

**A MULTI-LEVEL AND MULTI-SITED ANALYSIS OF THE
EUROPEAN UNION'S IMMIGRATION AND ASYLUM POLICY
CONCERNING IRREGULAR MIGRATION AND ITS
IMPLICATIONS FOR TURKEY: EDIRNE AND IZMIR AS TWO
MAJOR GATEWAY CITIES**

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

BY

N. ELA GÖKALP ARAS

**IN PARTIAL FULFILLMENT OF THE REQUIREMENTS
FOR
THE DEGREE OF DOCTOR OF PHILOSOPHY
IN
SOCIOLOGY**

SEPTEMBER 2013

Approval of the Graduate School of Social Science

Prof. Dr. Meliha Altunışık
Director

I certify that this thesis satisfies all the requirements of a thesis for the degree of Doctor of Philosophy.

Prof. Dr. Ayşe Saktanber
Head of Department

This is to certify that we have read this thesis and that in our opinion it is fully adequate, in scope and quality, as a thesis for the degree of Doctor of Philosophy.

Assoc. Prof. Dr. Helga Ida Rittersberger-Tılıç
Supervisor

Examining Committee Members

Prof. Dr. Ayşe Gündüz-Hoşgör (METU, SOC) _____

Assoc. Prof. Dr. Helga Ida Rittersberger-Tılıç (METU, SOC) _____

Assoc. Prof. Dr. Mehmet Okyayuz (METU, ADM) _____

Assoc. Prof. Dr. Didem Danış (Galatasaray University, SOC) _____

Assist. Prof. Dr. Çağatay Topal (METU, SOC) _____

I hereby declare that all the information in this document has been obtained and presented in accordance with academic rules and ethical conduct. I also declare that, as required by these rules and conduct, I have fully cited and referenced all material and results that are not original to this work.

N. Ela GÖKALP ARAS

Signature:

ABSTRACT

A MULTI-LEVEL AND MULTI-SITED ANALYSIS OF THE EUROPEAN UNION'S IMMIGRATION AND ASYLUM POLICY CONCERNING IRREGULAR MIGRATION AND ITS IMPLICATIONS FOR TURKEY: EDIRNE AND IZMIR AS TWO MAJOR GATEWAY CITIES

GÖKALP ARAS, Ela. N.

Ph.D., Department of Sociology

Supervisor: Assoc. Prof. Dr. Helga Ida RITTERSBERGER TILIÇ

September 2013, 545 pages

In order to control migration movements and its external borders, the European Union (EU) has been implementing different policies and policy instruments. In particular, concerning irregular migration, delocalization is used for controlling and supported by securitization and economisation discourse. Within this framework, the EU uses the external dimension of its immigrant and asylum policy as a mode of governance and adopts different policy instruments and tailor-made measures for each country for operationalization. While the EU imposes different measures on the Member States and the non-EU countries through Europeanization and externalization channels; consequences and reactions are also diverse in those countries. As a sending, receiving and most importantly transit as well as both a candidate country; but also still a third country, Turkey provides an excellent settlement to analyse the implications of the externalities of the EU's immigration and asylum policy concerning irregular migration.

This study analyses the implications of the EU's immigration and asylum policy with a special focus on irregular migration for Turkey by adopting a multi-level and multi-sited approach. Within this framework, this dissertation focuses on the implications

concerning normative and institutional changes as well as the implementation dimension in Turkey at macro level; on the irregular migration related social networks in specific gateway cities (multi-sited ethnography in Edirne and Izmir) at meso and local levels and finally, examines the policy implications on the migration experiences and lives of irregular transit migrants at micro level.

Within this study mainly the ‘interpretative approach’ is adopted along with qualitative research methods, in particular ‘ethnography of policy analysis’ is employed to understand how the relevant actors and institutions receive, interpret, implement and are affected by the policies concerned. During the data collection, secondary sources and existing statistics are intensively used; however the main method that led to the findings of this research can be seen as the multi-sited field research, which was realized from August 2011 to March 2013 in Ankara, Edirne and Izmir, where at macro level 18, at meso level 78 and at micro level 11 (in total 107) semi-structured interviews were conducted with policy implementers and policy receivers and supported with participant observation as well as in-depth interviews.

Keywords: The European Union-Turkey Relations, Immigration and Asylum Policies, Irregular Transit Migration, Gateway Cities (Transnational Social Fields), Social Networks

ÖZ

AVRUPA BİRLİĞİ'NİN GÖÇ VE İLTİCA POLİTİKALARININ DÜZENSİZ GÖÇ BOYUTUNUN TÜRKİYE'DEKİ DOĞURGULARINA DAİR ÇOKLU-DÜZEY VE ÇOKLU-ALAN ANALİZİ: İKİ ÖNEMLİ GEÇİŞ KENTİ OLARAK EDİRNE VE İZMİR

GÖKALP ARAS, Ela. N.

Ph.D., Sosyoloji Bölümü

Danışman: Doç. Dr. Helga Ida RITTERSBERGER TILIÇ

Eylül 2013, 545 sayfa

Avrupa Birliği (AB), göç hareketlerini ve dış sınırlarını kontrol etmek için birçok farklı politika aracı ve programı hayata geçirmektedir. AB özellikle düzensiz göçe yönelik olarak bu kategoride yer alan göçün kontrolü için delokalizasyon stratejisine başvurmakta ve bu yaklaşımını güvenlik ve ekonomi odaklı söylemler ile desteklemektedir. Bu çerçevede, AB göç ve iltica politikasını dış politikasının bir aracı olarak kullanırken, operasyonel düzeyde de üye ve üye olmayan üyelere yönelik farklı program ve politika araçlarını Avrupalılaştırma ve dışsallaştırma stratejisi aracılığıyla uygulamaktadır. Bu bağlamda, düzensiz göç konusunda AB üye ve üçüncü ülkelere farklı politikalar ve özellikle önlemler empoze ederken, bu politikaların söz konusu ülkelerdeki doğurguları da farklı olmaktadır. Bir kaynak, hedef ve en önemlisi de bir transit ülke olarak; aynı zamanda da bir yandan 'aday' bir yandan da üçüncü ülke statüsüyle Türkiye, AB'nin göç ve iltica politikalarının doğurgularının incelenmesi adına son derece önemli bir ülke olarak karşımıza çıkmaktadır.

Bu çalışma, AB'nin göç ve iltica politikasının özellikle 'düzensiz göç' boyutunun Türkiye'deki doğurgularını çoklu-düzye ve çoklu-alan yaklaşımı ile analiz etmektedir. Bu çerçevede araştırma, söz konusu politikaların makro düzeyde Türkiye'deki normatif ve kurumsal yansımaları ile uygulama boyutu; mezo ve yerel düzeyde iki önemli geçiş şehrindeki (Edirne ve İzmir'de etnografik politika analizi) düzensiz göçle ilişkili sosyal ağlar ve mikro düzeyde de düzensiz transit göçmenlerin yaşamları ve göç deneyimleri üzerindeki doğurgularına odaklanmaktadır.

Bu çalışmada, söz konusu politikalarının etkilerinin ortaya konulabilmesi için üç ayrı düzeyde yer alan ilgili aktör ve kurumlar tarafından politikaların nasıl algılandığı, yorumlandığı, uygulandığı ve bu politikalarından nasıl etkilenildiği 'yorumlayıcı yaklaşım' ve kalitatif araştırma yöntemleri özellikle de 'etnografik politika analizi' yöntemi kullanılarak araştırılmıştır. Veri toplama aşamasında ikincil kaynaklar ve özellikle makro düzey için mevcut istatistiklerden de önemli ölçüde yararlanılmıştır. Ancak araştırma bulgularına ışık tutan asıl çalışma Ağustos 2011- Mart 2013 tarihleri arasında Ankara, Edirne ve İzmir'de gerçekleştirilen ve söz konusu aktörlerle makro düzeyde 18, mezo düzeyde 78 ve mikro düzeyde 11 (toplam 107) yarı yapılandırılmış görüşmenin yapıldığı ve aynı zamanda katılımcı gözlem ve derinlemesine mülakatlarla da desteklenen alan çalışmasıdır.

Anahtar Kelimeler: AB- Türkiye İlişkileri, Göç ve İltica Politikaları, Düzensiz Transit Göç, Transnasyonel Sosyal Alanlar (Geçiş Kentleri), Sosyal Ağlar

*To my deceased father and my deceased uncle, who became a second father to me
after my father passed away and
to the migrants, who have lost their lives during their journey of hope
Rest in peace...*

ACKNOWLEDGEMENTS

I would especially like to thank my supervisor Assoc. Prof. Dr. Helga Ida Rittersberger-Tılıç, for providing encouragement during my entire Ph.D. studies. Without her guidance, this dissertation would never have come into existence. I would also like to thank the members of my Ph.D. dissertation examining jury for their critical reading of the thesis and their constructive, friendly and encouraging feedback during my research, namely Prof. Dr. Ayşe Gündüz-Hoşgör, Assoc. Prof. Dr. Mehmet Okyayuz, Assoc. Prof. Dr. Didem Danış and Assist. Prof. Dr. Çağatay Topal. Also, I would like thank my qualifying exam jury members namely Prof. Dr. Ali Gitmez and Assoc. Prof. Dr. Ceylan Tokluoğlu.

I would like to thank my deceased uncle, M. Erhan Gökalp, who oversaw my education after my father passed away and to whom I owe a lot for both his material and moral support and for always having believed in me. Sadly he passed away and so could not see the completion of this study or attend my graduation ceremony; but this dissertation with all modesty is dedicated to him and my deceased father. I also want to thank my whole family for always supporting me and for their patience during my entire education leading towards my academic career. I would especially like to thank my beloved husband, Ufuk Aras for his endless support, encouragement, patience and for his love... He has stood by me through every stage of my academic studies, given every kind of support and backed me at times when I was near to giving up. Also as an engineer, his analytical thinking and structural approach were very helpful in this study; even though we approach the research problems from different perspectives and with different paradigms.

I am grateful to several individuals and institutions, who have contributed in many ways to the process of researching and writing this dissertation. First of all, I would like to express my debt of gratitude to Gediz University, Faculty of Economics and

Administrative Sciences and International Relations Department for their institutional support; in particular our Dean, Prof. Dr. Muhammet Akdiş and my Departmental Chair, Prof. Dr. Suat Öksüz. In addition I would like to specially thank the General Secretary Mr. Adnan Yeşildal for his support and absolute trust. In addition, I would like to thank the Migration Research Centre (MiReG) at Gediz University and all its members for supporting the research from an interdisciplinary approach and for their encouragement. In particular, I would like to thank to my colleagues and dear friends Assist. Prof. Dr. Zeynep Şahin- Mencütek, Assist. Prof. Dr. Ester Gallo and Assist. Prof. Dr. Emanuele Massetti from Gediz University International Relations, Sociology and Political Science Departments for their support, which enabled me to think through important questions that I had as well as their guidance to overcome the obstacles that I have been faced with during the completion of this dissertation and for their invaluable friendships. Also, I would like to thank the Gediz University Project Development and Coordination Office Team for their inestimable support.

I would like to thank Linköping University - Sweden, Institute for Research on Migration (REMESO) for their important contribution for the methodology part of the research, in particular to Assoc. Prof. Dr. Martin Klinthall and Assist. Prof. Dr. Peo Hansen. Also I would like to especially thank Mr. Metin Çorabatır from the UNHCR, Ankara Office for his invaluable support from the Ph.D. qualifying exam to the end of dissertation. I have immensely benefited from my voluntary work at the Association for Solidarity with Refugees (Mülteci-Der), which has been a kind of second school for me and helped me to build bridges between migrants and the relevant institutions. I am grateful to all members of this important organization in this field. In addition, Konak Municipality - Basmane District Centre requires special appreciation for supporting my field study and my special thanks go to Mrs. Sibel Yılmaz-Çağlıner and Mr. Taşkın Küçüksayraç, who have always provided enduring and friendly support.

My friends and colleagues at METU and Gediz University receive special thanks for making the painful journey of completing a Ph.D. as enjoyable as possible. In that respect, first of all I would like to thank Gülşah Doğrusoy-Başkavak from METU for her

moral and academic support as well as tremendous help at every stage. Also, I have significantly benefited from working with my colleagues from various departments of Gediz University, who provided a very enjoyable and supportive working environment; in particular I would like to thank Assoc. Prof. Dr. Selim Solmaz, Assist. Prof. Dr. Seda Can and Lecturer, Nazlı Aytuğ. Also I would like to thank the Sociology Department Secretary at METU, Mrs. Sündüs Aydın, whose name has been placed within numerous dissertations' acknowledgements as recognition of her endless nurturing support. In addition, special thanks go to the Secretary of the Faculty of Economics and Administrative Sciences at Gediz University, Mr. Sıtkı Tayhani, for his tremendous encouragement and helps.

I would like to also especially thank my dear friend Tuğba İdikut-Oysal, who provided endless moral support during my entire study; but more importantly for her truthful friendship. Furthermore, I would like to thank in particular my dear friends, Orçun Ulusoy and Marieke Wissink. I have benefited a lot from their wisdom and the enjoyable and inspiring conversations we have had regarding this field and research. I would also thank my dear friends, Emre Başar and Burcu Kalkan for their heart-felt support. Many colleagues and friends have provided help and assistance during the research and writing of this dissertation, and I am grateful to them all.

I am also indebted to the interview respondents from various local, national and international institutions for their kind assistance, for sharing their insights with me and for giving up their invaluable time. Finally, I would like to thank the migrants, who have shared their stories, migration journeys and experiences even when sometimes it was so painful for them...

TABLES OF CONTENTS

PLAGIARISM.....	iii
ABSTRACT.....	iv
ÖZ.....	vi
DEDICATION.....	viii
ACKNOWLEDGEMENTS.....	ix
TABLE OF CONTENTS.....	xii
LIST OF TABLES.....	xvii
LIST OF FIGURES/ ILLUSTRATIONS/ GRAPHS.....	xix
LIST OF ABBREVIATIONS.....	xxi

CHAPTER

1. INTRODUCTION.....	1
1.1. Purpose and Relevance of the Study	1
1.2. Research Question.....	15
1.3. Overview of the Study.....	18
2. RESEARCH METHODOLOGY.....	21
2.1. Choice for Approach and the Research Design.....	21
2.2. Adopted Data Collection Method and Research Settings	26
2.3. Entering the Field	34
2.4. Limitations	36
2.5. Analysis of Ethnographic Data.....	39
3. THEORETICAL FRAMEWORK AND CONCEPTUALIZATION.....	41
3.1. Conceptualization: From Static Understanding to a Dynamic Construction of Irregular Transit Migration.....	43
3.1.1. Conceptualization of Irregular Migration: Ways to Irregularity	44

3.1.2. Conceptualization of Transit Migration: A Blurry Concept.....	47
3.2. Is There a Single Theory to Understand and Explain ‘Irregular Transit Migration’	54
3.3. Adopted Theoretical Approach and Conceptual Framework for the Study.....	62
3.3.1. The Relational Approach.....	63
3.3.2. Theorizing Irregular Transit Migration: Differentiation Theory	67
3.3.3. Theories for the Macro Level	71
3.3.3.1. Allocating the EU within the Macro Level Theoretical Models: The World-System Theory and Political Economy Theories.....	71
3.3.3.2. The Internal and External Dynamics of the EU: From Europeanization To Externalization	83
3.3.4. Theories for the Meso and Local Levels	100
3.3.4.1. New Geographies as the Transnational Social Fields: Gateway Cities	101
3.3.4.2. Theoretical Background for ‘Social Networks’	109
3.3.5. Theories for the Micro Level.....	120
4. EXTERNALIZATION OF THE EUROPEAN UNION’S IMMIGRATION AND ASYLUM POLICY CONCERNING IRREGULAR TRANSIT MIGRATION.....	124
4.1. Rationale Behind the EU’s Externalization on Irregular Migration Policy	129
4.2. Development of the Normative and Institutional Framework of the EU Policy on Reducing Irregular Migration: Socio-Economic and Political Context	139
4.2.1. Historical Developments	139
4.2.2. The EU Primary Law and Irregular Migration	156
4.2.3. The EU Secondary Law Addressing Irregular Migration.....	159
4.2.4. Fundamental Instruments of the EU External Dimension for Irregular Immigration... 164	
4.2.4.1. External Border Control, Integrated Border Management and Schengen Zone	165
4.2.4.1.1. Introduction to the Integrated Border Management (IBM).....	167
4.2.4.1.2. The Schengen Agreement and Its Tools	168
4.2.4.1.3. FRONTEX.....	174
4.2.4.2. Managing Migration through Visa Policy.....	177
4.2.4.3 A Prime Instrument of the External Dimension of the EU’s Fight against Irregular Migration: Readmission Agreements.....	180

4.2.4.4. Irregular Migration and Asylum Nexus from the EU's Perspective	184
4.2.4.4.1. Rationale and Historical Developments of the Common European Asylum System	184
4.2.4.4.2. Externalization of the EU Policy on Asylum with a Special Focus on Irregular Migration	192
4.2.4.5. Financial Assistance in the Field of Irregular Migration.....	195
4.3. Challenges and the Limits: The Basis for a Co-operation on Irregular Transit Migration.	198
4.4. Conclusion.....	200

5. THE EXTERNAL DIMENSION OF THE EU'S IMMIGRATION AND ASYLUM POLICY CONCERNING IRREGULAR MIGRATION AND ITS IMPLICATIONS FOR TURKEY..... 205

5.1. Irregular Transit Migration Profile of Turkey	208
5.1.1 From Time and Space Perspectives an Overview of Migration Flows	208
5.1.2. Irregular Transit Migration in Turkey: Categories, Changing Patterns and Figures....	219
5.1.2.1. Irregular Transit Migration (Illegal Entries/Departures)	227
5.1.2.2. Asylum and Irregular Migration Nexus	240
5.1.2.3. Over-stayers or Circular/ Shuttle Migration	244
5.2. National Policies Concerning Irregular Migration in Turkey	247
5.2.1. Brief History of Immigration and Asylum Policies in Turkey.....	249
5.2.2. Legal and Institutional Framework in the Field of Immigration and Asylum	257
5.3. Turkey's EU Candidature and Its Implications in the Field Migration	270
5.3.1. An Overview of the EU- Turkey Relations.....	270
5.3.2. Europeanization and Externalization of Immigration and Asylum Policies	274
5.3.2.1 Europeanization and Externalization at the Institutional and Legislative Level with a Special Focus on Irregular Migration.....	276
5.3.2.2. Integrated Border Management.....	284
5.3.2.3 Harmonization in the Field of Visa Policy	291
5.3.2.4. Readmission Agreement Bargain.....	296
5.3.2.5. The Re-Visited Asylum and Irregular Migration Nexus.....	301
5.4. Main Findings from the Field Research at Macro Level.....	305
5.4.1. Brief Info about the Macro Level Part of the Field Work	305

5.4.2. General Evaluation of Management of Irregular Migration in the EU and Turkey	308
5.4.3. Border Management and the Role of FRONTEX.....	320
5.4.4. Visa Policy.....	333
5.4.5. Readmission Agreement and Turkey’s Return Policy.....	337
5.4.6. Asylum and Irregular Migration Nexus.....	345
5.4.7. Other Aspects.....	353
5.4.7.1. Economisation of Migration and Nexus with ‘Illicitness’	354
5.4.7.2. Turkey: From A Transit Country to A Country of Destination	357
5.5. Conclusion	360
6. MULTI-SITED ETHNOGRAPGY OF POLICY ANALYSIS IN TWO GATEWAY CITIES (EDIRNE AND IZMIR): MESO AND MICRO LEVELS OF ANALYSES	366
6.1. Rationale for Selection of Edirne and Izmir as the Gateway Cities.....	369
6.2. Brief Representation of the Selected Gateway Cities	376
6.2.1. An Overview of Edirne: Size, Location, Economy and Population Movements	376
6.2.2. An Overview of Izmir: Size, Location, Economy and Population Movements	383
6.3. Irregular Migration Related Networks in Edirne and Izmir: Mapping	392
6.3.1. Mobility Facilitating Networks in Edirne and Izmir.....	400
6.3.2. Reception Facilitating Networks in Edirne and Izmir	404
6.4. Main Findings from the Field Research: Meso Level.....	407
6.4.1. General Evaluation of Management of Irregular Migration in the EU and Turkey.....	408
6.4.2. Border Management and the Role of FRONTEX.....	415
6.4.3. Visa Policy.....	428
6.4.4. Evaluation of the Readmission Agreements.....	429
6.4.5. Asylum and Irregular Migration Nexus.....	434
6.4.6. Emergence of Unintended Results of the Policies Concerned.....	444
6.5. Micro Level of Analysis	449
6.5.1. General Profile of the Respondents	449
6.5.2. Entrance to and Exit from Turkey	459

6.5.3. Role of MFNs, RFNs and the Transnational Networks	465
6.5.4. Apprehension, Detention and Deportation Conditions	467
6.6. Conclusion.....	473
CONCLUSION.....	476
REFERENCES	489
APPENDICES	
APPENDIX A: MACRO LEVEL LEADING QUESTIONS SAMPLE	514
APPENDIX B: MESO LEVEL LEADING QUESTIONS SAMPLE	516
APPENDIX C: MICRO LEVEL LEADING QUESTIONS SAMPLE.....	518
APPENDIX D: ADDITIONAL TABLES AND FIGURES	521
APPENDIX E: CURRICULUM VITAE.....	523
APPENDIX F: TURKISH SUMMARY	532
APPENDIX G: THESIS COPY PERMISSION FORM.....	545

LIST OF TABLES

TABLES

Table 3.1. Ways of Categorising Migrants and the Dichotomous Categorisations	50
Table 3.2. Towards Dynamic Understanding of ‘Transit’ Migration	53
Table 3.3. Categorising Migration Theories According to ‘Initiation’ and ‘Perpetuation’	55
Table 3.4. Categorising Migration Theories	57
Table 3.5. Three Levels of Migration Analysis	66
Table 3.6. Summary of the Three Approaches of the EU Externalization Policy	90
Table 3.7. Mechanisms of the EU Impact beyond the Member-States.....	94
Table 3.8. Networks of Movers and Stayers and Organizations in International Migration	114
Table 3.9. External Factors and Decision to Migrate.....	121
Table 4.1. Annual overview of situation at the border (2009- 2012, EU27)	131
Table 4.2. Detections of illegal border-crossing between BCPs (2010- 2012, EU27)	133
Table 4.3. The EU Secondary Law Instruments concerning Irregular Migration.....	160
Table 4.4. Readmission Agreements of the EU with the Third Countries.....	182
Table 4.5. Asylum claims lodged in selected regions (2010- 2012).....	185
Table 4.6. Examples of Burden-Sharing Mechanism	195
Table 4.7. IPA Components & Allocated Budget for Turkey (2011-2013).....	197
Table 5.1. Asylum Movement from Turkey to Countries of Destination.....	213
Table 5.2. Deported Third Country Nationals by Turkey	228
Table 5.3. Apprehended Cases: Illegal Entry, Exit, Presence.....	231
Table 5.4. According to Their Nationalities Apprehended Irregular Migrants.....	231
Table 5.5. Apprehensions with Time, Nationality, Location and Numbers	233
Table 5.6. Apprehension According to Locations (Border, Sea, Land) (2012- 2013Q1)	235
Table 5.7. Apprehended Smugglers and Their Nationalities	236
Table 5.8. Numbers of Illegal Border Crossing by Person.....	237
Table 5.9. Figures from the Greece-Turkey Readmission Protocol, 2002-2010	237
Table 5.10. Indicative Numbers for Migration to Turkey, 1996–2006.....	238
Table 5.11. Irregular Migrants, Transit Migrants and Irregular Labour Migrants in Turkey	238
Table 5.12. Number of Newly Arrived Asylum Seekers (As of 31.12.2010).....	243

Table 5.13. Turkey and Its External Borders	285
Table 5.14. Name of the Institutions and Numbers of the Interviewed Representatives	306
Table 6.1. Registered Asylum Seekers and Asylum Applicants in Edirne and Izmir	374
Table 6.2. Border Gates of Edirne.....	380
Table 6.3. Meso Level Networks in Relation with Irregular Migration for Edirne.....	397
Table 6.4. Meso Level Networks in Relation with Irregular Migration for Izmir.....	399
Table 6.5. Profile of the Respondents at Micro Level.....	457

LIST OF FIGURES/ ILLUSTRATIONS/ GRAPHS

FIGURES

Figure 3.1. Defining Transit Migration.....	49
Figure 3.2. The Continuum of Incorporation.....	81
Figure 3.3. Dynamics and Forms of External Effects.....	99
Figure 4.1. Trends in Border Apprehensions, Apprehensions.....	131
Figure 4.2. Shifts in Illegal Border-Crossing Detections into the European Union.....	134
Figure 4.3. Nationality of the Apprehended Illegal Migrants.....	134
Figure 4.4. Detections of Illegal Border-crossing between BCPs.....	135
Figure 4.5. Implications of Greek Operations on the Greece-Turkey Land Border (2012).....	137
Figure 4.6. Apprehensions, ‘Top-Ten’ Members States (in 1000s, 2008- 2011).....	138
Figure 4.7. Asylum Claims Lodged in 44 Industrialized Countries (1990-2012).....	185
Figure 4.8. Asylum Claims Submitted in 10 Major Receiving Countries (2012).....	186
Figure 5.1. Annual Net Migration Flows for Turkey in Thousand.....	216
Figure 5.2. UNHCR Turkey Syrian Daily Situation Report/ Sitrep (As of 12.08.2013).....	217
Figure 5.3. Apprehension of Irregular Migrants in Turkey (1995-2009).....	229
Figure 5.4. Apprehended Irregular Migrants between 2001- 2011.....	230
Figure 5.5. Apprehensions of Irregular Migrants and Smugglers.....	236
Figure 5.6. Irregular Migrants, Transit Migrants and Irregular Migrants in Turkey.....	239
Figure 5.7. Asylum Applications in Turkey (1995- 2010).....	243
Figure 5.8. Persons of Concern to UNHCR Turkey (As of 31.12.2010).....	244
Figure 5.9. Foreign Visitors Arriving in Turkey.....	245
Figure 6.1. Comparison of Unemployment Rate in Izmir with Turkey.....	388

