject more of a research topic.

People leave their homes for many reasons –because they cannot support themselves or their families at home, because the crops have failed, because the environment will no longer sustain them, because of war or persecution, because

they want a better life for their children. On every continent, individuals, families and communities are forced to abandon their homes and villages (Ferris, 1993: xii). People do not willingly undertake long and dangerous journeys to unknown or uncertain destinations, abandoning their material, social, cultural and other resources, unless they are under extreme pressure (Marfleet, 2006:14). After every social or political upheaval, people have been forced to leave their country and to become refugee (Rubinstein, 1936:716). Forced migration is not a modern phenomenon. In global terms, war, ethnic cleansing, economic migration, natural disasters and environmental catastrophes have shaped the contours of what has come to be known as the 'refugee problem 'or' refugee crises. Forced migration reflects global conflict and socio-economic and political crises. Improved and cheaper transport, particularly by air, has made it possible for a growing number of refugees from the Third World to seek asylum in Europe (Joly, 1992: 1). There had been huge population flows after the I. World War, and the subject was considered in United Nations however, refuge had not been defined as a problem to be solved on a dual basis. During II World War and after, 1944-1951, nearly 20 million people had migrated for a more secure life. In the atmosphere of post II World War the concept of "Human Rights" was put forward. After the announcement of Universal Declaration of Human Rights in December 10, 1948, United Nations Conventions which have mechanisms of auditing and sanctions had been formed. UN Convention on the Status of Refuge Rights has been accepted in 1951 in Geneva. This convention is taken to be the main document of refuge law.

A general definition of "refugee" was provided in the 1951 Convention relating to the status of refugees, and included persons who, as a result of events occurring before 1951, have a fear of being persecuted in their home country are residing outside his/her country of nationality. Main people flows after II. World War were in Europe and accordingly the refugee definition in the convention as "any person

who, as a result of events occurring in Europe before January 1951" has restrictions of time and geography. Later this definition has been extended with the 1967 Protocol Relating to the Status of Refugee as comprising non-Europeans as refugees.

Turkey does not accept non-Europeans as refugees because its geographical location it attracts high number of asylum seekers. Turkey serves as a temporary refuge country so that asylum seekers can not benefit from the opportunities offered in European countries. Turkey still uses its right of geographical limitation in 1951 Geneva Convention and chooses to accommodate refugees in a third country and this makes Turkey a transit country for refugees. Considering this fact, in the thesis the term asylum seekers in Turkey is used instead of the term refugees in Turkey.

The main difficulties asylum seekers face during their stay in Turkey are those ones that are related to accommodation, nutrition, health and employment. There are problems such as legal ones, delay in asylum application, indeterminacy of time of stay in Turkey and lack of social status. Also there are problems with regard to learning of the native language, adapting to the daily life and to a different culture, relationships with neighbors and psychological problems. Legal issues on accommodation, education, passport, labor rights, application to UNHCR and Ministry of Interior on asylum and refuge right and deportation also frequently arise. Asylum seekers are excluded from many aspects of life, including employment, education, access to services and social interaction. Forcing asylum seekers to live in satellite cities, where asylum seekers and refugees must reside Afyon, Agrı, Aksaray, Amasya, Bilecik, Burdur, Cankiri, Corum, Eskisehir, Hakkari, Hatay, Isparta, Izmir, Karaman, Kastamonu, Kayseri, Kırıkkale, Kırsehir, Konya, Kutahya, Nevsehir, Nigde, Silopi, Sivas, Tokat, Van and Yozgat, causes social exclusion to increase. Current policies for asylum

seekers force increased settlements in underdeveloped areas. Because of economical reasons, asylum seekers cannot stay in a house for a long time, which causes lack of relationships between refugees and natives. Because of their lack of information and since and they live outside the satellite city their children might not even attend a school. On the other hand, some of those who attend have to leave the school later because of their language and adaptation problems.

This study focuses on the objective and subjective aspects of social exclusion in the context of asylum seeker. In this regard, objective aspects include freedom of movement, housing, job opportunities, and access to education and health services. Subjective aspects include asylum seekers' perceptions and experiences of being included or excluded. The objective indicators are generally more likely to refer to the macro level and/or to institutional, organizational dimensions and subjective indicators refer to the micro level and/or experiences in communities, and groups. They feel more or less included at different times; being excluded is not a static, fixed state that can be objectively measured.

The organization of the thesis is formulated by taking the asylum seeker 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 of social exclusion, compare with the international asylum regime, and compare with the regime in the local level.

This study is composed of nine chapters. The first chapter is introduction. The second chapter gives an historical account of the emergence of the concept of "refugee". In this chapter UNHCR and 1951 Convention Relating to the Status of Refugees and other relevant sources that provide a definition to the concept of "refugee". The third chapter attempts to explain transit migration and asylum issue within the context of Turkish asylum policies. In this part of the study, Turkey's

role in the transit migration is demonstrated by paying attention to the Turkish regulations and policies. In the fourth chapter, social exclusion concept is explained, right after social exclusion and refugees' studies are approached. The fifth chapter on the methodology used explains the aim of the study, sampling and data collection methods used in this case study. In the sixth, seventh and eighth chapters, the data of the thesis will be analyzed in terms of the objective and subjective aspects of social exclusion and social exclusion with regard institutions representatives. In these chapters the experiences of asylum seekers in Turkey, the opinion of NGO's, UNHCR and government's representatives and the observations of the author will be presented and discussed. The experiences of asylum seekers in terms of language, housing, employment, and health and education service will be discussed by considering the concept of "social exclusion". The last chapter of the study is the conclusion chapter. With paying attention to the theoretical framework, and the in-depth interviews that are done with the asylum seekers and the NGO's, UNHCR's and government representatives, the general idea of the author on the refugee issue in Turkey is presented in this chapter.

CHAPTER II

THE ASYLUM PROBLEM

2.1 Who are the Refugees and Asylum Seekers?

Refugees are a subgroup of the broader category of displaced persons. According to international refugee law, a refugee is someone who seeks asylum in a foreign country because of war and violence, or out of fear of persecution "on account of race, religion, nationality, political opinion, or membership in a particular social group". Until a request for refuge has been accepted, the person is referred to as an asylum seeker. Only after the recognition of the asylum seeker's protection needs, he or she is officially referred to as a refugee and enjoys refugee status, which carries certain rights and obligations according to the legislation of the receiving country. Due to reasons stated in 1951 Geneva Convention if a person applies to take refuge in another country, s/he is a "asylum seeker"; if necessary investigations are carried out and truth of claims are proved s/he is a "refugee" and receives a "refugee status".

Involuntary migration has become one of the major forms of international migration over the past quarter century. Most involuntary migrants are generated by political events and are thus accorded refugee status by the international community (Rogge&Akol, 1989: 84). People are forced to leave their homes for many different reasons, but underlying them all is poverty or violence - frequently both. Historically, people have always tried to move when they were unable to survive because of drought, famine, or widespread unemployment (Ferris,

1998:19-20). The migration has also generated a series of related socio-political issues that can be grouped under three categories: social rights and integration, multi-culturalism and race and racism (Hansen, 1999: 416).

Refugees have been defined in different ways at different points in human history. The term 'refugee' has been vividly presented to the international community for many years, and still today, a time of repeated international crises and armed conflicts. In general, the term implies an individual who has left his homeland under certain pressures, be they political, social, economic or religious in nature (Wenk, 1968:62).

The Convention Relating to the Status of Refugees of 28 July 1951 (1951 UN Convention) defined refugees as

> any person who, owing to a well-founded fear of being persecuted for reasons of race, religion nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, unwilling to away 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 fear, is unwilling to return to it.

A strict interpretation of the 1951 Convention does not cover all those who need protection: victims of generalized violence are a major category excluded (Joly, 1992: 14). In spite of the 1951 UN Convention definition only covered refugees produced before the event of 1951; The Protocol Relating to the Status of Refugees of January 31, 1967 (The 1967 Protocol) expressly removed the temporal limitation. The definition of refugee was expanded by the Conventions' 1967 Protocol and by regional conventions in Africa and Latin America to include persons who had fled war or other violence in their home country.

The OAU (Organization of African Unity) Convention of September 10, 1969 defines refugees:

> Every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refugee in another place outside his country of origin or nationality.

The Cartagena Declaration of 1984 acknowledges UNHCR's competence in Central America. It was the first step to fill the gap between the Central American reality and the applicability of existing refugee instruments. Although it was adopted unanimously, it is not a formally binding legal instrument, but rather indicates the political will of the member states to follow certain practices. In addition to the provisions in the 1951 Convention and the 1967 Protocol, the Cartagena Declaration is to cover (Drüke, 1993: 22-23):

> Persons who have fled their country because their lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violations of human rights or other circumstances which have seriously disturbed public order.

Other international and European instruments exist which enable states to offer protection: for example , the 1984 UN Anti-Torture Convention which has been signed by France, and the 1950 Council of Europe Convention for the Protection of Human Rights and Fundamental Freedom UN Universal Declaration of Human Rights which stipulates that (Joly, 1992:15):

> Everyone has the right to seek and enjoy in other countries asylum from persecution.

And UNHCR (2007) defines refugee as:

> Refugees include persons recognized under the 1951 Convention relating to the Status of Refugees; its 1967 Protocol; the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa; those recognized in accordance with the UNHCR Statute; persons granted complementary forms of protection; or, those enjoying "temporary protection".

Refugee, asylum seeker, internally displaced person, returned refugees, returned IDPs and stateless concept is melded. For this reason UNHCR's definition is commented these concept. According to UNHCR (2007):

> Asylum-seekers are persons whose applications for asylum or refugee status are pending a final decision.

> Internally displaced persons, for purposes of UNHCR's statistics, are limited to conflict generated IDPs to whom the Office extends protection and/or assistance. Nevertheless, IDPs referred to as persons of concern to UNHCR do not include all conflict-related IDPs.

> Returned refugees (returnees) refer to refugees who have returned voluntarily to their country of origin or place of habitual residence.

> Returned IDPs, refer to those internally displaced persons who, being beneficiaries of UNHCR's protection and assistance activities returned to their areas of origin or habitual residence.

> Stateless persons are persons not considered as nationals by any State under the relevant national laws.

No absolute definition or international law on refugees exists or is possible. Taken together, the conventions and resolutions represent an internationally accepted ethic of human rights, which has emerged in response to changing circumstances. Nut the right to asylum is limited even under these conventions. Refugees are guaranteed the right to 'seek' asylum but not to obtain it: it is the sole prerogative of the recipient state to recognize refugees and grant them asylum on its territory

(Joly, 1992: 16). In refuge policy circles, basic threats to the individual are usually divided into three categories: persecution, vital (economic) subsistence, and natural calamities (Shacknove, 1985:278). Migration is frequently perceived as a two-phase phenomenon with a before and an after, a departure and an arrival, so that then in-between stage, the passage, the crossing, tends to be ignored. Yet migration as an extended process is history that takes place in a transitional dimension, where specific survival strategies are developed for the trip (Rousseau, Saıd, Gagné&Bıbeau, 1998:385).

Sociological analysis on refugees can be defined as a social category determined by their motivation to migrate. What is important is not only the conflict within which populations are caught up and which leads them to become refugees but also their own consciousness of the pressure brought upon them through these conflicts and how this leads or compels them to consider flight as an option. Naturally, to become an option, the concrete feasibility of flight must also exist. The main debate here revolves round the voluntary or involuntary nature of the flight in parallel with the above discussion on 'political' versus 'economic' factors causing flight (Joly, 1996:144). Academics have joined the political debate concerning the distinction between immigrants and refugees. According to Adelman the violation of human rights - whether by governments persecuting individual opponents or during warfare - is the main cause of forced migration. Refugees had to be distinguished based upon persecution from others forced to migrate for other reasons (Adelman: 2001: 30). According to Hein, immigrants constituted an economic form of migration, refugees a political form (Hein, 1993: 44). Bloch argues that the main thing that differentiates a refugee from other migrants is that refugees are involuntary migrants; they did not want to leave their country of origin (Bloch, 1999:3). Kunz has suggested that the main difference between a refugee and an immigrant lies in the push/pull motivation (Kunz, 1973:131). While immigrants may be lured to migrate to another country by

opportunities for a better life, refugees do not have the same element of choice (Kushner & Knox, 2001:11). Typologies and theories of international migration have normally distinguished between refugees and labor migrants. Broadly, the former have been seen as the political element and the latter as the economic element of the international migration (Koser, 1997: 591). Joly and Cohen argue a further difference between immigrants and refugees is that 'immigrants cherish the myth of return but in the final analysis the decision to go home remains within their control, however difficult it may prove. For refugees, the possibility of returning home is less feasible' (Kushner & Knox, 2001:12-13). Refugees permanently resettled abroad usually cannot return to their homeland, a definitive difference from immigrants (Hein, 1993: 49). Population migration scholars usually employ the 'push-pull' model to identify the various forces acting on the migrant. The forces of 'push' provide migrants with motivations to leave their country of origin. The forces of 'pull, on the other hand, provide the reasons for settling in specific host country (Kunz, 1973:131). Nor are they immigrants: they have been pushed rather than pulled. Given the forced nature of the departure of refugees and in some cases, their experiences of war, civil unrest, political disturbance, violence, death of family members, torture and poverty it should be clear that their migration situation and relationship to their homeland would differ markedly from that of voluntary migrants (Bloch, 1999:3). They have been forced to flee, usually at short notice, often leaving behind family as well as jobs, homes and possessions: in fact, every thing that made up their identity. Although some refugee flows involve movement towards countries with colonial ties in many cases refugees seek asylum in countries with which they have no former connection, and they may have little knowledge of the language, culture or job market. Labour migrants, however reluctantly they may leave their homeland, and whatever the mixture of motives involved in their decision to migrate, are generally able to prepare themselves in some way for employment in the country of exile, and have some positive expectations of the move. For refugees,

preparation is impossible and the experience of exile, particularly in the early days, is dominated by a sense of loss (Duke, Sales and Gregory, 1999: 105). Most refugees are not poor people. They have not failed within their homeland; they are successful, prominent, well-integrated, educated individuals who fell because of fear of persecution (Stein, 1981: 322).

Traditionally three long-term or "durable" solutions are advocated refugees. First solution is voluntary repatriation -going home-. Local integration into the country of asylum is a second solution for refugees, and many have been welcomed into their host communities. The third solution, resettlement to third countries, has traditionally been used for a small percentage of the world's refugees; it has nonetheless been an important safety valve in some cases and a way of preserving first asylum in others (Ferris, 1998: 13-14). Repatriation, voluntary or forced, is a tactic that has been much discussed (Whittaker, 2006:60). These solutions are problematic. Repatriation can be difficult to bring about; the conflicts leading to refugee outflows are often protracted, it is difficult to negotiate with the agencies responsible for the refugee outflow, and the safety of returnees cannot be assured. Local integration is frequently resisted both receiving communities and the host governments. Resettlement can be resisted both by the refugees, who wish to return to their homes, and by the resettlement countries, for whom the numbers involved are too large (Jacobsen, 1996:658).

When refugees flee, they incur immense losses in life-sustaining resources, including social support networks, neighbours, friends, relatives, cultivable and grazing lands, livestock, jobs, houses, and access to common property resources such as forest produce, surface water, wild fruits, roots, and wildlife. Land and/or house possession in one's place of origin is seen not only as a wealth-creating and livelihood-sustaining resource, but also as the basis of status and identity (Kibreab, 2003:57). Refugees pass many stage as far as shape theirs future. According to

Stein, the stages of the refugee experience are perception of a threat; decision to flee; the period of extreme danger and flight; reaching safety; camp behavior; repatriation, settlement or resettlement; the early and late stages of resettlement; adjustment and acculturation; and, finally, residual states and changes in behavior caused by the experience (Stein, 1981: 321).

Once refugees arrive in their destinations, they maintain a low profile primarily because of the trauma of dislocation. First, their negative experiences at home and en route to asylum continue to haunt them. Second, they find themselves in a new and strange environment that they must discover, much like a child who gradually discovers his/her environment. Third, they have to come to terms with dependency and loss of their sense of self-worth. All these have the effect of restricting their range of alternatives and their ability to make considered choices. In other words, they are not important participants in the management of refugee issues, particularly during their first few years as refugee. This leaves only two actors that play important roles in the management of refugee issues in exile: host states and international humanitarian organizations, mainly the UNHCR. States, because of their concern for self-preservation, interpret every move the UNHCR makes in terms of their security interests, while the UNHCR, because of its mandate, bases its operations essentially in terms of refugee protection, including providing humanitarian aid (Bariagaber, 1999:604-605).

Refugees characteristically are in flight from the violence that threatened them in their home. Arriving at the new destination, they may become victims of the violence of an inhospitable local population; or they may find that they have brought their own war with them. First, they cite the frustrations of confinement, enforced passivity, and dependence on others for all of life's basic needs. This kind of situation can produce two contradictory responses: the so-called "DP (displaced persons) apathy," a condition of general listlessness and resignation; and random,

directionless expressions of violence. The second response is a kind of shock reaction to the total disruption of one's life and the loss of one's home and property. This seems especially to affect traditional-minded populations who were previously very sedentary and whose code does not value change and flexibility. The kinds of crimes and acts of violence most common among refugees follow a pattern explainable by this kind of experience. Typical "illegal acts" on the part of refugees include misrepresentations of self, of one's identity, one's qualifications and political beliefs; these are responses to the sudden and abrupt dislocation of one's former life, the irrelevance of one's former self, and the dependence on the wishes of others. Loss of home, property, and country is almost by definition the fate of the refugee. This may help explain the third most common form of crime, crimes of property. Refugees are a marginalized population. They have left their own state. They are now residents of a different state, of which they are not citizens. Their status is regulated by international agreements, but there is no way for the international community to enforce these agreements, much less for the individual refugee, who may not even be aware of their existence, to insist on his or her rights (Benard, 1986:626-629).

Actually, no one wants refugees. Governments of poor countries see them as a drain on their economies, a burden for their environments, and a complicated political factor. Some governments resist allowing refugees to enter, because they fear that the violence, which drove the refugees out, may spread to their own countries. Governments of rich countries fear that if refugees are allowed to cross their borders, they will serve as magnets for many more refugees (Ferris, 1998: 14). Unwillingness to accept refugees is not restricted to western world or developed countries; developing countries facing increasing refugee flow have started to show unwillingness as well.

2.2 Refugee Crises and Emergence of an International Refugee Regime

Refuge fact has been prevailed since old ages of human history and it mainly depended on religious reasons until 20th century; in the 20th century world wars, coups, wars of independence and transition to nation-state have urged human masses to look for refuge. To give examples of mass influx in late history; Mozambican refugees in Ruanda and Tanzania, nearly 10 million of Bengali refugees in India, Vietnamese and Cambodian refugees, anti regime refugees who fled after Iran revolution, 6 million refugees who fled from Afghanistan after 1979 attempt of occupation, Kurdish refugees who fled from Iraq to Iran (1.3 million) and to Turkey (460.000) after Gulf War, population from Bosnia-Herzegovina and Kosovo, more than one million people who were displaced after the crisis in Darfur region of Sudan, prove that massive inflows still have a great importance.

The international refugee regime is the collection of convention, treaties, intergovernmental and non-governmental agencies, precedent, and funding which governments have adopted and support to protect and assist those displaced from their country by persecution or displaced by war in some regions of the world where agreements or practice have extended protection to persons displaced by the general devastation of war, even if they are not specifically targeted for persecution. The regime centers around the United Nations High Commissioner for Refugees as the primary agency, and around the 1951 Convention and 1967 Protocol on the Status of Refugees in international Law (Keely, 2001: 304). Refugee law did not remain static. Since the time of the League of Nations, the law has played a key role in the protection of refugees. Important as they often are, relief and assistance are not the whole of the picture; nor are protection and assistance automatically divisible, though the 'leverage' said to attach to the provision of relief is often greatly exaggerated (Goodwin-Gill, 2005: 136).

A comprehensive refugee regime emerged with The League of Nations after World War I. The refugee policies of the organization represented the first international refugee regime. The League of Nations High Commissioner for Refugees (HCR) was established in 1921. They had been formed as a temporary agency to tackle the problems of Russian refugees after the Russian Revolution of 1917. The Russian Revolution of 1917 and its aftermath led to the establishment of an international system to deal with then refugee problem. Over a million refugees fled over the changing Soviet borders between 1917 and 1921. While non-governmental organizations had provided assistance and relief to refugees, these were not sufficient to address the problems (Joly, 1992:7). In 1921, the League of Nations created a High Commissioner for Refugees, led by Fridtjof Nansen, a Norwegian statesman who had worked for displaced people. His creation, the 'Nansen passport', offered legal documents to refugees, providing them with a recognizable status and enabling them to start afresh. A general definition was not defined, HCR use an approach based on categories, identifies refugees according to their connection to a group and origin. According to this if a person was outside to country of his origin and without to protection of the government he/she fulfils the requirements to be a refugee. Nansen was succeeded after his death by the American, James McDonald, in 1933. McDonald resigned late in 1935, believing that the large-scale human tragedy was in the making which his organization was unable to stop because the international community was unwilling to help Jewish refugees fleeing Nazi Germany (Kushner&Knox, 2001:9). The Nansen International Office for Refugees, authorized by the League of Nations in the fall of 1930, began active operations on April 1, 1931. The Office also was responsible for the Refugee Convention of 1933, a basic human-rights document for refugees signed by eight countries. The Convention Relating to the International Status of Refugees adopted to standardize the position of refugees. A definition of the refugee status has been presented in this Convention, based on the lack of protection and not having effective nationality. By 1933, the rise of Nazi Germany

produced a flood of additional refugees, and the League founded the High Commission for Refugees Coming from Germany, with headquarters in London. The Nansen Office fulfilled its mandate in 1938, and that year it was awarded the Nobel Peace Prize.

The Second World War and the immediate post-war period produced the largest population displacement in modern history. The war left some 40 million people uprooted in Europe, excluding Germans who fled the advancing Soviet armies in the east and foreign forced labourers in Germany itself. As the United Nations was established in the hope of averting another tragedy of this magnitude, displaced millions and to organize repatriation schemes. Since the League of Nations dissolved upon the end of World War II, the Allied States created the United Nations Relief and Reconstruction Agency (UNRRA) in 1943 to deal with the population flows and later on. With a broad mandate to assist in the relief and rehabilitation of devastated areas, UNRRA was not created specifically as a refugee agency. It assisted not only refugees who had fled their countries but all people who had been displaced by the war. UNRRA helped seven million displaced people returned to their countries from May to September 1945. By 1946, an acrimonious debate had arisen over whether or not UNRRA should provide assistance to people who did not wish to be repatriated. Eastern bloc countries asserted that assistance should be given only to displaced persons who returned home. Western bloc countries insisted that individuals should be free to decide whether or not to return, and that this choice should not prejudice their right to assistance. Eventually the US government, which provided 70 per cent of UNRRA's funding and much of its leadership, refused to extend the organization's mandate beyond 1947 or to grant further financial support. In its place and in the face of adamant opposition from Eastern bloc countries, the United States pressed hard for the creation of a new refugee organization with a different orientation. UNRRA came under criticism as it became embroiled in inter-governmental

conflicts with the onset of the Cold War and was replaced by the International Refugee Organization (Kushner&Knox, 2001:10). The International Refugee Organization (IRO) was created in July 1947 as a nonpermanent United Nations specialized agency. When it was set up, the expectation was that its three-year programme would be completed by 30 June 1950. Although the IRO's work was limited to assisting European refugees, it was the first international body to deal comprehensively with every aspect of the refugee issue. Its functions were defined as encompassing repatriation, identification, registration and classification, care and assistance, legal and political protection, transport, resettlement and re-establishment. The IRO Constitution included the assertion that the principal objective of the organization was that of 'encouraging and assisting in every way possible [refugees'] early return to their country of nationality, or former habitual residence'. This was put into perspective, however, by the General Assembly resolution establishing the IRO, which declared that that 'no refugees or displaced persons (with valid objections) shall be compelled to return to their country of origin' (UNHCR, 2000).

The end of the 1940s saw a hardening of the Cold War standoff that was to dominate international relations for the next 40 years. Cold War ideological tensions permeated negotiations within the United Nations on the formation of a new UN refugee body. Finally, in 1951, the United Nations General Assembly created another temporary agency, the United Nations High Commissioner for Refugees (UNHCR) with a three-year mandate and a budget of $300,000 -at a time when 1.25 million refugees fell under its mandate. The mandate of UNHCR has since been renewed –at first every three years, later every five (Ferris, 1993:7). The United Nations High Commissioner for Refugees became a permanent body in the refugee regime. 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 (UNHCR, 2000).

2.2.1 1951 Convention

The year 1951 was also when the first attempt was made to provide a universal definition of a refugee. In July 1951, the United Nations 1951 Convention Relating to the Status of Refugees was signed in Geneva. The United Nations Convention on the Status of Refugee, along with the institution of the UNHCR, was to provide the foundation for dealing with international refugee problems. The 1951 Convention became the main international instrument to deal with refugees signed by countries and the geographical and historical limitations were removed to make it universal. A majority of countries extended their obligations to accept refugees not only resulting from 'events occurring in Europe' but from 'events occurring in Europe or elsewhere'. The 1967 Protocol removed the historical limitation and has now been signed by more than one hundred countries. This protocol was introduced in response to the changing pattern of refugee movements, which by then largely came from non-European countries and were caused by events taking place after 1951 outside Europe (Joly, 1992:7). The Convention defines a refugee as

> any person who, as a result of events occurring before 1 January 1951 and owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his or her nationality and is unable or, owing to such fear, is unwilling to return to it.

In addition to the limitation on time, the Convention also allowed states to decide whether the events referred to were to relate to events 'occurring in Europe' or 'in Europe or elsewhere'. Most states signing the Convention entered a reservation

confining the definition to events in Europe. With its restriction of time and geography, the Convention was intended to address the problems created by the post-World War II turmoil and the Cold War (Joly, 1992:9). The 1951 Convention was modified in 1967 by the Bellagio Protocol which retained the definition of a refugee but removed the time and geographical limitations (Kushner&Knox, 2001:10). The 1967 Protocol reflected historical developments in the Third World resulting from a combination of causes including decolonization, the formation of new states, underdevelopment, class and ethnic conflicts, and superpower rivalries which, together, have been root causes which have led to civil wars, revolutions and dictatorships (Joly, 1992: 12). 1951 Geneva Convention, although initially restricting refugees as Europeans, defines refugee as a person out of his country who has a righteous fear of cruelty because of his race, religion, nationality, political view or social group, and remarks people conforming to this definition should benefit several rights. According to 1951 Convention every refugee has right; not to be discriminated because of his race, creed or country, to worship equivalent to citizens, to access to basic education and law mechanisms equivalent to citizens, to take side in courts, to benefit civil rights, possession, sheltering and labor rights, freedom of movement and real estate, of intellectual and industrial possession, of association, of employment, of opening workplaces and founding companies, of owning a residence, of social services and of benefiting insurance and employment regulations.

One of the most important principles which warrant countries to drawback is the Article 33 item of non-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.

In the second paragraph of the same article, the exception to this rule is stated:

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

1951 Geneva Declaration lays burden on the refuge countries to protect fundamental rights of refugees; helping the refugee if the refugee needs an official support of a foreign country to use his rights in the refuge country, recognizing the right to detect a place of settlement and travel, having an identity card, right to prepare documents of travel unless there are problems of national security and social order, not applying taxes or charges higher than applied to citizens, allowing refugees to transfer their valuables to another country, not punishing refugees for their illegal entry, not restricting the movements of refugees until their state is determined, providing ease for approval from another country, not expelling unless there is a problem of national security or social order, if a refuge has to be expelled allowing a reasonable time for the refugee to apply for another country, if extradited not sending back to the country in which refugee's life or freedom is in danger and taking necessary measures in order to assimilate and naturalize the refugees.

In addition to definition of refugee and refugee rights, 1951 Convention charges responsibilities to refugees and these responsibilities are stated in the second item of convention as:

> Every refugee has duties to the country in which he finds himself, which require in particular that he conform to its laws and regulations as well as to measures taken for the maintenance of public order.

Although first statement about not forcing refugees for refoulement was mentioned in 1993 Convention on Refugees' Situation this convention was signed by only eight countries. Another convention on the subject was 1938 Convention on Refugees from Germany and was signed by three countries. The reason why 1951 Refugee Convention became one of the main international instruments is that it was signed by numerous countries.

2.2.2 Other International Instruments

The matter of refugees fleeing war and civil disturbance has been discussed elsewhere than in Geneva. The 1949 Geneva Conventions relating to warfare do in fact provide for assistance to displaced civilian non-combatants, naming the International Committee of the Red Cross as supervisor and provider. The whole matter of non-combatant vulnerability and protection has grown hugely in the developing world since the days of framing the Convention, and must be one of the major concerns of all the aid agencies and of the United Nations (Whittaker, 2006:58).

Member states of the Organization of African Unity adopted a wider definition in 1968 to include such victims. In the next few years, six of forty-eight African states signing the convention were producing major population outflows. The Organization of African Unity Convention Governing the Specific Aspects of Refugee Problems in Africa was adopted in 1969. It broadened the definition of refugee by augmenting the categories already included in the 1951 definition.

According to Joly, it is extremely liberal and comprehensive (1996:13):

> The term 'refugee' shall also apply to every person who, owing to external aggression, occupation, foreign domination or event seriously

disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek asylum in another place outside his country of origin or nationality.

1977 Council of Europe Refuge Declaration states the recognition of refuge right to incoming people referencing previous refuge conventions and European Convention of Human Rights. In the declaration, in addition to definitions in 1951 Convention it is stated to give refuge right to people who request for refuge for "humane reasons" and this exceeds 1951 Convention and has a great importance. In Asia, where a new definition was not coined, the 1980 Manila Declaration on the Internal Protection of Refugees and Displaced Persons in Asia stress the fundamental importance of the observance of the principle of non-refoulement (Joly, 1996:14).

In Latin America a refugee regime had been established through such instruments as the 1928 Havana Convention on Asylum, the 1933 Montevideo Convention on Political Asylum and the 1954 Caracas Conventions on Territorial Asylum and Diplomatic Asylum. However it could not cope with the situation which developed in the seventies and eighties with more than one million refugees fleeing from El Salvador, Guatemala and Nicaragua. This is what prompted the adoption of the 1984 Cartagena Declaration by the Organization of American States. Its definition of refugees is broader than the 1951 Convention and includes (Joly, 1996:14):

> Persons who have fled their country because their lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed the public order.

In Arabic Convention Regulating Refuge Status in Arabic Countries which was approved by Arabic Countries Union Council in March 27th inspired by states' religions and morals, the definition of refugee is given referencing 1951 Convention, 1967 Protocol and 1992 Cairo Declaration. In the Convention the definition in 1951 Convention is accepted with the addition "ethnic root" and the definition is extended as

> anyone who is obliged to take refuge in a country out of his country of origin, place or permanent residence because of war, occupation or a foreign mandate; or natural disaster or catastrophic events which cause destruction of public safety.

The United Nations 1984 Convention against Torture and other Cruel Inhuman or Degrading Treatment or Punishment is also of relevance for refugees.

2.3 UNHCR

A variety of institutions, many of them dating back to World War II, addresses them- selves to the administration of refugee problems and the representation of refugee interests. They fall into the major categories of international organizations, national organizations, and voluntary agencies. The work of these institutions and organizations reflects the paradoxes and ambiguities of the refugees' status. This is true even of the most influential and powerful of these organizations, the UNHCR (Benard, 1986: 624-625). The Office of the United Nations High Commissioner for Refugees was established on December 14, 1950 by the United Nations General Assembly. The agency is mandated to lead and co-ordinate international action to protect refugees and resolve refugee problems worldwide. Its primary purpose is to safeguard the rights and well-being of refugees. It strives to ensure that everyone can exercise the right to seek asylum and find safe refuge in another State, with the option to return home voluntarily, integrate locally or to resettle in a

third country. In more than five decades, the agency has helped an estimated 50 million people restart their lives. Today, staffs of around 6,300 people in more than 110 countries continue to help 32.9 million persons (www.unhcr.org).

Table 1 Persons of concern to UNHCR by region

PERSONS OF CONCERN TO UNHCR - BY REGION		
Region	1 Jan 2005*	1 Jan 2006
Asia	7,230,100	8,603,600
Africa	4,855,200	5,169,300
Europe	4,426,400	3,666,700
Latin America & Caribbean	2,070,800	2,513,000
North America	853,300	716,800
Oceania	82,600	82,500
TOTAL	19,518,400	20,751,900

* Revised year-end figures.

Source: www.unhcr.org

In the table the number of people under the responsibility of UNHCR in years 2005 and 2006 are given. These numbers does not only include refugees but also people under the responsibility of UNHCR which are asylum-seekers, returnees, internally displaced and stateless persons. Maximum numbers of people under UNHCR's responsibility are in Asia, followed by Africa and Europe.

The High Commissioner for Refugees is mandated by the United Nations to lead and coordinate international action for the worldwide protection of refugees and the resolution of refugee problems. UNHCR's primary purpose is to safeguard the rights and well-being of refugees. In its efforts to achieve this objective, the Office strives to ensure that everyone can exercise the right to seek asylum and find safe refugee in another state, and to return home voluntarily. By assisting refugees to return to their own country or to settle permanently in another country, UNHCR also seeks lasting solutions to their plight. UNHCR's Executive Committee and

the UN General Assembly have authorized involvement with other groups. These include former refugees who have returned to their homeland; internally displaced people; and people who are stateless or whose nationality is disputed. The Office seeks to reduce situations of forced displacement by encouraging states and other institutions to create conditions which are conducive to the protection of human rights and the peaceful resolution of disputes. The Office works in partnership with governments, regional organizations, international and non-governmental organizations. It is committed to the principle of participation, believing that refugees and others who benefit from the organization's activities should be consulted over decisions which affect their lives (UNHCR, 2009).

As the major international institution dealing with refugees, UNHCR's main roles are to protect them, and to encourage governments to accept and take responsibility for refugees. UNHCR is a major intergovernmental body upholding the Mandate and Statute on Refugees and has been financed generously by governments. Its other responsibilities include disseminating information, advising decision-making authorities and, more rarely, taking part in the determination of refugee status. In some countries, it provides or finances legal advice for asylum-seekers (Joly, 1992:11). In Europe, the asylum systems put into place basically assumed that applicants would be from East. The European desk in UNHCR was more and more attenuated after the displaced persons of World War II were settled. UNHCR opened its first office outside Europe in Burundi in 1962. It quickly became an agency in the Third World. In many emergencies, UNHCR provided the coordination and leadership to bring relief and state-like protection to refugees. Since the UNHCR opened its first non-European office in 1962, it became more and more a UN agency that operated primarily in the developing world. (Keely, 2001:307-309) International and non-governmental agencies help governments in countries of first asylum to protect and assist refugees from war and persecution. The UNHCR is usually the lead international agency and

provides oversight about state compliance with international actors try to bring about durable solutions, especially the return of refugees to their own country in safety (Keely, 2001: 310). When UNHCR provides international protection to refugees, it defends refugees' legal right to asylum and non-refoulement and seeks to give refugees who lawfully reside on the territory of a foreign state a status as close to that of its nationals as possible. Such international protection is achieved by governmental accession to international treaties on refugees (Cohen&Deng, 1998:129).

UNHCR is mainly entrusted with refugees reaching security, not being sent back to region in which their lives are in danger and providing international protection to benefit basic human rights. Secondary mission of UNHCR is to help them in collaboration with governments to find permanent solutions to refugees' problems. UNHCR can help refugees in three ways; first it can help refugees return to their country of origin if problems are resolved; second if legal conditions in country of refuge are convenient it can help integrate refuges with the society or even naturalize; third it can help them to be accommodated in a third country which arises due to geographic restrictions.

Table 2 Refugees and total population of concern to UNHCR

Refugees and total population of concern to UNHCR 1981-2006

Year	Refugees	Total Population of Concern
1981	8,455,000	–
1982	9,714,000	–
1983	10,319,000	–
1984	10,621,000	–
1985	10,728,000	–
1986	11,864,000	–
1987	12,634,000	–
1988	13,128,000	–
1989	14,347,000	–
1990	14,733,000	–
1991	17,396,000	–
1992	16,855,000	–
1993	17,838,000	–
1994	16,326,000	–
1995	15,754,000	–
1996	14,896,000	–
1997	13,357,000	–
1998	12,015,400	20,047,700
1999	11,480,900	20,124,700
2000	11,687,200	20,821,800
2001	12,129,600	22,006,100
2002	12,116,800	20,028,900
2003	10,594,100	20,892,500
2004	9,680,300	17,101,300
2005	9,559,100	19,518,400
2006	8,394,400	20,751,900

Source: www.unhcr.org

The graph presented above is a clear indicator of the growing increase between 1980 and 2000 regarding asylum applications around the world.

CHAPTER III

TURKEY'S ASYLUM POLICY

3. 1 Turkey as a Transit Country

Turkey is a magnet for asylum seekers and migrants due to its geographical location in a region characterized by political turmoil, protracted ethnic clashes and economic crises. Turkey is playing an increasingly important role in the movement of asylum seekers, transit migrants and immigrants (Frantz, 2003: 2). Turkey has been facing cumulatively increasing refugee traffic, especially since the end of 1970's. Due to change of regime in Iran at the end of 1970's, the end of cold war at the end of 1980's, and beginning from this date social and political events in neighboring countries, thousands of people who were obliged to leave their countries have migrated to Turkey. The groups which took asylum seekers in Turkey were; small number of Afghans which were accommodated in Turkey due to Russian-Afghan war, hundred thousands of Kurds and Turcoman who fled twice from Iraq to Turkish borders in 1988 and 1991, Bosniacs who fled from war in Bosnia in 1992, Kosovars who fled from war in Kosovo in 1999, Chechens who fled after 2000 due to Russian-Chechen war. Aside from being a refuge country Turkey is a transit country for people from Middle and West Asian countries Afghanistan, Pakistan, India, Iraq, Iran, Bangladesh, Middle East and African countries Palestine, Syria, Tunisia, Algeria and Sudan to European countries, USA, Canada and Australia. According to İçduygu, three factors seem to be shaping these migratory movements to Turkey. First, the ongoing political turmoil and clashes occurring in neighbouring areas have pushed people from their homelands in the hope of 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 'Fortress Europe', applying very restrictive admission procedures and increasing immigration flows targeting Europe to peripheral zones around it like Turkey (2000:358).

Turkey plays a pivotal role in Middle Eastern-originated irregular migration. It was not until the 1990s that Turkey became a major country of transit for thousands of irregular migrants mainly from Middle Eastern countries such as Iran and Iraq. Increasing economic disparity, continuing wars, civil conflict, and human right violations, and growing access to communications and transport networks over the last two decades have let to the significant increase in the numbers of irregular migrants and asylum seekers moving out from the Middle East and traveling trough Turkey and attempting to arrive in Europe and other parts of the developed world (İçduygu&Toktaş, 2002:27). Turkey has increasingly been confronted with large-scale movements of irregular migrants, mainly coming from the Middle East, who Turkey as a transit area on their way to Europe. This relatively new migration phenomenon has a number of political, social and economic implications, not only for Turkey, but also for the wider context of the East-West and South-North migration axes, particularly for migration from the Middle East to Europe (İçduygu&Toktaş, 2002: 30). Irregular migration flows to Turkey introduce three main groups of immigrants to the country. The first involves the migration of foreigners mostly from the Eastern European countries (such as Romania and Moldavia), who arrive in Turkey in search of jobs. For instance, some Turkish farmers and industrialists in western regions of the country are increasingly relying on Eastern European labor migrants. Similarly, countless middle and upper class families employ domestic help, mainly Moldavian women. Many of these migrants entered Turkey legally but subsequently overstayed or failed to get their visas renewed. The second form of irregular migration to Turkey

involves transit migrants who come to Turkey mainly from the Middle East (mostly Iranians and Iraqis) and various Asian (e.g., Pakistan, Bangladesh, and Sri Lanka) and African (e.g., Nigeria, Somalia, and the Democratic Republic of Congo) countries. These migrants perceive Turkey as a transit area for reaching to the developed countries of the West. This group involves migrants who both enter and leave the transit country illegally and those who have overstayed their visa entitlement. The third group of irregular migrants comprises the rejected asylum seekers who are reluctant to return home. They are normally on the lookout for opportunities to earn money and the possibility to migrate to a third country (İçduygu&Toktaş, 2002:31).

To better understand the transit phenomenon in Turkey, it is necessary to refer to recent refugee flows into the country. The movement of refugees is not the same as that of other transients, but information on the former way cast light on the latter. After constitution of the republic, according to 1923 Treaty of Lausanne an agreement on population exchange between Turkey and Greece was adopted and 384.000 people were accommodated in Turkey. A similar treaty was repeated with Bulgaria as "voluntary exchange".

With the migration that took place during the Second World War, more than 800,000 people came to Turkey between 1923 and 1945. Migration from the Balkans to Turkey continued after the Second World War. With the mass influxes of refugees from Bulgaria in 1950-51 and 1989, almost 600,000 people arrived in Turkey from the Balkans. A small number of people of Turkish descent have also migrated from Asian countries, including Afghanistan. The onset of Nazism in Germany made Turkey a popular country of asylum, particularly during the second half of the 1930s. Between 1933 and 1945, approximately 800 German-speaking refugees sought asylum in Turkey, including university professors, scientists, artists and philosophers and a large number of Jewish intellectuals. During the

Cold War, Turkey extended asylum and granted dejure refugee status only to individuals fleeing communist persecution in Eastern Europe and the Soviet Union. This was done, however, on the understanding that recognized refugees would eventually be resettled in third countries (Kirişçi, 1996: 295-296).

Kirisci says they are 'convention refugees'. Refugees from beyond the geographical area for which Turkey has accepted responsibility under the 1951 Convention can be referred to as 'non-convention refugees'. Until the introduction of the 1994 Regulation on Asylum, Turkish national law had no provisions governing the status of asylum seekers and refugees coming from outside Europe. Instead, Turkish refugee policy was based on the general provisions of the Law on Settlement, the Citizenship Law, the Passport Law and the Law on Sojourn and Movement of Aliens (Kirişçi, 1996: 297).

The first mass arrivals of non-Convention categories of refugees to Turkey, who might also be considered as transients, were Iranians. After the Islamic Revolution of 1979, thousands of Iranians, some was arriving with valid documents but others without, sought refuge in Turkey, but the majority had the intention of using Turkey as a transit area to pass to Western countries. Under current regulations in Turkey, these Iranians have not been recognized as asylum seekers in the sense of the Geneva Convention, and have been allowed to stay as tourists for time periods that are regularly extended. There is no direct evidence on the actual number of Iranians who have entered Turkey, but it is widely pronounced that almost one million Iranians have used the country as a transit. Turkey's second largest flow of transit migrants was made up three mass arrivals from Iraq between the years 1988 and 1991. The first came in 1988 when the Iran-Iraq War ended. Pushed by Iraqi

military actions more than 50000 Kurdish peshmergas[1] and their family members poured into Turkey in the last week of August 1998. It was again because of Turkey's geographical limitation in the Geneva Convention that the arriving people from Iraq were considered 'temporary guests' rather than asylum seekers, and were expected to leave Turkey as soon as possible. The second flow from Iraq consisted of foreign workers in Iraq or Kuwait wanting to escape from those countries during the Gulf Crises. Nearly 60,000 foreign workers and their dependants, mostly from developing countries in Asia, fled to Turkey across the Iraq border in the period between August 1990 and April 1991. These people were temporarily housed at a camp close to Iraq-Turkish border, and they left Turkey soon after their arrival when the necessary transportation arrangements were made by their national governments or international agencies. Also in between 1988 and 1989, when the Halepce massacre occurred, Turkey experienced mass influxes of Kurdish refugees from Iraq. The last mass flow of people from Iraq to Turkey occurred when half a million Kurds, running away from the Iraqi military, poured into the mountainous region separating Turkey from Iraq in early April 1991. After the difficult experience of the 1988 influx, Turkey was keen not to open her border to this mass flow, but it was difficult to control (İçduygu, 2000: 632). Turkey started to arrangements of regulations substantively enacted in 1994, by determining that although Turkey is a side of 1951 Convention within this crisis of taking shelter, there is no any constitutional arrangement, law and even a regulation about refugees within its own domestic legislation.

In addition to other incoming migratory flows, 1989 was characterized by the movement of more than 310,000 Bulgarian Turkish asylum seekers fleeing the

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[1] Peshmerga is a member of a Kurdish guerilla organization that fights for a free Kurdish state

repressive regime of Bulgaria. Later, more than half of these refugees returned to their homeland. Only a very small proportion of them managed to go to other third countries. Apart from the Middle Eastern flows from Iran and Iraq, there was a significant movement of asylum seekers and other transit migrants from Africa and Asia to Turkey. A large proportion of the arrivals from Asia and Africa were undocumented migrants who entered Turkey illegally and wished to leave it legally (İçduygu, 2000: 632). By implication Turkey does not recognize non-Europeans as refugees, resettlement in a third country is the only option available to refugees who flee to Turkey in fear of political, social, religious or gender-based persecution. Turkish law requires asylum seekers to apply for "temporary asylum" immediately after their arrival. They are then given a certain period to seek resettlement in a third country with the help of the UNHCR. To be resettled, a refugee must first be recognized by UNHCR, a process that is getting longer and more difficult every year.

Turkey is one of the few countries that still maintain the geographical limitation in the 1951 Convention, according to Kirişçi (1996: 308-309), a number of factors play a role in this. Since the 1950s, Turkish officials have considered neighbouring areas in the Middle East to be highly unstable and prone to refugee movements. Today, too many Turkish officials continue to believe that the very nature of the political regimes, particularly in Iran and Iraq, makes Turkey a natural country of asylum for people fleeing these countries. They see potential refugee movements into Turkey as a matter that directly affects national security, and like their Western counterparts, they fear being overwhelmed by asylum seekers and illegal immigrants. Mass influxes of refugees from neighbouring countries over the last years have reinforced this conviction. Hence, they see the ability to maintain the geographical limitation as an important protection against an erosion of Turkey's control over movements of people. It also makes it easier to manage relations with neighbouring Middle Eastern governments. Kirişçi argued that another reason that

diminishes the likelihood that the geographical limitation will be lifted is that Turkey does not define itself as a country open to immigration. In contrast to the multi-ethnic and multi-religious nature of the Ottoman Empire, the founders of the Turkish Republic emphasized the 'Turkishness' of the country. Promoting cultural (ethnic) homogeneity was an important aspect of nation building, very much reflected in the laws governing migration which clearly discourage non- Turkish immigration. The Law on Settlement, for example, explicitly bars the settlement in Turkey of refugees who do not belong to die 'Turkish culture'.

3.2 Turkey's Asylum Policy

Resettlement programs had a considerable effect on Turkey's asylum policies because Turkey was not willing to admit non-European asylum seekers. There are three major legal sources of Turkish asylum policy. The first is the Law on Settlement adopted in 1934. This law states that people only of Turkish descent and culture can migrate and settle in Turkey or acquire refugee status. According to this law, the refugee is a person who arrives to Turkey to seek asylum because of compulsion, who has intention to stay temporarily in Turkey (Official Gazette, 14 June 1934, No 2733).