ILLUSTRATIONS

Illustration 4.1. Detections of Illegal Border-Crossing	136
Illustration 4.2. EU Action on Migratory Pressures – a Strategic Response.....	152
Illustration 4.3. The EU’s Three-Pillar Structure 2003-2009.....	157
Illustration 4.4. The Schengen Area.....	170
Illustration 4.5. Trends in Asylum Claims	186
Illustration 5.1. 2012 Map on Irregular and Migration Routes	222
Illustration 5.2. Main Areas of Detections of Illegal Border-Crossing in 2011	223
Illustration 5.3. Turkey and Its External Land-Air-Sea Borders	286
Illustration 6.1. Green and Blue External Borders of Turkey	370
Illustration 6.2. Map of Edirne with Its Districts.....	379
Illustration 6.3. Edirne and Turkey-Greece-Bulgaria Borders	383
Illustration 6.4. Map of Izmir with Its Districts.....	389
Illustration 6.5. Land Borders and Border Crossing Points.....	420
Illustration 6.6. Migration Routes of the Respondents.....	460

LIST OF ABBREVIATION

ACP	African, Caribbean and Pacific
AFSJ	Area of Freedom, Security and Justice
AI	Amnesty International
AR	Asylum Regulation
AP(D)	Accession Partnership (Document)
ASAM	Association for Solidarity with Asylum Seekers
BCPs	Border Crossing Points
CEAS	Common European Asylum System
CFSP	Common Foreign and Security Policy
CIS	Commonwealth of Independent States
CJEU	Court of Justice of the European Union
CRSR	United Nations Convention relating to the Status of Refugees
DCI	Development Cooperation Instrument
DFTP	Detained Fast-Track Process
DG	Directorate General
DMTM	Dialogue on Mediterranean Transit Migration
EASO	European Asylum Support Office
EC	European Commission
ECHR	European Convention for the Protection of Human Rights and Fundamental Freedoms
ECRE	European Council for Refugees and Exiles
EDF	European Development Fund
EEC	European Economic Community
EMN	European Migration Network
ENPI	European Neighbourhood and Partnership Instrument
EP	European Parliament
EU	European Union
EURODAC	European Dactylographic System
EUROPOL	The European Police Office
FRONTEX	European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union
GAM	Global Approach to Migration
GAMM	Global Approach to Migration and Mobility
GNAT (TBMM)	Grand National Assembly of Turkey
HLWG	High Level Working Group on Asylum and Immigration
IBM	Integrated Border Management
IC	Implementation Circular
ICMPD	International Centre for Migration Policy Development
IDPs	Internally Displaced Persons
IKGV	Human Resource Development Foundation
IOM	International Organization for Migration

IPA	Instruments for Pre-Accession Assistance
JHA	Justice and Home Affairs
LFIP	Law on Foreigners and International Protection (The Law-interchanging with LFIP)
LGBT	Lesbian, Gay, Bisexual and Transgender
MFA	Ministry of Foreign Affairs
MSs	Member States
MFF	Multi-Annual Financial Framework
MFNs	Mobility Facilitator Networks
MoI	Ministry of Interior
NAP	National Action Plan
NPAA	National Action Programme for the Adoption of the <i>Acquis</i>
NGO	Non-Governmental Organization
OECD	Organisation for Economic Co-operation and Development
OSCE	Organisation for Security and Co-operation in Europe
RFNs	Reception Facilitator Networks
RSD	Refugee Status Determination
SIRENE	Supplement d'Information Requis a l'Entree Nationale
SIS	Schengen Information System
SPA	Strategic Priority Areas
TCNs	Third Country Nationals
TEC	Treaty Establishing The European Communities
TEU	Treaty on European Union
TFEU	Treaty on the Functioning of the European Union
TPC	Turkish Penal Code
UNECE	United Nations Economic Commission for Europe
UNHCR	United Nations High Commissioner for Refugees

CHAPTER 1

INTRODUCTION

1.1. Purpose and Relevance of the Study

We are living in the “Age of Migration” as Castles and Miller (2008) claim, and international migration results in enormous challenges for the entire global system. This transnational and trans-border phenomenon, which is as old as the history of societies, has been transforming societies and imposing dramatic changes throughout history. When people move across national borders, they have a tremendous impact on the source, transit and destination countries.

Today, the number of migrants is accelerating and the growth in the number of international migrants is dramatic. The International Organization for Migration (IOM) estimates that there are approximately 214 million people¹ who live outside their home countries. According to the United Nations High Commissioner for Refugees (UNHCR), two and a half per cent of the world’s population were migrants in 1960; while this was reported as 3.1 per cent in 2010.² These figures have been categorized and politically conceptualized in various ways. Despite the highly fragmented migration types, the main division appears as ‘voluntary vs. forced’ and ‘legal vs. irregular’ within the existing literature.

In recent years, while these migratory movements have been imposing dramatic changes on existing national and international policies in this field; irregular migration and in

¹ United Nations, Department of Economic and Social Affairs, Population Division (2009). Trends in International Migrant Stock: The 2008 Revision, United Nations Database, POP/DB/MIG/Stock/Rev.2008, retrieved from <http://esa.un.org/migration/p2k0data.asp> (Accessed on 21.07.2011)

² Ibid.

particular ‘irregular transit migration’ from transit countries to the destination countries has attracted ever-increasing and considerable attention since 1990s. This diverse and complex phenomenon is associated with various policy areas ranging from border management to visa policy, human smuggling, the seeking of asylum and human trafficking. Thus, irregular migration is the subject of ‘restrictive migration policies’ in general as well as a wide range of policies, regulations and at operational level, tools and measures. It has become the focus of much attention and transit countries³ are under increasing pressure to control migration flows and the re-admittance of irregular migrants.

‘Irregular migration’ which appeared as a complex and diverse concept of the 1990s, requires careful clarification. Cvajner and Sciortino (2010: 390) argue that the term appeared for the first time in history in the 19th century and was used initially in the Soviet Far East in the 1920s to refer to Korean and Chinese migrants or possibly in 1930s Palestine when referring to Jewish migration. The main and the most wide-spread and visible turning point can be seen in the 1970s, when the European economies were at a point where they not welcoming unwanted migrants anymore. Today the dichotomy between “legal and illegal migration”⁴ has become an important topic in many political debates as well as in the everyday practices.

Irregular migration is mainly the concern of destination countries rather than sending ones. Thus, the definitions, conceptualizations and justifications of the existing restrictive policies can be seen as the product of those countries, in particular EU members and the United States. While the policy makers have been working on policies to reduce irregular migration, the discourse has been also created accordingly, to emphasize the negative impacts of irregular migration in the host countries. According to ‘guesstimations’, the number of irregular migrants range from 2 million to 8 million

³ Transit countries can be seen as countries located geographically between source and destination countries or on the international migration routes and being required to manage a temporary population.

⁴ Within this dissertation, this dichotomy takes place as ‘regular vs. irregular migration’.

in the EU and its Member States (MSs).⁵ A recent study claims that this figures may have been anywhere from 1, 9 million to 8 million for the EU27 in the year of 2008 (Kovacheva and Vogel, 2009). In comparison, it is estimated that over 11 million unauthorized immigrants resided in the United States.⁶ However this study, rather than focusing on the irregular migrants residing in the EU, it will instead focus on irregular entries to the MSs' territories with a particular focus on the impact of this on the EU-Turkey relations. In other words, the study focuses on 'irregular entries' and 'irregular transit migration'. According to the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX)⁷ (2013: 5), detections of illegal border-crossings along the external borders of the EU MSs rose sharply from approximately 104.000 in 2009 and 2010 to nearly 141.000 in 2011 (35 per cent increase); while this number dropped to about 73.000 in 2012.

Concerning 'irregular migration', it is important to recognise that there are a variety of routes into irregularity, thus we may come across many different terminologies such as 'unauthorised or undocumented' migrants. For example, irregular migration contains people who enter a country through clandestine entry points or with fake documents, "people who remain in a country in contravention of their authority by staying after the expiry of a visa or work permit, through sham marriages or fake adoptions as bogus students or fraudulently self-employed etc." (Kosher, 2005: 6) or people who have made use of the services of migrant smugglers or people who have been exploited by human

⁵ As one of the EU funded comprehensive project, called the CLANDESTINO Project- Undocumented Migration: Counting the Uncountable Data and Trends across Europe, the number of undocumented (irregular migration) is ranging from 2.8 and 6 million persons.

⁶ Christal MOREHOUSE and Michael BLOMFIELD (2011). Irregular Migration in Europe, Migration Policy Institute, Washington, DC: Migration Policy Institute, pp. 1.

⁷ FRONTEX (from French: Frontières Exterieures for "external borders", legally: European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union), the EU agency based in Warsaw, was created as a specialized and independent body tasked to coordinate the operational cooperation between Member States in the field of border security. The activities of FRONTEX are intelligence driven. FRONTEX complements and provides particular added value to the national border management systems of the Member States (For further information: <http://www.frontex.europa.eu/>).

traffickers or even the ones who abuse the asylum system. In general, this type of movement can be determined as the migration of people into a country in circumstances where such people do not meet the existing legal requirements for immigrating to that country. It is important to separate irregular migration from seeking asylum. It is a fact that asylum seekers and refugees can apply to human smugglers and use the irregular ways. At the same time, people may use international protection even if they do not need to and also use asylum channels in the hope of gaining a temporary or permanent stay abroad. As a result, in the case of refugees, the division between irregular migrants and asylum seekers has become increasingly blurred. Therefore, even though in this study the main focus is ‘irregular transit migration’; because of its nexus with irregular migration, the asylum dimension with a special focus on its relation with irregular migration is also examined. Finally, irregular migrants should not be confused with the people who are the victim of human trafficking in other words trafficking in persons.⁸ In fact, there is a strong relation between human smuggling and irregular migration and it has been observed that human smuggling and human trafficking have been used interchangeably. However, the most important distinguishing characteristic between human smuggling and human trafficking can be seen as the consent of the migrants. This study only focuses on human smuggling; but not human trafficking.

One of the other; but extremely important migration categories related with irregular migration is ‘transit migration’, which is most of the time used interchangeably with irregular migration. By the beginning of the 1990s, this migration category had started to gain attention mainly in Europe due mainly to its social, economic and political implications and become geopolitical and also a politicized phenomenon. It appears as a

⁸ Trafficking in Persons (Human Trafficking): The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation (*Art. 3(a), UN Protocol to Prevent, Suppress and Punish trafficking in Persons, Especially Women and Children, Supplementing the UN Convention Against Organized Crime, 2000*); Human Smuggling: The procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident (*Art. 3(a), UN Protocol Against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, 2000*). Smuggling contrary to trafficking does not require an element of exploitation, coercion, or violation of human rights. (IOM, 2004: 65).

cross-cutting and extremely dynamic phenomenon with its increasing figures and challenges to all the existing migration categories. İçduygu (2005: 1) argues that “the last two decades has been a crucial period for the emergence of some step-wise migration rising in some particular geographies of Europe”, including Turkey among the other Eastern and Mediterranean countries. Düvell (2008) states that the rise of the popularity in the concept of transit migration is related to the internationalization and externalization of the EU migration policies. With the growing importance of irregular migration to Europe in parallel to the increasing numbers of other migrants to Europe, pressures on the peripheral countries has increased and as a consequence, the first country-based studies have now been conducted and published for transit countries including Turkey.⁹

The case of ‘irregular transit migration’ becomes more complicated; because transit migration is a situation or indefinite stay of migrants as regular or irregular migrants in transit countries, which stand between the source and the host countries. The situation or movement may continue with a further emigration; but for most of the cases those transit migrants are stuck in the gateway cities and most of them even cannot leave the transit countries. It is a fact that more and more migrants and refugees stay in peripheral countries such as Turkey, for anything from several months up to many years as ‘transit migrants’. Some find themselves stuck, unable to go on or to go back home and this period can have a serious impact on their migration pathways. The situation of migrants, who live in limbo, is defined by Gordenker in the following expression, “unaccepted where they are, unable to return whence they come” (1987: 213).

In order to control its external borders and to respond to the shortcomings of the existing policies in the Member States, the European Union (EU) has been implementing different policies and policy instruments regarding irregular migration, where ‘externalization’ appears as the main characteristic referring to moving borders to third countries and establishing partnership with countries of origin and transit to

⁹ IOM (1994). Transit Migration in the Russian Federation, Geneva; IOM (1994). Transit Migration in Hungary, Geneva; IOM (1996). Transit Migration in Turkey, IOM Information Programme, Budapest; IOM (2003). Irregular Migration in Turkey, Working Paper, No: 12.

develop restrictive policies. In the case of irregular migration, this delocalization is used for the control of irregular migration supported by securitization and economisation discourse. Within this framework, the EU uses the external dimension of its immigrant policy as a mode of governance and adopts different policy instruments and tailor-made measures for each country for operationalization. While the EU imposes different measures on each country; the consequences and the reactions are also diverse in the countries concerned. As a sending, receiving and most importantly transit country; Turkey provides an excellent settlement to analyse the implications of the externalities of the EU's policy on irregular migration.

In the light of the above-mentioned facts, this study focuses on 'irregular migration', in particular 'irregular transit migration'. The study analyses the implications of the EU's immigration and asylum policy concerning irregular migration in Turkey by adopting a multi-level and multi-sited approach. Within this framework, this dissertation focuses on the implications of the policies concerned on normative and institutional changes as well as the implementation dimension in Turkey at macro level; implications on irregular migration related to social networks in the specific "gateway cities" (Glick-Schiller et al., 2006; Glick-Schiller & Çağlar, 2006; Glick-Schiller & Çağlar, 2008) where multi-sited ethnography was conducted in Edirne and Izmir at meso level and finally, examines the policy implications on the migration experiences of the irregular transit migrants at micro level.

Indeed, Turkey appears to be recognised as a transit country particularly for the EU, besides being known as a source and destination country. Because of Turkey's candidature, the EU's immigration and asylum policies concerning irregular migration policies have implications for Turkey both through the externalization and also Europeanization¹⁰ of those policies. This link between Europe and Turkey also focuses the attention on Turkey and the implications of irregular transit migration have become

¹⁰ Europeanization is a process of construction, diffusion and institutionalization of formal and informal rules, procedures, policy paradigms, styles, "ways of doing things" and shared beliefs and norms, which are defined and consolidated in the EU policy process and then incorporated in the logic of domestic (national and subnational) discourse, political structures and public policies.

a significant issue on the political agenda. Most importantly, Turkey is requested to contribute to preventing irregular transit migration to EU by protecting the external borders of the EU as one of the candidate countries. Finally, in general the EU and its policies appear as an important determinant for Turkey's immigration and asylum policy.

Within the international migration systems, Turkey has been playing a significant role and has become a transit zone at both regional and international level acting as a temporary residence for migrants on the way to their main destination: Europe. Particularly, from politically and economically unstable non-European countries, thousands of migrants and asylum seekers have been coming to Turkey. However, because of the strict migration policies in the destination countries and particularly the EU's approach to treating irregular migration as a part of their immigration and asylum policies, they cannot continue their migration journeys and their place of limbo becomes Turkey. However, this 'limbo' is not only metaphoric since the country has a geographical limitation within the United Nations Convention relating to the Status of Refugees (CRSR, 1951), which is also known as the Geneva Convention; thus, they cannot achieve refugee status, and thus the UNHCR appears the only option. This means that they have to wait for their resettlement in a safe country or under specific conditions their return to their home countries. But, this procedure takes time and therefore they have to stay in Turkey for several months to even years. At this stage, they are faced with limited financial and institutional resources in terms of reception conditions, besides the above-mentioned legal limitations. Thus, the nexus between seeking asylum and irregular migration becomes crystallized.

As mentioned above, both Turkey's position as a transit country and also because of national legislation (such as geographical limitation), which increases the stock migration, Turkey has become one of the most important countries for the EU. In the case of the EU, with the removal of internal borders within the Schengen Area¹¹, the

¹¹ The Schengen Area is a group of 26 European countries that have abolished passport and immigration controls at their common borders. It functions as a single country for international travel purposes, with a common visa policy.

importance of external borders and the transit countries has increased even more and the MSs' governments have been collaborating intensively on the management of their external borders, which also explains the reason behind the establishment of FRONTEX as the institution for coordinating joint border enforcement and return operations and for preventing irregular entries. Because of the EU-Turkey relations, the main focus of this study is determined as irregular transit migration; rather than the other types of irregular migration. Even though, for example irregular labour migration is also important for Turkey as being also related to the stock of migrants; the main concern of the EU policies is the illegal entries in other words illegal transit migrants coming from Turkey to the EU. As unintended results of the EU's restrictive and delocalizing policies, the role of Turkey and irregular transit migration have become even more important; because since the existing policies do not focus on the route causes and pushing factors, but mainly on the prevention of the entries, instead of decreasing the irregular transit migration, they reallocate and displace the routes. As a consequence, for example we observe a shift of the irregular transit migration routes from the Southern Mediterranean Border (Italy and Spain) to the Eastern Mediterranean Border (Greece and Turkey). Therefore, the significance of Turkey has even been even rising.

FRONTEX's latest Annual Risk Report (2013) and the Progress Report (2012) by the European Commission (EC) determine Turkey as a very important transit and destination country for irregular migration. The Progress Report claims that (2012: 75) the number of third country nationals detected in 2011 by the EU MSs' law enforcement forces, when entering or attempting to enter illegally the EU and coming directly from or transiting through the Turkish territory amounted to 55.630 with a 2 per cent increase in comparison with the 2010 figures. Thus, the EU emphasizes the transit role of Turkey and transit migration is approached as irregular migration.

Despite the increasing importance of irregular and transit migration on the international agenda, in particular the EU's concerns regarding the growing numbers of irregular transit migrants from an increasingly diversified and range of distant countries of origins who use the territory of countries neighbouring them as gateways to their target

destinations; the studies on irregular as well as transit migration are still lacking within the existing literature in terms of both empirical data and theorizing. Furthermore, the existing academic and political discourse regarding this growing population as a part of transit migration mainly focuses on the challenges for, and responsibilities of transit countries at macro level or the policy implications on migrants at micro level. Even though information at those levels carry utmost importance for analysing the implications of the restrictive migration policies that aim to reduce irregular migration; they remain inadequate and uncompleted without the meso level analysis, which associate these two levels as challenging the existing dichotomy between ‘structure (macro) and agency (micro)’. A meso-level approach requires analyses of networks and individuals’ interaction with households and communities, personal behaviour, experiences, and strategies (Brettell, 2003). Thus, it allows the synthesis of micro and macro levels, by relating structure and agency with social networks. Within this study, in terms of the meso level, the implications of the policies concerned on the selected transnational social fields and also on irregular migration related social networks that are sheltered in gateway cities are examined.

In order to be able to contribute to filling this gap and providing the missing multi-level analysis, this study adopts the Relational Approach that was developed by Thomas Faist (1997, 2000), which can be seen as an effort to build bridges between different levels of analysis. The significance of this approach for this study can be seen as the acceptance of both ‘structure’ and the ‘agency’, in other words neither migrants as individual agencies nor the relevant political framework as the macro-structures are ignored (Faist, 2000:17) and are associated with each other through the meso level. For the migration studies by the Relational Approach, Faist suggests using all these three levels together as well as analysing their interactions. In this regard, Faist (1997, 2000) criticizes the majority of theoretical efforts in the field of migration, since they only focus on global structural factors at macro level or micro level theories and also ignore the existence of the meso level. In this framework, Faist offers the usage of “meso level”, which takes part between the macro and micro levels and emancipates the migration studies that are only concerned with the migrants or the larger structures such as the nation state, and

which is adopted within this dissertation. It does not mean that the other two levels should be ignored; but, meso level is able to bind these two interconnected levels.

In the above-given framework when focusing on ‘irregular transit migration’, the macro level refers to the structural (political, economic and cultural factors) level, where the EU’s immigration and asylum policy concerning irregular migration and its implications on the normative and institutional changes as well as the dimension of implementation dimension in Turkey are analysed. Briefly, this level refers to the surrounding structures and the main independent variable of the research. It should also be said that other relevant international frameworks have been taken into consideration, such as the CRSR, the European Court of Human Rights (ECHR) decisions etc.

Following on from this, the meso level refers to relations between individuals and groups through social networks, which are seen as the most relevant units for migration by Faist (1997: 204) and embodied not only as institutions and organisations such as households and families, groups of kinship, and the reference community, but also as friends and acquaintances in the workplace, and groupings such as ethnic, religious and political associations. At this level, the above-mentioned social networks are examined within special locations (referring to the ‘space’ dimension), which host irregular transit migrants by providing mobility and reception facilitating networks. In relation to ‘locating migration’, while the first phase of the field research is conducted in Ankara (this capital city hosts the international, European and national policy making and implementing institutions related to this study) for the macro level of analysis, the study determines the two “gateway cities” (Edirne and Izmir) as the places for the second phase of the field research. Within the transit countries (in the case of this research, Turkey), as the important transnational social spaces; the determined “gateway cities” are approached as the opening gates of Europe and the places where a multitude of networks converge and intersect facilitating mobility. These cities are significant locations, where migrants are able to receive useful information for maintaining their migration. They can find significant facilities such as accommodation, income opportunities and the social support that are needed to recover from their previous travel

and organize their onward journey, thus to supply survival strategies for them (Marconi, 2007). Marconi (2007) argues that because of the strict policies and closed-door approaches of the destination countries and the EU, their waiting period in the transit zones has become longer than planned and they find themselves as unofficial or unrecognized invisible residents by default for an unknown period. Within this dissertation, it is not only argued that without the existence of such transnational social spaces (transit hubs and cities) as these, irregular transit migration could not sustain itself, but it is also argued that in the absence of the adequate reception conditions, and with the existence of strict policies and institutional limitations in this field, migrants could not survive on their long and difficult journeys without those locations. Thus as much as the relevant policies have implications on transit countries and also on irregular transit migrants, they should also be analysed within these special social fields in the migration related networks.

It is a fact that irregular transit migration is facilitated by overlapping migration networks and systems, where they interact within transit countries, but particularly in transit localities, gateway/ transit cities (Marconi, 2007). These localities; transit hubs and gateway cities, where migrants and refugees concentrate, play an important role in the dynamics of transit migration. They are also a part of the international migration systems; in other words of a broader transformation system and of globalization. As mentioned earlier, since migrants stay longer than they plan, corporation and social networks becomes vital for their survival strategies and further mobilities. Thus, transit hubs and gateway cities supply not only connections for the continuation of their migration to destination countries; but also employment, housing, linguistic and other facilities. These localities should be seen as the hubs for flows-counter-flows of people, services and information, and as a result tend to facilitate further exchanges including migration. In fact, all the macro level policies and implications become meaningful for migrants at this level through the information that they gain at transit hubs.

Despite the significant role they have played the majority of the existing studies focus on macro level policies and approaching transit countries as homogenous entities. Those

studies analyse the EU's policies or the other relevant policies and their implications in Turkey, without analysing the impacts at local level. Thus, we come across with very few references regarding the role of transit zones, specifically irregular migration related social networks at local and transnational level and the physical nodes on transit routes, where migrants stop over. There is indeed a great lack of research, debate and literature on gateway cities in the transit countries.

Finally, the micro level analysis of this dissertation refers to the individuals (agency), in the case of this study particularly the irregular transit migrants, whom I conducted interviews with in Edirne and Izmir. The multi-level policy analysis cannot be completed without this level. Even though with this dissertation it is argued that in the case of irregular transit migration, the rational choice is much weaker and the macro and meso level's independent and intervening variables are the main determinants; the implications of the policies should also be analysed at this level.

The main aim of this study can be defined as providing a highly inter-disciplinary approach, to contribute to the improvement of the conceptual understanding of irregular transit migration by studying the phenomena at the gateway cities by emphasizing the global and local nexus through its relation with the broader transformation processes and internal self-sustaining and self-undermining dynamics. Briefly, the study aims to contribute to the existing; but significantly new literature on 'irregular migration', which remains as yet under-theorized as well as lacking in reliable empirical data. This study also aims to provide a multi-level analysis, which exists at the theoretical level; but not as yet supported with an ethnographic or field study. Finally, it should be noted that even though the research mainly focuses on the policy implications, the main aim is not to come up with policy recommendations. The study should be seen as a more descriptive study, which aims to understand the implications of the policies concerned, as well as the undermining and sustaining factors of irregular transit migration. However, other studies that are aimed at policy recommendations can benefit from this research, since it displays political, economic, social and cultural implications including the unintended results of those policies at macro, meso and micro levels.

In the light of the above-mentioned dimensions and indeed weaknesses, it can be argued that this dissertation contributes to the literature in five ways. First of all the lack of any multi-level policy analysis in the existing literature is challenged by covering the macro, meso and micro levels together. The included research supplies multi-level and multi-sited analysis, which exists within previous theoretical studies and which will be covered in Chapter 3. However these previous studies did not contain any empirical analysis, whereas this study does. Secondly, this research contributes to the theorizing of irregular and transit migration by displaying the existing theoretical approaches in terms of their capacity to explain irregular transit migration; but also by supplying a comprehensive theoretical framework covering all the levels of analyses. Thirdly, it brings new conceptualization, which can be seen as a tailor-made one for irregular transit migration. In this regard, concerning the adopted terminology that was developed by Thomas Faist, since Faist's approach does not consider 'transit countries'; but mainly focuses on sending and receiving ones as well as ignoring the transitions between these two categories, this study suggests alternative concepts such as 'mobility facilitating networks' and 'reception facilitating networks', which can be seen as the conceptual contribution of this dissertation. Fourthly, in terms of social fields, the study contributes the notion of "gateway/transit" cities; because despite the acceptance of the existence of "global cities" and "gateway" cities, the existing literature does not mention the role of "gateway cities" in transit countries. In addition, despite their important role as 'gateway and transit cities', the majority of studies in the existing literature mainly focuses on Istanbul; while Edirne and Izmir have not been studied. Furthermore, the study challenges the idea of territorial borders of nation-states and does not accept the nation-state and its boundaries as a given. Thus, as a part of this study, the idea of methodological nationalism is also challenged.¹² Thus, the 'location migration' aspect of this study can be seen as an important contribution to the existing literature. It should also be noted that this dissertation provides a comprehensive analysis of the EU's and Turkey's immigration and asylum policies concerning irregular migration. It should also be mentioned that the Law on Foreigners and International

¹² Methodological nationalism is the "tendency to accept the nation-state as its boundaries as a given in social analysis" (Levitt and Glick-Schiller, 2004: 4).

Protection (LFIP) was adopted on 11th April, 2013. Thus, this highly new and important legislation is also analysed in terms of irregular migration, which can be also be seen as a major contribution. Finally, in terms of sociological contribution, the study associates macro and micro levels through social networks; while it also approaches to individual as socially embedded actors. In other words, agents as embedded in social networks.

As explained within the following chapter that focuses on ‘Methodology’, in this study the ‘interpretative approach’ is adopted mainly and qualitative research methods, mainly the ‘ethnography of policy analysis’ is employed to understand how the relevant actors and institutions receive, interpret, implement and are affected by the policies concerned. During the data collection although secondary sources and the existing statistics were made use of; the main method that leads to the findings of this research can be seen as the field research, which was conducted from August 2011 to March 2013 in Ankara, Edirne and Izmir, where at macro level 18, at meso level 78 and micro level 11(in total 107) semi-structured interviews as well as in-depth interviews and participant observations were conducted with both the policy implementers and policy receivers.

Justification of the Selected Cities: Ankara, Edirne and Izmir

The location of the macro level is determined as Turkey with its ‘transit country’ position and all the macro level interviews were conducted in Ankara since this city hosts both the EU level institutions, such as the EU Delegation to Turkey as well as the national level institutions such as the Ministry of Interior (MoI), Ministry of Foreign Affairs (MFA), Ministry of EU Affairs and also all the migration and asylum related high level institutions which take part within the decision-making and policy implementation process. However, in order to conduct ethnographic research, the two gateway cities were determined as Edirne and Izmir, which are significant locations for the irregular transit migration from Turkey to Europe. Edirne (land border- green line) and Izmir (sea border- blue line) represent the external borders of the EU, where Bulgaria and Greece are respectively the neighbouring the EU member states. In both city, there are removal centres, which are significant for irregular migration and they are determined as a part of the readmission protocol between Turkey- Greece, where

migrants will be delivered to the officials. It should also be stated that these cities have also been witnessing human rights tragedies as a consequence of the unintended results of the restrictive migration policies. Thus, the dissertation argues that for analysing the implications of the EU's policies concerned, these two cities have the capacity for conducting an empirical study.

1.2. Research Question

The main research question of this dissertation is what are the implications of the EU's immigration and asylum policies concerning irregular migration on Turkey? In this framework, this dissertation focuses on the implications of the above-given policies on normative and institutional changes as well as the dimension of implementation in Turkey at macro level; the implications on irregular migration related social networks in the specific "gateway cities" where multi-sited ethnography was conducted in Edirne and Izmir at meso level and finally, it examines the policy implications on the migration experiences of the irregular transit migrants at micro level. Since there are three related levels of the study, each level has its own complementary sub-questions in the framework of the above-given main research question of the dissertation.

For the macro level:

- What are the EU's immigration and asylum policies concerning irregular migration (legislative and institutional structure)?
- What are fundamental instruments of the external dimension of the EU's policies concerned and policy instruments with a particular focus on irregular immigration?
- What are the EU's policy instruments for irregular transit migration, special for Turkey as one of the non-EU member; but also a candidate county?
- What are the implications of the EU's immigration and asylum policy concerning irregular migration for Turkey?
- What is the existing legislative and institutional structure in Turkey regarding irregular transit migration?
- Where the irregular migration stands in the EU- Turkey relations?

- How the macro level relevant actors and institutions perceive, interpret and implement the policies concerned?
- What are the unexpected consequences of the EU's policies concerned in Turkey?

For the meso level:

- What is the role of “gateway cities” in relation to irregular transit migration?
- What are the irregular migration related local authorities and social networks within the selected gateway cities (Edirne and Izmir)?
- What are the implications of the EU's immigration and asylum policies concerning irregular migration that are determined within the macro level and Turkey's related legislation and institutional structure that have been changed accordingly; on the migration related social networks and the selected gateway cities?
- What are the differences and similarities in Edirne and Izmir in terms of the policy implications;
- How the meso level relevant local actors and institutions (local policy implementers and migration related social networks) perceive, interpret and implement the policies concerned?

For the micro level:

- What is the profile of the irregular transit migrants in Edirne and Izmir?
- What are the entrance and exit methods of irregular transit migrants?
- What are the apprehension, detention and deportation experiences of the irregular transit migrants?
- What are the implications of the EU's immigration and asylum policy concerning irregular migration on the personal lives and migration experience of irregular transit migrants living in Edirne and Izmir?

In the light of the above-mentioned questions, this study also offers important answers to the question of how (irregular) transit migration is a process, which has an interaction with a broader transformation process embodied in globalization and has also its internal self-sustaining and self-undermining dynamics and impact on such

transformation in its own right. It is a fact that within the selected localities; global hierarchies of power are reproduced and also locate themselves as a part of international migration systems and broader transformation processes.

While constituting the main research question and the complementary questions, the dissertation adopted three pre-assumptions for designing the field research: First of all, the main argument was that the EU's immigration and asylum policy with a particularly focus on irregular migration is the significant driving force for Turkey's legislative and institutional structure and partly in its implementation in the field of migration. Secondly, even though there is a division between immigration and asylum policies; the existing argument on the nexus between asylum and migration as explained by Castles (2007: 39) "as a fluid and blurry relationship between the political construct of migrant and asylum seeker" is also adopted for this dissertation and at all levels, this dimension was also examined in relation to 'irregular migration'. The third argument is that any migration related policy analysis requires multi-level analysis at three relational levels: macro, meso and micro. As one of the most important argument of the dissertation, it is argued that as much as the macro and micro levels, meso level analysis is needed for examining the implications of policies. In this regard, it is argued that as special transnational and local social fields, gateway cities should be examined with special focus on the social networks that are sheltered in these locations.

Instead of Hypotheses Predicted Results

This study adopts multi-sited ethnography of policy analysis as a research method, which does not have any priori hypotheses to avoid predetermining what is observed or what information is elicited from informants. The study is based on 'openness', which means having no specific hypotheses but or highly specific categories at the beginning of the observation. However, it can be said that the study aims to explore and test some hypotheses; but the hypotheses evolve out of the fieldwork. In this regard, the hypotheses that are found as a result of the field work can be displayed, as opening the way for the further inquiries, which will be displayed in the 'Conclusion' part of the dissertation.

1.3. Overview of the Study

This dissertation consists of six chapters. Following the **Introduction**, **Chapter 2** supplies the research methodology of the study. In this framework, as the main methodological approach, ‘ethnography of policy analysis’ is focused on. The rationale behind this choice as well as the research settings and sampling strategy is further explained within this chapter. In addition, the limitations of the field research and detailed information about the data analysis process are also supplied in this chapter.

Chapter 3 is allocated to the theoretical and conceptual framework of the study. Within this chapter, first of all the existing migration theories are evaluated for their capacity to explain irregular transit migration. As the general theoretical frame of the study, the Differentiation Theory is mainly focused on this chapter. In addition, the main conceptual framework is supplied for irregular transit migration in this part of the study. Since there are three different levels of analysis and each level has its own specific theoretical approach and conceptual framework; additional theoretical approaches have been adopted. At the macro level mainly the World System Theory and Political Economy Theory are employed in order to explain the restrictive migration policies with their rationale and functions being given in this chapter. In addition, in order to explain the implications of the EU’s policies on Turkey, ‘Externalization and Europeanization’ are focused on as a part of the European Integration theories. At meso level, there are two important dimensions which are the role of ‘location/space/field’ and the roles of networks in the selected special locations. Thus, in this framework for the ‘field’ dimension, Transnational Social Fields Approach, Global Cities Hypothesis and Scale Theories are referred to and for the network dimension; the Social Network, Social Capital and Institutional Theories are discussed. The third and the last level can be seen as the complementary level and quite a brief part of the study, since the migration pattern were able to say more about the policy implications. For this level, in addition to the meso level’s Social Network and Social Capital Theories, Structuration Theory is discussed.

Chapter 4 focuses on the externalization of the EU's immigration and asylum policy with a particular focus on 'irregular transit migration'. It should be noted that first of all, irregular migration policy does not stand as a totally separate policy; but as integrated within the immigration and asylum policy. Thus, irregular migration specific analysis within the EU *acquis* should be done. This chapter supplies both the normative and institutional framework for the EU members within primary and secondary law in relation to irregular migration and special policy instruments for the externalization of the EU's irregular migration policy. The chapter also supplies the rationale behind the EU's policies concerned for the transit countries and the role of Turkey is analysed through the existing statistics.

Chapter 5 reveals the macro level analysis of the dissertation. It can be seen as the evaluation of the EU- Turkey relations in particular concerning irregular transit migration. In addition, this chapter supplies the historical development of Turkey's migration policy in general; but in particular the existing legislation and institutional structure regarding irregular migration is given. One of the important contributions to this chapter can be seen as the analysis of the LFIP, which was accepted on 11th April, 2013 in terms of irregular migration. Within the existing literature, since the Law is quite new, there is no specific analysis concerning the irregular migration. In addition, the chapter focuses on specific titles such as 'border management', 'visa policy', 'readmission agreement' and 'asylum dimension' in relation to the previous chapter. At the end of this chapter, the main findings of the field study at this level take place by revealing how the related institutions and actors perceive, interpret and implement the policies concerned and what are the reactions to this. This chapter supplies the analysis of 18 semi-structured interviews with the related institutions and actors that were conducted in Ankara.

Chapter 6 reveals the meso and micro levels analyses of the dissertation. Within this chapter, first of all, the justification for the selection of the two gateway cities is given. Following on from this, the 'field dimension', irregular migration related social networks are examined. The chapter reveals the findings in terms of the EU's

immigration and asylum policy concerning irregular migration with its implications on the selected fields and networks that take place within these locations. In this regard, those macro policies' impacts are evaluated through an ethnographic study in Edirne and Izmir. At the end of this chapter, the main findings of the field study at meso level takes place by revealing how the related institution and actors perceive, interpret and implement the policies concerned and what are the reactions to this. This chapter supplies the analysis of 78 semi-structured interviews with the related institutions and actors that were conducted in Edirne and Izmir as well as reflecting the participant observations of the researcher. Following on, within the same chapter, the micro level analysis supplies insights into the migration profile, including special profiles of migrants in terms of gender, age, nationality, the way of entrance and exit; their apprehension, detention and deportation experiences; asylum applications, further plans etc. This chapter also reflects the important experiences, perception and interpretations of the irregular transit migrants regarding the policies focused on in this study. The micro analysis of this chapter is mainly based on the analysis of 11 semi-structured interviews with the irregular transit migrant that were conducted in Edirne and Izmir as well as the participant observations.

As the last chapter, the **Conclusion** is allocated to the main findings and future prospects regarding this research.

CHAPTER 2

RESEARCH METHODOLOGY

2.1. Choice for Approach and the Research Design

The discussion on what we can know about the social world refers to the question whether a social reality exists from our conceptions and interpretation independently or not. This question takes us to one of the major methodological division between positivist and interpretivist approaches in social sciences. Concerning the first approach, the main assumption is that the social world can be understood by applying the laws that are used for the natural sciences. As a consequence, the ontological standing of positivism suggests that researcher and reality are separate. From an epistemological standing, this means objective reality exists beyond the human kind and only phenomena that are observable by the senses can be seen as knowledge and are those which are obtained by empirically testing hypotheses derived from theory. Therefore, the research object stands independent from the researcher. In this framework, the employed methods should be responding to the theory of truth. Thus, the collected data will serve for confirmation of the existence of truth, as long as it truly measures reality. On the other hand, the opposite pillar of the positivist approach, the interpretivist approach argues that no such thing as an ‘external reality’ exists, but senses of reality are reconstructed by those giving meaning to it. Thus, we cannot conceive any social reality, which exist independently from our own conceptions. This approach continues by arguing that even if external realities exist, it will only be meaningful, when human perceptions of it are studied; because, interpretivists claims that reality and the researcher cannot be separated.

In the light of the above-given two approaches, this study adopts the interpretivist approach being mainly a descriptive study and employing qualitative methods. In the

case of irregular migration, even though the EU's immigration and asylum policies concerning irregular migration appear as macro level structural externality as the independent variable of the study, which create significant implications on the transit countries, on the gateway cities and social networks and migrants; it is argued that their implications cannot be analysed without the perceptions, interpretations and implementations of the agencies. It should also be noted at this stage that by adopting the meso level analysis along with the macro and micro level, this study aims to reconcile the 'structure and agency' dichotomy by using this mediating level. Also it should be added that because of the multi-level analysis, each level becomes the 'agency' for its preceded level. In other words, while the EU's policies concerning irregular migration appear as the structure and the independent variable for Turkey (agency) as creating implication on its normative and institutional structure for irregular migration; Turkey with its national normative and institutional structure appears also as the external reality for the meso level social networks and the relevant institutions and actors or irregular transit migrants for this study.

At this stage I would like to repeat the main research question of the study, which is determined as what are the implications of the EU's immigration and asylum policy concerning irregular migration on Turkey? Within this framework, this dissertation focuses on the implications of the above-given policies on the normative and institutional changes as well as the dimension of implementation in Turkey at macro level; implications on irregular migration related social networks in the specific "gateway cities" where multi-sited ethnography was conducted in Edirne and Izmir at meso level and finally, examines the policy implications on the migration experiences of the irregular transit migrants at micro level. As it can be seen above, the research adopts a multilevel approach and accordingly each chapter has its own sub-questions that are related to the main research question of the dissertation. Thus, each level of analysis employs different; but complementary methods of data collection. However it should be emphasized that aside from the secondary quantitative data, the main approach can be seen as the interpretivist approach. As for the research techniques, qualitative research methods were employed in particular multi-sited ethnography of

policy analysis. Within this framework, various research techniques were used, such as participant observations, open-ended and semi-structured in-depth interviewing, documenting and portrayal of the experiences of the individuals (policy implementers and policy receivers), and recording research diaries. In addition, field notes were compiled and from time to time these were complemented by audio recordings. In all cases, research participants' consent was asked for, names were coded, and their identities and their locations were carefully protected. Briefly, the study can be defined as a descriptive study, which benefits from the existing quantitative data; but creating its own qualitative data.

The study is designed according to different levels of analysis, thus each level will be mentioned separately. Representing the macro level analysis, **Chapter 4** focuses on the EU's immigration and asylum policy with a special focus on 'irregular migration' and analyses the conceptualization of 'irregular transit migration'. In this chapter, how the irregular migration is politically conceptualized and problematized, what kind of concerns or strategies have been emphasized, how the EU's approaches irregular transit migration in both its members states and also transit countries such as Turkey, are focused on. For this chapter, quantitative and qualitative secondary data, and discourse analysis were employed to reveal the existing EU discourses and practices concerning irregular transit migration by reviewing the existing secondary sources, the EU *acquis* with its primary and secondary law instruments, strategy papers and policy documents. In addition, the international legislation and the related policy regimes are traced in order to reveal the meanings and adopted approaches to irregular transit migrants by the EU. Within this chapter, also the EU's expectations from the non-EU but transit and source countries are analysed. Thus, the relevant policy documents such as the Accession Partnership Documents (APDs), the Progress Reports are recognized as the important data to be analysed.

Following on from this, in **Chapter 5**, the implications of the EU's policies concerned for Turkey at macro level was analysed. In this chapter, the implications for Turkey were traced through the determined policy areas and instruments such as 'border

management', 'visa policy' etc. However, in parallel to the study's concerns, also as the agency, Turkey's capacity to respond the EU's relevant policies with its own interpretation, perceptions and implementations were analysed through its changing normative and institutional structure. In a similar way to the previous chapter, the existing secondary quantitative and qualitative data was used for information such as apprehension and deportation statistics, Turkey's previous and existing normative and institutional structure regarding irregular migration and the responses to the EU's requests within the National Action Plans (NAPs). Chapter 5 also provides the findings of the field research conducted at this level as the aim was to understand how the relevant actors and institutions interpret and implement the policies concerned. This extended ethnographic case study was conducted between August 2011 and March 2013. In this regard at the macro level semi-structured interviews were conducted, in order to understand how the policy implementers made sense of and implemented the policies focused on. The findings reveal how policy implementers respond to these policies. Each chapter supplies brief information about the respondents before displaying the main findings. Briefly, for Chapter 4 and 5, the existing quantitative data regarding statistics on apprehended and deported migrants as well as qualitative data such as the relevant EU policies, national *aquis*, and policy instruments and finally the data that was gathered by the field study are used. As a part of the field research at this level, 18 semi-structured interviews were conducted with the representative of the EU and national level policy-making and policy implementing institutions' representatives. In this framework in the light of the main research question and the complementary questions for this level, tailor-made and semi-structured interviews were prepared according to the role of each of the target institution. Two samples of the leading questions can be seen in Appendix A.

Chapter 6 refers to the meso and micro levels of this study, which mainly relies on qualitative data that was produced from the results of the field research which was conducted as a part of the multi-sited (Edirne and Izmir) ethnography of policy analysis. The study argues that the meso level is as an important level for understanding the implications of those policies, where the impacts of the policies are crystallized and

where also policy implementation takes place. At this level, in order to be able to conduct this ethnographic research, the field is defined as the two important gateway cities, where the local implementers and also social networks are located. Thus, this level can be seen as both the local and also the meso level. The above-mentioned networks were categorized as “Mobility Facilitating Networks” and “Reception Facilitating Networks”, which play a role in the selected special localities on the perpetuation of irregular transit migration. In this regard, how the local policy implementers as well as the migration related networks make sense of and implement and how they respond to these policies was researched in order to reveal the implications at this level. Within this framework, 78 semi-structured interviews, participant observations and some voluntary work were carried in both Edirne and Izmir. Since the targeted policy area was highly fragmented and complex, I have tried to focus on the dimensions which have been specifically emphasized by the EU. As a consequence of the field study in this part of the study, I could also observe and understand the patterns and methods of operation. Similar to the macro level leading questions, two samples can be found in Appendix B for the meso level. In addition, the adopted ethnographic research with its tools such as participant observation, in-depth interviews etc. are also used for understanding their policy implications on the selected gateway cities.

Finally, the micro level analysis of this study also relies mainly on qualitative data that was produced as an outcome of the field research conducted as a part of the multi-sited (Edirne and Izmir) ethnography of policy analysis. At this micro level, open-ended leading questions were prepared for the semi-structured interviews with the irregular transit migrants. The applied questions can be seen in Appendix C. Unlike the previous levels, to be able to reach the desired sample was problematic. However by relying on the existing statistics and the findings of the meso level, I could manage to frame the general profile of those migrants and their entrance and exit methods and the major problems that they face as a consequence of the policies concerned.

Briefly, the study adopts the interpretative approach and benefits from secondary quantitative and qualitative data; while it also collects its own data from three level of analysis by multi-sited ethnography of policy analysis. The study aims to supply a holistic picture with an emic perspective. As the adopted main research method, this analysis method and the employed techniques will be discussed in detail in the following section.

2.2. Adopted Data Collection Method and Research Settings

The multi-sited ethnography of policy analysis is used as the main data collection method. Ethnographers have a long-standing interest in migration and they have contributed a lot to the migration literature. They do not only focus on detailed levels of analysis but more recently have also contributed to developing an analytical framework to display how macro level structures intersect with the local and also with agents through their experiences (Appadurai, 1991, Marcus 1995, Amselle, 2002).

Ethnography can be seen as a systematic study of a particular phenomenon and uses multiple data sources and methods of data collection to increase the validity and trustworthiness of the findings. One of the main aims of ethnography analysis is to reveal common trends in how people behave or think. Concerning to this study, the EU's policies concerned with their implications were asked to the relevant policy implementers and policy receivers and it has been observed that there are multiple realities rather than an absolute truth. Thus, even though, it is impossible to make an absolute generalization, with this research method, insiders' perspective could be obtained for this study. In relation to the emic (insider's) perspective, I usually approached the community through an insider, including staff members or community leaders and gatekeepers who are well-connected and working with irregular migrants, asylum seekers and refugees in Turkey.

Concerning the ‘ethnography of policy analysis’ as the main tool of this study, it should be stated that ethnography has been under-appreciated in academic political science and mainly finds itself a place within the sociology discipline. However as Schatz, E. (2009: xi) argues, in the 1990s and 2000s, political science was faced with an important question; what constitutes legitimate research methodology, and the ethnography of policy analysis was again favoured due mainly to its capacity to promote the discipline and for its use in the evaluation of policy implications. Contrary to common belief, ethnography is not limited to only cultural studies, and it has been becoming more common for studies of organizational structures, informal networks or economic changes, which is highly appropriate for this study.

In the existing literature, ethnography of policy analysis is mainly employed for comparative policy analysis in the field of migration. One of the most important studies regarding migration and comparative policy analysis, where ethnography has been employed, is the study by Aleksandra Alund and Carl-Ulrik Schierup (1986). This study was the result of ten years field work which can be classified as a multi-sited ethnographic study of labour migrants from Yugoslavia to Denmark and Sweden. They made an ethnography analysis of two destination countries’ integration policies for migrants. The study focuses on both destination and sending countries, as supplying multi-sited cross-country analyses. The study built links between macro level policies and specific locations (two towns) and analysed the impact these policies had when considering the meso level dimension. This study argues that politics is also local, which is also adopted by this dissertation.

Another important study, which employs ethnography of policy analysis, belongs to Johnson (2009), “*Ethnography of Language Policy*”. It should be noted that in the existing literature on ethnography of national policies and their implications Johnson’s work is commonly cited. By using mainly discourse analysis, Johnson questions the impact of language policy with ethnography. In this framework, he displays how micro-level interaction relates to macro-levels of social organizations, which is determined as language policy. He argues that ethnography can be used for policy analysis by

examining “agents”, “goals”, “processes and discourses”, which engender and perpetuate the policy and finally the “dynamic social and historical contexts in which the relevant policies exist”. Johnson’s study (2009), builds bridges between macro level policies and their implications at the micro level, in other words the study creates a link between macro and micro levels. While he explains “agents” as “who interpret and appropriate policies in potentially unpredictable ways, the ethnography of language policy foregrounds educator interpretation and, then, turns to textual analyses of language policy to examine the interaction between macro and micro-level policy”, he also supplies an important perspective for this study (2009: 145). By relying on the in-depth interviews with the policy implementers, I could manage to see the above-mentioned “unpredictable ways” of implementation of the policies concerned as will be shown within the study.

In general, the above-mentioned disciplinary cooperation between political science and ethnography can be evaluated as useful for both sides; because for political science, ethnography supplies important insights about the implementations and implications by revealing the perceptions and interpretations and accordingly implementations of policy implementers and also all the other receivers of the policy. On the other hand, ethnography also benefits from this cooperation since policy is a part of macro scale structure and it can supply ethnography with a broader perspective. It can help the emancipation of anthropology and also sociology from being disciplines of little villages of research by breaking down its link with even territorial boundaries and state sovereignty. Indeed, in a globalizing world, ethnography cannot study only the ‘exotic places’; but also the modern and extremely transnational societies.