The second major legal source is the 1951 Geneva Convention on the Status of Refugees, which Turkey is one of the drafters and first signatory countries Turkey, one of the first state parties of the convention, announced its declaration about this argument in 359 numbered Confirmation Law, in August 29, 1961, and stated that it understood and accepted the initial phrase as "due to the incidents taking place in Europe". Thus, Turkey accepted 1951 Convention by a serious "geographical limitation". The last major legal source is "The Regulation on the Procedures and 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". Although Turkey was one of the signatories of the 1951 Geneva Convention, it has not had any national legislation pertaining to refugees until 1994. The Turkish government adopted "The Regulation on the Procedures and 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" on November 30, 1994, which was prepared by the Ministry of Interior in consultation with the Ministry of Foreign Affairs. Prior to 1994, the UNHCR was the sole body entrusted with the processing of the asylum applications in Turkey. The regulation identifies two types of asylum seekers to Turkey: the first group includes European refugees who are granted protection under the 1951 Convention. The second group concerns non-European asylum seekers who aim for resettlement in a third country (İçduygu, 2003:58). As Kirişçi (2000:21) mentions, the 1994 Regulation on Asylum can be considered as a major step forward in respect to regularizing the status of asylum seekers and refugees particularly from outside Europe. It brings a greater degree of clarity to the rights and obligations of all parties involved in asylum application and status determination, compared to the past; perhaps most importantly, the whole system has become much more transparent. Another important positive development concerns non-refoulement. Article 29, which deals with deportation, provides that

> a refugee or an asylum seeker who is residing in Turkey legally can only be deported by the Ministry of the Interior within the framework of 1951 Geneva Convention ... or for reasons of national security and public order.

This can be considered as an unequivocal acceptance of the applicability of the principle of non-refoulement to both asylum seekers and refugees from outside Europe. Previously, non-refoulement for non-Europeans was not clearly

recognized and was often a source of conflict between Turkish authorities and the UNHCR, Western governments and non-governmental organizations. Turkish authorities were frequently reminded of Turkey's obligation as a signatory of the European Convention on Human Rights not to return person s to a country where their lives might be in danger, even if they were not covered by the 1951 Convention (Kirişci, 2000: 22). According to the Regulation calls for the deportation of those persons whose cases have been rejected or have not filed for asylum within the five-day limit (The time limit was scaled up to 10 in 1999 and removed in 2006 by defining it as the reasonable shortest time). As a result of the time limitation in 1994 Regulations, deportation decision was made on a good number of refugees. Especially between 1994 and 1996, a vast number of refugees, such as Bahai group composed of 56 persons deported to Iran, were deported.

3.2.1 Turkish National Action Plan on Migration and Asylum

Within this phase of the action, apart from these three legal major sources, the processes contributing to asylum policy of Turkey will be analyzed. Turkey guarantees to legislate a special refuge act until the year 2005 in the National Programme in official gazette No: 25178 which was declared by Turkish Republic in July 24th 2003. In the National Programme it is mentioned that Turkey sides with 1951 convention and 1967 protocol, adopts the geographical limitation in the protocol and obeys non-refoulment principle for refugees whether they are in the scope of limitation or not. Also it is remarked that " The issue of geographical limitation to be handled in depth during talks of accession of Turkey ; will be annulled depending on realization of necessary legislation and changes in infrastructure and sensitivity of EU countries to burden-sharing, as such a direct refugee flow will not be induced from east into our country during stages of accession."

In the National Programme the institutional structuring schedule had been presented for the implementation of harmonization and practice of legislation and requirements to be fulfilled from 2003 until the end of year 2005 had been listed in order. Among these are: Rise of social consciousness, accomplishment of needs and education of personnel to work in the field and accordingly organization of seminars on refugee law, constitution of a specialized agency in the Ministry of Interior sole competent in decision of the matters, enhancement of the operational capacity of this agency, constitution of refugee guesthouses, hosting centers and refugee reception center, enhancement of country of origin information database, enhancement of social services delivered to refugees (education, health, employment and translation services), recruitment and education of personnel to give psychosocial support.

Consequently, Turkey initialized asylum-migration Twinning Project with Denmark and England Consortium in March 8, 2004. The goals of the project are to harmonize agencies responsible for migration and asylum to EU laws and its best implementations – including enhancement of operational capacities (coordination, human resources, and equipment) - and to support the enhancement of operational capacity of agencies responsible for migration and asylum in order to support the preparation of an action plan. To convert data gathered as a result of the activities carried out throughout the project into an action plan, a "Migration-Asylum Action Plan Task Force" consisting of officials of related Ministry's agents and institutes has been founded in November 2004 and by completing activities at the end of December 2004, "Turkish National Action Plan on Migration and Asylum" had been prepared. The main topics in national action plan briefly are:

A circular of the Ministry of Interior, which is planned to become effective after arrangement of 1994 circular, will serve as an intermediary between current

circular and Asylum Law yet to be enacted and problems which occurred during implementation will be considered in enacting new laws. As planned, circular issue 57 has been posted by Ministry of Interior in 2006 under the name "Implementation Directive", which will be explained in detail below.

With the constitution and enhancement of a specialized unit which will act as an expert and authorized body on the subject and the Asylum Law which is to be enacted in 2012, the employment and education of personnel to work here starting from 2005 is to be carried out as a part of Twinning Project between 2006 and 2008. Correspondingly, "Education and Collaboration of Police regarding Migration and Asylum Project" which had been financed by Global Opportunities Fund of Ministry of Foreign Affairs of United Kingdom and carried out by General Directorate of Security Affairs Foreigners Branch and The International Catholic Migration Commission had been imposed beginning in autumn of 2004 lasting 9 months. As a part of the project so as to harmonize Turkish laws with EU laws, "Refugee Law", "Advanced Status Determination" and "Basic Field Expertise" educations had been given to 105 General Directorate of Security Affairs personnel working in center or field. Furthermore, establishment of Education Academy -subject to EU Twinning project- which will provide continuing education for the personnel to work in asylum and migration field, is in the medium term plan of National Action Plan.

Another topic in the National Plan covers reception and accommodation centers. Primarily starting with the eastern regions, it is planned to establish Refugee Reception-Accommodation Centers and Refugee Guesthouses in seven distinct districts between 2006 and 2010, each having total bed amount of 750. It is also planned to establish Refoulement Centers in which refugees will stay until their process of refoulement is completed. Another plan is to construct an Asylum Unit building which will gather all organizations working on this subject.

In the National Plan not a determined span but a "reasonable span" for access to asylum procedures is mentioned, access to procedures by people without identities is prescribed, acknowledging refugees about filing an appeal against a negative verdict, and establishing administrative courts with judges having been thoroughly educated on the subject are planned. "Generalization of the same sensitivity to all sensitivities" for non-refoulement principle is remarked. Concepts such as "subsidiary protection, tolerated foreigners, residence permit" which were implemented extensionally in Europe and which are thought to become effective in medium term in Turkey, are mentioned for the first time in this action plan. It is planned to create an opportunity of "free accommodation" for refugees or people under subsidiary protection so as to integrate them to Turkish society by making changes in 1994 regulations in 2006. Also in the National Action Plan integration of refugees in medium term, education programs, health issues, social aids, labor rights and access to social and cultural rights are mentioned, and accordingly it is aimed to raise awareness of public on refugee rights with the support of NGO's.

On burden sharing, in the plan it is prescribed to share refugees, asylum seekers, foreigners under temporary asylum and foreigners who live illegally with EU countries, also it is prescribed to share economical burden. It is also considered to share burden not only with EU commission but also with international financial resources of UNHCR and IOM, and for this it is planned to make an independent budget within the budget of Ministry of Interior.

3.2.2 2006 Regulation

First major change in 1994 regulations was first approved by cabinet in January 1, 2006 issued 2006/9938. The regulation was issued in National Gazette in January 27, 2006 and was invoked under the name of "Regulation on Amendment of Regulation on Bases and Principles Applying to Individual Foreigners Which Take Refuge in Turkey or Which Demand Residence Permit in Order to Take Refuge in Another Country and Foreigners Which Come to Our Borders with the Aim of Massive Asylum and Possible Population Movements" Changes in regulation can be stated as:

With the Article 1 and changes in Article 4 of the regulation; 10 days of application period is cancelled, concepts, "without delay", "as soon as possible", and "reasonable time" got into the regulation.

With the Article 2 and changes in Article 5 of the regulation; for the first time, transfer of Ministry of Interior's authority of interview and decision to governorships is mentioned. It is noted that personnel to work in the field will be employed not in criticized Foreigners Branch because of personnel's lack of education, but in governorship structure. This transfer of authority has not been realized yet, however according to information received from UNCHR Turkey branch the activities on the subject are continuing.

With the Article 3 and changes in Article 6 of the regulation; Ministry of Interior's obligation of receiving opinion from other ministries, mainly Ministry of Foreign Affairs, is cancelled, in addition legal rights are administered to delegate "appropriate" governorships on decision making. However, with this mechanism which aims to accelerate decision making, 15 days of objection period can be shortened.

With the Article 4 and changes in Article 7 of the regulation, it is stated that Ministry of Interior can also cooperate with NGO's along with UNHCR and International Organization for Migration so as to fulfill some requirements, mainly social ones.

With the Article 4 of the regulation; for the first time referencing the personnel "trained in asylum-migration field" it is enounced that people trained on the subject will work in the field (Official Gazette, 27.01.2006).

3.2.3 Implementation Directive

After 2006 regulation, on June 22, 2006, Implementation Directive (circular issue 57) for police forces has become effective. This Implementation Directive's aim is to determine the principles and procedures to be applied for aliens and stateless persons who applied for asylum/refugee status in Turkey according to the Regulation on Procedures and Principles to be Applied to Possible Population Migration or Individual aliens who requested a residence permit from Turkey in order to apply for asylum to another country and aliens who approach our borders in order to apply for asylum as a group according to the 1951 Convention Relating to the Status of Refugees and 1967 Protocol Relating to the Status of Refugees. This implementation directive scopes the individual foreigners and stateless persons both from European and non-European countries, who seek asylum in Turkey or asks for residence permit in Turkey in order to seek asylum in another country. In case the refugees and asylum seekers, who passed Turkish border as a group; are accepted in Turkey, actions and the measures to be made, be conducted in accordance with the third part of the 1994 Asylum Regulation. In the beginning of regulation, the position of human rights law, Turkey's European Union process, and the relevant union acquis are evaluated, and in the next part namely "definitions", refugee terminology, which is lasting since Turkey's 1994

regulation, is redefined. Within the circular, the whole asylum process in Turkey is evaluated in general, and which method to follow in which period is tried to determine in detail.

One of the three solutions proposed to refugees and the only apparent solution offered to non-European refugees in Turkey "resettlement of third country" seems to be the only international means for refugees who are poorly protected and have no chance of returning to country of origin. However, when massive inflows are considered this solution does not stand as a realistic choice since only few refugees can be accommodated in third countries. Since most of the refugees prefer familiar cultural and social environment and the final aim of massive inflows is returning to country of origin they want to live in nearby countries. Although voluntary returning may be permanent solution, some of the refugees, which are in danger and open to attacks, are in need of being accommodated in a third country. Refugees may sometimes face a low probability of return and lack of integration in the refuge country. In that case, accommodation in third countries offers the most convenient solution. Since Turkey only provides temporary refugee the best solution for these people seems to be accommodated in a third country.

3.3 Refugee Status Determination Procedures in Turkey

Turkey was among the drafters and original signatories of the 1951 Geneva Convention relating to the Status of Refugees, but signed it with both a geographical and a time limitation. In 1967, when signing the 1967 Protocol relating to the Status of Refugees, Turkey accepted to lift the time, but not the geographical limitation. Hence, Turkey has only applied the 1951 Convention to recognized refugees who have sought asylum as a result of 'events occurring in Europe' (Kirişçi, 1996: 293).

The terms 'refugees' and 'asylum seekers' are often used as if they mean the same thing. Such interchangeable usage has become so widespread that it has developed national and international currency. However, it is important to make the distinction because it is this lack of clarity that often causes the greatest confusion and anxiety amongst the general population. For example, there is an assumption that all asylum seekers are refugees and that being an asylum seeker automatically means that one will be granted refugee status (Okitikpi& Aymer, 2003:213-214). In Turkey according to a Ministry of Interior Implementation Directive, these terms mean:

> "Asylum seeker" defines a foreign national or a stateless person who comes from a non-European country and is granted asylum seeker status by the MOI in the case of s/he meets the criteria of the refugee definition laid down in Article 1 of the 1951 Convention as it is stated in the third paragraph of the third article of the 1994 Asylum Regulation.

> "Refugee" defines a foreigner or a stateless person, who comes from European countries and is granted a refugee status by the decision of MOI in the case of s/he fulfils the criteria in the refugee definition laid down in Article 1 of the 1951 Convention as it is stated in the second paragraph of the third article of the 1994 asylum Regulation.

> "Refugee Status", defines the recognition of a foreign national or a stateless person, who comes from European countries and meets the criteria of the refugee definition, lay down in the first article of the 1951 Convention and; is recognized as a refugee by the MOI.

> "Asylum seeker Status" defines the recognition of a foreign national or a stateless person, who comes from non-European countries and meets the criteria in the refugee definition laid down in Article 1 of the 1951 Convention, and recognized as asylum seeker by MOI.

Legislation and national procedures that display the 1951 Geneva Convention do not contain procedures for determining refugee status (Joly, 1992:43). In Turkey,

refugees come under 1994 Regulation and its appended rules. There are parallel procedures for determining the status of non-European asylum seekers entering the country performed by both UNHCR and the Turkish government in Turkey.

According to the 1994 Regulation, asylum seekers who have legally or illegally entered Turkey were initially required to make their asylum applications within five days of their arrival in Turkey. A major amendment to the Regulation occurred in January 1999 when the government increased the five-day limit to ten days. Despite this, the time limit is a handicap for many asylum seekers because late applicants. The major adjustment to the Regulation occurred in January 2006 and there is no time limit as to when foreigner who has entered Turkey can apply for asylum. However, asylum seekers are required to present themselves to the relevant authorities within the 'shortest reasonable time'. According to Implementation Directive, the applicant, who did not apply within the reasonable shortest possible time, has to explain their reasons of delay and have to cooperate with the competent authorities. Before the application is taken into procedure, the identity of the applicant should be identified; fingerprints of the applicant and photos should be taken and the applicant should be investigated. After the interview, an interview report should be prepared and sent to the Ministry of Interior together with the opinions of the governorship and the evaluation of the authorized person about the application. Then applicants, who come from non-European countries, should be informed that they should register with UNHCR. It is compulsory that all applicants and asylum-seekers/refugees residing in Turkey should be given an ID card in 15 days at the latest after application. Identifying information and fingerprints are taken from the applicant. Following identifying, a preliminary interview should be conducted. This interview will define applicant's reason for coming to Turkey, reason for leaving country of origin, what will happen if returned to country of origin. After the completion of the preliminary interview, "Individual Interview Appointment Document" which shows the date

and time of the personal interview of the applicant shall be given to the applicant. A longer interview should then take place within 30 days. The aim of the interview is to gather information in order to evaluate whether the applicant needs protection or not. The interviewer should prepare an interview report about the application. Then the application is accepted, the asylum seeker is eligible for a six-month residence permit. Asylum seeker must pay for each residence permit which is issued. According to some refugees in Nevsehir, this puts enormous pressure on them and many cannot afford the fees required. Then the asylum seekers are relocated to a satellite city in central Anatolia such as Afyon, Agri, Aksaray, Amasya, Bilecik, Burdur, Cankiri, Corum, Eskisehir, Hakkari, Hatay, Isparta, Izmir, Karaman, Kastamonu, Kayseri, Kirikkale, Kirsehir, Konya, Kutahya, Nevsehir, Nigde, Silopi, Sivas, Tokat, Van and Yozgat by the Ministry of Interior. They are still not allowed to leave the city without permission.

In case a negative decision is taken in the first instance, officials should inform the persons that s/he might appeal against the negative decision within 15 days. The Implementation Directive provides for the possibility for asylum seekers to appeal decisions rejecting their cases. If there is no appeal against the negative decision, the foreigner will be informed to deport from the country within 15 days. In case the applicant is granted asylum-seeker/refugee status in the final decision as a result of the assessment of the appeal by MOI, the applicant(s) should be granted residence permit based on the instruction of MOI. In case the appeal is rejected in the final decision by MOI, the applicant shall be informed on the decision; should not be asked to leave from Turkey. The cases of the applicants whose appeal rejected in the final instance are assessed within the framework of the general provisions of Article 6 in the 1994 Asylum Regulation by MOI. The applicants who are not deemed as appropriate to grant residence permit within subsidiary protection with humanitarian consideration or under the general provisions regarding foreigners, by MOI. The decision should be informed to the applicant

and asked to deport from the country within 15 days, if a period is not given by MOI. The foreigners, who did not apply to the administrative court and did not deport from Turkey by the end of this period, the actions should be taken under general provisions regarding foreigners and the officials in the province where the person was caught should deport the foreigner (Kirişci, 2000:24).

However getting a refugee status does not mean everything got better. When waiting for to be transferred to a third country, there are problems such as regarding a new life and country, language, adaptation to customs and not being able to afford accommodation. Those who are not accepted as refugees are permitted to stay for a certain period but they are out of UNHCR's responsibility. They live in constant fear of being expelled. These people who have difficulties to lead their life and who are open to many dangers usually don't choose to return.

3.4 Statistics and Location of Asylum Seekers in Turkey

According to data obtained from UNHCR, as of August 2008, there are 14517 asylum seekers and refugees in Turkey with open files. However adding those who entered Turkey by illegal means and those who have closed files and considering that it has been announced by Ministry of Foreign Affairs that 64200 "illegal fugitive refugees" were arrested in 2007, it is inevitable that the real number of refugees is much higher than estimated.

Table 3 Asylum Applications

Year	Iranian		Iraqi		Others		Total	
	Case	Person	Case	Person	Case	Person	Case	Person
1997	746	1,392	1,275	2,939	83	117	2,104	4,448
1998	1,169	1,979	2,350	4,672	124	187	3,643	6,838
1999	2,069	3,843	1,148	2,472	184	290	3,401	6,605
2000	2,125	3,926	791	1,671	108	180	3,024	5,777
2001	1,841	3,485	497	998	372	709	2,710	5,177
2002	1,456	2,505	402	974	219	315	2,077	3,794
2003	1,715	3,092	159	342	373	514	2,247	3,948
2004	1,225	2,030	472	956	540	912	2,237	3,898
2005	1,021	1,716	490	1,047	753	1,151	2,264	3,914
2006	1,343	2,297	364	722	1,094	1,534	2,801	4,553
2007	1,024	1,668	1,738	3,470	1,651	2,502	4,413	7,640
2008*	384	653	766	1675	479	721	1629	3049

*30 April

Source: UNHCR Ankara Branch Office

In the table applications of refuges to Turkey between the years 1997 – 2008 are given. It is seen that applications of refuges show a trend of decrease in first five years of 2000's, but in 2005 and afterwards, a trend of increase.

Table 4 Acceptance Rate of Non-European Asylum Seekers

Acceptance Rate Between 1997and 2007						
Year	Iranian	Iraqi	Others	General rate	Total	
					Case	Person
1997	52%	25%	24%	35%	578	-
1998	56%	30%	30%	40%	891	2,230
1999	59%	18%	31%	43%	841	1,903
2000	57%	27%	28%	49%	1186	2726
2001	70%	34%	56%	61%	1287	2867
2002	72%	38%	35%	63%	1344	2885
2003	79%	–	45%	76%	1600	3300
2004	75%	-	31%	69%	934	1748
2005	67%	-	36%	59%	736	1368
2006	90%	-	39%	79%	1051	1878
2007	88%	%100	72%	85%	3588	7121

Source: UNHCR Ankara Branch Office

As seen in the table, asylum application rates show increase between the years 1997 – 2003. The decrease observed between years 2004 and 2005 leaves its place to increase in years 2006 and 2007.

Table 5 Asylum Application June 2008

June 2008 Asylum application		
Country of Origin	**Case**	**Person**
AFG	73	223
CMR	1	1
COD	4	4
CUB		
ERT	5	5
GUI	2	3
IRN	96	146
IRQ	341	760
MAU	2	2
MYA	1	1
PAL	3	14
SOM	31	68
SUD	13	13
SYR	0	1
UZB	2	9
Total	**574**	**1250**

Source: UNHCR Ankara Branch Office

In June 2008, 1250 people, whose countries of origin are given in the table above, have applied for refuge in Turkey. These numbers show that Turkey is a point of attraction because of its geographical location.

Table 6 Active Case According to Age and Sex

Active Case According to Age and Sex					
	0 - 4	**5 - 17**	**18 - 59**	**60+**	**Total**
Woman	594	1527	3840	161	6122
Man	619	1852	5749	175	8395
Total	1213	3379	9589	336	14517

*August 2008

Source: UNHCR Ankara Branch Office

According to August 2008 numbers, there are 14517 (6122 women, 8395 men) refugees which have open files. 4592 of total number are persons under 18.

Table 7 Resettlement Countries

Resettlement Countries									
	2000	**2001**	**2002**	**2003**	**2004**	**2005**	**2006**	**2007**	**2008***
Australia	318	154	297	339	313	131	101	145	233
Austria	1			4					
Belgium				6		3			
Canada	666	636	679	556	453	189	459	364	129
Denmark	5	25	267	3	5		1		
Finland	162	97	266	71	143	148	119	92	115
France		4	2						7
Germany	19	38	75	78	28		4	1	
Ireland				2				1	2
Italia		3							
Israel								1	
Holland	10	3	11	5	3		14	4	
Norway	62	608	315	263	48	1		1	
New Zeeland	4	5	12	1	7				
Poland						1			
Sweden	122	200	302	109	252	7	2	18	11
Switzerland	7	1		1	3				
England	6	14	30	9	1	20	2		
USA	952	959	662	1,488	1,036	762	907	2,040	1,562
Total	**2,334**	**2,747**	**2,918**	**2,935**	**2,292**	**1,262**	**1,609**	**2,667**	**2,059**

*31 July

Source: UNHCR Ankara Branch Office

UN High Commissioner's Office for Refugees has accommodated to the third country 18,754 people who entered Turkey in various ways to different countries

between January 1, 2000 and December 31, 2007. Highest resettlement rates are in United States, Canada and Australia among other nineteen countries.

CHAPTER IV

SOCIAL EXCLUSION

4. 1 Definition of Social Exclusion

"Exclusion" (les exclus) as a term, was first used in France, in 1960's as a form of social critique. Rene Lenoir in the Gaullist government in 1974 first spoke of the "excluded", referring to "various classes of "misfits", such as intellectually and physically disabled, suicidal persons, substance abusers, single parents, and various other marginal and asocial persons unprotected by social insurance" (Ryan, 2007). Regarding social exclusion, there is not a clear consensus among social scientists related to this term. Social exclusion signifies a social context, in which some people cannot make any progress in terms of participation in society because of their more disadvantaged positions related to economic, political, social and/or cultural conditions. In literature, social exclusion is defined as the miscommunication or lack of communication between the individual and the state or between one group and the state.

Social exclusion is a process whereby certain individuals are pushed to the edge of society and prevented from participating fully in social life, by virtue of their poverty, their lack of basic competencies and lifelong learning opportunities, or as a result of discrimination. This distances them from jobs, income and education and training opportunities as well as social and community networks and activities. They have little access to power and decision-making bodies and thus often feel powerless and unable to take control over decisions that affect their day-to-day life. Social exclusion is therefore treated as a multidimensional concept, including

not only income, but also other indicators that define the conditions of the life-world. Thus, social exclusion occurs at the intersection of economic, cultural, political and spatial dimensions. Economic exclusion includes short-term or long-term unemployment and/or lack of credit opportunities due to having fallen out of the labour market. Cultural exclusion is the state of not being able to be fully involved in the social and cultural life independent of economic capability. It includes not being allowed into the existing activities of social life and facing barriers or being unwelcome by the majority due to a difference in ethnicity, race, or religion, lack of fluency in the dominant language, accent, different dress codes or sexual orientation. Political exclusion is the state of not being able to enjoy citizenship rights, especially political and legal rights, fully or partially, and facing direct or indirect barriers to involvement in political life. Spatial exclusion is the situation of experiencing problems with and barriers to accessing and benefiting from certain spaces. Each form of economic, cultural, political and spatial exclusion strengthens the other. For example, political exclusion could result in economic exclusion by causing one to be out of political decisions about distribution and allocation processes. On the other hand, economic exclusion could cause cultural and political exclusion as it results in barriers to integration in society due to economic difficulties (Adaman and Keyder, 2006).

De Haan (2001), by using exclusion and deprivation as closer concepts, argues that social exclusion is a "multi dimensional concept, which implies a focus on the relations and processes that cause deprivation" The concept focuses on the multidimensionality of deprivation, regarding the fact that people are often deprived by different factors (social, economic and political spheres) at the same time (2001: 26).

Silver (1994) claims that definition of exclusion is difficult since it is a vague term related to numerous economic, social, political, and cultural connotations and

dimensions. It is also stated that the term of exclusion is contextually and ideologically embedded and this characteristics, in turn, can also be seen as an opportunity to understand political cultures, ideologies and national discourses in a society that attributes exclusion to a different cause. Silver (1995) gives a long list of the excluded on a global level categorized such as: long-term or recurrently unemployed, employed in precarious and unskilled jobs or unprotected by labour regulations, the low-paid and the poor, the landless; the unskilled, illiterate, and school dropouts, the mentally and physically handicapped and disabled, drug abusers, prison inmates and criminals, youth, especially with no work experience or educational background, child labourers, women; foreigners, asylum seekers, refugees and immigrants, racial, religious, linguistic and ethnic minorities, the politically disenfranchised, recipients of social assistance, people need but ineligible for social assistance, residents of disreputable neighborhoods, people with consumption levels below substance, people whose consumption, leisure, or other practices stigmatized or labeled as deviant, the downwardly mobile, socially isolated without friends or family (1995;74-75).

Silver and Miller (2003:8) make a definition of the concept of social exclusion by stating:

> (1) multidimensional or socio-economic, and encompasses collective as well individual resources, (2) dynamic or processual, along a trajectory between full integration and multiple exclusions, (3) relational, in that exclusion entails social distance or isolation, rejection, humiliation, lack of social support network, and denial of participation, (4) active in that that there is a clear agency doing the excluding, and (5) relative to context.

Burchardt, Le Grand, and Piachau (1999: 230) offer the following more restricted definition of social exclusion:

An individual is socially excluded if (a) he or she is geographically resident in a society and (b) he or she does not participate in the normal activities of citizens in that society (Burchardt, Le Grand, and Piachau, 1999: 230).

According to Paugam, (1996:7) social exclusion is the paradigm based on which society becomes aware of its own dysfunction and looks, possibly through confusion and urgency, for solutions. He also argues that defining the 'excluded' according to precise long-term criteria leads almost to a reification of new social groups or ones that are similar to the current categories and gives the impression that the study of poverty and exclusion is an exact science which can divorce them from their social and cultural context.

For Esping-Andersen, socially excluded groups are more or less similar to castes; as they have ascribed socially defined roles, inherited unemployment, deficient income, and limited access to resources. The less skilled, youth, and single parent families are becoming high-risk groups almost everywhere. But one thing is momentary underprivileged, another lifelong entrapment. There are signs that some losers are forming into long-term socially excluded strata (Esping-Andersen, 1999:10). Other possible definitions are the "inability to participate effectively in economic, social, political and cultural life, alienation and distance from the mainstream society" (Duffy 1995:21) or "the dynamic process of being shut out from any of the social, economic, political and cultural systems which determine the social integration of a person in society" (Walker and Walker 1997:8).

Academic sociologists adopted the terminology, insisting that social exclusion is not the same as poverty. It means not sharing the same opportunities as the majority. This may be due to social isolation, as in the case of the elderly or disabled, or through discrimination based on nationality, language, "race," or religion. The denial of human rights to any category of persons is also a form of

social exclusion (Richmond, 2002: 40). For example, exclusion, Giddens (2000) described, "is not about graduations of inequality, but about mechanisms that act to detach groups of people from the social mainstream" (2000: 104).

After reviewing some academic works related to the term in order to understand the meaning of the term of 'social exclusion', it is necessary to analyze some national and international institutions' perspectives. In the late 1990's, it also has become one of the central social policy matters of EU which was adopted by the European Commission to describe the inequalities, and the barriers to full participation in otherwise affluent societies, characteristic of countries experiencing a post-industrial revolution (Richmond, 2002: 40). In Europe and United Kingdom, for instance, social exclusion has been put on the administrative agenda in early 1990s. Social exclusion is defined in European documents such as the 1992 Second Annual Report of the European Commissions Observatory on National Policies to Combat Social Exclusion, "in relation to the social rights of citizen to a certain basic standard of living and to participation in the major social and occupational opportunities of the society" (Gore, Figueiredo and Rodgers, 1995:2). At the same time, EU has developed new policies to fight against social exclusion during 1990s. The Maastricht Treaty and the Structural Funds included a commitment to combat social exclusion. In 1997, UK's Prime Minister set up Social Exclusion Unit (SEU) to solve the relevant problems about the concept. EU determines the 'risk of financial poverty' as the first benchmark that causes the social exclusion and, similarly, SEU puts the 'poverty and low income' at the top of the list refers to the socio-economic causes of social exclusion. Similarly, some international institutions, such as United Nations Development Program (UNDP) and International Labour Organization (ILO), also use the concept of 'social exclusion' in their policies about social disadvantages.

The European Commission acknowledges the phenomenon of social exclusion as follows: "It states the multi-dimensional nature of mechanism whereby individuals and groups are excluded from taking part in social integration and identity." Regarding another approach to the concept of social exclusion, EU's perception of social exclusion can be understood from the indicators, which were accepted by The Social Protection Committee (2001) in order to provide a baseline for the policies aiming at inclusion. In an effort to standardise its measurement of social inclusion, the EU adopted a list of social exclusion indicators known as the Laeken indicators. These 18 statistical indicators cover four dimensions of social exclusion: financial poverty (income), employment (labour market), health and education (Šućur, 2006: 11). The subject committee determined eighteen indicators of which the first ten of indicators are called as 'primary' while the others 'secondary': low income, distribution of income, persistence of low income, median low income gap, regional cohesion, long term unemployment rate, people living in jobless households, early school leavers, life expectancy at birth and self perceived health status form the first category and the most important point in the first category is that six of the subject indicators refer to income and unemployment related problems. In the second category, there are eight indicators, seven of which are related to same issues (EU, 2001:3-4).

Additionally, UNDP (2006)'s recent report provides a definition by which social exclusion "should be understood as the relatively permanent, multiplier conditioned and multidimensional state of deprivation of an individual" and as the product of intersection of three key areas of deprivation-unemployment, poverty and isolation, which is an individualistic and more economic approach for the clarification of the subject issue.

Moreover, definition of one the experts of ILO, seems more comprehensive in terms of explaining the concept of social exclusion. This definition claims that:

…accumulation of confluent processes with successive ruptures arising from the heart of the economy, politics and society, which gradually distances and places persons, groups, communities and territories in a position of inferiority in relation to centers of power, resources and prevailing values.

Additionally, the UK based Social Exclusion Unit (SEU) has a more sensitive frame than EU since they do not just touch on income/monetary and distributional aspects of deprivations but also on other aspects such as discrimination, high crime, poor skills and poor housing. It is claimed that SEU has more sensitive perspective and they do not only engage in extreme forms of multiple disadvantages that marginal groups face but also engage in understanding how more complicated social inequality and intergenerational disadvantages could impact the subject issue. It is also stated that social exclusion includes problems that are linked and mutually reinforcing, combining and creating a vicious cycle (SEU, 2004: 14).

In conclusion, Department for International Development (DFID)'s recent study focuses on the subject issue more different from the other international bodies. They focus on the public institutions such as the legal system or educational and health services and social institutions like households in which discrimination occurs and leads to social exclusion (Beall and Piron, 2005: 8-10).

4.2 The Dimensions of Social Exclusion

After reviewing the conceptual side of the term of social exclusion, another important step is necessary in order to review the comprehensive perspective of the social exclusion. Because of the multi-dimensional nature of social exclusion, different social scientists emphasize different aspects of social exclusion and offer different listings of main components. Multi-dimensional refers to the different

sources of deprivation and the different processes such as social, economic, cultural and political that creates it (Farrington, 2002; Percy-Smith 2000; Randolph & Judd 1999).

Burchardt's (1999) model of the dimensions of social exclusion: consumption that includes social security, housing, health and settlement support; production that includes employment, training and job skills and education; political engagement and social interaction that include family reunion, cultural and language barriers, harassment and victimisation, geography and travel.

Percy and Smith (2000) who are other important figures in social exclusion discourse, identify five dimensions. First one is the economic dimension that is taken as encompassing not only poverty defined in terms of lack of an adequate income but also exclusion from the labour market. It also includes unemployment, casualization, decreasing job security and fragile attachment to the labour market. Second one is the social dimension that includes the breakdown of traditional household, homelessness, crime and disaffected youth. Third one is the political dimension. According to this dimension, the main issue is individual's ability to participate in or influence decision making which affects their lives. Disengagement from socially accepting forms of political participation and distrust of formal channel of politics are major forms of political exclusion. Fourth one is the neighborhood dimension that is related with social and spatial aspects. Lack of local and public services, the collapse of local support of networks, high crime rates are major aspects of neighborhood dimension. And last one is the spatial dimension that leads to the area itself and characteristic of the individuals who live there defined as disadvantaged.

Sommerville (1998, cited in Arthurson, Jacobs: 2003) identifies three dimensions of social exclusion: the economic, political, and moral. Madanipour (1998 cited in

Arthurson, Jacobs: 2003) emphasizes similar dimensions, incorporating the economic, political and cultural arenas. De Hann and Maxwell's (1998, cited in Taylor, 2004:6) identify the three dimensions of social exclusion: rights, resources and relationships.

Barry (1998:12) says social exclusion conflicts with equal opportunity in at least the following two ways: first, social exclusion leads to unequal educational and occupational opportunities; and second, social exclusion actually constitutes a denial of equal opportunity in relation to politics.

Silver (1994) identifies three different theoretical and political perspectives within which the concept of social exclusion is developed. She basically attempts to show the differences in what they regard as the causes of social exclusion and the political philosophy in which they are grounded. Silver calls these types as the solidarity, specialization, and monopoly paradigms on the basis of different notion of social integration. Each paradigm attributes social exclusion to a different cause and is grounded in a different political philosophy: republicanism, liberalism, and social democracy. Each provides an explanation of multiple forms of social disadvantage- economic, social, political and cultural and thus includes theories of citizenship, inequality as well as poverty and long-term unemployment. Silver argues that for solidarity paradigm, social exclusion is the breakdown of a social bond between the individual and society that is cultural and moral rather than economically interested. The Anglo-Saxon tradition is characterized by Silver as a specialization paradigm, based on liberal thinkers. This perspective perceives social actors as individuals who are able to move across boundaries of social differentiation and economic divisions of labour. In this paradigm, social exclusion reflects discrimination and group distinctions that denies individuals full participation in exchange and interaction. The third paradigm described by Silver is the monopoly paradigm. According to Silver monopoly paradigm is based on

the work of Weber and is particularly influential in Northern European countries. Unlike the liberal tradition, the monopoly paradigm emphasizes the existence of hierarchical power relations in the constitutions of a social order. Monopoly paradigm emphasizes power relations, group monopolies and the domination and exclusion of outsiders.

Levitas (1998) also develops a model, which identifies three different approaches: redistributive discourse, social integration discourse, moral underclass discourse. Levitas points out that the first of these approaches is a redistributive discourse which derives from critical social policy, and which sees social exclusion as a consequence of poverty. Redistributive discourse is based on the idea that poverty should not be understood in terms of subsistence, but in terms of people's ability to participate in the customary life of society: since social exclusion results from poverty, raising benefit levels to reduce poverty is crucial to reducing exclusion. Levitas also argues that much of current policy is rooted in a different model of social exclusion, in which the key element is labour force attachment. This is underpinned by a discourse about social integration in which paid work is represented as the primary legitimate means of integrating individuals of working age into society. According to Levitas, the third approach is a moral underclass discourse, which emphasizes moral and cultural causes of poverty and which is centrally concerned with the moral hazard of dependency, and thus with workless households rather than individual labour market attachment.

Atkinson (1998) addresses the links between poverty, unemployment and social exclusion. There are three parts to the definition of social exclusion. The first is that social exclusion is relative: people are excluded from a group or society at a particular point in time. The second part is that exclusion is an agency issue: people either excludes them or is excluded. The last component is that social exclusion is dynamic: it involves not just present exclusion but the lack of hope in

the future. Poverty and unemployment can lead to social exclusion; they do not necessarily cause exclusion. Furthermore, people who are not poor can be socially excluded. Atkinson argues that the government can play an important role in fighting exclusion by increasing people's income through social security and social welfare programs.

The distinction between active and passive exclusion can be fruitfully used to understand and analyze the nature and reach of social exclusion. When, for example, immigrants or refugees are not given a usable political status, it is an active exclusion, and this applies to many of the deprivations from which minority communities suffer in elsewhere. When, however, the deprivation comes about through social processes in which there is no deliberate attempt to exclude, the exclusion can be seen as a passive kind. A good example is provided by poverty and isolation generated by a sluggish economy and a consequent accentuation of poverty. In much of Europe, legally settled immigrants do not have the political right to vote because of the difficulties and delays in acquiring citizenship. This keeps them outside the political process in a systematic way—this is clearly an active exclusion (Sen, 2000).

There are pattern of long-term social and economic exclusion occurring in refugee groups in all receiving societies (Council of Europe, 2004 in cited in Mortensen, 2008:173). Many immigrants experience a situation of social segmentation. Their position is frequently vulnerable due to the incomplete incorporation into economic life and their social systems (Dwyer, 2004). According to Taylor, some aspects of social exclusion which face refugees are not generally experienced by the rest of the community. First is the dimension of physical exclusion from host country and society, often in the name of 'border protection'. Other dimensions of social exclusion faced by refugees include those to do with lack of citizenship, with lack of language, and with the experience of racism and discrimination

(Taylor, 2004:5). Asylum seekers and refugees are subject to standard indicators of social exclusion such as lack of participation in employment, education and social networks. Lack of employment is often seen as a key factor in social exclusion. Some barriers to employment for refugees have been outlined above in relation to poverty including level of English, appropriate skills and qualifications and racism. Lack of networks is another difficulty for newly arrived people finding employment (Taylor, 2004:13). Participation on one dimension is itself likely to influence participation on the others; for example, unemployment (lack of participation in production activity) is likely to lead to limited participation in consumption (Burchardt, Le Grand and Piachaud, 1999:232). There is a strong relationship between employment and social exclusion. Loss of employment is a key factor in the increasing levels of social exclusion.

In this thesis will analyze objective and subjective aspects of the social exclusion in the context of asylum. Asylum seekers are particularly vulnerable as a consequence of exclusion from fundamental human rights. In this study, the concept of social exclusion will be used. From a sociological perspective, any format of any society at a given moment is not the universal definition of social exclusion. Societies, communities, neighborhoods are not static as they are formed by social processes. To define social exclusion and use it in a study should compose of two aspects. The first one is objective aspects that include residence tax and freedom of movement, access to residence permit and housing, access to job market, access to educational services, and access to health services and language difficulties. The second one is subjective aspects that include relationship with natives and belonging.

Table 8 Dimensions of Social Exclusion

Dimensions of Social Exclusion	
Objective Aspects	• Residence tax and freedom of movement • Access to residence permit and housing • Access to job market • Access to educational services • Access to health services • Language skills
Subjective Aspects	• Relationship with natives • Belonging or not belonging

For individuals, there were strong associations both between exclusion on one dimension and exclusion on another. People are excluded not just because they are currently without a job or income but because they have little prospects for the future. Social exclusion may apply across generations.

4.3 Social Exclusion Studies with Respect to Asylum Seekers

The field of 'refugee studies' has grown dramatically over the latter part of the twentieth century, in parallel with the significance of the phenomenon of forced migration itself. As the number of refugees and forced migrants in the world soared into the tens of millions, the study of its causes and consequences has acquired an institutional base in specialist research centers, academic journals and international research organizations (Black, 2001: 57-58).

Research conducted by Gale (2004) was based on the analysis of media representations of asylum seekers and refugees in national and regional newspapers between August and December 2001 leading up to and shortly following the federal election in November. Colic-Peisker's (2003) research on Bosnian refugees in Australia is based on qualitative data collected through semi-structured interviews and participant observation. According to Colic-Peisker

language and cultural barriers seriously affect the resettlement of Bosnian refugees in Australia, especially when people from rural areas are concerned. Age is an important factor in these outcomes: middle-aged professionals among Bosnians are especially affected. Loss of occupational status often means a loss of identity for these people, and the outcome may be a deep dissatisfaction with their Australian life. Research conducted by Colic-Peisker and Walker (2003) focuses on the processes of acculturation and identity among refugees from Bosnia and Herzegovina who resettled in the Australian cities of Perth and Sydney during the 1990s. Kelly's (2003) research on Bosnians refugees in Britain interested in the way that Bosnian refugees were incorporated into Britain, both as groups and as individuals. This research looks at the refugees themselves and the community associations that have been established and concludes that the associations exist largely as a result of the benefits that can be obtained through them and that there is no informal Bosnian community. Simich, Beiser and Mawani's (2003) research on refugees in Canada examines the role of social support as a determinant of refugee well-being and migration patterns during early resettlement.

Social exclusion studies examine this matter with many dimensions. Refugees and social exclusion studies will be analyzed as follows:

Kofman's (2005) study investigates the processes of exclusion experienced by migrants (including refugees and asylum seekers) with different social and legal statuses and different migratory histories in three European cities: London, Rome and Paris. The research focused on two populations in the three cities: Turkish Kurdish people and individuals from the former Yugoslavia. Semi-structured interviews were conducted with service providers working with migrants, leaders of migrant associations and individual migrants. Language acquisition was seen as crucial by all interviewees. With regard to employment, most of the respondents had experienced periods of unemployment, undocumented work, deskilling and

discrimination. In relation to health, migrants in all three cities are entitled to basic health services. Danso's (2001) study examines the initial settlement needs and experiences of Ethiopian and Somali refugees in Toronto. Analysis suggests that most Ethiopians and Somalis encounter considerable difficulties during the initial stages of resettlement in Canada. They face social exclusion and multiple forms of disadvantage including high unemployment, underemployment, and overcrowding, as well as frustrations and despair that sometimes result in suicidal behaviors, particularly among the young males. Zetter, Griffiths and Sigona's (2005) research on this issue explores the impact of asylum seeker dispersal on the formation and role of refugee community organizations [RCOs] in the UK. The paper aims to challenge existing conceptions of RCOs as formally constituted negotiators of social capital that mediate the process of integration. The research analyses a sample of 40 RCOs in the four areas in terms of duration of existence, staff size, funding characteristics and charitable status. It is presented against the backdrop of changes in the policy environment in order to assess their impact on the RCOs. This research concludes that under dispersal, new organizational forms are developing to overcome the fracturing of communities and their support networks. Dispersal has stimulated a proliferation of RCOs forming in new localities. However, in contrast to the positive concept of social capital promoted by some social capital theorists, namely as the vibrancy of civil society or the positive influence of the benign state promoting community organization, the paper argues that production of "social capital" within this context is a response to crisis and social exclusion.

A number of academic studies explore the relationship between the housing system and social exclusion: Teixeira's (2006) research examines two relatively recent African immigrant groups--the Angolans and the Mozambicans--in Toronto's rental market through an analysis of their settlement experiences, housing-search processes, and ultimate outcomes. The evidence indicates that both

groups encounter significant barriers and challenges in securing affordable and adequate housing. Most respondents experienced discrimination by landlords in their housing search. Racism can result in social exclusion and housing segregation of immigrant groups in low-income neighbourhoods, and thus a slower integration of newcomers into Canadian society.

Spicer's (2008) research explores asylum-seekers' and refugees' experiences of place, social exclusion and social networks, based on a qualitative sociological study. It examines interviewees' constructions of neighbourhoods as excluding or including places and compares and contrasts parents' and children's accounts. The author suggests that parents' constructions of childhood reflect neighbourhood places; children are seen as vulnerable and in need of protection in 'excluding' neighbourhoods, and less vulnerable and relatively independent in 'including' ones. Pawson and Kintrea (2002) explore connections between housing processes and social exclusion and describe the development of social housing allocations systems.

Even though the refugee literature in Turkey is limited, there are some noteworthy ones in the field. One of the significant research belongs to Ülkü Zümray Kutlu (2002). She wrote a thesis which is called "Turkey as a Waiting Room: Experiences of Refugees in Turkey". This research contains the asylum seekers who, came to Turkey from the Middle Eastern countries and applied for the status determination to UNHCR, have to wait for a long time. They live a period of transition in Turkey, it is the waiting room on their way to West. In this context, the aim of the research is to reveal how to asylum seekers live and perceive the period of transition in terms of language, housing, job opportunities, health and education services in Turkey. Another research was conducted by E. Alper Tarımcı (2005) which is called "The Role of Geographical Limitation with Respect the Asylum and Refugee Policies within the Context of Turkey's EU Harmonization Process". The aim of his thesis is to analyze the significance of

geographical limitation and what changes has been brought to Turkish asylum policies in respect of this reservation. Furthermore, the role of the European Union within this process was put forward in this thesis. Çiğdem Alp (2005) has a thesis research which is called "Asylum Harmonızatıon Process and Its Impacts within the Context of the EU Enlargement". Her thesis focused on the concerns regarding the extension of these European asylum acquis to the third countries as well as on the advantages of creating a Common Asylum Policy within the Union and its Associates. Another research was conducted by Başak Kale (2005) which is called "The impact of Europeanization on domestic policy structures : asylum and refugee policies in Turkey". Her thesis analyzes the impact of Europeanization on domestic policy structures in states which are not European Union members within the framework of asylum and refugee policies. It focuses on the influence of Europeanization during Turkey's pre-accession process to the EU after 1999. Finally, Merve Çalhan (2008) has a thesis research which is called "National and Religious Identities of Children of Iranian Asylum-Seekers in Kayseri". Her thesis analysed the construction of children of Iranian asylum-seelkers' national and religious identity who are dwelling in Kayseri provisionally.

In addition to these resources, some notable researchers have significant studies in the field. Deniz Yukseker and Kelly T. Brewer (2006) has a significant research which called "A Survey on African Migrants and Asylum Seekers in Istanbul". They approach migration issue culturally and socially. Kemal Kirişçi who is a member of the External Relations Advisory Committee of the United Nations High Commissioner for Refugees have academic works on refugee law, irregular migration flow, asylum regulations, and convergence with EU in terms of asylum regulations in Turkey. He has numerous articles about immigration, refugees and asylum seekers such as "Turkey: A country of transition from Emigration to Immigration" (2007), "Determinants of Immigration and Integration of Turkish Immigrants in the European Union" (2006). Ahmet İçduygu who is the director of

Migration Research Program at Koç University focuses on international migration regime in Turkey. He has numerous articles such as 'A Panorama of the International Migration Regime in Turkey' (2006) and research reports such as 'Forecasting Economic International Migration in Turkey' (2007), 'The Labour Dimensions of Irregular Migration in Turkey' (2006).

CHAPTER V

METHODOLOGY

5.1 Methodology

The research for this thesis is based on the analysis of the in-depth interviews that were done with the asylum seekers, representatives and workers in UNHCR, government and in several NGOs. Relevant report by the UNHCR, and the scholarly literatures on migration and asylum and on transit migration and asylum seeking through Turkey was examined.

UNHCR has a main office in Ankara and representative offices in Istanbul, Silopi and Van. 51 national, 6 international staff, 4 Junior Professional Officer (JPOs) and 5 United Nations Volunteers (UNVs) manage the program. The total budget for 2007 is approximately $ 8.2 million and 2008 is $7.36 million. The Office works in partnership with implementing partners such as Association for Solidarity with Asylum-Seekers and Migrants, Human Resources Development Foundation, governments such as Ministry of Foreign Affairs, Directorate-General for Consular Affairs, Ministry of the Interior, Gendarmerie General Command, General Directorate of Security, Social Services and Child Protection Institutions, international and non-governmental organizations such as Bar Associations of Turkey, Caritas, Human Rights Centre and Women's Community Centre (Van), International Catholic Migration Commission, Refugee Legal Aid Program of the Helsinki Citizens Assembly and other organizations and universities such as Bilgi University (Istanbul), Hacettepe University School of Social Work, International

Organization of Migration (IOM), Middle East Technical University(Ankara), Turkish Red Crescent Society, United Nations Country Team (UNHCR, 2008:306-307).