Today, ethnography displays new strategies to cope with the changing global world. In the field of migration, as Fitzgerald (2006) suggests researchers need to use three strategies to update themselves to the changing world in the light of globalization. These suggestions are also important for this study and greatly respected, since the study focuses on three levels and questions the implications of a supranational entities’ policies. The first suggestion is using multi-sited ethnographies to reveal the full scope

of the migration experience and its impacts. The second strategy is to challenge the national boundaries and reject methodological nationalism and integrate international-national-local dimensions, where trans-localisation comes to the stage (Glick-Schiller, 2004; Glick-Schiller et al., 2006; Glick-Schiller & Çağlar, A., 2006 and 2008). Finally, the third strategy is to historicize the field by using local archival work, oral histories etc. Within this study, the above-mentioned three strategies are all applied. Concerning the first dimension, two important gateway cities for irregular migration from Turkey to Europe are determined as the fields. These cities appear as the social fields, rather than geographical places, where all the bargains and intersection among local and transnational networks exist as Bourdieu (1989) suggests with his notion of “field”. By using ‘fields’, the task of ethnography is to reveal the nature of locality as a lived experience and interacting with macro structures and micro agents in a globalized, de-territorialized world, which is the uncoupling of a culture with a place and in the case of migration uncoupling of residence territory with membership in a community. Similarly, Fitzgerald (2006) adds that multi-sited framing should be exclusively geographic, by arguing that migrants around the world have established internet sites containing membership directories, political commentaries, and transnational networks; this study mainly focuses on local networks that appears as the rings of the chain of the transnational networks. Fitzgerald also supplies an important insight regarding ethnography as a method and emphasizing its multi-sited dimension, the most explanatory metaphor comes from Fitzgerald as follows:

Ethnography at its best is like a camera with a zoom lens that can both capture the wide context of structure and narrowly focus on agents in a way that shows their interactions with that structure. Such lens is well suited to distinguish between the influences of political boundaries and urban ecologies, but only if national blinders are removed to frame the field of study to include multiple sites in sending and receiving countries (Fitzgerald, 2006: 9).

Concerning the ‘field’ dimension, it should also be stated that ethnography is local by nature, which means the data is collected from local practices. That is why it should be site-specific, which ranges from a classroom, a small village to a city as in this study. It can be single-sited and multi-sited. In the case of this research the main fields are determined as Ankara (representing the macro level) and two gateway cities (Edirne and

Izmir). Thus, with reference to the ‘multi-sited’ dimension mentioned by Fitzgerald, this study employs multi-sited ethnography as one of the methods of data collection. To be able to understand the implications of the EU’s policies particularly in gateway cities, two important gateway cities concerning irregular migration from Turkey to Europe as the main border crossing points (exit) are determined as the sites both geographically and socially. In addition, in supporting the macro level analysis, Ankara can be seen as the third site of the study, where the European, national and international level institutions’ representatives were interviewed.

Concerning this study, the most relevant methodological study, which emphasizes the interaction between macro level structures and agencies at meso and micro levels, seems to be George Marcus’s (1995), *Ethnography in/of the World System: The Emergence of Multi-Sited Ethnography*, in which he suggests using multi-sited ethnography for examining the global processes and its connection with all people passing through the process of globalization. His article encouraged me to conduct a similar study; because dealing with different levels of analysis and particularly aiming to understand the implications of a supranational institution’s policies at those levels was quite challenging. In addition, Marcus (Ibid.) also aims to explore transnational processes, groups of people in motion and ideas that extend over multiple locations which seem to be in parallel with the rationale behind this study.

In addition, the adopted method for a study should be in harmony with the adopted theoretical and conceptual frameworks. Since multi-sited ethnography is concerned with movement of ideas, people and commodities, this aspect is also in a harmony with the adopted theoretical approach for the macro level analysis of the dissertation: the World System Theory. It should be noted that with regard to commodities, particularly at the meso level, commodification of irregular transit migrants within the smuggling sector which can be seen as one of the outcomes of the restrictive migration policies, in the case of this study the EU’s policies concerning irregular migration, was one of the major findings. Metaphorically, the migrants were produced in the source countries, shipped to another one, used by one social group before passing into the hands of

others, and being used again by another social group (smuggling chain). Such a process could be observed concerning the migrants' situation in the selected cities, which are both geographical locations and locations sheltering social networks of migration. This study also focuses on a phenomenon, which is approached as 'irregular' within this dissertation; but from the state's point of view "illegal". In this regard, Nancy Scheper-Hughes's *Parts Unknown Undercover Ethnography of the Organs- Trafficking Underworld* (2010) work carries utmost importance for leading me to deal with the 'illicitness' dimension of 'irregular transit migration'. Within her study, she provides invaluable information about human trafficking through multi-sited ethnography in different countries by visiting morgues, legal institutes, intensive care units, emergency rooms, dialysis units, refugee camps, jails and prisons, operating rooms, mental institutions, surgical units, orphanages, etc. She was focusing on how organs have become commodities in some contexts, which appears as one of the most important findings of this dissertation: how irregular transit migrants have become commodities as a consequence of the restrictive migration policies. However rather than a pre-determined hypotheses, this aspect appears as one of the significant findings of the study and will be discussed later on in greater detail.

The field research started in August 2011 in Izmir and as the researcher I spend quite a long time in the particular field (Basmane) of the study in Izmir. However, since the number of irregular migrants was significantly higher and even increasing dramatically in Edirne, this city was added to the study as the second site for the field. One of the main differences regarding the fields was that the field study was mainly conducted in the border villages and rural areas in Edirne; while in Izmir it was conducted mainly in the city centre, and also in areas of the city that allowed for easy border crossings through the Aegean Sea.

Both Edirne and Izmir were approached as 'transnational social fields' as discussed in the following chapter; but their geographical characteristics were also taken into consideration; because physical location was also related to their 'transit city' roles. In these cities, I followed the irregular transit migration patterns and also endeavoured to

understand the perceptions and experiences of the related parties. As the researcher, I followed irregular migrants across the selected cities, following their routes and tried to come across all the actors and institution that facilitate their mobility or reception conditions. At macro level, to determine the related actors and institutions was easy and the mapping could be completed without facing any major problems. The only problem was being able to get appointments with high-level bureaucrats, particularly because of the security concerns from the law enforcement bodies. Having access to those institutions could not be possible without the official support of the Middle East Technical University and my dissertation supervisor's hard efforts. At this level, in total, 18 semi-structured interviews with the relevant EU, national and international institutions were conducted.

However, mapping was not so smooth at meso level. For the local authorities and local representations of the law enforcement bodies, the macro level was guided, however for local level migration related networks I had to spend a long time in this field both to identify the missing rings of the chain and also to get access to those networks. At this level, the most problematic networks respondents were 'smugglers'. It should be noted that also the pre-prepared semi-structured interview questions were dynamically updated in the light of the findings. Semi-structured interviews questions for the three different levels can be seen in Appendices. Briefly at meso level both mapping and snowball technics were used to be able to define respondents. In total 78 interviews were carried out in Izmir and Edirne. The multi-sited approach was intensively beneficial at this level; because being able to compare Edirne and Izmir supplied important insights and findings for the research. As the researcher, I could understand multiple perspectives, ask different groups of people a number of guiding research questions and compare the answers.

At the micro level, 11 irregular transit migrants were interviewed. Concerning the field research conducted in Edirne and Izmir, the most important difference appears at the micro level. Despite several visits and in total staying in Edirne for more than one month at different times from March 2012 to September 2012; because of the transit

city characteristics of the city, I could not conduct any interviews. In Edirne, I could manage to meet up with two operations; however since the first one has already resulted in the loss of life and I was not allowed to carry out the interview during the second operation. In addition, during my visit to the Edirne Removal centre, despite the centre being full of irregular migrants; I was not allowed to speak with them.

However unlike Edirne, since Izmir hosts 1.107 registered asylum seekers and asylum applicants and many irregular migrants; I could manage to conduct 34 interviews with irregular transit migrants in Izmir. It should be noted that many of them had been apprehended while they were crossing the border in Edirne; however after spending a short time at the Removal Centre, they were transferred to Izmir Removal Centre; because of lack of space. Some of them were resettled at cheap hotels in Basmane; while they were waiting for their interviews with the Foreigners' Department. During this waiting period, I managed to conduct interviews with some of them. Thus, even though I could not conduct these interviews in Edirne, they are also representative of migrants from this city. It should also be noted that only 11 interviews could be completed, because most of the time the respondents were in need of immediate help and support or the language barrier was a problem. I could not find interpreters in their languages. Since I could only find interpreters for Arabic and Persian, language proved to be a barrier. It should be emphasized that the access to irregular transit migrants could also be provided by the meso level networks.

In the light of the above-given aspects of the study, it can be argued that the remaining two recommendations by Fitzgerald (2006) are also respected. Concerning the second strategy, methodological nationalism, which can be seen as a challenge to the territorial borders of nation-states, was also investigated. Levitt and Glick-Schiller (2004) define methodological nationalism as the “tendency to accept the nation-state as its boundaries as a given in social analysis” (2004: 4). They also argue that the dramatic changes in the globalizing world have also challenged the nation-state container theory of society. Similarly, Glick-Schiller and Çağlar (2008: 5) argue that methodological nationalism as defined as “the study of social processes and historical processes as if they are contained

within the borders of individual nation states” should be abandoned. Within this study, boundaries of nation states are also challenged.

Finally the third suggested strategy by Fitzgerald (2006) for ethnography of policy analysis, historical-structuralist approach was adopted at all levels. Particularly at the macro and meso levels, the history of migration and the changing patterns were focused on. And at micro level, oral histories are included to develop a historical dimension for the dissertation. For example during the interviews, respondents supplied important information regarding changes in Edirne and Izmir in the last ten years.

For multi-sited ethnography of policy analysis, field work is a fundamental part of ethnography and observation, participant observation and interviews are the widely used tools. Within this framework, as opposed to questionnaires, face-to-face and in-depth interviews with both the representatives of the policy implementers at European, national and local levels and irregular migration related networks, which are categorized as ‘mobility facilitator’ and ‘reception facilitator’ networks were employed as the main research techniques, with the investigation into irregular transit migrations being further supported by participant observations within the gateway cities at Border Crossing Points (BCPs) in Edirne and Izmir.

2.3. Entering the Field

For the sampling strategy of the research, non-probability sampling was chosen; because this strategy does not preclude conducting a statistical analysis or measuring differences between individuals or groups using nonparametric statistics or correlation measures. Even though by using this sampling, it is not possible to make claims about larger populations within a specified degree of probability; but the intent is also not to generalize from the research sample to a larger population with a specified degree of accuracy, rather to reflect the insiders’ perspective regarding shared patterns of behaviour, beliefs and language. Thus, the sampling can be seen as non-probabilistic and aims to reach as much of a representative population as possible. The nature of

ethnographic work, as well as budget, time and other constraints, invariably results in selecting participants based on criteria other than a strict probability and it should be argued that in the case of this study non-probability sampling is the most adequate way to achieve the desired research objectives. However since the study has three different levels, under the non-probabilistic category, different sub-types are applied for sampling. Within this framework, concerning the macro level of analysis, the participants at this level was determined by 'purposive' sampling; because at that level macro level participants could be specified easily. Since the European and national level policy implementers such as the EU Delegation to Turkey or the MoI- General Directorate of Security- Directorate of Foreigners, Border and Asylum; representatives of important international organizations in relation with irregular migration such as IOM, the UNHCR or again nation-based or international civil society organizations such as Amnesty International (AI), Association for Solidarity with Asylum Seekers and Migrants (ASAM) could be easily identified; the only concern appeared to be how many participants would be in each sampled group. It should be stated that at that level, the desired participants are easy to identify in advance. It could be argued that I was not able to specify how many participants would be in each sampled groups. It was also the case for local policy implementers at the local level. However, at meso level, mainly 'snowball' and 'convenience' sampling' techniques were used for the participants from the representatives of the 'mobility facilitating' and 'reception facilitating' networks. For example, even though some of the institutions and actors were determined in advance of the study, I did not know who would be able to participate, for example smugglers. However, for the meso level network analysis snowball sampling was also used because during the field research one participant referred me to others whom they thought would be good candidates to conduct interviews with for my study. This sampling was also quite strategic, since the people who suggested the candidate participants or respondents could be used as guarantors or referees, which was important particularly for smugglers. For example, without the existence of hotel owners (convenience sampling), I could not manage to reach smugglers (snowball sampling).

At the micro level, because of the above-given reasons again, ‘convenience’ and ‘snowball’ sampling was used. For example in Basmane (Izmir), most of the hotels were hosting irregular transit migrants and depending on the language, willingness or appropriateness I was able to conduct interviews. Sometimes, spending time at a coffee shop or in a hotel lobby was enough to be able to reach migrants; however before this period since the numbers were quite low and it was almost difficult to conduct interviews with the migrants in Edirne, I had to follow ‘snowball sampling’ as another strategy. Concerning the micro level respondents, it should be stated that the most important challenge was defining irregular transit migrants; because the main target was ‘irregular transit migrants’, which requires both ‘irregularity’ and also ‘being a transit migrants’ were required two distinct characteristics. Unless they had already been planning to cross the border soon, it was difficult to approach migrants just by assuming that they were in ‘transit’. In this regard, even though I could reach more than 30 migrants, only 11 of them were ‘irregular transit migrants’, who had been apprehended or attempted to cross the border illicitly or had the intention to continue their journey to Europe.

In the light of the above-given sampling strategies, each chapter supplies its own respondent information in details.

2.4. Limitations

In this part, I would like to focus on the significant limitations concerning the study regarding the chosen methodology, data collection techniques as well as subject and location specific limitations.

Concerning the methodology, it should be stated that during the field research the appropriateness of the ethnography and case study were seen clearly for the study. But it was time consuming and costly. Particularly for Edirne, private transportation was needed to visit the border villages or the different important districts for border crossings. Thus, I had to drive from Izmir to Edirne and also within Edirne for long

distances. Accommodation in Edirne was also costly. In addition, in comparison with other methodologies, the data gathering and analysing phases, and in particular the transcribing process were extremely time consuming. The quality of data that was obtained from the field research was quite satisfying; but analysing them was harder than the other methods. To make the analysing process easier, particularly for coding, a qualitative data analysing programme was used, which was also costly.

In addition, one of the most important limitations is to understand the EU's policies on irregular migration on irregular transit migrants. Even though the detention processes and conditions in Edirne and Izmir, access to asylum procedure, border crossing strategies and their relations with Mobility Facilitating and Reception Facilitating Networks in those cities and the quite limited different visa policies impacts on them could be reveal, with an extremely limited number of respondents, rather than at micro level, the study was more effective at meso level; because at meso level, I could manage to reveal the general profile of migrants and migration patterns. However, because of the integrity of the study, those interviews will be briefly allocated within the dissertation. However, for a further research project, which should have an adequate budget and researchers, it would be important and promising research for highlighting the macro level policy implications on agencies. Some of the below given limitations can also be seen as the reasons concerning this limitation as well.

During the research I have faced with different limitations as well. First of all, because of the 'illicitness' dimension first of all access to information was problematic. Thus, as the researcher I had to spend even more time gaining the trust of the respondents. Until trust was established, they were afraid that something bad might happen because of the secrets, methods, and networks they revealed about themselves. During the analysis, the most difficult part was being able to refine all the interviews; but most importantly to reflect them without creating any security problems either for the key respondents or for the irregular migrants. In parallel, as the researcher, I was highly dependent on the social networks and I could not manage my time; but mainly had to adapt to their time schedules. Also, it created a kind of power over relationship between me and some

respondents. Particularly from some smugglers, I was receiving late phone calls. Since some of them were aware that I needed information from them, they were deciding where and when they would supply this information.

Concerning the interviews, most of the time as the researcher, I found myself useless and selfish; because they had fundamental and urgent other needs; but I was trying to complete my interviews. Thus, without being able to complete the interviews, we were trying to reach someone or some institution, to be able to find solutions to their problems. Then, since they were just coming and going, most of the times I could not reach them again to complete the remaining part of the interview. I have still been receiving news from them; particularly one group of Somalian youngsters have still been in constant contact. As they were calling me their “Sister”, I have realized that all of a sudden I became an elder sister to them and they represent the strong emotional part of this study. In this regard, I also would like to state that I have witnessed human tragedies, which was quite a heavy burden for me most of the times, particularly the news about the ‘death’ of one of my respondent was quite traumatic.

Finally, I would like to emphasize that for irregular transit migrants, the language barrier was quite challenging and the translation needed brought an extra financial burden.

Limitations can be summarized as it follows:

- The most important limitations appear at the micro level. First of all, despite that there are women and children as irregular transit migrants; all the respondents were male. However, this problem was partly challenged at meso level. But still the problems and experiences of this population could only be reflected indirectly;
- In general the representatives at micro level appear inefficient in terms of numbers. For the further research in-depth interviews and also oral histories should be employed as well as a bigger sample;

- Again with the micro level sample, it was not possible to reflect, class, nationality, ethnicity and gender dimensions. Even though those aspects were questioned during the field research, they still appear as under-represented;
- A multi-sited ethnography is time consuming and costly (data analysing in general and transcribing in particular consumes time; while the interpretation aspect is costly);
- Interviews with irregular transit migrants could only be conducted in Izmir; not in Edirne;
- Because of the ‘illicit’ characteristics of the subject, the access to information was difficult and a longer time had to be spent with the relevant participant to establish trust. However, it contributed to the ethnographic dimension of the research so converting one limitation to an advantage;
- Because of the long bureaucratic processes as well as the limited access to the informants in the target institutions; the number of respondents remain low;
- During the field research as the researcher I was faced with ‘burn-out’ periods personally, particularly following the death of one of my respondent.

2.5. Analysis of Ethnographic Data

For analysis of the data, which can be seen as quite challenging, I used NVIVO10. Without the existence of this programme, I could not analyse this amount of material. Although I had joined webinars and also attended a 4-day seminar on NVIVO, I was still questioning my decision to use this programme. However, instead of spending time and money or searching for other alternatives, I have decided to continue using this programme even though I could not benefit from all the advantages and services the programme offers particularly for ‘coding’.

This programme supplies various options for facilitating the transcribing process, which I used intensively. Also external data such as PDF, Excel, Word documents or Web Sites could be used within the Programme, which made the writing process easier for the other parts of the study. The coding facility was also used for the secondary sources such as official documents and reports or academic articles. However, without

NVIVO's coding of 107 interviews, ranging from 5 pages to 12; the analysis of this data would not have been possible. The programme helped to highlight themes that arose in the data, and coordinate the 3 levels simultaneously; but also separately and so made the analysis possible.

CHAPTER 3

THEORETICAL FRAMEWORK AND CONCEPTUALIZATION

Modern society is strongly based on ‘differentiations’, which is also valid for the field of migration. We come across numerous categories, types and definitions in terms of migration, which can be seen as highly politically conceptualized. For this study the main focus appears as ‘irregular migration’; but considering the EU-Turkey relations, more specifically ‘irregular transit migration’; because with regard to transit countries; rather than the irregular migrants in these countries, the ones who enter irregularly to Europe appear as more important for the EU. Therefore, there is a need for two dimensional conceptualisations. Within this chapter first of all the conceptual framework will be displayed for irregular transit migration and within the existing migration theories, the most relevant migration theories will be analysed. Secondly, because of the multi-dimensional approach of the study, for each level of analysis, the adopted theoretical framework will be reflected with the relevant conceptualisation.

Concerning the above-mentioned first part of the chapter, it should be stated that despite the existence of highly fragmented migration types, the main division appears as ‘voluntary vs. forced’ and ‘legal vs. irregular’ within the existing literature. Concerning the first division, Castles (2008) classifies forced migrants as “refugees, asylum seekers, Internally Displaced Persons (IDPs) and trafficked people, while the existing literature on forced migration also uses “development displacees”, “environmental or disaster displacees”, “smuggled persons”, and “trafficked persons” when referring to forced migrants. Regardless of the given names, forced migration can be seen as the movement of people into a new location (city or country) for reasons other than their own choice. Thus, it can be argued that this type of migration is mainly based on ‘push’ factors, which force people to move. On the other hand, voluntary migration can be seen as a movement of people into a new location similar with the forced one; but by their own

choice. This time rather than ‘push’ factors, these people migrate because of the ‘pull’ factors that motivated their movement. However, in many case like severe economic deprivation or being on the edge of starvation, push and pull factors lose their meanings; while rational choice or intent of the migrants become non-effective. Under the impact of the external conditions and institutional structures, risk perceptions and strategies of migrants change and a voluntary movement can turn into a forced one or a legal migrant can fall into the irregular category.

However, the division between ‘regular and irregular’ migration appears more problematic. First of all it should be stated that the above-mentioned numbers of migrants worldwide are not able to even correctly reflect the irregular migrants. Those official numbers do not display irregular migrants, who enter or remain in a country in breach of that country’s laws; but only show the number of registered and legally recognized migrants. Thus, they remain inadequate to represent this group and irregular migrants suffer from lack of reliable empirical data. Concerning irregular migration, the main source of data appears from the apprehension records, which is also quite problematic. However, it should be noted that the phenomenon itself is quite new and its conceptualization is in need of systematic classifications of international mobility such as ‘legal vs. illegal’ and also the completion of relevant regulations. Then, it could be decided and defined, who is unwanted, unwelcomed, unaccepted or undesired. In other words, to be able to differentiate these new statuses, new rules need to be produced and be supported by regulations which stipulate the conditions of inclusion and exclusion to justify these categories. In this framework, rather than ‘legal migration’, which is defined as “migration that occurs through recognized, legal channels” (IOM, 2004: 54), ‘irregular migration’ appears as a more complex phenomenon; because with the increasing number of regulations ways to irregularities also change along with definition and sub-types of ‘irregular migration’.

Finally, within this chapter one of the other; but extremely important migration category related with irregular migration, ‘transit migration’ will be focused on in terms of a theoretical and conceptual framework. If we have a closer look for ‘transit migration’ as

a concept, at first we may refer to the report of the United Nations Economic Commission for Europe (UNECE) from 1993 which includes the following definition: “migration in one country with the intention of seeking the possibility there to emigrate to another country as the country of final destination, by means that are partially, if not fully, illegal” (1993: 7). The same study of UNECE also states that possibility of legal transit migration. İçduygu (2005:1) defines transit migration as a phenomenon that “migrants come to a country of destination with the intention of going and staying in another country”. However, the above-given definitions assume that transit migrants have a concrete and well-defined plan at the beginning of their journey and all other possible external factors are ignored. Within this study, transit migration is approached as a process with a special focus on ‘irregular transit migration’ from Turkey to the EU member countries. In the light of the above-mentioned aspects, this phenomenon is analysed as a non-linear, complex and dynamic process in this chapter.

3.1. Conceptualization: From Static Understanding to a Dynamic Construction of Irregular Transit Migration

Conceptualization is not only describing or defining something, but also constructing it. Turton (2003) argues that we should have a “conceptual map”, which can be imagined as the building blocks. He suggests that a shared conceptual map is required to be able to make a collective action or to reach a common understanding. This map also represents the practical dimension and dynamism, where languages and terminologies are born in it. This combination can be found in what Foucault (1972) called “discourse or discursive formation”, which refers to generating meaning and producing knowledge. In this framework, in approaching the conceptualization of irregular transit migration, it is accepted that concepts do not stand in nature or they are not externalities, or fixed givens; but they are the products of social, political and cultural conventions. In other words, as Foucault (1972) argues, we make and construct concepts. Within this framework, it can be argued that ‘irregular transit migration’ is not something we discover, but something also we create. Following on from this creation, concepts or

knowledge have the possibility to be re-constructed with different actors and for different purposes.

Today, just as we discover something in nature, we talk about refugees, transit migrants, irregular migrants or asylum-seekers as the victims of something, something that we act like we find in nature or outside of our borders like they are real threats, flows or even enemies. Countries and the relevant policies based on securitisation and economisation concerns, approach them as treats to deal with and they build barriers to protect our borders from these flows. Flows of migrants are just some of the metaphors that we use for them. With the help of the “discursive formation” or the “conceptual map”, new policies of host countries are created and then, they help the re-construction of the existing concepts. Particularly, the EU conceptualized ‘transit migration’ and ‘irregular migration’ for supporting different applications and purposes. In this regard, Düvell (2008) describes them as “Eurocentric” ones.

3.1.1. Conceptualization of Irregular Migration: Ways to Irregularity

‘Irregular migration’ appears as a complex and diverse concept of the 1990s, which requires careful clarification. Cvajner and Sciortino (2010: 390) argue that the term appeared for the first time in the history in the 19th century and was used for the Soviet Far East in the 1920s when referring to Korean and Chinese migrants or in 1930s Palestine when referring to Jewish migration. The main and the most wide-spread and visible turning point can be seen as the 1970s, when the European economies were not welcoming those unwanted populations anymore. However, today the dichotomy between ‘legal and illegal’ has become an important agenda item in many political debates as well as in everyday practice. Despite that this type of migration appears as an important item on political agendas with a high profile even in public discussions, the question of who constitutes irregular migrant remains as a highly blurred and changing form one country to another.

For defining irregular migration, Morehouse and Blomfield (2011:4) supplies the below given ways into irregularity:

1. Illegal entry (illegal border crossing);
2. Entry using false documents;
3. Entry using legal documents, but providing false information in those documents;
4. Overstaying a visa-free travel period or temporary residence permit (over-stayers);
5. Loss of status because of non-renewal of permit for failing to meet residence requirements or breaching conditions of residence;
6. Being born into irregularity;
7. Absconding during the asylum procedure or failing to leave a host state after a negative decision;
8. A state's failure to enforce a return decision for legal or practical reasons (toleration).

Similarly, Merlino (2011: 2) defines three broad categories for individuals to be classified as irregular. The first category is irregular entry, where a foreigner arrives clandestinely on the territory of a state. Secondly, Merlino mentions irregular residence, which occurs when a foreigner lacks the authorisation to stay in a country and thirdly, through irregular activities such as working without permission.

In parallel to the above-given broad definitions, irregular migrants are categorized as 'irregular transit migrants', 'irregular labour migrants' and 'over-stayers' within this study. However because of the strong nexus between irregular migration and asylum, this category is also taken into consideration. Among these three categories, this study mainly focuses on 'irregular transit migrants', with its close connection to the EU's policies concerned for transit countries.

Despite the existing definitions, one migrant can fall from one category to another easily. Thus, there is a transition and overlapping situation between those categories. For example, an individual may enter a country clandestinely; but subsequently gain a recognised legal status through filing an application for asylum. Likewise, they may

enter legally, only to fall into irregularity upon the expiration of their residence permit. It is also important to note that irregular migrants do not necessarily engage in irregular employment. Many migrants reside irregularly in a country, but work legally and pay taxes. Thus, these overlapping categories appear as highly diverse and in transition in practice.

The EU MSs approach and define irregular migration differently; because they have different immigration systems. Despite the acceptance of common parameters (mainly in asylum) and the considerable cooperation which has been established in other areas (such as border management); the MSs have not reached a common definition for irregular migration yet. However, the EU supplies a common framework within the 2008 EU Return Directive, which defines illegal stay as “the presence on the territory of a Member State, of a third-country national who does not fulfil, or no longer fulfils the conditions of entry as set out in Article 5 of the Schengen Borders Code or other conditions for entry, stay or residence in that Member State.”¹³ Also IOM defines it as ‘legal migration’, which is defined as “Migration that occurs through recognized, legal channels” (IOM, 2004: 54).

Different terms are used to denote different aspects of irregular migration: illegal or irregular (with no regular/legal status), clandestine, undocumented (without the appropriate papers) or unauthorised. Within this study, ‘irregular migration’ is determined as an infraction of administrative regulations rather than a criminal activity since an act can be legal or illegal, but a person cannot. Black (2003) argues that this terminology reflects the states’ perspectives and should be understood as a status for migrants given by them. It should not be forgotten that the international conventions recognize their right to recognition everywhere before the law, despite their irregular status. Cholewinski (2005) argues that non-nationals, who have some irregularity in their status is the consequence of the determinations of authorities and not the fault of

¹³ Council Directive 2008/115/EC on of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals, retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:348:0098:0107:EN:pdf> (Accessed on 10.07.2013).

those people. Within this dissertation, it is argued that the status of irregular immigrant is only possible because a person is seen to be in violation of the rules of residence and citizenship of the host country, not because that person possesses potential criminality. In this regard, irregularity is engaged with only the social and political position. Thus, rather than “illegal”, the term “irregular migration” is intentionally preferred and used.

3.1.2. Conceptualization of Transit Migration: A Blurry Concept

In comparison with ‘irregular migration’, ‘transit migration’ appears more complex, politicized and highly blurred. ‘Transit migration’ appears as a cross-cutting and extremely dynamic phenomenon with its increasing figures and challenges to all the existing categories.

By the beginning of the 1990s, transit migration started to gain attention mainly in Europe with its social, economic and political implications and has become a geopolitical and also politicized phenomenon. İçduygu (2005: 1) argues that “the last two decades have been a crucial period for the emergence of some step-wise migration rising in some particular geographies of Europe”, including Turkey among other Eastern and Mediterranean countries. Düvell (2008) states that the rise of the popularity in the concept of transit migration is related to the internationalization and externalization of the EU migration policies. With the growing importance of irregular migration to Europe in parallel to the increasing numbers migrating to Europe, pressures on the peripheral countries has been increasing and as a consequence the first country-based studies¹⁴ were carried out for the transit countries including Turkey.

In parallel as part of the internationalization and externalization of the European migration policies the ascending walls of the “Fortress of Europe” appear in same period as the visibility of ‘transit migration’ at discourse. During this period, various reports were written by international organizations such as IOM, the UNHCR, the

¹⁴ IOM (1994), “Transit Migration in the Russian Federation” (June 1994), Geneva; IOM& IOM (1994), “Transit Migration in Hungary”, Geneva; IOM.

International Centre for Migration Policy Development (ICMPD) and many of the others. Within this period, almost all of the neighbouring countries of the EU were declared as 'transit countries'. As Turton (2003) argues, most of those studies or reports have brought their own conceptual map, where 'transit migration' is allocated in the middle of illegal migration with organized crime- particularly trafficking and smuggling, and the asylum tracks. The main assumption is that destination countries should protect themselves from migration flows; however, since transit countries are not seen as capable of protecting their borders properly, the additional fences of the "Fortress of Europe" should be set up, where internationalization and externalization of the European migration policy come to the stage. In this framework, we observe that transit migration plays a key role in international relations particularly between the EU and neighbouring countries, where the tendency is to control unwanted migrants through restrictive policies in this field.

Despite the above-mentioned studies, a consensus could not be realized for a single and commonly agreed definition of 'transit migration'. The early studies define the term as "a type of migration in one country with the intention of seeking the possibility there to emigrate to another country as the country of final destination" (UNECE, 1993: 7); "a foreign national in a legal or irregular situation whose intention is to leave his or her current country of residence "as soon as possible" in order to reach a third country" (Council of Europe, 2004); "transit migrants are...aliens, who stay in the country for some period of time while seeking to migrate permanently to another country" (Inter-Parliamentary Union, Geneva, 2005: 4). On the other hand, as an important scholar in this field, İcduygu (2005:1) defines transit migration as a phenomenon that "migrants come to a country of destination with the intention of going and staying in another country".

In general, whoever is temporarily residing in a transit country is seen as a potential transit migrant. However seeing the stock migration as equal to transit migrants is highly problematic, since this group overlaps with different types of migrants, which ranges from temporary contract workers to irregular workers, asylum-seekers, refugees,

tourists and even foreign students. For distinguishing transit migration from the other categories, the most common key dimensions such as ‘time, space and migrant’s intention’ remain inadequate as being determinants. Since, the stay of transit migrants in transit countries range from several months to years, it is difficult to use ‘length of stay’ for conceptualization. In this framework, Düvell (2008: 5) asks a significant question: “how long or short is transit...? After which length of stay does ‘transit’ becomes temporary immigration instead? What if the immigrant has no intention to move on but changes their mind and sets off for on another migration project?” Under extremely dynamic and changing circumstances, transit migrants may decide to stay in transit country instead of their planned destination, or the destination may become a transit one according to the existing networks, opportunities or structures. For displaying the complexity, Düvell (2008) displays the following figure that shows the cross-cutting and complex elements of transit migration; however, even this complex structure remains inefficient to understand transit migration.

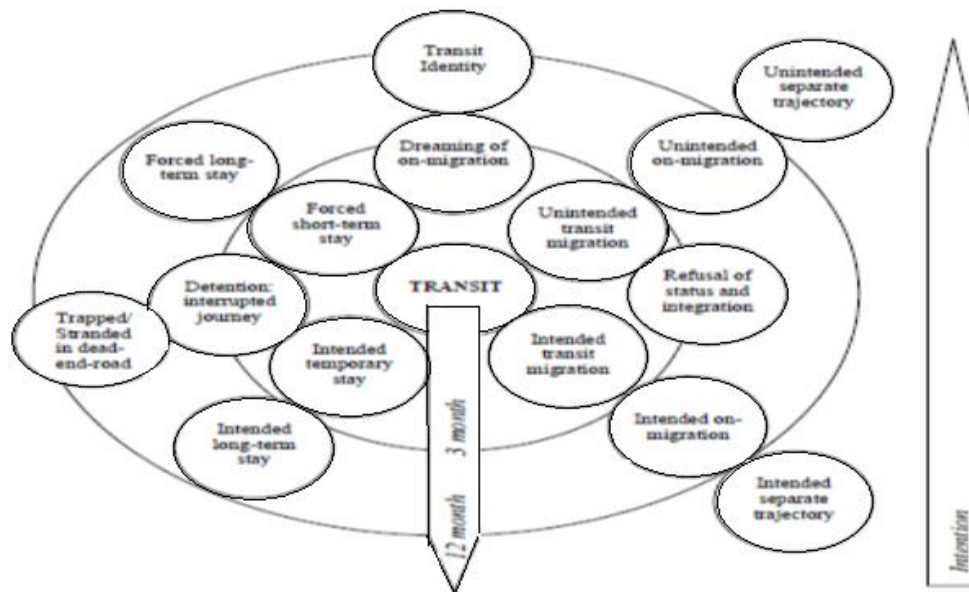


Figure 3.1. Defining Transit Migration

Source: Frank DÜVELL, (2008). “Transit Migration in Europe”, Presentation of “First Conference on Irregular Migration” on 18-19 June 2008, Tripoli, retrieved from <http://www.cespi.it/PDF/Libia-D%C3%BCvell.pdf> (Accessed on 07.07.2012)

As it can be seen above, Düvell argues that time, space and migrants' intentions can be determinants. However, Collyer and De Haas (2008) develops a more complex structure with additional dimensions and dynamic conceptualization of 'transit migration' in the light of the existing macro studies in this field by approaching those studies from a broader angle. They argue that all the existing categories can be understood with the help of the following table, except 'transit migration'.

Table 3.1. Ways of Categorising Migrants and the Dichotomous Categorisations

CRITERIA	CATEGORISATION
TIME-SPACE	Permanent v. Temporary Internal v. International
LOCATION-DIRECTION	Immigration v. Emigration Origin v. Destination 'Home' v. 'Host'
STATE PERSPECTIVE	Legal v. Illegal Regular v. Irregular
CAUSE	Labour, Student, Retirement, Family Forced v. Voluntary

Source: Michael COLLYER and Hein de HAAS (2008). "Developing Dynamic Categorization of Transit Migration", (Irregular) Transit Migration in Europe: Theory, Politics, Research Methodology and Ethics Conference Paper, 18-20 April 2008, Istanbul, pp. 4.

Regarding the first criterion: "Time- Space", we can argue that rather than "internal versus international" movement, the "permanent versus temporary" dichotomy is more problematic for 'transit migration'. Collyer and De Haas (2008) argue that this dichotomy is the results of top-down categories used by states to 'manage' migration control. For example, the flow of voluntary labour migrants to Germany during the 1960s and 1970s has been labelled as "guest workers". Not only Germany as the host country, but also as the sending country Turkey had the perception of "temporality". On the other hand, for some of those migrants, the definition of 'home' has been challenged. Thus, in parallel to Collyer and De Haas, the acceptance of this 'temporality' can be seen as a top-down perception with its impact on both sending and receiving countries' migration policies. On the other hand, transit migrants may stay in transit countries for anything from several months up to several years, thus, it is difficult to come up with a time limit. The UNHCR accepts that if the length of stay is longer than a year, this migration should be considered as "permanent".

As a part of the second criteria, Collyer and De Haas's "location and direction" category seems also problematic for 'transit migration'. In general, the existing literature uses "immigration and emigration" with the assumption that migration is a linear movement between two countries: from the country of origin to the host country. However, belonging can be seen as the re-constructing of a sense of home for migrants and also non-migrant descendants of migrants, thus there is a place for migrants to reinterpret their definitions regarding 'home' and 'host' countries (Collyer and De Haas, 2008). In addition, there is another dichotomy that exists between 'the country of origin' and the 'host country'. Even if we can find a specific country of origin for the departing point, as it is hypothesized within this study, migration trajectories are not fixed and they can be changes according to the interaction with socio-institutional environment by developing new risk perceptions and risk-coping strategies. Regarding this criterion, Collyer and De Haas (2008:6) argue that this category is challenged with the existence of "more complex itineraries of migrants and the empirical fact that the perceived destinations can change over time". However, most importantly, 'transit countries' are excluded despite the significant role they play in transit migration.

As it was discussed previously, the third criterion is related with state perspectives and the status that is given to migrants by states. Regarding 'transit migrants', we observe the general usage as or with 'irregular migration'. As it was mentioned earlier, categories and concepts are created to serve policies in this field, thus, according to the EU context, "all migrants who intend to travel to Europe, and do so in an 'irregular' manner by passing through the peripheral countries within or outside the European borders have come to be classified as transit migrants" (Biehl, 2008). In this study mainly the irregular transit migrants have been focused on. However, since the reception conditions are not adequate for the ones who are not irregular, they may easily become irregular well; because in the absence of adequate reception conditions, they are obliged to use informal or illegal networks' services.

As the fourth and last criterion, we come across 'cause of migration', which takes us to one of the main division of migration: 'forced versus voluntary' migration. Anthony

Richmond (1994) and Nick Van Hear (1998) approach this dichotomy with different concepts. Richmond (1994) classifies “proactive” and “reactive” migrants for distinguishing the forced migration from the general migration category. On the one hand, with “proactive” migrants, he mentions tourists or retirees, on the other as “reactive” ones, he mentions African slaves. With this classification, Richmond emphasizes political standing. In supporting his argument, Sen (1981) determined ‘famine’ as both a political and economic concept; because, on the one hand famine exists because of insufficient entitlement to food (political) and on the other insufficient food available (economic). Van Hear (1998) approaches this division by using “voluntary” and “involuntary” migration. The former one refers to more choice or options, while the latter one addresses less choice and concepts. However, we observe that the second categories of both Richmond and Van Hear appear without ‘agency’; while migrants’ active decision making, how they reach the decision to leave, what information available to them and when they decide to migrate onward, the degree to which it is planned remain unanswered. Thus, it can be argued the same dichotomy between ‘agency and structure’ is also valid for the above-mentioned division. Turton argues that (2003: 10), this classification is the “dehumanization” for forced migrants by emphasizing that “they have little or no scope for independent rational decision-making they are simply passive victims of circumstance, carried along in flows, streams and waves, like identical molecules in a liquid. However opposing this view, this study also argues that even though there is room for migrants’ intentions, they have extremely limited opportunities or choices and their migration trajectories are mainly shaped by structures at macro level or networks at meso level rather than rational choice.

In the light of the above-given discussions regarding ‘transit migration’ as a concept, it is seen that the term is highly blurred, politicized and Eurocentric (Düvell, 2006a). Frequently, it is discussed with the purpose of ‘controlling migration flows’. While Europe uses the metaphor of ‘flows’, the number of migrants are not dominant, but the danger of ‘loss of control’ puts transit migration in the middle of growing interest.

Regarding conceptualization, ‘transit migration’ appears as a problematic concept to be allocated within the existing immigration-emigration, permanent-temporary or voluntary-forced migration dichotomies, since it is more a dynamic state rather than a static situation. Papadopoulou supplies a definition, which sees transit migration defined as “the situation of indeterminate residence of migrants, legal or illegal, in receiving country that may or may not develop into further emigration according to a combination of structural and individual factors, such as the policy framework of the receiving country and the role of social/family networks in directing the movement of migrants” (Papadopoulou, 2005: 4). The emphasis on structural and individual factors as well as the recognition of the role of social networks and migrants distinguishes this definition from the others. Most importantly, Papadopoulou highlights that transit migration should be accepted as a process and a contingency. However, this approach does not mention the role of transit hubs as the newly emerged social fields and ignores the importance of the transnational and local networks nexus.

As an important contribution to the dynamic conceptualization of ‘transit migration’, Collyer and Haas (2008) suggest a new categorisation as follows:

Table 3.2. Towards Dynamic Understanding of ‘Transit’ Migration

	Individual	Community	State
Discourse	Projects, Hopes	Attitudes	Categorisation
Resources	Potential	Location, Employment	Enforcement
Action	Practical Action	Civil Society	Inclusion/Exclusion

Source: Michael COLLYER and Hein DE HAAS, (2008). “Developing Dynamic Categorization of Transit Migration”, (Irregular) Transit Migration in Europe: Theory, Politics, Research Methodology and Ethics Conference Paper, 18-20 April 2008, Istanbul, pp. 17.

In the light of the above-given conceptual approaches to both ‘irregular’ and ‘transit’ migration, the study mainly focuses on ‘irregular transit migration’. The ‘irregular’ aspect has already been clarified, and concerning the ‘transit’ aspect, it is accepted that transit migration is a non-linear, complex and dynamic process. By using Collyer and De Haas’s categorization for this study transit migration is approached with “time-space”, “location-direction” and “state perspective” determinants and defined with its temporary, international, immigration and irregular aspects.

3.2. Is There a Single Theory to Understand and Explain ‘Irregular Transit Migration’

The world has been witnessing international migration movements based on different reasons, creating different results and effecting millions of people in almost every country. For all countries, particularly the European ones the utmost importance is given to this phenomenon and to the combatting of irregular or in other words ‘unwanted’ migration. Political and ethnic conflicts, environmental disasters and the impact of globalization have been causing ascending inequalities and as a consequence, long distance international migration. While the above-mentioned reasons day by day force more people from their home countries, the security perceptions and also perceptions of migration have been changing the sending countries’ migration and asylum policies and the relevant discourse.

Despite the popularity of migration and various theories in this field, we do not come across any theoretical approaches that focus on irregular or transit migration. While in the 19th century, scholars were searching for a single and comprehensive theory; in the 20th century and today, the social sciences are more generous in coming up with different concepts, different assumptions and diverse models ranging from individual to community, or even transnational levels (Abadan-Ünat, 2006: 21) and also the need for interdisciplinary studies is accepted. However, despite the diversity within the existing theories, the majority of them appear with ‘before’ and ‘after’ explanations regarding migration. The main questions have always been ‘why they migrate or what happens after migration in the host countries’; thus mainly focusing on sending and receiving countries by ignoring the question of ‘what happens while migrants are on their migration pathways’ and ‘what are the roles of transit countries?’. Even though the recent transnational studies are building bridges between sending and receiving countries by recognizing the close association between them; the number of studies, which focus on the role of the missing ring of the chain and metaphorically the real bridge between those countries: transit countries are lacking. It is a fact that migration does not only occur between the sending and receiving countries; but also through and

within transit countries, in particular for irregular migration. In parallel, Schapendonk (2008: 130) emphasizes, at least for a reasonable group of people, migration is not a simple movement that occurs between A and B, but “must be understood as a process of continuous movements and temporal or semi-temporal settlements. Some migrants end up in perceived transit areas; others end up leaving desired destinations to migrate to other places”. They may have several attempts as well, which makes the division between transit migration and multiple or repeated migration blurry (Düvell cited in Schapendonk, 2008). This dissertation focuses on irregular transit migration, which is approached as a process and a contingency. Therefore, transit country or transit has a relationship with both initiations of migration and also the perpetuation process.

Before focusing on the adopted theoretical and conceptual framework of this study, the existing literature will be briefly mentioned. In this regard, the below given table by Hagen-Zenker (2008) supplies an overview of the migration theories as they are categorized in terms of their functions: initiation and perpetuation of migration. Since this study mainly focuses on irregular transit migration in a transit country by also analysing the role of gateway cities; rather than pushing and pulling factors (initiation), perpetuation of migration and the theories under this category carry utmost importance. As it will be seen later on, the adopted theoretical approach is also in line with this preference.

Table 3.3. Categorising Migration Theories According to ‘Initiation’ and ‘Perpetuation’

INITIATION OF MIGRATION	PERPETUATION OF MIGRATION
Neoclassical Macro-Migration Theory	Migration as a System
Migration as a System	World Systems Theory
Dual Labour Market Theory	Social Capital Theory
World Systems Theory	Institutional Theory
Mobility Transition	Network Theory
Lee’s Push/ Pull Factors	Cumulative Causation
Neoclassical Micro-Migration Theory	
Behavioural Models	
Theory of Social Systems	
New Economics of Labour Migration	

Source: Jessica HAGEN-ZANKER (2008). “Why Do People Migrate? A Review of the Theoretical Literature”, Maastricht Graduate School of Governance Publications, Working Paper MGSOG/2008/WP002, pp. 6

In contrast to Hagen-Zenker, Castles (2003: 30) categorizes the existing theories as “economical, historical-structural and migration systems” theories. As it was discussed earlier, the majority of these can be classified as ‘micro’ or ‘macro’ studies. According to Portes (1999) and Castles (2008), rather than grand or micro theories, “meso theories” have the ability to enlighten more. They argue that the pre-dominance of local-level empirical studies in migration research creates an over-emphasis on the cultural distinctiveness and neglects the economic and social structure; however over-emphasis on structures neglects the value of micro studies. Thus, there is a need for meso theories and the theories, which reconcile ‘agency’ and ‘structure’, which is also the adopted approach for this study as well.

Within the level-based categorisation, micro-level theories focus on individual migration decisions, whereas macro-level theories look at aggregate migration trends and explain these trends with macro-level explanations. Finally, the meso-level is in between the micro and macro level, and mainly focuses on the community or household level in order to explain causes and perpetuation of migration. The levels are summarized by Hagen-Zanker (2008), in the following table, which displays similarities regarding the perpetuation of migration. Since this study questions how (irregular) transit migration sustains itself, this similarity becomes meaningful. At this stage it should be stated that this study mainly focuses on macro and meso level theories. Even though, it has a multi-level approach and does not exclude micro level analysis in this regard, its main argument is rather than rational choices of migrants, macro and meso level factors are determinants of the migration and there is only a small amount of room for the decision of migrants.

Table 3.4. Categorising Migration Theories

MICRO-LEVEL	MESO-LEVEL	MACRO-LEVEL
Migration Cause: Individual values/ desires/ expectancies e.g. improving survival, wealth etc.	Migration Cause/ Perpetuation: Collectiveness/ social networks e.g. social ties	Migration Cause/ Perpetuation: Macro-level opportunity structure e.g. economic structure (income and employment opportunities differentials)
Main Theories: <ul style="list-style-type: none"> • Lee’s Push/ Pull Factors • Neoclassical Micro-Migration Theory • Behavioural Models • Theory of Social Systems 	Main Theories: <ul style="list-style-type: none"> • Social Capital Theory • Institutional Theory • Network Theory • Cumulative Causation • New Economics of Labour Migration 	Main Theories: <ul style="list-style-type: none"> • Neoclassical Macro-Migration Theory • Migration as a System • Dual Labour Market Theory • World Systems Theory • Mobility Transition

Source: Jessica HAGEN-ZANKER (2008). “Why Do People Migrate? A Review of the Theoretical Literature”, Maastricht Graduate School of Governance Publications, Working Paper MGSoG/2008/WP002, pp. 5.

If we look at those levels in detail; the starting point of the classical migration theories can be seen as the neo-liberal theories, which focus on migration as explaining labour migration during processes of economic development. There are two sub-levels exits within this theoretical approach: macro and micro. According to macro-level, the main assumption is that wage level differences between countries cause the international migrants’ movement. Without these wage differences, it is argued that population movement would not occur. If governments want to stop these movements, they can regulate labour markets by converging wages (Massey, et all., 1993; Haas, 2008). According to this theory, different level of economic development brings about different levels of labour supply and demand. In the developed countries, where labour demand is higher, the level of wages is also higher. This approach mainly focuses on ‘push’ factors and since it is mainly related to the ‘labour’ dimension it does not respond to the needs of this study.

The second level of the theory- the micro level- focuses on rational thought and cost-benefit calculations of individuals. Migrants migrate to where they assume that they can have a better income and a higher quality of life. However, integration problems, the expenditure on migration, the possibility of exclusion in the host country and the other costs should be taken into consideration by migrants. For the irregular migrants, the possibility of being deported may occur, which can be seen as a really high price within

this calculation considering the detention conditions in most countries. Thus, it can be argued that micro-level assumptions are rooted in the rational-choice theory, which asserts that individuals make cost-benefit calculations. The model is based on the principle that people react in a rational way on geographically dispersed income differences. The long-standing North- South division regarding migration can be located within this model. Again, within this study mainly the implications of macro and meso level factors on migrants are considered. Thus, rather than rational choice understanding, the power over relations between the structure and agency is emphasized in this dissertation.

Regarding the importance of North- South polarisation for migration, Castles (2003) agrees with the neo-liberal macro theory and its explanations for economic migration by emphasizing the role of globalisation. However, he brings an additional aspect, for 'forced migration' by arguing that globalisation is not a system of equitable participation, instead "a system of selective inclusion and exclusion of specific areas and groups, which maintains and exacerbates inequality" (Hoogvelt 1997 cited in Castles, 2003). This inequality exists in the North- South division as the most visible and intensive factor. Castles also argues that today, the distinction between 'forced and voluntary' migration is getting blurred. At this stage, it is difficult not to agree with him since failed economics takes us to weak states and severe human rights violations. From this standing point, it can be argued that not only voluntary migrants, but also many other migrants and asylum-seekers have multiple reasons to migrate and it is difficult to separate these economic and human rights motivations from each other. Thus, the above-given theory can also be applicable for the case of transit migrants, which will be discussed later on within this chapter.

In general, 'human capital' stands at the heart of the micro level approach of neo-liberal theory. Thus, the reason behind the migration is that people decide to invest in migration with the expectation of an increase of this capital. Borjas (1989) adds that individuals are concerned to increase the maximization of benefit. He claims that individuals search for the best country; where Chicwick (2000) claims individuals can

move as much as their capabilities. Thus, higher capabilities means higher chances to migrate.