Until 1994 the UNHCR was responsible for receiving applications, doing status determination, and managing resettlement. Although the Regulation calls for cooperation with the UNHCR, the nature of this cooperation has been left vague, particularly in respect to status determination. Turkish national laws on immigration do not permit non-European refugees to settle in Turkey. It is usually the task of the UNHCR to find a resettlement country, provided that it too recognizes them as refugees (Kirişçi, 1996: 305-307).

When writing a thesis on refugees first institution to be considered is the personnel of Association for Solidarity with Asylum Seekers and Migrants (ASAM) were contacted and general information on asylum seekers and refugees in Turkey were gathered. ASAM was established on December 22, 1995 in Ankara. ASAM works towards the human rights of the asylum seekers and refugees regardless of their religion, language, race, sexual choice and political beliefs. Furthermore, ASAM acts towards developing public awareness in the society regarding asylum seeking and migration and creating, discussing and disseminating new opinions in these areas. ASAM remains to be the first NGO specialized in working with asylum seekers and refugees. The main aim of the Association for Solidarity with Asylum Seekers and Migrants is to create solutions for the problems of the refugees, asylum seekers and migrants, and to support them in meeting their various needs. For this aim, ASAM works towards developing a public awareness regarding the problems of these groups through national and international meetings, exhibitions, press and other media. This way, ASAM tries to develop an understanding in the society and relevant authorities regarding the problems of the asylum seekers and refugees and towards providing a public support towards the betterment of the

facilities. ASAM provides counseling for refugees and asylum seekers in order to establish connections between these groups with the sources and solutions for their needs. Furthermore, the areas of interest of ASAM are monitoring and doing research regarding the national and international migration movements, collecting and processing information regarding the migration movements, establishing a database and proving information for researchers, developing public awareness through seminars, conferences and workshops, studying towards prediction of possible migration movements in the future as the result of the problems in Turkey or in the world. ASAM runs the project "Psycho-Social Consultation for Asylum Seekers and Refugees" in Kayseri and Nevsehir. In Kayseri office of the project, 1 psychologist, 2 social workers and two translators (Arabic and Persian) are employed. ASAM also runs activities regarding asylum seekers in Kırsehir, Aksaray and Nigde. ASAM releases a publication, "Umuda Dogru". It also provides consultancy services on social and refuge problems. According to information obtained from an authority in Nevşehir office of ASAM, asylum seekers mainly seek support for file merging, opening a closed file in UNHCR, applying to UNHCR for educational and financial support and bringing forward the date of interview with UNHCR. ASAM also provides food, medicine, clothes, cleaning products and similar necessities and it serves for refugees to reach to hospitals and to have a proper education. The association does not provide financial support but manages of delivering various aids from helpers and other institutions.

After a research on literature and preparing a questionnaire, a preliminary interview was made in UNHCR Ankara Branch Office to get help on the subject. Before field study, initiated by the recommendations from UNCHR Turkey representative Metin Çorabatır, briefings titled "International Protection under 1951 Convention", "Refugee Protection, Turkish Legal Context", "Resettlement As a Durable Solution", "Interpreters in the Asylum Process", "Human Rights

Instruments, Basic Human Rights Principles, Absolute and Non-absolute Rights to the Human Rights Instruments", "Social Services and Programme", "Transition", "Documentation, Statistics, Counseling of Asylum Seekers", "Country of Origin Information", International Protection of the Refugees" were taken from 10 personnel of UNHCR during a five day span. During briefings, it was learned that ASAM had been running a project on refugees in Nevsehir and in this scope a research on sexist discrimination to refugee and native women had been considered. Consequently participation into the project was performed in order to reach to asylum seekers and refugees more easily. By attending workshops of the project "Promoting the gender equality and defending the rights of local, refugee, and asylum seeker women in Nevşehir by holding an awareness raising campaign of the residents, NGOs and the local government as well as facilitation of contact between the beneficiaries, NGOs, local governments and Universities, and establishment of a "Women's Rights Committee" involving all parties" ran by ASAM and Association for Cappadocia Women's Solidarity for once in a week refugee women, their problems and their relationship with the local people were observed. In these workshops, the parts where inconveniences experienced by refugees were noted. These notes were not to be included in this work, however, after observing they had notable information it was decided to include them into thesis. Apart from the workshops the opportunity of in-depth interview with only five women was found since most women did not want to participate in the interview because of their delicate situation. Help from UNCHR Ankara branch to interview with the refugees in Ankara was requested. With the guidance of UNHCR personnel, help was requested from ASAM personnel, but after receiving a negative answer from this association help was requested from The Human Resource Development Foundation (IKGV) Ankara Branch Office. Although a positive answer was received, one interview in two days proved that it was not a proper method to pursue a research in this association. By help of Organization of Human Rights and Solidarity for Oppressed People (Mazlum-Der), from a

personnel of The Foundation for Human Rights and Freedoms and Humanitarian Relief (IHH) the address of a refugee residing in Haskoy was obtained. It was also learned that other refugees could be reached via this person. However, an interview was impossible to make since no telephone number of the person was in hand and the person was absent in his house. After a short interview it was learned that two people were a Somalian couple waiting for their request for family union, the man residing in Switzerland came to Ankara to visit his pregnant wife in Konya and he was about to send back his wife to Konya. Considering the distance of the address a new address was requested from IHH officer and six-person family who were living in the same area were reached.

By visiting Ankara Office of ASAM frequently, association's system of operation and refugees and asylum seekers were observed. During two days spent in Ankara Office of IKGV, association's system of operation and asylum seekers and refugees were observed. Finally, after receiving an invitation from UNHCR, Young NGO's meeting was attended in November 2008 in which briefings from UNHCR personnel were given.

As a result, it is hard to reach asylum seekers and refugees since it is illegal for them to stay in Turkey and only 10 asylum seekers and refugees were interviewed in Nevsehir and Ankara since most of people to be interviewed were reluctant to do so. The problems arising due to scarcity of interviewees were worked out by observations and support from associations.

5.2 Research Question

Asylum seekers who leave their country because of cruelty, political, religional and racial oppressions, gunfights and violence face many problems in the asylum country or during their migration in addition to their problems, they experienced in

their home country. Because Turkey signed 1951 Geneva Convention with the right of geographical limitation of asylum seeking, it is a transit country for asylum seekers. This fact creates many psychological problems, emotional difficulties, health problems, social problems of cultural dislocation, housing difficulties, educational problems, loss of contact with their families, financial difficulties and language problems.

This thesis examines asylum seekers who are argued to be one of the disadvantageous groups in Turkey within the framework of social exclusion. Due to its geographic position, Turkey is a magnet for asylum seekers and migrants. The study also explores the kinds of problems asylum seekers experience as they attempt to build a different life in Turkey. The outcome of the research was deeper understandings about asylum seekers' life experiences, their socio-cultural context, and their responses to difficult circumstances. In this study, the experiences of the asylum seekers in their home countries and their backgrounds, story of their fleeing, the experiences of the asylum seekers in Turkey, perception of this period and expectation of future will be taken as the main subjects. The focus points of this study are how asylum seekers themselves experience of fleeing, how they themselves experience the period of transition in Turkey, how they define themselves in Turkey, and how they experience housing, job opportunities, and health and education services. The aim of doing this study, from a sociological point of view, is analyzing asylum seekers' perception of the relationship between social and cultural integration and exclusion. In this context, along with asylum seekers who stay in Turkey, the state of asylum seekers and Turkey's policy of refuge is analyzed from the prospect of UNHCR representatives, government representatives, and representatives of NGO's working in the field. Turkey's asylum policy analysis provides a means of understanding the process of social and cultural integration or exclusion for asylum seekers. In the scope of the work, the answers to the questions below were searched:

What is the socio-demographic profile of asylum seekers in Turkey?

Why do they have left their countries, what their final destinations are, what methods they have used to enter Turkey, how long they have been staying in Turkey, how much longer they plan to do so, and what their reasons for seeking asylum are?

How do asylum seekers survive while staying in Turkey?

Which problems they face when waiting to be transferred to a third country? How main requirements are satisfied such as education, health, and accommodation and how are problems of language, application to official bureaus, permit of temporary asylum, family relationships handled?

What do asylum seekers expect of the country they want to migrate and their future if their application is granted.

How has the Turkish asylum regime been changing in the past few years? Are asylum seekers tolerated or not?

5.3 Data Collection Methods

For a better understanding of the asylum issue in Turkey, ten in-depth interviews were conducted with the asylum seekers who are recognized or not and thirteen in dept interviews with the officials, NGO representatives and UNHCR representatives. As it was mentioned in the introduction chapter of this study, the in-depth interviews with asylum seekers were held between the dates of April 2008 and September 2008, and IKGV Ankara Branch Office, ASAM Nevsehir Branch Office and asylum seekers' home was used as a place for conducting the in-depth interviews. For the interviews with the officials, NGO's representatives and UNHCR's representatives, which were made during the same dates, the locations were the offices of interviewees.

The fieldwork consisted of in-depth interviews with 10 asylum seekers in Nevsehir and Ankara. The author used tape recorder during the in-depth interviews with asylum seekers, except two interviews. The in-depth interviews were held between 45-60 minutes due to the asylum seekers' preferences and the interviews were conducted asking and using a set of structured questions. The interviews were held with 10 asylum seekers. The author of this study is aware of the fact that doing in-dept interviews with ten asylum seekers cannot be representative for the whole asylum seeker population in Turkey. However, rather than the representativeness of the asylum seeker population, the main aim for doing the interviews was to draw a general picture of the asylum seekers' experiences in Turkey. Besides, the observations of the author during the six-month-period in Nevsehir branch of ASAM also make her familiar with the asylum seekers' experiences in the country and this also taken as one of the important major data for this study. Because the training work which the author participated in Nevsehir was only intended for the women, the husbands were absent during house visits and women were more reluctant to interview, the number of male and female interviewees were not equal. However, since the content of the interview does not only reflect the situation of the interviewee but the situation of her family, it is thought that this situation doesn't cause much of a handicap. Eight of the interviewees were women and remaining were men. Since Iranians are dense in Nevsehir, so for Somalians in Ankara, the random sample was made of six Iranian and four Somalian asylum seekers. Three of the Iranian interviewees were Christian examples, two of them were Bahai, only one of them was Muslim and all of Somalian asylum seekers were Muslims.

The field work additionally consisted of interviews with UNHCR external affairs officer, UNHCR Ankara Office's integration expert, IKGV Ankara Office's social worker, IHD Center Office's advocate, Mazlum–Der Ankara Office's representative, IHAD Ankara Office's representative, ASAM Ankara Office's

representative, ASAM Nevsehir Office's representative, Bar Association President of Nevsehir, Deputy Governer of Nevşehir, Provincial Security Directorate of Foreigner Office Deputy General Manager of Nevsehir, Director of National Education of Nevşehir. The in-depth interviews were held between 60-80 minutes due to the representatives and workers' preferences and the interviews were conducted asking and using a set of semi-structured questions. Depending on preferences of respondents, during some interviews tape recorder was used and another was not.

5. 4 Difficulties of the Research

This type of interviewing has some disadvantages that I was confronted with. Firstly in the beginning of the meeting I was a stranger asking questions to them. To gain their confidence, I took a break during the conservation and talked about other things so that they did not get bored. Through the end of the interview, respondents usually felt more comfortable so I sometimes learned trick answers after the interview. In these cases, I wrote them after the interview.

Secondly, some of the respondents were sometimes hesitant to give answers because they were afraid that such information would be used against them for refugee determination situation. In these cases, I tried to convince them that I use this information only for academic study.

And lastly, in some cases, in order to work out a language barrier, the interviews were conducted through the assistance of an interpreter. The existence of an interpreter during the interviews may seem as a filter for this research, respondents know interpreters were asylum seeker as themselves, except only one interpreter who is from Iran.

5.5 Stories of Respondents

Meryem (F): I came from Iran. I am thirty-seven years old. I am a cardiological technician. My family did not send me university. When I was sixteen years old, I apostatized. I was a Bahai. My family crushed me. But I did not abandon. My family espoused me with my father's friend's son. My husband was tortured me. I was pregnant and I had a son. I divorced my husband because of torture. I returned my family. I began work in a hospital as a nurse assistant. I went to courses and I became a cardiological tecnichian. Our manager was doing something secretly, no one knew what. There were small gears related with heart treatment, he stole them and he was about to take them away, and I was the only person who knew the total number of these gears. 'You are doing no good, do not do that; if you need money go ask them, or ask us to collect, but do not do that otherwise you will be in trouble.' I told him. He did not care and decided I can be a real trouble for him, thus started to speak ill of me; he was doing some bad things and trying to accuse me for them. One-day blood spilled over my uniform during an operation, therefore I went out to go to my closet to change it and I saw that my closet had been searched. 'Whoever did this could not have found anything to take anyway' I thought. Because I was giving the money to my father. Then at the end of the day he requested me to his office, put the Bahai religious book he took from my closet on his desk. I was shocked at that moment. 'You mess with me, and I will inform you to the soldiers and cops; they surely know best what to do with you.' I was scared and told him 'Ok, do whatever you want, I will remain silent.' Next day I wrote my resignation letter, I got out and never came back. I bought a ticket, a few clothes and some cash with me and now here I am. I came to Turkey by train. We came to Kayseri. There were many Bahais on the train, they helped me a lot. But I was unable to find a house in Kayseri, because the houses were very expensive and the rents were in Euros, or they wanted the price of one year's rent in advance. Women living alone were not welcome when they wanted to rent a house. I went

to Nevsehir and I stayed my friend's home during a week. And then I find a job. I sewed and did needlework. My boss and his family helped me; there was a house of their friends next to the street; they helped me to rent that house; I lived there. I worked for six months. Then they had some problems and they went to Kayseri. I did not work for three months. I started to work as a waitress in a restaurant. Then my condition started to affect me too much. I have a heart defect at birth; I was treated for three years in Iran but nobody could fix it. I must take multivitamin and iron pills. My body is aching all the time and I faint. I worked four months. And then I was in home for 2-3 months. Then my Dilek sister, she is an instructor at the college, she found a job for me. I was a steward in school buses. I worked there for three months, but due to my illness I quit that job and now I sit at home again. I am living alone. UNHCR are giving me 145 YTL monthly. I stayed in Kayseri one week. I came and applied to the UN; they gave me an appointment after one week. I went for interviewing and they told me to come after one month for certificate. I consulted a friend of mine; he told me that there is a lawyer in Ankara, but his fee was too high. I had no money at all. I had another friend in Canada; I called him and asked for the money; told him I could work and pay my debt later. That lawyer charged me 1000 dollars, wrote my certificate and I sent it. They gave me an appointment after three months. I went to that appointment, and my acceptance came. I was accepted and after one week, I went to the country preference interview. I preferred Canada. After one week, the papers for Canada arrived and I sent them after filling. After five months waiting, thanks to God, I was invited for interviewing on 30th of this month. My cousin is in Canada. I will study in Canada if God may help. I want to specialize on heart diseases. It makes me so happy to help sick people.

Nermin (F): I came from Iran. I am twenty-eight years old. I have an university degree. I am a computer technician. I am Christian; I mean my family is Christian. But my husband was Muslim, and he became Christian later. This was eight years

ago. We married afterwards but the families caused many problems. They did not recognize our marriage. Later one day while we were in a home church, we were arrested and taken to the police center. They understood that my husband is a Christian. But we did not marry in a Church. 'You are Assyrian, he is Persian they said in the Church. 'Marriage can be either between two Assyrians or two Persians, but we can not marry you' they told us. Then we had a marriage in line with the Iranian law, which is Islamic marriage. We had no other choice, we really loved each other. My families were opposing us, and there was no way out, except for having a legal, that is, Islamic marriage. After we had this marriage, the state authorities thought I was converted to Islam. After our arrest in the home church we were both declared as 'murtad' *(apostatize)*. We were beaten pretty badly. These things happened two years ago, after our arrest in the home church. We did not know anything. We had a priest who is in Canada now; he arranged everything for us. We came to Turkey by plane. We came to Ankara. We stayed a hotel in Ankara. We came to Ankara on Sunday and we applied UN on Tuesday. They gave appointment for registration. And then we came to Nevsehir on Thursday. My husband works as a house painter. It is not a permanent job; sometimes there is work, but at present he is not employed. I worked in a kindergarten for three months when I first came to Nevsehir. Our landlord living in the same apartment building found this job for me. I was working too hard but paid very little. I was treated very badly there; I even had to clean the toilets. Finally, I was fed up and quit the job. I knew nobody here but I knew many people thanks to the classes. But we are not welcome since we are foreigners and women. We sit at home and do not have contacts with others. We are in contact only with a few Iranian families. I wrote a letter for UNHCR but anyone is not there who solve problem. Security forces help us. They answer our question. I feel myself comfortable here. I have peace of mind, but there is loneliness and illness. We cannot trust anybody, not everyone tells the truth. I cannot guess the result. I am simply waiting. I fear to be sent back to Iran. I am happy in Turkey, but I fear the security forces, the police. I

fear, and I am curious about the result .We do not go back to Iran. They killed my husband.

Gala (F): I came from Iran. I am twenty years old. I am single. I have a high school degree. I did not work in Iran. We escaped from Iran because of political reasons. My mother was conducting a research on women. She was working on human rights and especially on women's rights. These sorts of things were banned there. Not all, but some of our laws are not good, she was trying to change them and she was trying to inform women about their rights. This exactly means a political situation in Iran. Because she was in a "political condition", her life became more difficult. If we did not escape, she could get arrested. My mother is a skincare specialist. As a family, they –I mean my uncles etc. – all work on human rights issues; they work to collect signatures for petitions, like one million signatures for amending the laws. My mother is a person who organizes campaigns like this, she even collected signatures here. She was doing it in Iran, but here she goes on, she does not give up. I have uncles in Canada and Switzerland. We are planning to go to Canada since my uncle is there. Language in Switzerland is complicated, let's prefer the easier one. To be honest, Turkey is not depicted as a good country in movies in Iran. In these movies, Iranians have many troubles when they come to Turkey. Istanbul is depicted as a really bad place; it is shown that you should be very careful in Istanbul in order not to get kidnapped. Police officers here are depicted as very mean people. Thanks God we did not experience such things since our arrival. We came here because we thought getting here was easy; but we were really scared; we feared that we would not even be able to leave the house to protect ourselves from police and other people. But after we came here, we did not see such things happening. We had not any plan. We came to Turkey by bus. We came using our passports, we did not come secretly but actually, it is a little bit different. We paid some money, in normal ways. In Iran, anything gets done with money. We came using legal means but my

mother was not allowed to leave the country. The officer let us go although he knew that. We came on a bus, like a tourist, with a small suitcase. We came four people; my parents, my brother and me. We came to Ankara directly with our bus. We checked in a hotel in Kizilay. The bus driver put us in a cab and it took us to the hotel where we would stay; in fact, we had no idea about this place. Once you pass Van, the rest is easy. One week later, we went to the UN and got registered. Afterwards we traveled to Nevsehir. We stayed in a hotel in Nevsehir for a couple of days. The Iranians here helped. An Iranian family was leaving, so we rented the house they were leaving and paid the family for the furniture and other stuff in the house. It has three rooms, but one room is empty, there is simply no furniture for that room. There was no house here when we first arrived; so we rented this house out of necessity. Afterwards we decided to stay here since our landlord is a nice person. We found this house when we first came here; we had either to pay $60-70 for the hotel everyday or rent his house. I am working in bakery. This is my third job. The first one was as a salesperson in a mall. I saw an 'employee wanted' announcement on a shop window, so I applied. When I first got the job, they said the salary was 200YTL, but they paid me 100YTL, arguing that my Turkish is not that good. The second one was a cream cake bakery. The place was owned by the neighbor of a friend, I took the job through him. Everything was decent there, and I worked there a year and a couple of months. I found my third job through a friend I knew from my second workplace. My brother started the vocational school here, but then he left the school. He could not study; it was too hard for him. He quit this year. When we stayed in Iran, he could be graduated this year, but here he has to start from the 1st year of high school. I attend the Turkish language classes in 'Public Education'. We are fine here. We have no problems with the people here. When we went to UNHCR, they gave us rotation number. We went to there again a few days later, they gave us a document and they wanted us writing why we came. Third meeting was six month later and this is different because we talked to them. One year passed on last meeting. We wait. It is very awful. They

told us wait but there is not any news. Except for one week of unemployment, I worked all the time. I dedicated myself so much to working, so that I have no time to think about other things. Starts at 8-9 in the morning, finishes around 8-9 in the evening, and I have no time for any other thing. I am not thinking of anything else, and I am glad for that, to be honest. I work without thinking about anything else. We came here out of necessity. I prefer walking on earth rather than being buried underneath it.

Yaren (F): I came from Iran. I am thirty-seven years old. I have a high school degree. I am a games master. I am married and I have a son. My father is Muslim and my mother is Christian. We were not free in Iran, I must be a Muslim. For this reason, I escaped from Iran. We could not go to another free country, we only knew about Turkey. Here there is the UNHCR, they help us. We came here because of that. Four years ago I had some relatives here; but they are settled in another country now. They told me that there is an institution called UN in Turkey. We came to Turkey by train with passport like a tourist. My husband, my son and me. We went to Kayseri by train and went to Nevsehir by bus. We stayed in Nevsehir one night and next day we went to Ankara for applying UNHCR. They told us to come one week later. So we went one week later. They gave us an appointment on a day seven months later. Two months passed after our second meeting. We have been in Turkey for nine months. It is too difficult; my husband's back hurts, so we went to the hospital and according to the X-ray results the doctor told him not to work in hard jobs. He works if he can find a job. He works in constructions. Some days he cannot get his payment. This is too hard. If we had money, we could pay our rent, pay for gas, water and electricity. Things would not be that hard with money, but now everything is very complicated. I am not working. I tried to find a job in fitness center but I did not. My son attended the school for 2-3 months, but other kids made fun of him because he did not know Turkish. They fought a lot, and they have beaten my son. They made fun of him

saying "Iranian, Iranian!" Thus he got sick because of the stress and did not go to school for ten days, saying his stomach was aching. Now he attends the school once in a while, but I took his books from the school and now I am teaching him at home. In Iran he was in 5th class, but here they registered him for 4th. The teacher says, "He comes and goes here, but does not know anything." So I asked for his help, but he refused by saying "I cannot do anything." The teacher let him drawing pictures in the class all the day. Is this something plausible? Some people are very nice, but some do not want to even see us. Some neighbors greet whenever they see us, yet others stare at us curiously. They say 'Do not let your kid talk to our kid' if my child passes by their children. Their kids are allowed to do everything, but when my kid does something, they say "Iranian, do not!" or "He did it because he is Iranian." It can be anywhere. I have an uncle in America; it will be very good if I can go there. Otherwise I can accept any other place. My child can go to school, I can work, my spouse can find better jobs. He was an electrician in Iran. That is not a tough job. When we get there, both of us will be able to work in our own professions.

Behiye (F): I came from Iran. I am twenty-eight years old. I have a high school degree. I do not have any job. I am married and I have two children. I was Muslim, and then converted to Christianity. My husband is Muslim. I became a Christian. I had a friend in Iran, who I loved more when I knew her more. She was a very decent person, she grasped God, and everything about her was good. I asked her "How can you manage to be so nice?" and she told because she is Christian. She gave me eight or nine books. I read and liked them and then converted to Christianity. All of my relatives put pressure upon me. My father informed me to the police, and so they started to pursue me. Therefore, I came here. My husband started reading Bible here, and he converted to Christianity as well. I was threatened with execution. They wanted me to denounce Christianity and say I am a Muslim, but I refused and told them I am a Christian. I came here with my two

children. The child my husband had from his first wife converted to Christianity in Iran. Both of us. He was attending the high school, he was threatened in school, and my husband was very scared and then took him here. Six month later, I came, too. We came to Turkey by train. We had not any plan. After two weeks from our arrival I phoned Iran, my mother said we did very well by leaving. The police came, asked my mother about me. If I tried to come two weeks later, my passport could be invalid. I am lucky. I came here. I came to Nevsehir, because my husband is here. When I cam here, my husband rented a house. We live in the house with my husband and our three children. My husband is very sick; he was an instructor at a university in Iran. Chemistry and mathematics. Since we are not citizens here there is no option to work in state jobs; so my husband has to work as a house painter here. It is very difficult because my husband is sick. Medical analyses were made, and the doctor told that his stomach is fine, but another doctor told us it is abnormal and could can be cancer. Difficult; everything is difficult for the asylum seekers. It makes me so sad waiting here, because, as I told, there is nothing here. I only want to go. I do not miss Iran. There was no problem when we were Muslims, my husband had a work at the university, my children attended school, we had a house, a car, everything was nice but when I became a Christian, troubles started; threats started. If I return to Iran they will torture me, or even execute me. I am not regretful for coming, here I have peace of mind; it was very difficult there. I went to the UN two weeks ago; to ask why they did not respond to us although we were here for three years and my husband is sick. They told us to wait. I asked how much I should be waiting. I would wait if my husband was not sick, if me and my child were not sick, if my older boy could attended school; I would wait if everything goes ok, then that will be no problem. But there are so many problems, I asked why I should wait, but they told me again to wait. We have been in Turkey for three years.