However, the above-given main theoretical approaches to the field of migration should be evaluated by their capacity for explaining irregular transit migration with implications for the relevant policies. First of all, one of the main assumptions of neo-liberal theory is based on the premises that migrants have a free choice and they have perfect information access, which is not the case, in particular for irregular migration. Secondly, since the intervention of state and regulations of governments are not welcomed by this theory, they are not taken into account. Despite that new neo-liberal migration models consider opportunity costs and risks, they remain inadequate to explain those constraints in a structural way (De Haas, 2008). Finally, it should be added that they mostly neglect the non-economic factors, such as social, cultural and political factors. From the irregular transit migration point of view, opportunity costs and risks are important elements of the theory to be analysed as effecting the migration decision. However, this limited and solely economic focus, ignoring the migration and asylum policies and seeing migrants with total freedom of choice should be criticized for the capacity of this theory to explain irregular transit migration; because the external variables are the important determinants for both initiation and perpetuation of migration.

Another representative of economic theories, the 'Theory of Reasoned Action' also focuses on the rational-choice thinking; however it moves beyond economic considerations by referring to cultural, social and political factors that interfere with the intentions of migrants. Within this theory, it is argued that attitudes are shaped by normative and behavioural beliefs towards the action (Ajzen & Madden, 1986). In this framework, some aspects of this theory can be seen as explanatory; because, the model suggests that beliefs and perceptions on decisions concerning migration trajectories are external variables. The lacking cultural, social and political dimensions seemed to be fulfilled by this approach; however, transit migrant has a 'temporality' character, which is left out within the time-dimension in this theory.

In the light of the above-mentioned approaches, it is observed that individuals are seen as the main determinants; however the 'New Economy' Theory re-evaluates the role of migrants again. According to this theory's argument, the decision for migration is not taken only by individuals; but by households and also by numerous related actors. Briefly, the migration movement of individuals is often the result of decision-making on a higher level, which is not the individual, but the household (Massey et al., 1993). Thus, in this way, cost-benefit calculations are also made as a collective action by taking various risks into account. With the contribution of the new economics of labour migration, we observe that the societal dimension is added by studying migration at the household level as well as considering the social networks. Also, different from the neo-liberal approach, the incentive behind the migration is not only to maximise the income; but also to loosen constraints and minimise risks, which are caused by market failures. According to this theory, market does not only refer to the labour market, but also insurance or capital markets as well. One of the most important differences from the neo-liberal approach is seeing migration as not only the consequence of wage difference; but the tendency for decreasing different risks through international movement. Thus, by this approach, it is argued that the existence of international migration would be maintained without this difference, since the wage-deferrals are not seen as necessarily a precondition for migration. However, there are also some drawbacks of this approach. First of all, it is argued that the macro level is neglected (Dustdar-Sinclair, 2002). Also the differences among migrants are neglected, because too much focus is put on economic factors make invisible political change, the environments, education, gender and the other factors, which may incite migration as well (De Haas, 2008).

The last economic theory is the 'Segmented Labour Market' Theory, developed mainly by M. J. Piore (1979). Unlike the 'Neo-classical and New Migration Economy' Theories that are both representative of micro level theories; the 'Segmented Labour Market' Theory argues that the reason behind international migratory movements is the demand of modern industrial societies (Abadan-Ünat, 2006: 26-27). Diverging from the classical push-pull explanations, the low wage labour demand of industrialized

countries is seen as the main factor behind international migration. Piore (1979) also argues that there are four main characteristics of the international migration process, which can be summarized as follows: the existence of structural inflation is one of the inescapable factor of industrial labour markets; people work not only to receive an income, but also social prestige; unlimited labour demand and as a consequence of unlimited labour demand, infinity of international migration. Unlike push-pull factors explanations, this theory claims that the segmented labour markets cannot be eliminated by the rise of migrant workers, because there are other social and institutional factors, which prevent the increase of wages.

In contrast to the economic theories, the historical-structural approach argues that people are fundamentally constrained by structural forces (De Haas, 2008). Since, this theory and also the social network theory are adopted for the macro and meso level dimensions of the study, they will be discussed in detail later on. Before moving to the adopted theoretical framework, it should be noted that as a transnational movement, a migration journey has multi-stages and transit migrants stay “in limbo” between countries of origin and destination: transit countries. But, the above-mentioned theories attempt to explain migration as a linear movement. Also, whether someone was in ‘transit’ and will settle in a different country or not, this action should be acknowledged for counting him/her as transit migrants. Thus, we come across a retrospective notion, which contributes towards the determination of a person supposedly being in transit. In general, those classical migration theories explain the intentions to leave the country of origin and to migrate to another country and from some aspects they also have the capability to explain the reason behind leaving the transit country as well. At this stage, more or less almost all these approaches bring us “push-pull” factors by sometimes seeing individuals as the only decision-makers and sometimes adding households or the other factors such as historical-structural theory. But, they ignore the role of transit countries, transit hubs and cities, and local and transnational networks, which make it possible to sustain migration or to survive during the long waiting period, in other words perpetuation of migration is ignored. In addition, they remain inadequate to

explain 'irregular migration' and the restrictive policies with their implication on migration, which are the main focus of this study.

3.3. Adopted Theoretical Approach and Conceptual Framework for the Study

As it can be seen from all the mentioned theories on migration, because of the dynamic change in the motives for migration, different approaches and different explanations appear to be required in order to understand this subject.

With this dissertation, it is argued that all the mentioned theories and approaches have the ability to explain some pieces of the puzzle and there is no single theory to explain international migration as a whole. One of the main aims of this study is to contribute to better conceptualization and understanding of irregular transit migration as supported with a field study. In this way, it aims to contribute to the existing literature and its ability to build new migration theories that explain this dynamic and complex type of migration. Since the dissertation has been mainly divided into 3 chapters representing three levels of analysis, the same approach is adopted for the theoretical part as well. This approach also appears as a requirement since there is no single or coherent theory of transnational migration; but fragmented sets of various theories in order to explain initiation and perpetuation of migration, and as such there will be different theories adopted for each level. However, for justifying the multi-level approach, the 'Relational' Theory and the 'Differentiation' Theory are adopted as the general theoretical framework for 'irregular migration'; while at macro level 'World-System Theory', 'Political Economy Theory' and 'European Integration and Externalization Theory'; at meso level 'Social Field Social Network Theories' (supported with the Institutional Theory) are adopted. In the framework of the micro level analysis, mainly 'Social Network and Social Capital' and 'Structuration Theory' are made use of.

3.3.1. The Relational Approach

For the general research design of the study and in particular the theoretical framework, the Relational Approach that was suggested by Thomas Faist (1997) for migration studies carries importance, because it can be seen as a bridge between different levels of analysis. The significance of this approach for this study can be seen as the acceptance of both ‘structure’ and the ‘agency’, in other words neither migrants as individual agencies nor the relevant political framework as the macro-structures are ignored (Faist, 2000:17) and are associated with each other through the meso level. In this framework, Faist (1997, 2000) distinguishes between three different levels of consideration: the micro-level, the meso-level and the macro-level.

Within the Relational Approach, the first micro level refers to the individual, in the case of this study particularly the irregular transit migrant, whom I conducted interviews with in Edirne and Izmir. The meso level refers to relations between individual and groups for Faist, which refers to the “sending” and “receiving” networks. Within this study, they are re-named and framed as ‘mobility facilitating networks’ and ‘reception facilitating networks’. But also, as locating migration in a transit country (Turkey), this research focuses on the role of a gateway, in other words gateway cities in relation to irregular transit migration. Finally, the macro level refers to the surrounding structures for Faist, which is determined as the EU’s and Turkey’s policies on immigration and asylum with a special focus on irregular migration for this study. It should be said that also relevant international frameworks are taken into consideration such as the United Nations Convention relating to the Status of Refugees (1951, CRSR), the ECHR’s decisions etc.

At micro level, Faist also adopts the concept of social capital as defining “...resources that help people or groups to achieve their goals in ties and the assets inherent in patterned social and symbolic ties that allow actors to cooperate in networks and organizations, serving as a mechanism to integrate groups and symbolic communities” (Faist, 2000: 102). Briefly, he argues that social capital is the driving force behind the

decision-making of migrants regarding staying or moving and states that “Social capital works as a local asset in local networks and as a transmission belt in migrant networks” (2000: 123). Again for this study the second most important contribution made by Faist is his focus on the ‘meso level’. He pictures this level as the place of social networks. He defines this level as follows “The most relevant units constituting meso-levels are households and families, groups of kinship, the reference community, but also friends and acquaintances in the workplace, and groupings such as ethnic, religious and political associations” (Faist, 1997: 204).

Regarding the meso level, Faist (1997, 2000) criticizes the majority of theoretical efforts in the field of migration, since they only focus on global structural factors at macro level with macro level theories or the factors at the micro level with micro theories. Then, Faist offers an additional level called “meso”, which takes part between the macro and micro levels and emancipate the migration studies that are only concerned with the migrants or the larger structures such as the nation state. His argument is that this level should focus on social relations, and social ties between individuals in kinship groups such as families, households, neighbourhoods, friendship circles and formal organizations. Since he mainly focuses on destination and source countries as his states, the role of transit countries is missing from his approach. In addition, as the geographical coverage, he uses ‘country level’, where this study targets both country (macro) and city (meso) levels.

In the existing literature, meso level is not a completely ignored or excluded sphere. Previously the theoretical frame on both social networks and social capital has already been discussed in terms of migrant incorporation (Glick-Schiller and Çağlar, 2004, 2008), incorporation in relation with economic sociology (Portes, 1995) and with empirical literature on migrants’ networks (Massey et al., 1993). But, at meso level mainly the relational level focusing on the social ties of both movers and stayers is lacking. To employ the three levels at the same time is quite rare. Concerning “movers and stayers”, it should be noted that also irregular transit migrants are not always able to move; but are stuck in the gateway cities. In this regard, Faist’s argument for having a

theoretical approach, which does not only focus on movers; but also stayers, appears as quite relevant to this study. He argues that “any theoretical attempt should not focus on movers only, but on both movers and stayers, and also on how stayers who once make a move shuttle back and forth, or become stayers again, be it in the countries of origin or destination” (1997: 187). Even though he does not mention irregular migrants and with “stayers” he refers to the one who cannot leave the source countries, this group also has commonalities with irregular transit migrants in so much as some of those migrants have to wait longer than they expected, some of them have to try over and over again until they reach their destination; apprehension at the BCPs; while some of them continue on their migratory roads.

Thirdly, by the macro level, Faist refers to structural (political, economic and cultural factors) level. The Relational Approach argues that by employing social networks and social capital notions at meso level, it is possible to build bridges between the macro and micro levels. The below given table supplies the framework of the three levels of migration analysis.

Table 3.5. Three Levels of Migration Analysis

MACRO-LEVEL (STRUCTURAL)	MESO-LEVEL (RELATIONAL)	MICRO-LEVEL (INDIVIDUAL)
Opportunity Structures (Political-Economic-Cultural Structure)	Collectives and Social Networks (Social Relations)	Values, Expectancies and Resources (Degrees of Freedom)
<i>Economics</i> <ul style="list-style-type: none"> Income and unemployment differentials; access to capital 	<i>Social Ties</i> <ul style="list-style-type: none"> Strong ties: Families and households; Weak ties: Networks of potential movers; Symbolic Ties: Ethnic and Religious organizations 	<i>Individual Values</i> <ul style="list-style-type: none"> Individual values (goals, preferences and expectancies) Improving and securing survival, wealth, status, comfort, stimulation, autonomy, affiliation and morality
<i>Politics</i> <ul style="list-style-type: none"> Regulation of spatial Mobility (nation-states and international regimes); Political repression, ethnic and religious conflicts Interdependence in international system of states 	<i>Social Capital</i> <ul style="list-style-type: none"> Resources available to potential movers and stayers by participation in networks and collectives through weak, strong and symbolic ties 	<i>Individual Resources</i> <ul style="list-style-type: none"> Financial capital; Human capital: Educational credentials, professional skills Cultural Capital: Common worldviews, forecasts, memories, symbols Political capital: voice
<i>Cultural Settings</i> <ul style="list-style-type: none"> Dominant norms and discourses <i>Demography and Ecology</i> <ul style="list-style-type: none"> Population growth; Availability of arable land; Level of technology 		

Source: Thomas FAIST (1997). "The Crucial Meso-Level", in *International Migration, Immobility and Development* edited by T. HAMMAR et al., Berg Press, the Great Britain, pp. 200.

In a similar way Massey (1999) also suggests four required elements of the theoretical framework for migration studies, which refers to the three relational levels of analyses.

...a treatment of the structural forces that promote emigration from developing countries, a characterization of the structural forces that attract immigrants into developed nations, a consideration of the motivations, goals and aspirations of the people who respond to these structural forces by becoming international migrants; and a treatment of the social and economic structures that arise to connect areas of out and in migration (Massey, 1999: 50).

3.3.2. Theorizing Irregular Transit Migration: Differentiation Theory

As discussed previously, among the existing migration theories, there is no ‘irregular transit migration’ specific theory; however ‘Differentiation Theory’ supplies significant insights into irregular migration as well as the restrictive migration policies.

Even though the spatial mobility of people has always been a political concern throughout history and in particular, irregular and transit migration has become one of the major concerns particularly in the destination countries; both conceptualization and theorising are lacking. However, they also appear as highly recent phenomena. The former one first appeared in the 1920s; while transit migration is an even more recent conceptualization in migration literature. At this stage, both of them can be seen as the products of modern society; because while differentiation within societies has been increasing, we come across new terms that define who are insiders and outsiders; in other words, new conditions and principles for inclusion and exclusion. An excluded population can be seen as unwanted, undesired, unexpected or unaccepted population movements and the restrictive policies function for setting certain set of regulations to keep them away. But first of all, the ‘unwanted’ ones have been described as relying on different justifications and it can be said that restrictive policies appear as the lawful dimension of exclusion. To approach the EU’s immigration and asylum policies concerning irregular migration are evaluated from this perspective. Within this study, rather than judging the existence of those policies, the main aim is to understand their functions and implications. It should also be noted that those policies also bring their own discourse such as a large set of interpretative frames, stereotypes, slogans, which can be seen from the statement of the Minister of Public order in Greece, Nikos Dendias: “irregular migration takes the country to the brink of collapse. What is happening now is Greece's greatest invasion ever...”¹⁵ As it can be seen from this statement, irregular migrants are described as ‘enemies’, who invade the country.

¹⁵ Retrieved from <http://www.independent.co.uk/news/world/europe/thousands-of-illegal-immigrants-rounded-up-in-greece-8010219.html> Accessed on 26.12.2012)

Cvajner and Sciortino (2010) argue that there are two main reasons behind the under-theorized situation of irregular migration. The first one is that there is not enough empirical data that can be used to justify the need in this field. Secondly, they argue that the existing studies focus on macro level factors from a political economic perspective or through the civil society reports and studies focuses on the implication on individuals instead of associating them. They define the situation as “the main stumbling block in the development of an adequate understanding of irregular migration is the current failure to differentiate research from both the policy oriented ‘social problems’ tradition and the agenda of humanitarian and activist intervention” (2010: 391). It can be said that concerning the lack of empirical data argument, the existence of FRONTEX’s reports, which supplies the most important empirical data for both irregular migration and irregular transit migration, justifies the existence of the institution itself. Concerning the second reason, indeed the numbers of studies that reconcile the macro and micro levels are quite rare and this study appears as one of them, which has also a potential to contribute to the theorizing of irregular migration.

Returning to the Differentiation Theory in migration, Cvajner and Sciortino (2010) argue that modern society is specifically peculiar with its complex functional and structural differentiations, which is also examined by Durkheim’s *The Division of Labour in Society* (1922) and Weber’s *Intermediate Reflections* in his *Collected Essays on the Sociology of Religion*. According to this approach, we do not come across a specific centralized management; but rather specialized sub-systems with leading values, operational programmes, regulations and symbolic values and which only becomes meaningful when it creates an impact on or resonating reaction within each sub-system. According to this “resonating”, they are processed “...by law in terms of lawful or unlawful, by economy in terms of having or not having possibilities to pay, by art in terms of beautiful or ugly, by science as true or false” (2010: 395). They also argue that within this differentiated modern society, there is no pre-defined role for individuals and the above-mentioned systems are not subordinated with each other and they operate their rules within their territories. Thus, each subsystem develops its operations according to its code and to the evolutionary possibility. In this regard, this

study approaches the EU as one of the sub-system in modern society and the political system. Within this system, the EU determines who is unwanted, how the new comers will be accepted, who will be forced to return or readmitted to another sub-system. Also as it will be discussed, through externalization policies, it expands its territory or in other words, secures its jurisdiction area by expanding its external border even further.

One of the main assumptions of the Differentiation Theory starts from the assumption that World society is the sum of functionally differentiated sub-systems. Each subsystem has its own form of internal differentiations and it does not see the nation-states as the boundaries of modern societies by criticizing the methodological nationalism. In some of these sub-systems such as economy or science, the significance of territorial boundaries is even weaker than the others. In this regard, migration regimes are seen as one of these sub-systems.

The theory argues that while each sub-system deals with any problem according to its capacity and operates in parallel to its own logic; it faces some frictions with the other systems. In this regard, the restrictive migration regimes and international human rights regimes can be given as an example. On the one hand, the former system appears as a barrier for human mobility and on the other, the later system limits the possible action of the state to prevent that population and creates pressure on the state to act lawfully and respectfully to human rights, while restricting human mobility. In the case of the economy system, the situation is more complicated; because on the one hand because of increasing unemployment, migrants are not welcomed anymore; but on the other they appear as the cheap labour for the economies and even the new commodities of the new sectors such as smuggling.

As one of the sub-systems, Cvajner and Sciortino (2010) focus on the restrictive migration policies, particularly border controlling mechanisms. They argue that the existing regulations as a part of this system prevent the entrance of unwanted migrants to the territory of this system; while the current regional economy system that is based on inequalities appear as the push factors. Actually, we come across two push factors

but they are working in opposite directions. In this regard, they argue that even though the restrictive policies in the field of irregular migration have the potential, the other sub-systems create incentives for this type of migration, which cannot be ignored for analysing the implications of those policies.

Cvajner and Sciortino explain the establishment of the irregular migration policies as the structural mismatch between the social and political conditions for migration. They argue that irregular migration flows are the outcome of the mismatch between the sub-systems of the receiving and sending countries and also claim that there is a mismatch between the carrying capacity of the migration infrastructure and the monitoring and repressive capacity of states (Pastore et al. cited in Cvajner and Sciortino, 2010: 394). In this framework, the irregular migration policies are defined as the answers for these mismatches. Strong mechanisms of control fail once the opportunities to be gained with the help of migration (Massey et al., 1998). But it should be noted that those opportunities are not only valid for migrants; but also all the migration facilitator networks and actors as well.

Cvajner and Sciortino (2010) do not see irregular migration policies in relation to only political will and the creators of excluded individuals by arguing that firstly despite those policies irregular migration still continues and also despite the lack of reception conditions, those migrants are able to live in the countries where they are not welcomed. In this regard, they point out another sub-system, which is explained as gateway cities and the social networks as the outcomes of those policies. They state that a differentiated modern society is consequently not characterized by the inclusion of some people and the exclusion of others. Thus, even though the legal status is important; they exist and they survive within the above-mentioned newly differentiated sub-system such as smuggling and as long as they do not create any threat for the insiders (housing, employment etc.) of this system they survive within it. Thus, maybe the political system excludes them; but they are able to continue their migration despite the existence of the restrictive policies and also carry on their lives despite the absence of formal reception conditions for many years. By challenging the boundaries of the nation-state, Cvajner

and Sciortino (2010) also argue that “the survival strategies of irregular migrants are both based on the systematic use of the social spaces created by the differentiation of society and by the creative adaptation of other social resources that make up for the lack of inclusion in the political system.” (2010: 398). Thus, as it is also argued within this study, the restrictive migration policies is also the cause of the formation of an informal economy, and variety of services accessible without the political definition of legitimate membership, which takes us to the informal reception facilities and social networks for allowing migrants access to them . At the micro level, those networks appear as social capital.

In the light of the differentiation theory the connection between the macro, meso and micro level theories is provided. In the framework of this approach, this study approaches the EU’s policies concerning irregular migration as one of the sub-system within the differentiated world society and analyses its impacts on the other sub-systems at those three levels of analysis. As it is argued with this theoretical approach, the existence of gateway cities and the irregular migration related social networks such as Mobility Facilitating Networks – smugglers - can be seen as the implications of those policies which will be discussed later.

3.3.3. Theories for the Macro Level

At the macro level, concerning the theoretical framework, the ‘World-System Theory’, ‘Political Economy Theory’ and ‘European Integration and Externalization Theory’ will be examined along with their capacity to answer the research question of the study.

3.3.3.1. Allocating the EU’s Immigration and Asylum Policies Concerning Irregular Migration within the Macro Level Theoretical Models: The World-System Theory and Political Economy Theories

There is a need to examine the EU and its restrictive policies, in particular irregular migration policies, from a broader perspective in order to understand what implications

there are for Turkey's policies in the field of immigration and asylum at the conjunction of irregular migration.

Starting from the broader perspective, first the World System Theory of international migration will be focused on, which can be seen as the most recent contribution to the existing literature of macro level models of transnational population flows. This theoretical aspect can be categorized under the historical-structural models, which is highly inspired by the Marxist interpretation of capitalism as well as the structuring of the world economy.

This approach supplies a macro-sociological perspective and an appropriate ground for transition between macro-level theories to meso level ones as building bridges between the 'capitalist world economy' and 'total social system'. The dynamism between the economic structure and its social system has the ability to explain the EU's externalization of immigration and asylum policies with a special focus on irregular migration to semi-peripheral countries such as Turkey, which will be further supported with the 'Political Economy Theory'. It can be argued that because of the emphasis on development and unequal opportunities across nations, the theory has been welcomed by development theorists and De Hass (2008) applied this approach to migration with his study *Migration and Development: A Theoretical Perspective*, where we find the debate on migration and development in a broader historical perspective of migration theory in particular and social theory in general as will be discussed further.

The founder of this adopted theoretical approach is Immanuel Wallerstein, who published his first seminal paper *The Rise and Future Demise of the World Capitalist System: Concepts for Comparative Analysis* in 1974 following his master piece, *The Modern World System I: Capitalist Agriculture and the Origins of the European World-Economy in the Sixteenth Century*. Within his studies, the World-System's "world" refers to a self-contained world rather than global or planetary, thus, no place is entirely isolated (Kardulias, 2005: 6). While its "system" refers to the order of historical time as Fernand Braudel's (1972) historical approach, *Longue Duree*, which refers to the

historical relation that allows an open and experimental approach to the theoretical reconstruction of long-term, large-scale world historical change. Concerning the temporal dimension, he foresees regular cyclical rhythms and periodization of modern history through *Longue Duree*, which will be ended with the emergence of a socialist world-government as the only-alternative to the existing world-system.

By adopting Braudel's *Longue Duree*, Wallerstein also aims to revise Marxism itself and also heavily adopts from the dependency theory, which can be seen as the neo-Marxist explanation of development processes that focuses on understanding the 'periphery' by looking at core-periphery relations. Through dependency, Wallerstein explains the asymmetric ties of trade, capital penetration and most importantly 'migration' (cited in King, 2012: 18) and classifies countries according to their positioning within the global market economy, where the dominant capitalist powers are categorized as "core", examples of which are North America, Europe, Japan, Australia and New Zealand. On the other hand, the poor countries are categorized as "periphery", which are also dependent through asymmetric ties of trade, capital penetration and migration. Within this international division of labour, "semi-periphery" countries undertake intermediating roles between the "core" and "peripheral" countries with an interdependent status.

Concerning their relations, the above-mentioned penetration also brings the expansion of export manufacturing and agriculture from the core countries through the peripheral ones as foreign direct investment flows, which results with a disruption in traditional work structures; while creating a mobilization from the peripheral to the core as long-distance migration. Thus, flow of capital and also labour appears as the two most important elements of the system. In this framework, migration appears as the outcome of these disruptions and dislocations that inevitably occur in capitalist development along with the structural as well as global political and economic inequalities.

King (2012: 18) argues that "trade" and capital", also "labour and migration" take place as a part of this division of labour, which again perfectly fits to the EU's internal/

common market that seeks to guarantee the free movement of goods, capital, services, and people within the EU's 27 MSs. This is also known as the EU's 'four freedoms', where principle of the free movement of persons is a fundamental right guaranteed to the EU citizens by the Treaties. However, within the internal borders, we are still in the area of "core" states more or less, which is realised through the area of freedom, security and justice without internal borders. The concept of free movement of persons came about with the signing of the Schengen Agreement in 1985 and the subsequent Schengen Convention in 1990, which initiated the abolition of border controls between participating countries. Being part of the EU legal and institutional framework, the Schengen *aquis* has gradually been extended to include most EU MSs as well as some non-EU countries. At the end of these internal borders, the Union's external borders appear next to the immediate semi-peripheral countries such as Turkey, which requires regulated entry and residence of non-EU nationals, including through a common asylum and immigration policy. Thus, the role of this policy can be understood as a controlled "capitalist penetration" of the core countries into peripheral areas; while they create pools for a 'wanted' labour force from them to be able to prevent the 'unwanted' population. King (2012: 18- 19) argues that this mechanism is needed as a "reserve army" using the Marxist term, to "enable core countries to 'call up' this labour wherever it was needed: to sustain a period of business-cycle expansion or to fill the 'underclass' of the low-wage, low-status labour sectors of the global cities".

Concerning the city level, Massey (2009: 29) explains the role of global cities as employing the "dual market theory", which argues that since steady work and high pay are requested by native workers (refers to primary sector), migrant workers are only offered jobs in "second sector", which supplies low pay, little stability and few opportunities for advancement. Within this structure, global cities display the social fields, where this dual market can be clearly observed and where "the process of labour market bifurcation is most acute in certain global cities, where a concentration of managerial, administrative, and technical expertise leads to a concentration of wealth and a strong ancillary demand for low-wage services" (Ibid.). At this stage it should be noted that within these global cities, new sectors are also created such as 'smuggling'.

However, since instead of ‘irregular labour migration’, the main focus of this study is on ‘irregular transit migration’, this ‘dual or segmented labour market’ dimension will not be focused on in detail. But, it should be noted that if we look at not only the reasons; but also the results of the above-mentioned population movements, we also see that they promote foreign policies, allowing for selective acceptance of migrants by the core states in order to control flows of refugees, asylum seekers or irregular migrants. Such policies include such measures as border management, visa policies or even military action. Massey (2009) argues that there are other factors related to the restrictive policies in the field of irregular migration, which are again mainly related to economic conditions and also the core’s macro-economic health. He states that “periods of economic distress are associated with moves toward restriction, whereas economic booms are associated with expansive policies” (pp. 33). Besides, the volume of international flows and ideological currents were also seen as the independent variables for restrictive immigration policies. Massey claims that the above-mentioned three factors are the determinants of the increasing trend to have restrictive immigration policies for immigrants coming from peripheral and semi-peripheral countries. However, it should be noted that according to the needs of the economies in the core countries, it can create a kind of dilemma. On the one hand, the global economy requires looser controls on the flows of migrants coming from the peripheral to the core countries; on the other hand, we come across these restrictive policies, which remind us of the dilemma mentioned in the Differentiation Theory as the frictions between the sub-systems:

Concerning restrictive immigration policies Zolberg’s statement frames the rationale behind of these policies and selective approaches of the destination (core) countries.

In recent decades the capitalist democracies have reaffirmed their long-established immigration policies, which collectively constitute a protective wall against self-propelled migration; but with small doors that allow for specific flows. One of the doors was provided to allow for the procurement of certain types of labour; and the other to let in a small number of asylum-seekers. The future shape of international migration depends in large part on how these doors are manipulated (Zolberg cited in Geddes, 2009: 9).

In parallel to the development of restrictive policies, we have also come across higher volumes of immigration, slowed down economic growth, and increased inequality since 1975. Massey argues that this picture is quite different from the period of 1945-1975, when the above-given situation is almost opposite and when “immigration was largely off from the public agenda in most developed countries” (Ibid.). But, again as supported by this study, despite the increasingly restrictive policies, the EU and the other developed countries have come to accept a large number of ‘unwanted’ immigrants. Even though they have enacted formal policies to prevent the entry and settlement of immigrants, at both national and even supranational level (the EU) Sassen (1998), those policies cannot totally prevent the unwanted populations; because the global economy creates pressure on the national governments, which also generates structural transformations and resulting socio-economic forces at local level. Massey (2009) adds that that besides these meso level changes; because of the emergence of the universal human rights regime, which protects the rights of immigrants and creates pressure on the decision-makers and policy implementers, the nations’ sovereignty has been also challenged. The developments of the EU *acquis* as well as legislative developments in Turkey can be analysed from this perspective as well. The development of those rights can be seen as the results; but also causes for undermining factors in the nation states’ competence to control immigration. The existence of civil society appears as the important stakeholders to create the above-mentioned pressure on the nations.

At this stage even though his main concern is to examine the rationale and system behind the restrictive immigration policies, Massey (2009) supplies an important tool for understanding the implications of those policies as well. His argument states that:

*The efficacy of restriction; however, is likely to vary substantially from country to country depending on five basic factors: **the relative power and autonomy of the state bureaucracy; the relative number of people seeking to immigrate; the degree to which political rights of citizens and noncitizens are constitutionally guaranteed; the relative independence of the judiciary; and the existence and strength of an indigenous tradition of immigration.** The interplay of these five factors produces a continuum of state capacity to implement restrictive immigration policies (Massey, 2009: 3).*

The above-mentioned factors that influence the efficacy are also important to understand the externalization of the EU's policies on irregular migration in Turkey. Thus, while, the implications of the EU policies will be examined with a multi-level policy analysis, the above-given factors will be taken into consideration.

The restrictive migration policies also contribute to the creation of new sectors, particularly in case of irregular migration, such as 'smuggling'. According to Massey (2009: 38), this argument can be supported since the core counties create "enterprising agents, contractors, and other middlemen who move to create migration-supporting institutions that also serve to connect areas of labour supply and demand, providing migrants with another resource capable of supporting and sustaining international movement". In this study the main focus is the 'gateway cities', namely, Izmir and Edirne. In this way, those cities are conceived as the building bridges between the macro level actors such as the core and semi-peripheral actors (the EU and Turkey) and micro actors such as irregular transit migrants. Thus, one of the deficiencies of the World System Theory is challenged, which can be seen as the "nation-state" limitation as it was mentioned within the 'methodological nationalism' discussions. King argues that (2012: 19), "migration develops in ways that are much more spontaneous, patterned by geographies of perceived opportunity as they pop up in different parts of the world". Thus, this argument supports that capitalist penetration does not always follows the same routes such as "global cities"; but because of the extremely dynamic character of particularly irregular migration, not only the "global cities", but also the 'transit ones' change dynamically. As it will be discussed in Chapter 6, within two years, the study displayed the spatial shift for 'irregular migration' (from Izmir to Edirne and to Izmir again; also from Italy to Greece and back to Italy again). However, while spatio-temporal changes occur, new markets and actors develop themselves as the new routes for capitalist penetration such as the smuggling sector. Thus, the study also challenges "methodological nationalism" and will focus on this in detail in Chapter 6.

This study also challenges another deficiency in the World System Theory, by developing a counter view that migrants are not as free and rational economic actors as

the Economics of Labour Migration suggests. However, this Theory totally ignores migrants as micro level actors and their decisions on migration, their experiences and risks perceptions concerning migratory movement. Within this study it is also argued that in order to understand irregular transit migration, micro level agents should also be analysed.

For this study particularly the “system” dimension of this approach carries importance. As it was mentioned above, Wallerstein defines world-system as follows:

...a social system, one that has boundaries, structures, member groups, rules of legitimation, and coherence. Its life is made up of the conflicting forces which hold it together by tension and tear it apart as each group seeks eternally to remould it to its advantage. It has the characteristics of an organism, in that it has a life-span over which its characteristics change in some respects and remain stable in others... Life within it is largely self-contained, and the dynamics of its development are largely internal (Wallerstein, 1974: 347).

Within this study, the system refers to the EU’s immigration and asylum policy concerning irregular migration policy, which has been externalized to semi-peripheral countries such as Turkey and peripheral countries (mainly source countries). With “World System” Wallenstein refers to ‘world economy’; which refers to the EU’s immigration and asylum system. However, as similar to Marx’s argument regarding “base and superstructure”, it should be also noted that the base not only refers to the forces and relations of production, but as an expanded model to immigrants as well as the cheap labour of the existing division of labour and property relations; where the immigration and asylum policy appears as the “superstructure” of this system. In other words, it also refers to Wallerstein’s “world system” as a social system with specific boundaries, structures, member groups, rules of legitimation, and coherence.

In this “system”, there are structural relations and a specific division of labour between core, semi-peripheral and peripheral countries. At this stage it should be noted that within the core-periphery structural relations, semi-peripheral states acts as a buffer zone between core and periphery, and have a mix of the kind of activities and institutions that exist in them. As it was conceptualized, semi-peripheral countries and

their specific role for being ‘buffer zones’ perfectly fits to the EU- Turkey case particularly for ‘irregular transit migration’. It should also be emphasized that according to the World System Theory, the above-mentioned relation has a power hierarchy between core and periphery, in which powerful and wealthy “core” countries or societies dominate and exploit weak and poor peripheral societies and as Wallerstein argues (1974, 2000) based on unequal exchange, the systematic transfer of surplus from semi- proletarian sectors in the periphery to the high-technology, industrialized core. Particularly, the advanced and high-tech border management and surveillance systems for combating irregular transit migration can be easily given as an example of this dimension.

In comparison with the other macro-level theories in this field, particularly economy-based theoretical approaches, the World System Theory’s “connection with wage or employment differentials between countries as posited by the push-and-pull model to generate cross- border population transfers and its link with the origins of international migration to the segmentation of labour markets in economically advanced regions or countries” are weaker (Morawska, 2007: 3). However, the World-System Theory focuses on the “transnational relocations of people as generated by the structure of the global capitalist economy conceived as the interrelated whole composed of the unequal parts referred to by the already-introduced terms of core and periphery” (Ibid.).

In this study, unlike Wallerstein’s approach which takes ‘nation-state’ as the only actors and elements of the system; non-state actors and social networks are also examined at the meso level of analysis. Because it is argued that power relations are re-produced in gateway cities by these actors beyond the state as carrying competences to be influenced and also being able to create an impact on macro level systems. Otherwise, it is argued that despite the undermining restrictive policies at macro level (the EU’s and national policies such as Turkish domestic policies) concerning irregular migration, this movement cannot sustain itself.

Particularly with regard to the field of migration, the theory argues that because of the structural instabilities in the peripheral countries in terms of political, social and based-on economic factors unavoidably generate large volumes of international population flows moving from Southern and Eastern regions to the Northern and Western parts. While the compass directs the destination countries as the “core countries”; Wallenstein argues (2004) that these population movements also follow their past colonial routes and their former colonies through the pre-existing connections in transportation and communication infrastructures, administrative links, and linguistic and cultural commonalities. At this stage, Massey et al. emphasizes the role of political and military interventions realized by the core countries, thus he displays the vicious circle of policies for preventing ‘irregular migration’ as also referring to the irregular migration and asylum nexus as it flows:

...political and military interventions by governments of capitalist countries to protect investments abroad and to support foreign governments sympathetic to the expansion of the global market, when they fail, produce refugee movements directed to particular core countries, constituting another form of international migration (Massey et al., 1993: 448).

Concerning the relations between core, semi-peripheral and peripheral countries, Chase-Dunn and Hall (cited in Kardulias, 2005: 8) supply an important model by merging the existing approaches in the following figure, where Wallerstein’s approach is also displayed.

Strength of Incorporation	None	Weak	Moderate	Strong
Impact of Core on Periphery	None	Strong	Stronger	Strongest
Impact of Periphery on Core	None	Low	Moderate	Strong
Names for Types of Peripheries				
Hall and Chase-Dunn and Hall	External Arena	Contact	Marginal or Region of Refuge	Full-Blown/Dependent
Wallerstein	None	External Arena	Incorporation	Peripheralization
Arrighi	None	Nominal or Formal		Effective or Real
Sherratt		M a r g i n		Periphery or Structural Interdependence
Frank and Gills		H i n t e r l a n d		Periphery

Figure 3.2. The Continuum of Incorporation

Source: P. Nick KARDULIAS, and Thomas D. HALL, (2005). “A World-Systems View of Human Migration Past and Present: Providing a General Model for Understanding the Movement of People”, *Forum on Public Policy: A Journal of the Oxford Round Table*, No. 2005(31), p. 8.

Among the given approaches in this figure, this study adopts Wallerstein’s approach and categorization by arguing that by following the core-periphery differentiation, core areas tend to exploit both semi-peripheral and peripheral areas. Besides this exploitation, there is a possibility to have a bilateral impact as displayed in the above-given figure, where reciprocal impact is possible for both core and periphery such as the conditionality regarding the EU-Turkey relations. In addition, it is also agreed that the level of incorporation and the level of impact of both sides has a positive correlation. Concerning EU- Turkey relations, the impact level that starts from “None” to “Peripheralization” is similar to Wallerstein’s argument; but with a small wording difference using “Externalization” instead of “Peripheralization”.

In addition to the World System Theory, as a complementary theoretical approach at macro level, ‘Political Economy Theory’ should also be mentioned. This theory focuses on the political mechanisms generating transnational population flows. Thus, with regard to this study, the most important contribution of the ‘Political Economy’ can be seen as “examining the supra-state mechanisms, which generate (or control)

international population movements” as well as combining with the economic power of the labour-demand theory (King, 2012: 20).

In this framework, the approach focuses on the destination countries’ policies in this field, including regulations of entry and permission to work; in other words policies of entrance, reception and exit as well as the treatment of irregular migrants. The World System Theory offers a set of structural variables, derived primarily from national or international levels. Thus, it can be argued that as a supranational body, the EU’s policies in the focused areas can be analysed with this theoretical approach. Political Economy completes this theory by examining the immigration policies of receiving states or supra-national bodies such as the EU, which can be briefly summarized as quota and admission systems, regulations of entry, duration of stay, work permits, citizenship rights etc. by directly shaping the volume, dynamics and geographical patterns of international migration flows. Briefly, this theory analyses the interaction of economic structures as the main infrastructure and their superstructures as policies, legacies and institutional determinants in producing certain migration outcomes and it can be even argued different ‘types of migration’.

In relation to the World System Theory, political decisions of the core countries as well as their relations with semi-peripheral and peripheral ones are examined by this theoretical approach; however not only as a result of economic circumstances but also the importance of the reality of political decisions as a casual force in shaping international population flows is analysed. Instead of “core countries” of the World System Theory, “hegemonic power” terminology is used for the destination or receiving countries. However, the behavioural action of these actors is the same, which can be summarized as “to employ the neoliberal economic order to regulate global trade and finance as well as international migration, especially through temporary low-skill labour importation programmes and residence laws inducing encouraging settlement of well-to-do foreign investors” (Morawska, 2007: 4). Also, it can be argued that similar to Wallerstein’s “core” states, ‘hegemony’ also refers to the existence of a core state, this

time as a single actor, who is always temporary due to class struggles and deemed to be replaceable.

King (2012: 20) argues that Castles and Miller (2008) also adopt a broader and more updated political economy perspective concerning migration and they approach the relationship between migration and globalization in what they call “social transformation”, which refers to a major shift in dominant power relations. However, the most important contribution for this dissertation comes from Castles (2010), when he states that international migration challenges the hegemony and re-shapes national states and societies. He claims that there is an intensive growth of “transnational societies” and the historically embedded state authority has been blurred, particularly in terms of controlling and decision-making functions. At this stage, one more time the role of gateway cities to maintain and sustain irregular transit migration was justified and allocated within the theoretical framework for this study. With their important contribution to the literature, Das and Poole (1991: 3) challenge not only the hegemonic power; but also the state itself. They try to distance themselves from the image of state as a rationalized administrative form of political organization; but also say this has been less articulated along its territorial or social margins.

3.3.3.2. The Internal and External Dynamics of the EU: From Europeanization to Externalization

The studies on ‘Europeanization’ mainly became visible in the late 1990s, when we come across “the second wave of studies in the European studies after the first inter-governmentalist approach (Bayraktar, 2010: 3). Within this wave, the impacts of Europeanization on domestic systems of governance were highly common. In general, those studies mainly focused on Europeanization within the MSs as based on the Institutional School with sub-divisions such as Federalism, Functionalism, Neo-Functionalism, Interdependence Analysis and Neo-Institutionalism. However, more recently, as a consequence of the constant European enlargement as well as globalization, margins of the EU in terms of territorial, political, social and economic

have been challenged. Thus, besides European integration and Europeanization, today the externalization and even “Europeanization beyond Europe (Schimmelfenning, 2009)” have become the new areas of study. This study can be evaluated within those recent studies; but different from the other studies, in that this research brings a multi-level analysis and argues that the EU’s policies’ impact cannot be only examined at macro level, but also meso level and micro level should be focused on.

It is a fact that does not only occur in domestic politics and policies at national level; but there are horizontal and vertical impacts, interpretations, diffusions and emulations at different levels. Even though the EU has the role of an agent of socialization, particularly on its MSs “EU-ization” (Radielli), the impacts are not limited by this. The mechanisms of transfer include other members of the equation that are not literally members of the EU; but also candidate countries of non-EU members. Radielli (2006, 196) argues that this EU-ization has two main approaches, namely from top down and from bottom up analyses, including a vast number of dependents on the national level such as actors, problems, resources, styles and discourses. Thus, besides Europeanization, also Externalization should be analysed. Particularly, immigration and asylum policies are the subjects of more than a foreign policy area of the EU as a part of the external dimension of the EU cooperation in the Justice and Home Affairs (JHA), rather than a highly communitarized area. Therefore, the area has remained highly externalized with controlling common borders, visa policy with close relation with security issues, such as organized crime, terrorism, human smuggling and trafficking.

In order to understand the impact of the EU’s immigration and asylum policy with particular focus on irregular migration, as a complementary theoretical approach to the above-mentioned macro-level theoretical frameworks, there is a need for examining ‘European Integration Theories’ with a special focus on ‘Externalization’ and ‘Europeanization’.

Concerning ‘Europeanization’, it can be argued that the term can be used mainly for the EU MSs or quasi-members such as Norway or Switzerland; while ‘Externalization’

seems more appropriate for the non-EU members. However, there has been an increasing tendency that even though Europeanization started out as a process explaining change within the MSs of the EU, in the last decade it has been increasingly applied to describe changes in candidate countries and non-MSs as well, such as Turkey (Kale, 2005; Schimmelfennig, 2012). Similarly, also İçduygu (2011b) argues that Europeanization can be used for analysing the Europeanization particularly in the field of immigration and asylum in Turkey, since the existing domestic policies in this field has been highly affected by the EU. Turkey is a key example of a nation state, where the domestic immigration and asylum policies and practices are founded on a strong historical heritage, cultural notions, social validity and political incitements which in turn, especially after its candidature in 1999, are highly contested by the EU (Ibid). The definition takes formal changes in terms of “direct” Europeanization of domestic policies as well as informal changes or “indirect” Europeanization of norms and practices of domestic actors into account.

The first definition of Europeanization comes from Ladrech at the beginning of the 1990s as “an incremental process reorienting the direction and shape of politics to the degree that the European Community political and economic dynamics become part of the organisational logic or national logic of national politics and policy-making (1994: 70)”. Similarly, Vink defines Europeanization as a process, where a domestic policy area is increasingly being defined and shaped by decisions made at the EU level (2002: 1 and 13).

Within the existing literature the definition can be consolidated as follows:

Europeanization is a process of (a) construction, (b) diffusion and (c) institutionalization of formal and informal rules, procedures, policy paradigms, styles, ‘ways of doing things’ and shared beliefs and norms which are first defined and consolidated in the EU policy process and then incorporated in the logic of domestic (national and subnational) discourse, political structures and public policies (Radaelli 2000: 4; Featherstone and Radaelli, 2003: 4; Bulmer and Radaelli 2004: 4).

The literature shows that there are different levels of “Europeanization”, with some reflecting an instrumental adoption of policies to gain particular advantages, while others denote a deeper transformation and internalization of norms, characterizing a more genuine “Europeanization” (Lavenex and Uçarer, 2004; Schimmelfennig and Sedelmeier, 2005; Schimmelfennig 2009). For instance, Radielli (2000) argues that Europeanization can be operationalized in four different ways as “accommodation”, which refers to articulation of the appropriate EU policies to the national structures, policies, discourses; “transformation”, which refers to transformation of as well as challenges to those articulated policies; “inertia”, which refers to the absence of political will to transform the policies and finally “retrenchment, which refers to strengthened opposition to the EU policies along with its interests.

There has been an increasing tendency that even though Europeanization started out as a process explaining change within the MSs of the EU, in the last decade it has been increasingly applied to describe changes in candidate countries and non-MSs as well, such as Turkey (Kale 2005). At the EU level the approach to the Externalization is generally labelled as the “external dimension” of immigration policy, but several scholars are more inclined to talk about an “externalization” or “extra-territorialisation” (Bigo, 2001; Boswell, 2003; Lavenex, 2004; Rijpma and Cremona, 2007; Papadopoulos, 2007; Carrera 2009).

If we focus on ‘externalization’ from a migration policies perspective, it can be argued that the externalisation of asylum and immigration policy has been employed with the overall aim of expanding the migration control carried out domestically and at the EU borders and preventing unwanted migration from reaching the EU territory. Again by focusing on migration policies, Externalization is defined as

The reproduction of European internal migration policy at the external level, which entails burden sharing in the policing of European borders with bordering countries, and the setting up of migration management policies in the countries of origin, and especially illegal migration, following European interests (Doukoure and Oger, 2007: 2).

From the above-given definition, it is possible to see the intense independent and dependent dynamics, whereas the EU is conceived as the independent and imposing side. At this stage, by also referring to the above-given differences between “the external dimension” and “externalization”, Debenedetti (2006) argues that the former one is more neutral and refers to the EU’s activities concerning border-based or trans-border issues. Those facts are categorized as 1) aspects of the internal approach that have international implications (the creation of domestic and external migrant camps); 2) insistence on external borders and the fight against illegal immigration (border control, patrols, physical barriers etc.); 3) the expulsion of illegal immigrants, readmission agreements, joint transport); 4) proposals for the administration of asylum requests outside EU territory; 5) tackling “root causes” and connecting migration to development; which can be observed and are also measurable concerning the EU-Turkey relations. Thus, they can also be determined as ‘remote control’ tools of the core countries on the semi-peripheral and peripheral ones concerning migration.

In addition, “extra-territorialisation” is defined as “the way in which the EU and its MSs attempt not only to prevent non-Community nationals from leaving their countries of origin; but also to ensure that if they manage to do so, they remain as close as possible to their country of origin” (Rijpma and Cremona, 2007: 12). Even if individuals do manage to enter the EU territory, they will be repatriated or removed to ‘safe third countries’. Similarly, Lavenex and Uçarer (2004) focus on external governance, whereby the EU *acquis* extends beyond the EU frontiers to impact the legislative structure and the external policies of third countries.

Finally, Papadopoulou (2007: 98) argues that the EU’s ‘externalization’ in the field of migration can be understood with its three strategies: 1) “remote control” whereby border controls are entrusted to third and/or border countries; 2) “remote protection” stressing the extra-territorial dimension of refugee protection and 3) capacity-building efforts in origin and transit states. In addition to this it can be also argued that according to the above-mentioned strategies, the EU prefers to use “remote control”, instead of

fighting with the root-causes of the irregular migration, since because of the economisation, the cost-benefit relations pushes the Union to the former one.

In this regard, as having the ‘in-between status’, Turkey provides the opportunity to use both Europeanization and Externalization. On the one hand, since the accession negotiations were started between the EU and Turkey on 3rd October, 2005; Turkey accepted the responsibility to undertake the EU *acquis* and on the other hand Turkey is still a non-EU country, thus taking place under the Externalization mandate. In addition, because of the subject of this study- irregular (transit) migration- Externalization gains more attention. As discussed previously within the conceptualization part of the study, Kimball (2007) defines transit migration as a journey that encompasses more than the source and destination country, while İcduygu (2003) defines it as a phenomenon whereby migrants come to a country of destination with the intention of going and staying in another country. Russia, the Czech Republic, Hungary, Poland, Slovakia, Slovenia, Turkey, Libya, Tunis, Algeria, and Morocco fall into the category of transit states, which irregular migrants go through to enter the EU MSs. Many of these countries are also origin countries, which makes them the subject of externalization. Thus, since the concept of externalization is mainly used in discussing external effects of the migration and asylum policies of the EU on countries of origin or transit countries; the overall goal of the EU with externalization is to prevent the crossing of migrants into the MSs by forcing them to stay in their transit countries or to return them to their country of origin and as such becomes meaningful to analyse.

Even though, the first efforts of the EU concerning the externalization of its immigration and asylum policy seems part of a programmatic strategy, shortly after the Maastricht Treaty on the European Union (1992), it became an urgent need for the Union. Lavanex and Uçarer (2004: 417) argue that until the Treaty, “identity on the international scene” had been often displayed through the implementation of a common foreign and security policy; however the EU has become increasingly influential in a number of other policy areas, not only security but also immigration policies as well. While, the EU has been identifying itself at the international scene under different

policy areas, the ways of the implementing those policies also appear in different forms ranging from developing international multilateral negotiations to the unintended externalities of the EU policies on third countries with the export of common policies through bilateral and/or multilateral agreements, and the extension of European policies to third countries through institutionalized forms of cooperation.

The study approaches 'Externalization' as a form of 'policy transfer', which is valid for non-EU MSs. This transfer has a significant impact on the national policies, as an external independent variable. Even though the study recognizes the above-mentioned impact, it does not approach the process as a linear one but multidirectional; because, particularly in case of Turkey, there are unintended results or counter-impacts of both national policies and the implementation processes, where it is claimed that meso level place a significant role.