Ahmet (M): I came from Somali. I am eighteen years old. I cannot read and write. I did not go to school. I do not have any job. I suffered all these hardship to run away from the pain of war. My father died in the war. My mother and my brother stayed in Somali. I came to Turkey alone. I was brought there by smugglers. I gave 950 $. I wanted to go to Italy. We traveled in a very small cabin. Journey takes for days. I did not remember how long it takes. Many children were in that cabin. Some of them were sick. I was sick too. When I came to Turkey, I was very sick. I went to Istanbul firstly and Ankara lastly. I am an asylum seeker now. I have been living in Turkey for two years. I am trying to settle in a third country. Many of my friends went to another country. I did not go. I do not have any news from my mother and my brother. I stayed in a hotel for a while, now I am living in a house in Haskoy with five other people. It is heated with stove; it has two rooms and a hall. It also has two couches and a TV set. The rent price is 250YTL. Rent prices are very high. I am not working. I have never worked here. We make our living with the help of the people around us. Muslim people bring us food. I am epileptic, and I go to the hospital through the governor's office. I take the medicines from them. I watch TV all day. I do not have any hope. I want to go another country as soon as possible.

Elif (F): I came from Somali. I am thirty-four years old. I am married. I have a daughter and three sons. I went to school in Somali for four years. I went to Istanbul by boat with my family. We escaped war. We sold our all property. We gave smugglers $1500. We did not have any idea when we would go. We traveled in very small cabin with 50-60 persons. We did not get outside during the journey. Getting out was forbidden. Boat was a cargo boat. We ate crew's leftover. Some of passengers were sick. I did not know how long our journey took. We came Istanbul firstly. Then we went Mersin. At last, we settled in Ankara. We had difficult days when we first arrived in Ankara. I stayed in Ismet Pasa for four months. Now we are in this neighborhood. We had $500, but it was spent in a

short time. Since I could not speak Turkish, we were unable to ask anyone for help either. Whenever we asked for help, they refused us. I never saw winter in my country during my life there. I did not wear jumper before I came Turkey. I saw snow for the first time in Turkey. My husband works in a bread bakery and gets YTL15 per day. Not everyday there is work, only if there is portage work. My son worked in a pharmacy for one month; his salary was YTL 5 per day but now he has no job. My children learned reading and writing in Somali. In Turkey, they do not go to school. My middle son wants to go to school but he cannot go. Our case did not end up yet. We have not any idea where we settle.

Rana (F): I came from Somali. I am fifty-five years old. I cannot read and write. My husband, my mother and my father died in war. My four children still live in Somali. I came Turkey by a boat. I am alone in this country. I escaped war. I gave smugglers my jewelry. Our journey took forty days. Sometimes we were hungry for two days. Journey was very bad. Many children were sick. I was sick too. I thought to go to Italy but we came to Turkey. I went to Istanbul ten months ago. I am staying in Ankara now. Authorities sent me Konya. I did not anyone there and I returned to Ankara. I stayed in Ismetpasa for a while. I did not stay there for a long time because I am a widow. I moved a house in Haskoy. I am very sick. I must be operated but I cannot pay hospital charge. I stayed in a house alone when I came. But now, I am not concerning myself. I stay with a Somalian family. I was accepted to America and I wait now.

Fatma (F): I came from Somalia. I am fifteen years old. My father died in war. I escaped from Somali by boat with my mother and sister. We went to Turkey two years ago. I stay in a house with my mother and sister. We are contented our neighbors. I did not go to school in Somali and I do not go to school in Turkey. I cannot read and write. I do not work. We live on charities. I do not know how our case will be.

Hüseyin (F): I came from Iran. I am fifty-five years old. I am married. I came Turkey with my wife, my son and my daughter thirteen years ago. Our case closed six years ago. We did not have any right there. I work in a hotel. I am a repairperson. My wife is an office cleaner in the same hotel. My daughter goes to university. My daughter and I adapted to Turkey but my wife and my son want to go to another country. They are giving psychological support. At present, I am waiting for my file to be reopened and settled in another country. Since I have no worker visa I am unable to work legally. My case is closed. Under these circumstances, I cannot imagine living here. Here we suffer. Can you imagine living in a foreign country without any paper or any right for thirteen years? How long can a person stand without a homeland? To live illegally means being deprived of many human rights.

CHAPTER VI

OBJECTIVE ASPECTS OF SOCIAL EXCLUSION

This part of the thesis analyses the objective aspects of social exclusion in the context of asylum seekers with regard to freedom of movement, and motives conditions of migration before they came to Turkey. After emigrate their experiences for access to residence permit and housing, job market, education and healthcare and language abilities were asked.

For a better understanding of the respondents, firstly a socio-demographic should be defined. The majority of the samples were young and they were between the age 15 and 37; two of interviewees were 55 years old. Three of the asylum seekers were single, two of them widow and five of them were married. All of them, who were married, were living with their spouse and with their children except one of them who do not have any children. Two of the asylum seekers were widowed, one of them who was divorced was living alone and other one whose husband had died in war was living with her relatives in Turkey. Four of the Iranian interviewees had completed high school education, one of them had secondary school education and one of them had a under graduate degree. Three of the Somalian interviewees were illiterate and one of them had left primary school in fifth class. As for   the occupations of the respondents in their country of origin; three of them are housewife, one is plumber, one is cardiological technician, one is computer technician, one is sport trainer, the ones below the age of twenty do not have any occupation. Among the ones with an occupation, only one of them, the plumber, continues practicing his profession in Turkey while others do not have any occupation related to their profession in their own countries.

Because six asylum seekers interviewed were coming from neighboring country Iran, they find it relatively easy to adapt to the Turkish context better compared to Somalian case. All of the Iranian asylum seekers perceived Turkey as quite similar to their countries and feel that there are many cultural similarities between Turkey and Iran and they learned Turkish easily compared to Somalian asylum seekers.

6.1 Conditions of Migration

6.1.1 Motive for departure from country of origin

Five of the Iranian asylum seekers referred to religion-based problems and one of the Iranian asylum seekers referred to political problems as being their motive for departure. 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.

Meryem, a woman from Iran tells the reasons of her leaving the country:

> Our manager was doing something secretly, no one knew what. There were small gears related with heart treatment, he stole them and he was about to take them away, and I was the only person who knew the total number of these gears. 'You are doing no good, do not do that; if you need money go ask them, or ask us to collect, but do not do that otherwise you will be in trouble.' I told him. He did not care and decided I can be a real trouble for him, thus started to speak ill of me; he was doing some bad things and trying to accuse me for them. One-day blood spilled over my uniform during an operation, therefore I went out to go to my closet to change it and I saw my closet was searched. 'Whoever did this could not have found anything to take anyway' I thought. Because I was giving the money to my father. Then at the end of the day he requested me to his office, put the Bahai religious book he took from my closet on his desk. I was shocked at that moment. 'You mess with me, and I will inform you to the soldiers and cops; they surely know best what to do with you.' I was scared and

told him 'Ok, do whatever you want, I will remain silent.' Next day I wrote my resignation letter, I got out and never came back. I bought a ticket, a few clothes and some cash with me and now here I am.

Another woman Nermin from Iran says:

I am Christian; I mean my family is Christian. But my husband was Muslim, and he became Christian later. This was eight years ago. We married afterwards but families caused many problems. They did not recognize our marriage. Later one day while we were in a home church, we were arrested and taken to the police center. They understood that my husband is a Christian. But we did not marry in a Church. 'You are Assyrian, he is Persian' they said in the Church. 'Marriage can be either between two Assyrians or two Persians, but we can not marry you' they told us. Then we had a marriage in line with the Iranian law, which is Islamic marriage. We had no other choice, we really loved each other. My families were opposing us, and there was no way out, except for having a legal, that is, Islamic marriage. After we had this marriage, the state authorities thought I was converted to Islam. After our arrest in the home church we were both declared as 'murtad.' We were beaten pretty badly. These things happened two years ago, after our arrest in the home church.

Another woman Behiye from Iran says:

I was Muslim, and then converted to Christianity. My husband is Muslim. I became a Christian. I had a friend in Iran; I loved more when I knew her more. She was a very decent person, she grasped God, and everything about her was good. I asked her "How can you manage to be so nice?" and she told because she is Christian. She gave me eight or nine books. I read them and I liked them and then converted to Christianity. All of my relatives put pressure upon me. My father informed me to the police, and so they started to pursue me. Therefore, I came here. My husband started reading Bible here, and he converted to Christianity as well. I was threatened with execution. They wanted me to denounce Christianity and say I am a Muslim, but I refused and told them I am a Christian. I came here with my two children. The child my husband had from his first wife converted to Christianity back in Iran. Both of us. He was attending the high school,

he was threatened in school, and my husband was very scared and then took him here. Six month later, I came, too."

Another woman Gala from Iran referred political reasons especially the lack of social rights:

> Political reasons. My mother was conducting a research on women. She was working on human rights and especially on women's rights. These sorts of things were banned there. Not all, but some of our laws are not good, she was trying to change them and she was trying to inform women about their rights. This exactly means a political situation in Iran. Because she was in a "political condition" and her life became more difficult. If we did not escape, she could get arrested. My mother is a skin care specialist. As a family, they –I mean my uncles etc– all work on human rights issues; they work to collect signatures for petitions, like one million signatures for amending the laws. My mother is a person who organizes campaigns like this. She even collected signatures here. She was doing it in Iran, but here she goes on, she does not give up.

All of the Somalian interviewees emphasized their escape from war. They complained of unstable regime and poverty. A Somalian woman Elif says:

> We suffered all these hardship to be away from the pain of war.

The stories outlined above indicate that the asylum seekers' decisions to more are heterogeneous. While political reasons are prevailing in all of Iranians, for Somalian asylum seekers are in a run for right to live.

6.1.2 Reasons for Choosing Turkey

Asylum seekers look for close relatives, former neighbours when they arrive in a country. Sometimes they choose this country because their relatives live here. Meryem says, "I came and stayed in my Bahai friend's home approximately ten

days". At other times, they have no time to make a choice: they just run off, take a bus and end up in a country, "We preferred Turkey, because it is more accessible than other countries", as one of the asylum seeker women from Iran explained, most important reasons that Iranians choose Turkey are; there is no visa requirement, it is a neighboring country which is easy and cheap to transport besides being a bridge to European countries. Some of the respondents said that they chose Turkey since it is the nearest free country. Nearly all of them told that they heard about the conditions in Turkey via the ones who had come to Turkey before them. One of them showed the existence of UNHCR in Turkey as a criterion of choice and said that:

> We could not go to another free country, we only knew about Turkey. Here there is UNHCR, they help us. We came here because of that. Four years ago, I had some relatives here; but they are settled in another country now. They told me that there is an institution called UN in Turkey.

Gala, who is a woman from Iran, tells what she knows about Turkey before coming here:

> To be honest, Turkey is not depicted as a good country in the movies in Iran. In these movies, Iranians have many troubles when they com to Turkey. Istanbul is depicted as a really bad place; it is shown that you should be very careful in Istanbul in order not to get kidnapped. Police officers here are depicted as very mean people. Thanks God we did not experience such things since our arrival. We came here because we thought getting here was easy; but we were really scared; we feared that we would not even be able to leave the house to protect ourselves from police and other people. But after we came here, we did not see such things happening.

Nermin who a woman from Iran says:

> No, we did not know anything. We had a priest who is in Canada now; he arranged everything for us.

All of Somalian respondents do not prefer Turkey themselves; they were brought in Turkey by smugglers. So the reasons for choosing Turkey, for Iranian are its closeness, cultural similarity and/or relatives living here. But Somalian asylum seekers, they were completely subordinated to decisions of human smugglers, and cannot ever decide on their own.

6.1.3 Trafficking

Iranian refugees, on the other hand, entered Turkey legally with their passports. One of them chose airways while the rest of them preferred land route.

A woman from Iran, Behiye says:

> We came to Turkey by train, using our passports. After two weeks from our arrival I phoned Iran, my mother said we had done very well by leaving. The police came, asked my mother about me. If I tried to come two weeks later, my passport could be invalid. I am lucky, I came here. I came to Nevsehir, because my husband is here. When I came here, my husband rented a house. We live in the house with my husband and our three children.

And Behiye adds:

> I bought a ticket, a couple of clothes, and some money, hit the road and now I am here. I came on the train.

Only one of the Iranian respondents, Gala, whose mother had been the object of an investigation had to pay human traffickers so as to make it easy to pass through the control points.

We came using our passports, we did not come secretly but actually, it is a little bit different. We paid some money, in normal ways. In Iran anything gets done with money. We came using legal means but my mother was not allowed to leave the country. The guy let us go although he knew that. We came on a bus, like a tourist, with a small suitcase. We came four people; my parents, my brother and me. We came to Ankara directly with our bus. We checked in a hotel in Kizilay. The bus driver put us in a cab and it took to the hotel where we would stay and in fact, we had no idea about this place. Once you pass Van, the rest is easy. One week later, we went to the UN and got registered. Afterwards we traveled to Nevsehir."

All of Somalian interviewees entered Turkey in illegal ways and without valid documents such as passport. They stated that, they had come Turkey with the help of human traffickers via sea route and the first destination of all of them is Istanbul. A man from Somali Ahmet says:

I was brought here by smuggler. I came on a boat on which there were many people like me. My father died, my mother and brother stayed in Somalia. I arrived Istanbul first, and then I came to Ankara.

These stories give an indicator between voluntary and in voluntary trafficking. While Iranian asylum seekers came to Turkey voluntarily, through legal ways, it is possible like Somalian asylum seekers to get in through totally illegal ways. This point out to the fact that human trafficking must be seen from both voluntary and involuntary perspectives. Also we must differentiate between social exclusion of voluntary and involuntary of asylum seekers.

6.1.4 Length of Stay in Turkey

Except the one Somalian and two Iranian cases, who are in Turkey for ten, eleven and nine months, the interviewees have been staying in Turkey for more than one

year. One of Iranian refugees whose case was closed six year ago has been living in Turkey for thirteen years. Behiye, one of the female asylum seekers, who was deep interviewed in Nevsehir, states the following about the waiting period:

> I went to the UN two weeks ago, to ask why they did not respond to us although we are here for three years and my husband is sick. They told us to wait. I asked how much I should be waiting. I would wait if my husband was not sick, if me and my child were not sick, if my older boy could attended school; I wait if everything goes ok, then that will be no problem. But there are so many problems, I asked why I should wait, but they told me again to wait.

And Meryem from Iran says:

> I came and applied to the UN; they gave me an appointment after one week. I went for interviewing and they told me to come after one month for certificate of residence. I consulted a friend of mine; he told me that there is a lawyer in Ankara, but his fee was too high. I had no money at all. I had another friend in Canada; I called him and asked for the money; told him I could work and pay my debt later. That lawyer charged me 1000 dollars, wrote my certificate of ISTINAD, and I sent it. They gave me an appointment after three months. I went to that appointment, and my acceptance came. I was accepted and after one week, I went to the country preference interview. I preferred Canada. After one week, the papers for Canada arrived and I sent them after filling. After five months waiting, thanks to God, I was invited for interviewing on 30th of this month.

A man from Iran Huseyin whose case is closed says:

> At present I am waiting my file to be reopened and settled in another country. Since I have no worker visa I am unable to work legally. My file is closed. Under these circumstances I cannot imagine living here. Here we suffer. Can you imagine living in a foreign country without any papers or any rights for thirteen years? How long can a person stand without a homeland? To live illegally means being deprived of many human rights.

N from Iran, whose Gala's mother said about waiting period, during one of the training studies, that:

> According to the 1951 Convention, we are temporary asylum seekers here, waiting to be settled in a third country. This temporary, uncertain status may last for years, but it may also last short. The process for those coming due to religious reasons is faster, but political asylum seekers have to wait for longer, sometimes for years.

All of the respondents were observed that they were complaining about the length of waiting period. They were extremely frustrated about this waiting period in light of restrictions on access to work and the limited social and economic assistance available. They also complained that it was taking a long time for give appointments to clients, particularly at the appeal stage.

6.1.5 Final Destination and Expectations

Four of Iranian asylum seekers were planning to go to Canada and other one was planning the United States as his/her final destination. One of the Iranian asylum seekers, whose case was closed, was planning to go to wherever he can. All of the Somalian asylum seekers had no idea of where they want to go except one who were accepted to United States. Some of the respondents stated that they wanted to go to the countries where their relatives and friends reside.

Gala says:

> I have uncles in Canada and Switzerland. We are planning to go to Canada since my uncle is there. Language in Switzerland is complicated; let us prefer the easier one.

Some of them said that as long as they cannot go to the country they prefer, they can go any country. Yaren says:

> It can be anywhere. I have an uncle in America; it will be very good if I can go there. Otherwise, I can accept any other place.

And Nermin says:

> It does not matter, being free is important. Our priest lives in Canada but it does not matter.

Behiye from Iran says she did not choose herself:

> Canada. But I did not choose. UNHCR is preparing my case.

Yaren from Iran emphasizes job opportunities for herself and her husband and education opportunities for her sons:

> My son can go to school, I can work, my husband can find better jobs. He was an electrician in Iran. That is not a tough job. When we get there, both of us will be able to work in our own professions.

Gala from Iran emphasizes both job and education opportunities for herself:

> I do not know anything about Iran, but my uncle is there. When I was in Iran, I was hoping to become a lawyer. Now I want to be an international lawyer. In Canada, I will have the chance to work and study at the same time.

And Meryem from Iran says:

> I will study if God may help. I want to specialize on heart diseases. It makes me so happy to help sick people.

Asylum seekers' expectations are also important. The image which asylum seekers have formed of the country of settlement and what they expect from it may create either a positive attitude or the risk of disappointment, which will influence the process of settlement (Joly, 1992: 50). Asylum seekers have high expectations about their new life, especially regarding their economic and occupational adjustment. They do not expect to lose anything because of their migration. The asylum seekers want to recover their lost status and are resistant to accepting jobs that represent underemployment. Without clear guidance from the host, the asylum seeker does not know what to do. This need for guidance is greatest in the initial stage (Stein, 1981: 327-328). Asylum seekers expectations from the future can be put as, a good education for themselves or their children, being able to perform their own occupation and better life circumstances than the present case.

6.2 Condition of Stay

6.2.1 Residence Tax and Freedom of Movement

Asylum seekers, who entered into Turkey and applied to UNHCR and other relevant authorities, are accommodated to places of sojourn in one of 30 different peripheral provinces and they have to pay an accommodation fee of 275 YTL per 6 months per person. The accommodation fees reach enormous amounts since the process can continue for years because of the low pace of the mechanism. Some of the asylum seekers stated their problems about this issue as follows:

A woman from Iran:

> The Turkish government charges a residence fee from us. My spouse cannot work, he is sick. Our family has six members. We were treated

unfairly in Iran because we are Bahai. We pay residence fee every six month. Turkey grants temporary asylum for us but charges residence fee at the same time.

Another from Iran:

Most of the Iranian women in Nevsehir have education; those without education are capable of doing handicrafts. If we can be granted the right to work, we can both be beneficial to for Turkish state and pay our residence fees."

According to Application Directive the decision about the transfer of the applicant to another city shall be evaluated and taken by Ministry of Interior by taking into consideration the statistics about the density of satellite cities and applicant's request for transfer during the preliminary interview process and applicant's reasons to be transferred especially for that place will be evaluated by Ministry's consideration. The decision taken shall be informed to the relevant Governorates. The Governorates which receives the notification about the persons who are deemed as appropriate to transfer by Ministry, shall send notification in written to those who are deemed as appropriate and a copy of the notification shall be given to the person in question. Transfer procedure shall end with the transfer of the person to the province following to the authorities of the province is informed on the person to be transferred. The Governorates shall inform the Ministry after the person in question arrived to the province.

Asylum seekers can demand their referral to another province but it is only possible if there is a relative of the asylum seeker living in that province or asylum seekers' state of health dictates the referral. In case an applicant who is transferred to a province wishes to be transferred to another province by claiming that he has relatives in that province, the Governorates of the province where he resides shall ask the Governorates of the province where he would like to be transferred to

make an ex-officio investigation on the credibility and accuracy of the claim (whether or not he has relatives in that province). A copy of the request for investigation shall be sent to MOI. As a result of the ex-officio investigation, in case that it is determined that the relatives are immediate family members (mother, father, spouse, and child); within the framework of family reunification principle ex-officio transfer shall be made and MOI shall be given information.

For applicants who request transfer to another province for treatment purposes since they cannot undergo treatment in the province they reside; a report, certifying that the applicant could not be treated in the province he resides, shall be taken from a Fully Equipped State Hospital. That report shall be examined by the Provincial Directorate for Health and it shall be determined in which provinces the applicant could undergo treatment. The Governorates shall also make an assessment. Except for the metropolitan provinces, the governorship of the province where the applicant resides in shall ensure the ex-officio transfer of the applicant to one of the identified provinces and MOI shall be informed of the case. Asylum seekers' mobility out of the province that they had been accommodated is subject to permission and they have to justify their need to get out of the province.

In case the person who is granted residence permit, request for permit to travel to other cities for a short time in order to follow-up his/her actions in other provinces (for reasons of health, visiting relative, bank operations, UNHCR interviews, interview for a job, course, vacation), the request of the person shall be evaluated by the Governorship and the person shall be given permission providing that a travel document up to 15 days upon issual of a travel document. Those persons, who do not complete his/her actions within the period permitted, shall apply individually to the Directorate of Security where s/he resides and request for the extension of his/her permit with a petition. Upon the request, the relevant Directorate of Security shall be in coordination with the province where the person

resides and exceed the permit up to 15 days upon issual of a travel document or the permit document. If the request exceeds fifteen days, then the reasons for the request, the opinion of the Governorate and the opinion of the Ministry of Interior will be asked and actions will be taken according to the instruction received.

Refugees have had their movement restricted to certain boundaries while waiting for applications to come through and this is an clear violation of their basic human rights. Neither asylum seekers legal status nor the procedures for determining legal status should be affected by the location where an asylum seeker chooses to live.

6.2.2 Access to Residence Permit and Housing

Housing is the primary prime and basic need for asylum seekers as it is for any other person. Most of the asylum seekers who are in a new country have problems related to housing due to economic reasons. Asylum seekers live together in low-cost houses and in poor conditions to handle this problem. Neither state nor NGOs help them in terms of housing. The houses they live in are usually small and in slum areas, at the entrance level or below with humid and unhealthy conditions which do not take any sun light. Some of the respondents define where they live as follows:

Behiye from Iran:

> We live in a basement, there is too much damp. My knees ache too much; my husband's stomach is in very bad condition; my children are sick for a year. It is very difficult; all I want is to go.

Nermin from Iran:

> An apartment in the basement with three rooms and used furniture.

Yaren from Iran:

> It has two rooms; it has a kitchen and a bathroom but the kitchen has no closets.

Because of the reason that they cannot get any support from Turkish government and NGOs, asylum seekers use their informal contacts for a place to shelter. Gala's words can be taken as a support of this argument:

> We stayed in a hotel in Nevsehir for a couple of days. The Iranians here helped. An Iranian family was leaving, so we rented the house they were leaving and paid the family for the furniture and other stuff in the house. It has three rooms, but one room is empty, there is simply no furniture for that room. There was no house here when we first arrived; so we rented this house out of necessity. Afterwards we decided to stay here since our landlord is a nice person. We found this house when we first came here; we either had to pay $60-70 for the hotel everyday or rent his house.

Many asylum seekers are forced to live with other asylum seekers for a long time, may be for the whole transition period. Actually, crowded housing is a welfare problem and may, together with other problems, be considered as an indicator of social exclusion. Ahmet's words can be taken as an example of the situation in Turkey:

> I stayed in a hotel for a while, now I am staying in a house in Haskoy with five other people. It is heated with stove; it has two rooms and a hall. It also has two couches and a TV set. The rent is 250YTL.

As it emphasized with these words of Ahmet, asylum seekers are sharing their private places, their house and sometimes even their rooms with other people. Housing is acknowledged as a key contributor to social inequality. Therefore, from this viewpoint, any analysis seeking to understand the relationship between

inequality and social exclusion must acknowledge the role of housing in shaping outcomes. Inadequate housing affects health, education and access to employment. Housing also generates exclusion in terms of location, physical condition, and security of tenure, overcrowding, sustainability and availability of other services (Arthurson&Jacobs, 2003:8).

The individuals' economic situation seems to be an important factor when determining the size and standard of homes. Since the asylum seekers give most of their money to the human traffickers and they can take few possessions with them, besides being out of job market in Turkey or because they are being employed for low paid jobs; it had been observed that the houses that had been visited were small with few furniture which include a high number of inhabitants.

6.2.3 Access to Job Market

Asylum seekers experienced more problems with the family, life course, and state, but greater self-suffiency in solving problems related to the job market. Unemployment, results not only in less income, but also in loss of relationships in the workplace and this is part of the causal process of social exclusion. Indeed, exclusion from the labour market often precipitates exclusion in other societal spheres (Arthurson and Jacobs, 2003:4). From the moment they arrive in the country onwards, however, survival strategies, time paths and urban routes start to diverge. The time they spend with close relatives before getting a place to live; the time it takes them to get a job or some street selling in order to survive, depend on multiple factors. A former good social and economic position, for instance, may bring about a greater sense of loss, but it can also foster confidence and facilitate the building of new social relationships.

One of the important problems that a refugee in turkey faces is related to employment. Regulations related to asylum seekers' employment in Turkey are stated in the Legislation on the Work Permits of Foreigners (No. 4817). In this legislation, it is stated that according to the Settlement Law of 1934 (No: 2510), the ones who are considered as "emigrant", "refugee" or "nomad" can be given permission to work. But there are no definitions for "emigrant", "refugee" or "nomad" in the legislation 2510 and the basis of consideration had been defined as "being Turkish descendant". In the legislation, refugees who are not Turkish descendant are considered equal to the foreigners who come to Turkey to work which stands as a big obstacle in front of refugees and asylum seekers in Turkey who want to work. People coming to Turkey for asylum seeking have to take work permit. An employer who wants to employ a asylum seeker has to face a big economic burden, besides having to prove that the specific position cannot be fulfilled with a citizen of Turkey and this employment does not threaten national security, public order, public peace, public good, public morality and health. Asylum seeker has to submit related documents proving that s/he is capable of carrying out the necessities of such an occupational position in terms of profession and education. Asylum seekers have to find an employer who is willing to employ them before applying for work permit. But this work permit is not a general one but rather for that specific position and profession, meaning, a refugee who has a work permit for a specific occupational position has to renew the permit for applying another job. Since work permits which will be taken for another position are going to be processed as the first application, all the documents and forms required according to regulations are to be filled for the new application as well.

When asked to the local population of Nevsehir, it is said that taking work permit is nearly impossible so asylum seekers are usually unemployed or working for very low wages, which leads to financial difficulties. Gala's mother from Iran:

One year has passed since the interview, no result yet. We do not have money; we cannot find work, we have no health insurance and no one cares about these things. I have a condition but I am unable to go to hospital as I have no money. What about the human rights, considering all these.

A woman from Iran:

I fled from my country; I have no money; UN is not a shelter for us. No one cares how we are going to make a living during the years-long procedures.

Another woman from Iran:

We have working permission but everything is on paper. Once we can work, everything can be resolved. We do not ask for charity, we ask for work. The state has its own issues; so we do not demand money.

Another woman from Iran:

We are paid well under the Turkish employees. I earn 120YTL per month. Since it is illegal, we are paid so low. The employer does not apply for working permission.

And respondents, Behiye from Iran:

The laws are all on paper. We are content with the Turkish state, but we do not want our rights to remain on paper only.

Yaren from Iran:

It is too difficult; my husband's back aches, so we went to the hospital and according to the X-ray results the doctor told him not to work in hard jobs. He works if he can find a job. He works in constructions. Some days he cannot get his payment. This is too hard. If we had

money, we could pay our rent, pay for gas, water and electricity. Things would not be that hard with money, but now everything is very complicated.

The majority of asylum seekers arriving in Turkey are poor in terms of income and proporties. They face many of the same day-to-day issues as other people living in poverty, but with an underlay of their pre-migration experiences and overlay of additional expenses and of policies which exclude a subset of them from income support and employment assistance.

Asylum seekers have higher unemployment rates, lower earning and occupational attainment than natives. Lack of Turkish language ability, recency of arrival, lack of required skills and non-transferability of qualifications and racism all create barriers to employment. For example Ahmet's experience:

I am not working, I never worked here. We make our living with the help of the people around us. Muslim people bring us food.

Low wages are another cause and result of social exclusion for asylum seekers. If they find work it is often low paid, for similar reasons to their high rates of unemployment that level of language, waiting for recognition of qualifications, no opportunities for local work experience. Elif from Somali says:

My husband works in a bread bakery and gets 15YTL per day. Not everyday there is work, only if there is portage work. My son worked in a pharmacy for one month; his salary was 5YTL per day but now he has no job.

While poverty may have been a part of their lives in their countries of origin for Somalian asylum seekers, Iranian asylum seekers have come from educated and economically comfortable backgrounds. It has been observed that some of the asylum seekers have high economic and social status in their country of origin but

they cannot find any jobs or they have to work in some jobs which do not let them show their abilities. It has also been observed that the decline in their social status made them unhappy. Asylum seekers were earning less money and working hard than Turkish people. The sort of employment that asylum seekers were seeking did not always reflect their skills and experience. For instance, teacher is looking for jobs in services sectors or building trade. An asylum seeker woman Behiye from Iran had a similar experience:

> My husband is very sick; he was an instructor at a university in Iran. Chemistry and mathematics. Since we are not citizens here there is no option to work in state jobs; so my husband has to work as a house painter here.

Nermin who studied as a computer technician in Iran, states that she has to work in Turkey at a low wage considering her education level and she adds that she is being treated very badly since she is a foreign woman and she continues as follows:

> My husband works as a house painter. It is not a permanent job; sometimes there is work, but at present, he is not employed. I worked in a kindergarten for three months when I first came to Nevsehir. Our landlord living in the same apartment building found this job for me. I was working too hard but get paid very little. I was treated very badly there; I even had to clean the toilets. Finally, I was fed up and quit the job.

Meryem who used to work as a cardiological technician in Iran talks about the jobs he has to do in Turkey as follows:

> I sewed and did needleworks. They helped me; there was a house of their friends next to the street; they helped me rent that house; I lived there. I worked for six months. Then they had some problems and they went to Kayseri. I did not work for three months. I started to work as a waitress in a restaurant. Then my condition started to affect me too much. I have a heart defect at birth; I was treated for three years in Iran

but nobody could fix it. I must take multivitamin and iron pills. My body is aching all the time and I faint.

Work is an important instrument of integration but asylum seekers may lack for information about where to look for jobs. Mostly respondents had found their jobs through friends and neighbour. Informal contacts were important in terms of finding employment in Turkey for the refugees. Meryem from Iran how she find job:

> My Dilek sister, she is instructor at the college, she found a job for me. I was a steward in school buses. I worked there for three months, but due to my illness, I quit that job and now I sit at home again.

And Gala from Iran says:

> This is my third job. The first one was as a salesperson in a mall. I saw an 'employee wanted' announcement on a shop window, so I applied. When I first got the job, they said the salary was 200YTL, but they paid me 100YTL, arguing that my Turkish is not that good. The second one was a cream cake bakery. The place was owned by the neighbor of a friend, I took the job through him. Everything was decent there, and I worked there a year and a couple of months. I found my third job through a friend I knew from my second workplace.

Existence of a regular job with an efficient income is an important factor that prevents people to experience and face risk of social exclusion. To have weak attachment to labour market is an important factor that leads people to experience poverty and social exclusion.

Gala has found a way out of thinking her problems in devoting herself to work, she says working keeps her away from thinking and she is happy about that:

> Except for one week of unemployment, I worked all the time. I dedicated myself so much to working, so that I have no time to think about other things. Starts at 8-9 in the morning, finishes around 8-9 in the evening, and I have no time for any other thing. I am not thinking of anything else, and I am glad for that, to be honest. I work without thinking about anything else.

Unemployment can be a major causal factor predisposing people to social exclusion. The exclusion applies not only to economic opportunities, such as job-related insurance, and to pension and medical entitlements, but also to social activities, such as participation in the life of the community, which may be quite problematic for jobless people (Sen, 2000:19).

Yaren from Iran says:

> They have social security; they have it when they are employed, so they can go to hospital and buy medicines. They do not register my husband for social security because he is Iranian; they also do not pay his money sometimes, or pay less than they should be paying.

Most of asylum seekers are forced to work illegally because of the difficulties in taking work permit. For this reasons, most of asylum seekers work in clandestine jobs with low wages besides being had to bear arbitrary treatment of their employers. Asylum seekers remain the most underemployed group in Turkey. They works in a series of temporary jobs or moves between unskilled jobs spending most of their time unemployed; jobs like fast-food assistance, house painting… Not allowing asylum seekers to work has a negative impact on refugee employment opportunities and leads to increased social exclusion. Long-term unemployment is both a key characteristic and a primary economic cause of social exclusion and reducing labour market exclusion is crucial to create a more inclusive society. Unemployment causes the person to be subjected to unequal inclusion in an exploitative occupation. The most important vulnerability factors

that contribute to an increase of the risk of social exclusion for unemployed people in the long-term are in low qualification, passivity in the labor market, a precarious financial situation, low or missing social support, and insufficient or nonexistent institutional support. Additionally, unemployment is very disruptive of social relations and of family life. It weakens the general harmony and coherence within the family. To some extent, these consequences relate to the decline of self-confidence, but the loss of an organized working life can also generate problems of its own. This is a relational failure and thus within the immediate domain of social exclusion (Sen, 21). Irregular employment can reflect social exclusion because it emphasizes both distributional and relational aspects. The concept of irregular employment involves a combination of different factors: instability, lack of protection, insecurity and social and economic vulnerability. Consequently, the vulnerable, marginalized position in labour market determines the risk of social exclusion.

6.2.4 Access to Education Services

Besides the Convention on the Rights of the Children which is statutory according to the Constitutional Law of Turkey, legislations and regulations like the Legislation and Regulation on Foreign Students Studying in Turkey, the Regulation on Vocational and Technical Education and the Regulation on Institutions of Public Education includes some regulations regarding the asylum seekers', refugees' and stateless individuals' right to education. According to Article 2 of the Law no. 222 on Training and Education Law, the children between ages 06-14 in Turkey have compulsory education. Therefore, it is an obligation that children between ages 06-14 have to be subjected to education. Refugee and stateless children have the right to apply to the educational institutions with their permit of residence and with the guidance of their parents or legal representatives. As to the adult refugees and stateless individuals, according to the Regulation on

Institutions of Public Education, they have the right to apply public education courses carried out by the Ministry of Education. According to the Article 54 of the regulation, course attendees have to be citizens of Turkey but refugees can join the courses upon submitting their permit of residence. However, because of the geographical limitation Turkey applies, most of the foreigners in Turkey are in the status of "asylum seeker" and acceptance of their applications to such courses is subject to the permission of administrative chief. In addition to that, there is no legal obstacles for refugees' and asylum seekers' application to vocational and/or language courses that are carried out by municipalities. The Article 14 of the Legislation on Municipalities (No. 5393) which defines the tasks of municipalities state that, only if being devoted to local collective, municipalities are responsible to "provide services to bring vocations and abilities or have these be brought".

Although it seems there is no problem in terms of regulations, after the interviews with asylum seekers, it had been observed there are some problems in application. In fact, all of respondents claim that to get access to education for them or their children will be an important social indicator for their upward mobility. So they desperately want themselves or their children to be involved within the education and obtaining the benefits of it when they search for a job later. On the other hand, there is a serious handicap to let their children to continue to schooling because of many reason. Nermin states the difficulties and alienation her son experienced due to exclusion he had faced at school as follows:

> My son attended the school for 2-3 months, but other kids made fun of him because he did not know Turkish. They fought a lot, and they beat my son. They made fun of him saying "Iranian, Iranian!" Thus he got sick because of the stress and did not go to school for ten days, saying his stomach was aching. Now he attends the school once in a while, but I took his books from the school and now I am teaching him at home. In Iran, he was in fifth class, but here they registered him for fourth. The teacher says, "He comes and goes here, but does not know

anything." So I asked for his help, but he refused saying "I cannot do anything." The teacher let him drawing pictures in the class all the day. Is this something plausible?

This respondent signified the importance of education but she also mentioned that there are no opportunities for this. She also complained about lack of teacher's concern for her son. Once again, the things female asylum seeker, Gala, tells about her brother who had some compliance problems before quitting school in Nevsehir, has similar features:

> My brother started the vocational school here, but then he left the school. He could not study; it was too hard for him. He quit this year. When we stayed in Iran, he could be graduated this year, but here he has to start from the first year of high school. I attend the Turkish language classes in 'Public Education.'

Education is one of the most important factors affecting the development of children and can be a source of exclusion for children and thus carry with it the intrinsic problems this involves. It can also be exclusionary if the process of education fails to promote equal participation and access. Central to discussion of the dynamics of social inclusion and exclusion, formal education plays a complex and sometimes contradictory role. Public schooling serves as an effective vehicle for overcoming marginalization and enhancing inclusion into work and other spheres of social participation. Education systems are seen to contribute to the perpetuation of socio-economic disparities, as well as to forms of discrimination based on such factors as gender, age, health, residence and minority status. School exclusion can very easily contribute towards long-term social exclusion. Levels of educational attainment have a significant impact on labour market success and earnings potential and these are both closely connected to the social exclusion agenda.

6.2.5 Access to Health Services

Asylum seekers' access to health is defined in the regulation on application. The health services that are provided to asylum seekers and stateless individuals in Turkey are defined in the Circular of June 2006 and in the Rules on Application of Health Support Allowance Program (No.1262) which had been issued by Prime Ministry Directorate General of Social Cooperation and Solidarity.

In this part, asylum seekers in Turkey are analyzed with regard to their level of access to health care, whether they have medical care or can afford to go to doctors or buy medicines and what they do when a member of the families got ill. Nermin is a woman from Iran says:

> The UN sent us to the Cankaya Polyclinic in Ankara, and we did not pay. When we get sick in Nevsehir we have to pay for hospitals. The examination is 15,5YTL, and we pay for the analyses and medicine.

Behiye from Iran was anxious because of her husband's serious illness:

> My husband is sick now for two and a half years. The UN does not respond to letters and phone calls. Nobody hears our scream; I have children and what will I do if my husband dies? I am unable to go to the UN office all the time. Once I was in a hospital, they told me to bring a paper from the governor for free examination. I went to the government building, they told me to go to the police center. Everyone sent to another place, and I could get helped only once. Medical analyses are made, and the doctor told that his stomach is fine, but another doctor told us it is abnormal and can be cancer. He prescribed a medicine for my husband, it is a very expensive drug and he must take it for three periods. He gets treated, but I do not have money. We have to buy the medicine in every two months; they are so expensive; ASAM gave us once 160YTL. Another time I borrowed 160YTL from a friend. The doctor told us we should buy other medicines as well, but they are expensive. My little son is sick; we have been to doctor for several times; he used several medicines but he still coughs and he has

infection. Last month I paid 40YTL for medicines; I bought four syrups, but he did not recover. It is exhausting, because there is no job here, no social security, the doctor's fee is high, the hospital is expensive, and the medicines are expensive. His illness is not over for a long time, I am very concerned about him.

Yaren from Iran says:

My husband went to the hospital once but everything is so expensive; we have to pay for everything ourselves.

Ahmet from Somali who had an epilepsy seizure before our interview since he had informed in the association that his file had not been completed:

I am epileptic, and I go to the hospital through the governor's office. I take the medicines from them.

Gala from Iran said that he received health service in illegal ways once, and says the following regarding his mother's inability to go to doctor because of the high prices of health services:

I went to the hospital once, my waist was aching, it was not serious. A Turkish friend of mine took me to the hospital using his own social security certificate. If I went there alone, I had to pay 15YTL for examination, and also for the medicines, which I think would make a lot of money. We have no social security. My mother's arm is aching, but we could not take her to the hospital.

It is possible to see the differences as to application in this example. Meryem who is an Iranian woman that had accessed health service in completely accidental ways says the following:

When I got sick I went to the governor's building, but they did not help me here. One man sent me upstairs, I saw Huriye there, and she

told me she would take me somewhere. We went to the college; I met Ibrahim and Harun there as well. I told them what I experienced, and they looked at my records of my illness. They helped me a lot.

As respondents mentioned, they have difficulties especially in payment of medical expenses. Poor health and poor access to health care services are key markers for social exclusion for refugee groups in receiving societies (Beiser, Hou, 2001; Beiser, Johnson, Turner, 1993; cited in Mortensen, 2008:173). Asylum seekers are not a homogeneous population. Coming from different countries and cultures, they have, in their own and other countries, a wide range of experiences that may affect their health and nutritional state. Additionally labour market segregation, high unemployment, low occupation status, living in substandard housing, homelessness, working extended hours, and experience with everyday forms of exclusion cause symptoms of psychological distress that do not necessarily signify mental illness and physical illness. Children whose health is most at risk tend to live in asylum seeker families. All of respondents or their family members had physical or mental illness because of their inadequate condition and stress. Social factors perceived as influencing health of refugees were poverty and social exclusion. Besides the health sector has a direct role to play by increasing access to appropriate health services for immigrants and radicalized groups that incorporate culturally sensitive and language specific services for all health needs, including mental health services. Even though accessing health services is a basic human right, asylum seekers' access to health services seem to be totally on the basis of their own initiative in Turkey. As a result of this fact, they feel left alone and excluded since they do not have the means to overcome their health problems besides being out of social security or health system.

6.2.6 Turkish Language Skills of the Asylum Seekers

Language is crucial to successful integration. For young people it is the key to access to education; for adults it opens up a wide range of possibilities, not the least of which is managing everyday life (Joly, 1992: 58-59). People who were employed had been in Turkey longer than those who were unemployed, spook good Turkish, felt settled in the community and were more likely obey living in the Turkey than were others. Among the two teenager respondents whose ages are about the same, the one who has been working from the date of arrival seemed a better speaker of Turkish, better socialized and more hopeful regarding the future while the other who have never worked anywhere and sees only few people in the house knows nearly no Turkish, cannot communicate without an interpreter and seems to have lost his hope for the future. Additionally a good level of education can be an advantage as the experience of studying often makes it easier to learn a new language, and literacy in one's own language certainly facilitates literacy in another.

Perhaps no other host factor has more influence on the satisfactory integration of the asylum seeker than cultural compatibility between background and the society, which is confronted. In a linguistically strange environment, the asylum seekers might find themselves excluded and isolated from human contact, and their loneliness may result in depression (Kunz, 1981: 47). Age and gender have to be taken into account: asylum seeker agency workers single out women, young people and elderly for their respective specific needs. The elderly may find it more difficult to learn a new language and socialize, as may refugee women, especially if they are housewives. As a consequence they run the risk of finding themselves very isolated, particularly if they come from cultures where they are accustomed to a close-knit and extended family network (Joly, 1992: 49). Asylum seekers who have fewer connections with outside, women mostly, have been observed as being

incapable of speaking in Turkish which makes life more difficult for them. A Somalian woman's eight year old son, although not attending to school but having more connections outside via playing with Turkish children in their neighborhood, knows Turkish at a level of daily speech. This can be considered as a good example for this situation.

Meryem, who was asked whether she sees any difference between herself and Turkish citizens, says that difference stems from the language and explains the reasons for learning Turkish as follows:

> It is different because of the language. There are friends of mine who cannot speak Turkish; they think there is a difference between the Turks and themselves. Only if they could speak Turkish they would see that there is no difference, because I applied to the education classes, attended free-of-charge guitar lessons. They have treated me so good there. When I missed the class one day, they asked me the next day if I am well and wanted to help. I have learned Turkish in two years because I wanted to be friends with Turks and did not want to stay lonely.

Actually there is a relationship between speech, language and communication skills and risk of exclusion. Communication difficulties seem to be both a cause and a product of social exclusion. Without in effective language and communication skills cause literacy. With poor language and communication skills, children run the risk of school failure, low self-esteem and poor social skills.

As a conclusion, asylum seekers in Turkey excluded different dimensions. They are not allowed to work or travel freely, and excluded from public services (health, educational, social security). They are excluded from professional and skilled technical employment. Available work is mainly manual, irregular and daily- paid.

CHAPTER VII

SUBJECTIVE ASPECTS OF SOCIAL EXCLUSION

Subjective aspects of the social exclusion in the context of asylum seekers are formed in this chapter with regard to their self perception including experiences of negative perceptions in relations with the natives and feelings of belonging. Social exclusion include subjective and objective indicator. Hence, objective aspects are essential factors to understand subjective aspects of asylum seekers' perceptions of exclusion.

7.1 Experiences of Negative Perceptions in Relations with the Natives

The findings suggest that self-image is shaped and affected by the positive and negative features of asylum seekers' lives. At the same time, self-image influence and determine how the asylum seekers tackle problems and bring about improvements. The self-image of asylum seekers is sometimes negative and sometimes a positive one. A man from Iran, who did not reach basic rights, was angry:

> We do not want to be treated superior than the Turkish citizens. We do not want special protection; we just want to know our rights. We did not leave our country for economic reasons. We were economically in good condition there, and entered Turkey by legal channels.

When respondents were asked how they define themselves, it was observed that they emphasized on their concerns stemming from ambiguity and loneliness. Nermin from Iran says:

I feel myself comfortable here. I have peace of mind, but there is loneliness and illness. We cannot trust anybody, not everyone tells the truth. I cannot guess the result. I am simply waiting. I fear to be sent back to Iran.

Behiye from Iran:

Difficult; everything is difficult for the asylum seekers. It makes me so sad waiting here, because, as I told, there is nothing here.

Being together with family, relatives, friends, and community members is a source of strength; the refugees receive advice, support, and encouragement. Meryem, who was beated numbers of time by her husband and her father, left her country of origin because of religious reasons:

We came to Kayseri. There were many Bahai's on the train. They helped me a lot. But I was unable to find a house in Kayseri, because the houses were very expensive and the rents were in Euros, or they wanted the price of one year's rent in advance. Women living alone were not welcome when they wanted to rent a house.

Feeling safe is important for the quality of life and should be part of the analysis of social exclusion. Asylum seekers have a somewhat higher risk for violence or threats than other peoples. Meryem says Turkey is not safe for her:

I would like to stay if possible, but only if my security could be guaranteed somehow. I fear my family, my ex-husband will find me and kill me. Because Iranians can get here easily, they can get to Van illegally, passport is not required. When they get on a train with their passport no one asks where they are traveling. They can buy a ticket for Ankara or Istanbul and get off in the middle of the road. No one knows what they do, where they go.

Native populations' behavior in creating contacts, especially with asylum seekers has also an effect on the asylum seekers' social relations. Furthermore, lack of

language skills may initially be an obstacle. Many asylum seekers live isolated lives, cut off from social relations. They face even more difficulties to integrate. Gala from Iran says:

> We are fine here. We have no problems with the people here.

Yaren from Iran states that some of the local population treats them good but some others do not:

> Some people are very nice, but some do not want even see us. Some neighbors greet whenever they see us, yet others stare at us curiously. They say 'Do not let your kid talk to our kid' if my child passes by their children. Their kids are allowed to do everything, but when my kid does something, they say "Iranian, do not!" or "He did it because he is Iranian".

It is seen that having the same religion of the local population makes their life easier while being the member of another religion brings exclusion. Behiye's situation is a good example:

> All are good; all people are good, as long as they do not find out I am a Christian. Some of them are fine again, but some stare coldly when I say I am Christian. They do not want to rent their homes for example; I have changed my house once, owners were asking what religion we believe, and refused when they learned we were Christians. But the city is nice.

Meryem's situation was seen similar features:

> Some of them are good, but some consider us as very bad people. They say "You do not recognize Allah." I had Turkish friends, for example, they came for dinner to my house, I cooked and we ate together. One of my Turkish neighbors did not eat, and I asked why. She said "I do not know how you cooked," she replied. The fellows in police center are nice, may God be content with them. They know me, they know about my illness, because I go to Kayseri for that. They were charging

> "soil money" (residence tax) every six month but I had to say I have no money at all. They came and see my house, the way I live, and they do not charge money now. They help me a lot. When I get sick, sometimes I cannot go to verification, they help me again. Before this ASAM group came, this was a bad place but now it is very good and they helped us a lot.

Nermin mentioned difficulty of being a stranger and a woman:

> I know nobody here but I know many people thanks to the classes. But we are not welcome since we are foreigners and women. We sit at home and do not have contacts with others. We are in contact only with a few Iranian families.

Ahmet from Somali complained that he did not communicate anyone:

> Here I know no one. I have only one Turkish friend to whom I may go when I have a trouble and I need help.

Elif from Somali experienced not knowing anyone especially in the beginning stages:

> We had difficult days when we first arrived Ankara. I stayed in Ismet Pasa for four months. Now we are in this neighborhood. We had $500, but it was spent in a short time. Since I could not speak Turkish, we were unable to ask anyone for help either. Wherever we went for help, they refused us.

According to the observations, and the information, which are provided from the asylum seeker interviewed, the experiences and living conditions of an asylum seeker be strongly related with the city that s/he is officially settled. 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 an asylum seeker who is resettled in the

metropolis such as Ankara, and the situation of an asylum seeker/refugee who is resettled in developing cities such as Nevsehir is quite different. In little town, because of visibility of asylum seekers, the native population has usually a negative perception of an asylum seeker.

Contacts with neighbors can be an important element in the construction of new social networks. Individuals' family networks, and the location of their homes, affect the tendency to socialize with neighbors. Despite all of respondents cannot estimate the time period that they will stay in Turkey, they know that they are strangers in the country and have to move to third place. This perception is widespread among the asylum seekers and they think that they are somewhat "temporary guests" in Turkey who have to move to a third country. Due to the reasons that they are temporary in Turkey, they live a transition period in the country, their integration to the native population is limited.

7. 2 Belonging or Not Belonging

When residents were asked where they feel belonging to, one of them, Meryem from Iran, said that she feels belonging to Turkey. "I feel like I belong here, I like it here so much but we are not allowed to stay here." Another respondent Gala on the other hand, said that she could never feel as she was in her country, and states her obligation to live in another country as follows:

> Think of a human being, who comes to a country, like a child running to her mother, or even not to a mother, to a beloved person. For example, if a child is not loved by her mother, she starts loving another person. We are also not loved in our own country; or rather, we could not stay. We came here, and even this place is not a 'mother' it is like a mother. But after all I feel like I belong to Iran. Whatever happens –I may be far away now- it is my homeland, my soil, like my family name, unchangeable. My family name is always my family name,

whether I like it or not. We came here out of necessity. I prefer walking on earth rather than being buried underneath it. I would like to stay if I was treated as a citizen but now I prefer leaving. I prefer leaving because I experience everything here as an asylum seeker.

Man from Somali Ahmet:

We have no rights here.

Woman from Iran Behiye emphasized citizenship:

If you are a citizen here, you can have everything, you can have a car, a house, but we do not have. I like here so much, only if I can be granted citizenship here; I do not miss Iran. There was no problem when we were Muslims, my husband had a work at the university, my children attended school, we had a house, a car, everything was nice but when I became a Christian, troubles started; threats started. If I return to Iran they will torture me, or even execute me. I am not regretful for coming, here I have peace of mind; it was very difficult there. I would like to become a citizen if they granted.

Woman from Iran Nermin was happy in Turkey but he was anxious:

Life is easier for the Turks. They get good salary; they have social security but we do not have. I am happy in Turkey, but I fear the security forces, the police. I fear, and I am curious about the result.

An asylum seeker man from Iran felt himself in a prison:

According to the Convention of Geneva, Turkey is supposed to take me under its protection just like its own citizens, but it is not. According to the international law, UN should ask us why we came, but we could get an appointment for interview only after forty days. I have two small children. We are treated badly, we feel ourselves like in prison.

As a conclusion, the life in Turkey is a transition period for the asylum seekers, thus the Turkey is the transit country on their way to the West; they are waiting in Turkey for a third country, so for their lives and their future. As a result, being unable to live in their country of origin for various reasons, never feeling fully belonging to anywhere, being marginalized from their country of origin and the host country, being treated unequally in the country they wait to be transferred to a third one make these people feel excluded.

CHAPTER VIII

EXPERIENCED BY ASYLUM SEEKERS FROM THE VIEW POINT OF REPRESENTATIVES OF RELATED INSTITUTIONS

In this section of the study, experiences of asylum seekers in terms of main difficulties and social exclusion, which had been extracted under the light of interviews carried out with them, are going to be transferred from the point of institutional authorities.

As in the whole world, asylum seekers' situation is one of the most important problems waiting to be solved in Turkey. However, legal and social arrangements in Turkey regarding this problem are still inadequate. The reason for this situation is explained by UNHCR External Affairs Officer as follows:

> The troubles are very important, they are very urgent. We have the opportunity to make them remember about this issue, but this issue is not big enough to attract the attention in politics. I mean when a politician or a political party puts it into agenda, when it becomes a visible social problem; this is not a visible problem at the moment, but it is very important. In a 70 million country, there is imbalance in the distribution of wealth, there is the terror problem, the agenda changes quickly, there are big political debates, there are power struggles, and in this picture, the present situation is that people from Iran, Somalia can be overlooked.

8.1 Freedom of Movement

There are many reasons why freedom of movement is desirable for asylum seekers, but one of the most persuasive arguments in its favour lies in its potential to combat social exclusion by bringing supplies of labour into the places where a demand for labour exists. Freedom of movement for labour help for combat 'social exclusion'.

Integration expert from UNHCR describes what UNHCR Integration Unit does for asylum seeker and adds problems of fredoom of movement:

> I work in an integration section. As the integration section, we work for the refugees to get some services, like accommodation, clothing, food, transportation, until they get resettled in a third country or return their country of origin, they have the option to return if they wish. We make sure they get these services in cities they are temporarily settled; they may be provided by the NGOs or what the authorities can provide; is there access to legal social counseling etc. First of all they must get registered by the police where they reside, because they must sign up every week, this means they are not allowed to leave the city without permission. Thus something happens about 'freedom of movement.'

Additionally she complains nonstandard practices in satellite cities:

> They should be sending their children to school. Because the Turkish law says 'all children between 6 and 14 ages'; it includes these refugee and asylum seeker children. Therefore, these children must get registered in schools, and is this the case? Or what can they do if they have health problems? At the end, they get a 'referred letter' from the police and then go to the Foundation of Social Help and Solidarity where they can get some sorts of financial assistance, and they can also go to the hospital through this way. Another problem however is that practices of this procedure differ in every city, but our intention is that good examples multiply and we want to see these procedures carried out in the same ideal way everywhere. When we go to missions, go to

the cities, we see –let's put it in a softer way- there are differences in practice, due to personal, I mean due to the officials in charge. They can also use their initiative in positive ways, and we ourselves want to see a uniform practice everywhere.

Cities like Nevsehir, Kirsehir and Yozgat are mostly known as the most conservative parts of the country and majority of the population in these cities are from Turkish ethnic background. So it can be assumed that the population in these cities less tolerant to 'strangers'.

8.2 Length of Stay and Residence Tax

Integration expert from UNHCR explains the reasons of long waiting periods and the difficulties stemming from paying the residence tax during this long period of time as follows:

> We have two separate doors. From one of the doors we accept refugees and asylum seekers coming for interviewing. Then we have a section we call 'status determination protection,' there are 'legal clerks' in this section, who investigate these 'cases.' They arrive, and just after their arrival they must get registered at Turkish authorities and also at us. Our legal clerks in the SDPU section investigate if this person is actually a refugee, and if this person has a claim based on a 'well founded fear of persecution.' However, between the day the person arrives and the day he is given for interview there is a time, and this time can last up to nine or ten months for the first interview. We try to shorten this period on the one hand, but as our human force diminish, our resources remain the same and this period can be a source of distress. When the person comes for the interview, 'refugee status determination' is performed, I mean if the person is actually a refugee or not. Meanwhile, as these people are also registered by the Turkish government, they are supposed to reside in one of the more than thirty cities determined by the Ministry of Internal. However, during their stays in these cities, they should pay a tax of residence, and it is 530 YTL per year. It is charged in every six months. Because these are people who fled their countries, in some cases they are financially in difficult status and it is not easy for them to pay this amount.

It is nearly impossible for asylum seekers to pay the residential fees considering the fact that they have difficulties in finding jobs or even if they find one, they are paid very low wages. External Affairs Officer from UNHCR says:

> They cannot earn money, as they do not have permission for work.

Accumulated residence taxes are big obstacles for individuals whose asylum process had been completed for a third country. Regarding this problem, deputy governor in Nevsehir says:

> There are the ones living in Nevsehir for 7-8 years. There is a complaint that Turkey does not let them go, although a third country grants the right to refuge. I interpreted this as a measure to discourage people from escaping to our country. In some provinces there are practices that make things difficult, to discourage people before entering. If a third country grants the right, you should allow. In the present situation, however it is both a trouble for Turkey and damages the psychology of the refugees. On the other hand, you cannot help sympathizing with the state; it is a huge economic burden. The assistances cannot be made orderly; not all refugees can get assistance.

8.3 Access to Job Market

Asylum seekers, who needs money for their survival and does not have a work permit, do the jobs for a relatively lower price. They do not have a chance of working legally in Turkey; they are driven both to illegality and to informal sector. Thus, it can be assumed that they are employed well below their qualifications. Due to reason that neither state and nor NGOs do not guarantee their housing and food expenses; they have work for their living in the country. Integration expert from UNHCR says:

They do not have permission for work, that is right, that is a big problem. Legally, it is very difficult to find a job and work, because the employer has to take care of the bureaucratic procedures in the name of these people. No employer, or rather a huge majority of employers refrain doing this; and unfortunately some people can abuse the status of these persons. They are employed unofficially, without any social security, and they even can never be paid. They can have serious difficulties during their stay here. What we are trying to do as the office is to contact the government authorities for the abolishment of the residence tax and granting of the permission for work, so that they can work legally. For that we put all of our effort, but getting concrete result does not seem probable in the short term."

Asylum seekers have limited chances in labour market in addition discrimination and segregation together contributes their exclusion.

8.4 Access to Health Services

UNHCR helps the recognized refugees in Turkey in terms of medical support when they are in need of. The recognized refugees are sent to the state hospitals at the satellite cities, and they can get health service and medicine. Moreover who settles in Ankara can also get health service from Cankaya Policlinic whenever they need without paying. However, the main basis for taking support from UNHCR is to be recognized refugees. Asylum seekers are sent to the Cankaya Policlinic only in the case of emergency.

ASAM Nevsehir Office's representative tells about reaching health services for asylum seekers:

The problems experienced while trying to resolve health problems produce a negative reaction among the refugees.

8.5 Access to Education

Although there is no legal obstacle for the children of asylum seekers to access education, the problems of cohesion and language differences are explained by the Head of Nevsehir Provincial Directorate of Education as follows:

> We register the applicant in the class desired. When students want to get registered, the National Education gives guidance; those who do not want attend the school are attempted to be persuaded. Those who can bring their files from their previous schools can attend the school as registered students. But because they fled their country, they do not bring any document about their educational status. In this case, we accept them as guest students in our schools, but we cannot register them. The main parameter in determining the level of the student is students' or parents' declaration. The student attends the class s/he was attending in the country of origin. Non-Turkish speaking children get registered to the 8th class. Adaptation becomes problematic due to language issue. We register the students first, but afterwards we face problems. Problems related with age, language, race, level etc. Last year we registered them all in the same class, for language education. It is hard to keep them in order; adaptation classes can be given.

Education is one of the important dimensions of the asylum seekers integration. Asylum seekers children have the right to get education from schools of the country. However, though they are allowed to attend school in the country, they cannot get any certificates from the schools.

8.6 Resettlement to the Third Country

A person who applies for asylum and takes a refuge status from Turkey does not mean that the person is going to be transferred to a third country immediately. The ones with refuge status can also be bound to stay in Turkey for years. Integration expert from UNHCR explains this as follows:

Let's say interview is made and a person is accepted as a refugee; then we have the resettlement section, which means this person can be resettled in a third country. But there is no guarantee that the person will be resettled in a third country. First of all, it depends to the desire of the resettlement country -they determine their quotas- to accept. The files are submitted to countries that are seen as suitable, I mean to countries that are willing and that have a quota for that. After submitting, there is the probability of getting resettles if the file is accepted.

She comments deportation case:

Unfortunately some cases can be expelled, and we feel sorry for that. Therefore, before all, the dangers awaiting in the country of origin should be considered. There should be no forced expelling, this is crucial.

8.7 Relationship between Asylum Seekers and Native

ASAM Nevsehir Office's representative emphasizes differences between native populations and asylum seekers:

The present situation with respect to Nevsehir is that the host society has some stereotypes. The first negative reaction of the population is the argument that the asylum seekers get paid by the UN in dollars and in high amounts. This argument is generally spread among the population through rumors. The circumstances in which refugees live and make a living, the education problem of their children, and most importantly health problems are not taken into account. The society is not sensitive and it is not aware that the refugees are not economic migrants, and there are many qualified, well equipped people among the refugees.

Nevsehir Provincial Bar Association President refers to asylum seekers law issue:

There are problems stemming from the holes in the civic law. As the refugees stay for short terms where they are, the legal problems they

encounter cannot be solved by courts in normal times. Some improvements can be done about this.

Asylum seekers also lack access to native population. They belong to lower class and class position is seen like a burden. For the native population, asylum seekers are the 'strangers'.

As a conclusion agents of institutions who was interviewed also mentioned the problems about solving difficulties arising from asylum seekers' right to work, visibility, freedom of movement, education, relations with local population and legal issues. They think that refugees and asylum seekers are exposed to exclusion because of these problems. Asylum seekers and refugees are marginalized to access to social benefits, especially in terms of health, education and job market. Housing is also problematic since poor living conditions.

CHAPTER IX

CONCLUSION

This thesis has comprised an investigation of asylum seekers' perceptions of the relationship between social and cultural integration and exclusion. The research was conducted through structured in-depth interviews with asylum seekers in order to analyze their perceptions and semi-structured in depth interviews with UNHCR's, NGO's and governments representatives in order to analyze Turkey's asylum policy.

Throughout this study, the meaning of the concept of 'refugee' and the international refugee regime were tried to be elaborated. Asylum policies of Turkey were analyzed with a critical evaluation in a historical perspective. The discussion finally focused on experiences of asylum seekers in Turkey. Besides the experiences of asylum seekers, views of UNHCR, NGOs and the government representatives were also taken to support these experiences. First, a picture of asylum seekers including sex, age, education, country of origin and motive of departure was drawn. Then, an analysis of being a refugee in Turkey was carried out in terms of dimensions of social exclusion through the experiences of asylum seekers who had been interviewed. The study turned to a discussion on the experiences of asylum seekers in Turkey and their temporary integration or exclusion to the country in terms of housing, job opportunities, health and education services and level of communication (usage of Turkish language).

The results of the study can be sorted as follows: Firstly, there is an increasing and visible reluctance to accept refugees in the world. The inflow of asylum seekers to the industrialized countries in 1980's and 1990's has pushed the governments to take some measures. These discouraging policies caused an increase in problems between asylum seekers and economic migrants even further. Some refugee-hosting countries have enacted harsh and strict refugee policies in light of populations that have become increasingly more xenophobic as the result of a lack of economic, educational, and social opportunities. Governments of rich countries fear that if refugees are allowed to cross their borders, they will serve as magnets for many more refugees. Reluctance about accepting refugees is not the case only in the first world countries but in the third world countries too. Governments of poor countries see them as a drain on their economies, a burden for their environments, and a complicated political factor. Such policies caused a view that sees refuges as people who are trying to break the law. Under the light of all these, it is seen that contemporary refugee regime is not enough to protect refugees. It is often wrongly assumed that once asylum seekers cross an international boundary in search of protection, they enter a world of safety and dignity (Kibreab, 2003:61-62).

Secondly, it is seen that Turkey does not have an effective refugee policy and legal arrangements on this issue. As a result of Turkey's policy of accepting non-European people as temporary guests rather than refugees because of geographical concerns and its position as a transit country for its geographical position; the problem is perceived as a temporary one and looses its visibility. Stein (1981: 320-321) expresses his ideas on this issue as follows:

> In Turkey, the refugee problems are viewed as temporary and unique events. This inaccurate perspective is the most corrosive and damaging element that all refugee programs must confront. The result of this perspective is incompleteness, things left undone, a failure to evaluate

programs, to prepare for the next wave of refugees, to experiment with alternative strategies, to developed coordination, to undertake research and to learn from the past.

Thirdly, not only the asylum seekers but also the officers who are dealing with them face some problems. According to Joly, a major concern is the lack of information and training for local government employees who have to deal with refugees (1992:52). Acting Head of Passport and Foreigners Department of Police Office in Nevsehir states the related difficulties as follows:

> I am no social services specialist; in many countries this job is done by civilian volunteers. There should be an application center just like in Europe. Institutions should be briefed about the issue; about what the Ministry of National Education, Directorate of Health knows about coupling. Experienced personnel should be employed in this job.

Lastly, it had been observed during the interviews asylum seekers are being excluded different ways during the period of living in Turkey. Asylum seekers are sometimes excluded objectively and sometimes subjectively. Lack of employment is often seen as a key factor in social exclusion. All asylum seekers in Turkey are experiencing problems related to residence and employment, besides they are employed in low wage jobs which are under their level of abilities which make them feel insulted. It was observed that some of them have limited or no access to health services which they have to pay for themselves. Regarding education, although there is no legal obstacle hindering their children from applying to schools, children's lack of language skills leads them into feelings of failure and inadaptability which causes absenteeism. For asylum seekers have been outlined above in relation to poverty including level of Turkish, appropriate skills and qualifications and racism. Lack of networks is another difficulty for newly arrived people finding employment. Without Turkish proficiency, asylum seekers are readily excluded from many aspects of life, including employment, education,

access to services and social interaction. Housing is a key factor of integration. Asylum seekers have the most difficulty in finding long-term housing. Education is often seen by asylum seekers as the key to their future settlement and to their or their children's inclusion in the host society. Asylum seeker parents often lack knowledge of the educational system, and young people face pressure to leave school for many reasons. However, their perception of social exclusion differs although they have the same difficulties. After a long and exhausting journey from their countries of origin with their memories of persecution and fear of death, asylum seekers have to deal with psychological problems, emotional difficulties, health problems, social problems of cultural dislocation, housing difficulties, educational problems, loss of contact with their families, financial difficulties, and language problems in the destination country. Their situation gets worse when the ambiguity of the waiting period during which their refuge status will be confirmed, difficulties of waiting in a transition country for an unknown period of time which hinders them from making fundamental changes in their lives are added. For the solution of many daily problems of asylum seekers in Turkey, they have to be able to earn their own livings and be able to meet their basic needs. To do that, work permit regulations should be more flexible and their exposure to exploitation in low wage jobs because of difficulties of taking work permit should be prevented. Some conveniences which are recognized for the people within the scope of the Legislation on Habitation, meaning "Turkish descendent", should be recognized for refugees and asylum seekers in the Legislation on Foreigners' Work Permits to remove the obstacles related to their employment which means removing many of their economic problems.

All these results imply that the dimensions of social exclusion are experienced by all asylum seekers. But not all asylum seekers have similar level of social exclusion. Iranian asylum seekers subjectively feel close to Turkey in terms of customs and traditions but non-Muslim Iranians feel excluded because of their

religious beliefs. Somalian asylum seekers are feeling close to Turkey in terms of religious beliefs while they are exposed to exclusion because of their color. Additionally the experiences and living conditions of an asylum seeker are strongly related with the city that s/he is officially settled. Differences between the cities are also strongly related with the socio-economic conditions, crowdedness, density of population and urbanization within these cities. In little town, because of visibility of asylum seekers, the native population has usually a negative perception of an asylum seeker. Also, the nature of escape (legal/illegal) may have a decreasing or increasing effect of experienced of social exclusion. It can be argued the dimensions of social exclusion determined in the beginning of the research holds for those asylum seekers but in a heterogeneous way.

Not only the state and UNHCR but also NGO's have some tasks to solve asylum seekers' problems as a whole in Turkey. At first, legal arrangements should be carried out to remove legal problems. NGO's should be institutionalized to provide legal consultancy and provide help for their basic needs. All institutions acting to solve this problem should be in cooperation and organize the basis to provide long-term solutions besides the daily, short-term solutions like food and coal allowances.

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QUESTIONEARE for ASYLUM SEEKER

I.   Demografic Questions:

Country:
Sex:
Age:
Educational background:
Job:
Marital status:

II.   Cause and process of migration:
1. Why did you leave your country of origin?
2. Why did you choose Turkey?
   - Where did you plan to go while you were leaving your country?
   - What did you know about Turkey before you came?
   - Where/from whom did you get your knowledge about Turkey?
   - Were there any relatives or friends of you in Turkey before you came here?
3. How did you enter Turkey? (legal/illegal)
4. Whom did you come with to Turkey?

III.   Experience of Turkey
5. Which province did you come firstly in Turkey? Which province did you stay in Turkey?
6. How long have you been in Turkey?
7. Where did you stay firstly in Turkey? Where/with whom do you live for the time being?
8. What sort of place do you live now?
   - House, hotel or guest house
   - How many rooms are there in your house? Is there any kitchen and bathroom?
   - How much do you pay for your monthly accommodation?
9. How do you earn a living in Turkey?
- Do you work?

- Which businesses did you work after you came Turkey? How long did you work in these businesses?
- How did you find these businesses?
- Who did you get help to find a work?
10. Do you get education service?
    - (If yes) Are you glad with that service?
    - (If no) Why?
11. Do you get health service?
12. How do Turkish citizens see you? How do they treat you?
13. Do you know your legal rights?
14. Do you take support from any government institution?
15. In which areas do you receive help from UNHCR?
16. Do you take support from any NGO?
17. Who helps you in solving your problems in Turkey?
18. How do you spend your days in Turkey?

IV. Perception of Position

19. How do you define yourself?
    - What is it to be a refugee? How do you feel while wait for the result of your asylum application?
20. What kind of differences do you see between native peoples and yourself with regard to accession to basic services?
21. Where do you fell yourself belong to?
22. Would you escape from your country again?

V. Future Plans:

23. What is your target country? Why?
    - What do you know about that country?
    - Is there any relative or friend of you in that country?
24. When you think your future:
    - Where will you be 1 year later? What conditions will you be in?

    - Where will you be 5 years later? What conditions will you be in?
    - Where will you be 10 years later? What conditions will you be in? If your application is not accepted, what will you do?

25. Do you want to settle down in Turkey?

APPENDIX B

QUESTIONEARE for INSTITUTION'S REPRESENTATIVES

1. How many years has your institution been active in Turkey?
2. What kind of activities does yours institution do for asylum seekers?
3. How do native peoples see asylum seekers?
4. What is the general asylum seeker profile in Turkey?
5. What kind of helps do asylum seekers want from your institution?
6. Which kind of helps can your institution provide asylum seeker with? What is your institution's limitedness?
7. What do you think about Turkey's asylum legislation?