Drawing on conceptual devices offered by Europeanization and policy transfer literature, scholars studying externalization have discovered that migration policies of the EU have created external impacts on and become increasingly influential in the policy areas of non-MSs (De Haas, 2008; Boubakri, 2004). The EU's external impacts emerge as a process in which its norms, policy instruments, policy programmes, procedures, institutions, and administrative agencies are fully or partially adopted by non-MSs (Lavanex and Uçarer, 2004: 419). The impact takes place "along a continuum that runs from inspiration to voluntary adaptation, direct imposition and coercion" (Lavanex and Uçarer, 2004: 420). In order to provide an analytical framework for and elaborate nuances of external impact by calling it "externalities" Lavanex and Uçarer (2004) categorize the impact into four forms. The first two forms are adaptation through unilateral emulation and adaptation through externalities. The transfer process occurs voluntarily as there is no formal requirement for the third countries to do this. The unilateral emulation exists especially in cases where there is a need to develop mechanisms for unregulated or partially regulated fields. The adaptation through externalities occurs when the third countries feel a need to change its policies due to the negative effects of the EU policies such as rising numbers of asylum seekers because of

strict border controls. The third and fourth forms of external impact involve policy transfer through opportune conditionality and inopportune conditionality. In the third form, policy transfer fits the domestic interests of the third country as EU policies are seen as efficient methods to solve existing problems. In the fourth form, changes occur under pressure of the EU using accession conditionality although the third country is very reluctant to adopt policies because they are very costly (Lavanex and Uçarer, 2004: 420-21). In summary, the EU policies have positive or negative, intended or unintended effects on third countries. The types of effects are shaped by the characteristics of the effects themselves or the characteristics of the recipient countries (Lavanex and Uçarer, 2004: 8).

Many of the activities of the Area of Freedom, Security and Justice (AFSJ) are closely related to non-EU MSs, so are part of the EU's external relations. Migration became an external dimension of EU cooperation in Justice and Home Affairs (JHA) and a part of foreign policy, known as the Common Foreign and Security Policy (CFSP) (Boswell, 2003: 619; Vukasinovic, 2011: 148). Geddes (2009: 9) states that "it is not possible to understand the EU migration policy and politics without understanding the ways in which the external dimension of EU action on migration and asylum have developed". The EU migration policy has implications for both prospective MSs and non-MSs. The former includes candidate states such as Turkey and the Balkan countries (Macedonia, Serbia, and Montenegro); the latter group includes neighbourhood associated countries, such as the Maghreb countries, Russia and Ukraine or loosely associated countries like the African, Caribbean and Pacific countries. (Lavanex and Uçarer, 2004: 423; Geddes, 2009: 9).

Table 3.6. Summary of the Three Approaches of the EU Externalization Policy

REMOTE CONTROL	MANAGERIAL	ROOT CAUSE
Security-based	Labour market necessities	Development-based
Reactive (control)	Management	Proactive (prevention)
Policy as restriction	Policy focusing on co-development through labour migration	Policy innovation

Source: Vatelina-Andreea DIMULESCU (2010). Europe's Southern Gatekeepers: The External Dimension of the EU's Immigration and Asylum Policy, Unpublished MSc. Thesis, pp. 16.

As applicant countries, Turkey and the Balkan countries have to transpose the *acquis* into their national legislation and implement it from the moment of their accession. The Community *acquis* is the body of common rights and obligations which bind all the MSs together within the European Union. There has been extensive body of laws with multi-annual programs, formal and informal directives, communications, regulations, policies adopted by the EU for controlling the movements of persons within its borders and the entry and the exit of third country nationals to its territory. Multi-annual programmes namely Tampere (1999-2004), the Hague (2005-2010), and the Stockholm (2010-2015) draw roadmaps for the EU to build a common migration and asylum policy by taking into account the need for control of external borders to stop 'illegal immigration' and to combat human trafficking.

Concerning the externalization of the EU policies in the field of immigration and asylum, there are different migration control instruments for the source and transit countries such as border control measures to combat with irregular migration or smuggling and trafficking as supported by the capacity building of asylum systems and migration management in those countries. These are substantial solutions, which aim to prevent unwanted migrants before they enter the EU external borders. However, since it is extremely difficult to control external borders because it requires cooperation with numerous stakeholders; the EU also needs to facilitate the return of irregular migrants and asylum seekers. Readmission agreements are the main instruments for those who have already entered the EU or reached the borders (Boswell, 2003: 622). The initial geographical focus has been on the Southern Mediterranean, Sub-Saharan Africa, and Eastern and South-eastern borders of the EU.¹⁶ For example, the 2007 European Neighbourhood and Partnership Instrument (ENPI) emphasized border control and combating illegal migration. Also, in several communications, the Commission emphasized the importance of dialogues with third countries on a broad range of issues.

¹⁶ European Commission (2005), Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 18.11.2011-Brussels, No. COM(2011) 743 Final, retrieved from http://ec.europa.eu/dgs/home-affairs/news/intro/docs/1_en_act_part1_v9.pdf (Assessed on 25.02.2013)

The EU policies for reducing irregular migration constitute an important element of the EU's immigration and asylum policy as well as the externalization and Europeanization of those policy areas. In general it can be said that the EU's overall aim is to effectively balance and manage migration flows within its common immigration policy framework. The central focus and concern can be examined under three different stages as 'pre-entry', 'entry' and 'during stay'. Since this study mainly focuses on 'irregular transit migration' from Turkey to the EU countries, the first two categories carry utmost importance. In Turkey's case, when referring to the third phase, also 'return policy' is significant. Within EU and Turkey relations, one of the most controversial negotiating agenda is 'readmission agreement' as a part of this phase and 'return policy'. Externalization covers many fields regarding migration and asylum. For example, the EU demands transit countries to clamp down on irregular migration, to toughen immigration law, to introduce strict legal regulations to punish those guilty of organizing and participating in illegal migration, to re-admit irregular migrants from Europe and to send them back to their countries of origin (De Haas 2008). These countries are put in a situation that binds them to share the task of policing their international borders with the countries of destination.

Being the main destination routes, the EU and the U.S aim to externalize their immigration control policies, the third states are likely to adopt them. Referring to the case of the EU, Lavanex and Uçarer (2004) use three clusters of variables to understand the mechanism through which non-MSs adopt the European policies. The first cluster of variable is in the form of institutional affiliation between the EU and the third country, including both a degree of formalization and substantive focus. The impact is shaped by whether the third country and the EU have a pre-accession affiliation as in the case of Turkey or if the third country has links with the EU through neighbourhood association agreements as in the Maghreb countries or partnership agreements with Russia and Ukraine (pp. 423). The EU has more leverage on candidate states and directly attempts to drive institutional changes regarding border, migration and asylum through conditionality requirements (pre-determined EU *acquis*) and demands for harmonization. The ultimate reward will be the membership (Schimmelfennig and

Sedelmeier 2004). On the other hand, the cooperation between the EU and neighbouring countries remain occasional and sector based, mainly focusing on border controls, readmission and deterring human smuggling. The second cluster of variables that plays a role in externalization is the degree of similarity (fit) or divergence (misfit) between the EU policies and domestic arrangements in the third country. When the EU and the third states share pre-existing social, economic political ties and similar legal-administrative tradition, the degree of convergence with EU policies is higher as observed in the adoption of the EU asylum system by Norway and Switzerland. The third cluster of variable is the domestic patterns of interests and institutional conditions for change in the third country. Changes in migratory patterns and the need to develop migration policies can be seen to be in the interests of third countries.

At this stage it should be noted that Schimmelfennig goes even further and claims that there is a possibility to talk about “Europeanization beyond Europe”, which refers to quasi- MSs and candidate states; and also even the ones, that “are not eligible for membership in the foreseeable future” (2012: 5). Ironically, despite the launched accession negotiations, Turkey can also be categorized as a country that “is not eligible for membership in the foreseeable future”. Thus, as one of the relatively new pieces of research, Schimmelfennig’s approach concerning “Europeanization beyond Europe” should be examined. Within his study, he questions the possibility of Europeanization for out-siders of the EU, where the EU cannot use the incentive of membership as the main strategy for making the countries adopt its rules, norms and way of doing things. This aspect can also be applied to Turkey, because of its long-standing candidate status and since 2006, the serious deadlock in their relations with the EU.

By taking a place between Europeanization and externalization, Schimmelfennig (2009, 2012) does not introduce a new theoretical framework rather he uses the existing theoretical literature on Europeanization as a main tool. He argues that mainly for non-EU MSs and candidates, Europeanization can be “EU-driven”, “domestically-driven” or in parallel to a rational-choice approach, driven by the “maximization of their utility under the circumstances, in other words “the logic of appropriateness stipulates that

actors choose the behaviour that is appropriate” (2012: 6). He also emphasizes that Europeanization can be driven by the EU through sanctions and rewards as a part of cost-benefit calculations, displaying similarities with ‘conditionality’. Concerning immigration and asylum policy, as it was discussed earlier, Lavenex and Uçarer focus on the external dimension of Europeanization in the area of immigration policy by distinguishing four modes of the EU’s external governance differing in the extent to which intentional action of the EU or domestic interest of third countries triggers adaptation (2004: 420- 421), where ‘conditionality’ again was examined as the most appropriate approach for EU- Turkey relations. In addition to Lavenex and Uçarer, there are two other approaches to “Europeanization’. The first one is framed by Diez, Stetter and Albert (2006: 572), which argues that there are four pathways to Europeanization. The first two can be seen as the direct impact; as “compulsory impact” and “connective impact (mainly financial)”; while the second two functions indirectly. Finally, the last approach is created by Bauer, Knill, and Pitschel (2007) which suggests three models for EU-ization as follows: “compliance”, “competition” and “communication”. The first one refers to a coercive mechanism through binding rules and sanctions; while the second one refers to “positive integration” by emphasizing the formal harmonization of national rules; where the third one creates “negative integration” such as the abolition of the national barriers for the common market. Schimmelfennig (2012) supplies a useful table to display the above-mentioned four approaches.

Table 3.7. Mechanisms of the EU Impact beyond the Member-States

	Intergovernmental		Transnational	
	Direct	Indirect	Direct	Indirect
Logic of consequences	1. Conditionality <ul style="list-style-type: none"> • Intergovernmental incentives • Compulsory impact • Compliance 	2. Externalization <ul style="list-style-type: none"> • Competition • Negative externality 	3. Transnational Incentives <ul style="list-style-type: none"> • Connective impact 	4. Transnational Externalization <ul style="list-style-type: none"> • Competition
Logic of appropriateness	5. Socialization <ul style="list-style-type: none"> • Intergovernmental social learning • Constructive impact • Communication 	6. Imitation <ul style="list-style-type: none"> • Lesson-drawing • Enabling impact • Unilateral emulation 	7. Transnational Socialization <ul style="list-style-type: none"> • Transnational social learning 	8. Societal Imitation <ul style="list-style-type: none"> • Enabling impact

Source: Frank SCHIMMELFENNIG (2012). “Europeanization beyond Europe”, *Living Reviews in European Governance*, Vol. 7, No. 1, pp. 9.

Within this study, it is argued that among the above-given approaches, “conditionality” supplies the most appropriate approach to explain EU- Turkey relations and the Europeanization as well as Externalization of the EU’s policies in the field of immigration and asylum with a particular focus on irregular migration. However in Chapter 6, it is also argued that Externalization has unintended results, where the non-governmental actors such as mobility and reception facilitating networks at the meso level also play roles.

Schimmelfennig (2012: 10) defines “conditionality” as the “direct, sanctioning impact of the EU on the target government and subsumes the intergovernmental channel of external incentives, the compulsory impact and the compliance mode of governance”. Thus, from the EU side it can be said that incentives such as financial aid, market access or institutional ties play a role. However, it should also be seen as a bargaining process for the non-MSs or candidate countries as well; thus, there is reciprocity.

This study argues that both at national level and also at the meso level, mobility and reception facilitating actors within the selected gateway cities are affected by those policies but also have competence to initiate change at the EU level and affect European Integration, whereby the variables are reversed. Thus, it can be argued that “the relationship between European Integration and Europeanization are interactive and the distinction between the dependent and independent variable obscured” (Howell, 2004: 3). In this way the process becomes both a ‘bottom-up’ and ‘top-down’ interactive process, which can also be defined as “projection” and “reception” (Ibid.), where both the EU and MSs (and as it will be discussed even non-MSs) play an active role or in other words there is an interdependency. These complex interaction cannot be analysed purely with the positivist approach and dependent-independent variables to come up with a simple causality analysis. Thus, there is a need for employing both qualitative and interpretative approaches.

At this stage it should be noted that since Turkey is a non-EU Member State country, the policy transfer dimension will be analysed under ‘externalization’ by excluding the

'Europeanization' dimension, which in the narrow sense, can be defined as the impact of European integration at the national level of the MSs (Knill and Lehmkuhl, 2002: 255). But, since its dynamics can also be extended to states other than EU MSs, it is highly difficult to draw clear lines between 'externalization and Europeanization'. 'Externalization' or the EU's external impact is approached as "a process in which knowledge about policies, administrative arrangements, institutions, etc. in one time and/or place is used in the development of policies, administrative arrangements and institutions in another time and/or place" (Drawing on Dolowitz cited in Lavenex and Uçarer, 2004: 419). Furthermore, it should be noted that in between these time and place differences, there are other factors which come to the stage and create significant differences regarding implementation within different countries. Lavenex and Uçarer (2004) were analysing the effects of the EU policies on the non-EU MSs/third countries, which can mainly occur in two types as voluntarily or the result of a series of factors that compel adaptation or change. Concerning these two categories, they develop four forms of policy adoption and transfer as "adaptation through unilateral emulation", "adaptation through externalities", "adaption through conditionality" and "adaption through pressure". According to the first two forms, they argue that because of the absence of an overarching international regime, such as in the case of immigration and asylum policy, the transfer process can be seen as a result of adaptation that has been initiated by a third party. Since it is difficult to talk about a common immigration and asylum policy for the EU, we mostly come across an effort to set off existing policies. This process is supported by the MSs since; it is seen as being in the domestic interest and an opportunity to tackle the existing problems in this field. Lavenex and Uçarer (2004) supply a relevant sample for these forms with the increasing number of asylum seekers as a consequence of tighter controls at the EU's external borders. Thus, these negative externalities may force the MSs to act together, if they perceive a necessity to change their policies, where the cost could be higher in case of non-involvement.

There are two main components in the Europeanization of the immigration and asylum policy. The first involves the classical migration control instruments regarding the third countries of origin or transit as border control measures to combat irregular migration,

smuggling, trafficking as supported by the capacity to develop asylum systems and migration management in those cities. These are substantial solutions, which aim to prevent unwanted migration before entering the EU's external borders. However, since it is extremely difficult to control external borders, due to the fact that it requires cooperation with numerous stakeholders; the EU also needs to facilitate the return of irregular migrants and asylum seekers. Readmission agreements are the main instruments for those who have already entered the EU or reached the borders (Boswell, 2003: 622). The initial geographical focus has been on the Southern Mediterranean, Sub-Saharan Africa, and Eastern and South-eastern borders of EU.¹⁷ For example, ENPI emphasized border control and combating illegal migration. Also, in several communications, the Commission emphasized the importance of dialogue with third countries on a broad range of issues.

However, in the case of externalization of immigration and asylum policy, particularly with a special focus on 'irregular migration', the remaining two modalities have more capacity to explain the EU- Turkey aspect, because it should be noted that particularly for irregular migration, the EU insists on policy transfer and acts as a policy entrepreneur. Lavenex and Uçarer argue that if there is a certain aspect of immigration and asylum policy, we come across a bilateral agreement between the EU and the third country and "we speak of adaptation by conditionality" (2004: 421). Schimmelfennig and Sedelmeier define the term as a strategy of reinforcement by reward, where "the EU pays the reward if the target government complies with the conditions and withholds the reward if it fails to comply" (2004: 663), which can be similar to the well-known combination of carrots and sticks. In reply to a 'readmission agreement' request by the EU, Turkey responded back with a 'visa exemption' request, which displays a perfect example of the conditionality.

¹⁷ European Commission (2005), Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 18.11.2011-Brussels, No. COM(2011) 743 Final, retrieved from http://ec.europa.eu/dgs/home-affairs/news/intro/docs/1_en_act_part1_v9.pdf (Assessed on 25.02.2013).

The fourth modality refers to a more authoritative manner, which can be seen from the last two Progress Reports¹⁸ by the EC; however, at this stage it is also important to analyse the response and competences of the third country. Within this study, it is argued that particularly for irregular migration, policy transfer or externalization can be explained with “adaptation through conditionality”, where the EU plays a central role in regulating the evolving migration and asylum framework working through a three-stage structure that includes the MSs, the Union and third countries. Also there are different levels of policy adaptation. The highest and the most complete form can be seen as copying and involving full transfer of policy principles, instruments, programmes and institutional structures, which is mainly valid for common policies and for the MSs, but since Turkey is a candidate country, besides the conditional policy adaptation, looser adaptation takes place in comparison with the EU countries. At this stage it should also be noted that even though this type of adaption is mainly based on the EU’s central role, the external dimension of immigration also demonstrates that there are migration pressures coming from outside the EU. It is a fact that Europe cannot stop immigration by creating a sort of “Fortress of Europe” first of all because of its needs, but also because of the also the unique characteristics of the population movement.

In addition to the form and level of policy adaptation, Lavenex and Uçarer also suggest using “institutional affiliation” to analyse the externalization of the EU policies, which is categorized under five association models.¹⁹ It also shows the institutional distance from the EU. Among them Turkey is classified as a “pre-accession association with the last wave of candidate countries, Turkey and the Balkan countries” (2004: 423). As the candidate countries are bound to take on the EU *acquis* as part of their preparation for

¹⁸ European Commission (2011 and 2012). Turkey 2012 Progress Report, retrieved from http://ec.europa.eu/enlargement/pdf/key_documents/2012/package/tr_rapport_2012_en.pdf (Accessed on 01.02.2013).

¹⁹ **Close Association:** Comprehensive forms of association such as the European Economic Area (EEA) and the bilateral treaties concluded with Switzerland; **Accession Association:** The encompassing framework of enlargement negotiations with the new member states of Central and Eastern Europe (CEE countries); **Pre-Accession Association:** The last wave of candidate countries, Turkey and the Balkan countries; **Neighbourhood Association:** With associated countries included in the ‘wider Europe’ initiative, especially the Maghreb countries, Russia and Ukraine; **Loose Association:** The African, Caribbean and Pacific countries (ACP).

membership, their institutional affiliations can be seen as strong ones. However, it should be emphasized that particularly in the field of immigration and asylum, the way of doing things for Turkey is not in line with the EU despite this close affiliation. In this field, cooperation requires adaptation in the areas of asylum policy, irregular migration, and visa policy, which appears to be a real challenge for Turkey. In addition, since there is also ‘conditionality’, it should be noted that this close institutional affiliation can display different institutional distance from the EU in term of “fit and misfit” reactions. Thus, there is a need to look at the domestic patterns of interests in Turkey, and the combination of strategic interest constellations and institutional conditions for change as domestic opportunity structures. At this stage Lavenex and Uçarer (2004: 433- 434) point out two important factors as limiting the impact of conditionality as the “calculation of the costs of non-adaption and uncertain time frame within which adaptation will be rewarded”. In case of Turkey’s long-standing candidate position, the second factor becomes even stronger, where the questionable credibility of an unclear promise for membership is the case.

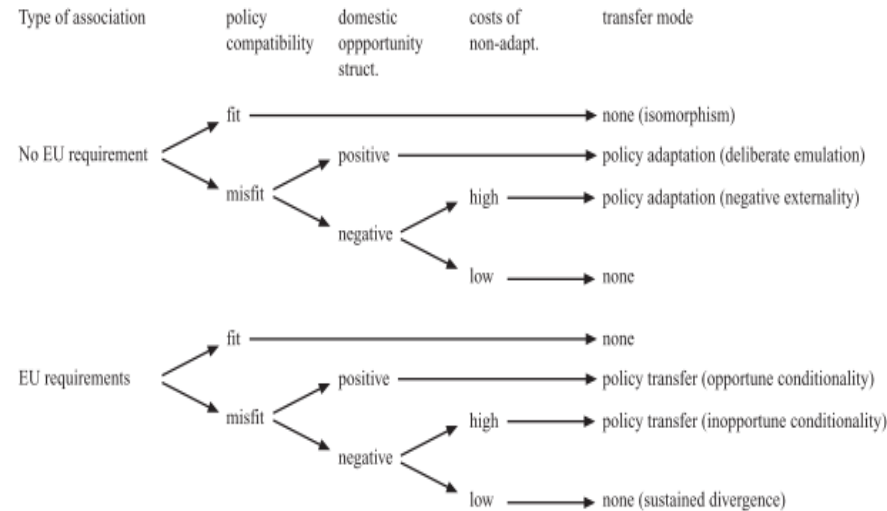


Figure 3.3: Dynamics and Forms of External Effects

Source: Sandra LAVENEX, S. and Emek UÇARER (2004). “The External Dimension of Europeanization: The Case of Immigration”, *Cooperation and Conflict*, No. 39: 417, pp. 417- 443, retrieved from <http://cac.sagepub.com/content/39/4/417> (Accessed on 07.07.2012).

In the case of immigration and asylum policy, the above-given frame becomes even more complicated. First the most integrated aspect of immigration policy appears as the

internal common market regime, which is mainly valid for the citizens of the MSs. However, in case of irregular migration from Turkey to Europe, the entry and stay of Third Country Nationals (TCNs) is a relatively new phenomenon, which has gradually evolved into a common priority concern in both EU institutions and the member states. This third country nationals' dimension brought to the forefront the cooperation aspect, which became visible in the European Council Meeting on the JHA in Tampere in 1999, where a Common European Asylum System (CEAS) dealt with embed migration issues within a broader context through the development of a comprehensive approach to migration addressing political issues, human rights, and development issues in countries of origin and transit.. As one of the source, destination and particularly transit countries, Turkey should be seen as an important actor in this external dimension. Following on from this, the definition and implementation of common action plans were prepared by the High Level Working Group on Asylum and Immigration (HLWG).

The EU use various instruments ranging from financial assistance to visa liberalization, and development aid and funds to improve infrastructures and conditions in reception centres as carrot for third countries (Dimulescu, 2011). It provides the training of coastal surveillance staff, the provision of electronic equipment, logistic support for the maritime security forces and joint patrols to enhance their border controls. These forms of external impact are realized through bilateral and multilateral external agreements and regional initiatives which are binding for the third countries.

3.3.4. Theories for the Meso and Local Level

Within this study the implications of the EU's immigration and asylum policy concerning irregular migration is examined at local levels, which are determined as the "gateway (interchangeably gateway cities can be used); but also on the migration related networks at meso level. Thus, this part of the theoretical framework is for both local and meso levels.

3.3.4.1. New Geographies as the Transnational Social Fields: Gateway Cities

To be able to carry out an ethnographic policy analysis, there was a need to define ‘social fields’. Since the study focuses on mainly irregular transit migration, Edirne and Izmir were chosen as the two most important gateway cities by referring to the multi-sited nature of the study. In addition, the study specifically focuses on ‘irregular transit migration from Turkey to Europe’, thus as the main exits for this movement, these cities carry utmost importance. Because of the above-mentioned emphasis on ‘location/space’, there is a need for theorizing the location and migration dimensions. Thus, the main aim of this part is to justify the selection of the two gateway cities as reflecting the existing theoretical background behind ‘space and migration’.

Concerning theorizing of location, specifically at urban level; we come across the (Transnational) Social Field Approach, Global Cities Hypothesis and Scale Theorists in relation to migration. But for all those approaches, fields, spaces or cities represent the ‘socio-institutional environments’, which are socially constructed and formed.

The two selected cities build bridges between macro and micro levels and should be examined within the global environment as well as in economic, social and political contexts and also in relation to micro level agencies: migrants. These locations supply formal and informal, local and transnational social networks; where migrants are also faced with the related policies and programmes’ implications in practice. Particularly, the gateway cities can be seen as special locations, where many irregular transit migrants stop over and are often trapped and where particular services and opportunities are available. Gateway cities are the special fields, where a multitude of networks converge and intersect so creating a wealth of opportunities for migrants. They supply transport and telecommunication systems, political and economic connections, but more importantly networks, which range from ethnic, family, religion, ideological and nationality relations. Thus, in these locations, migrants can have access to information, access to resources and be taken care of. Thus, they play a significant role for the sustainability of their migratory trajectories or survival strategies. In a nutshell, their

routes are shaped in a transit context, where the above-mentioned opportunities are offered by these cities so that migrants may have chance to cross the territory and reach their destinations. But, again we cannot isolate those cities from the broader transformation systems and globalization.

These special locations also supply social networks as will be discussed later on, where the social capital is embedded as an important source for the continuation of mobility and supplying migration-required resources to migrants as well as sources to survive (Bourdieu, 1986; Castles 2002; Wissink et al., 2013). Particularly, in case of irregular transit migration, since migrants cannot rely on state support, they have to wait until the next attempt in those special locations by relying on the networks that are available in those cities. In addition as Wissink et al. argue (2013: 7) those locations also have an impact on the migrants' perceptions of and strategies to cope with risks since in particular; irregular migration consists of a high level of risk. Among them mainly the migration related networks, which facilitate the mobilisation and supply fundamental needs for migrants during their waiting period; will be focused on.

Recently, contemporary discussions regarding globalization have been emphasizing the role of cities in migration, where the impacts of economic, social, political and cultural forces display themselves at these specific locations. As Brenner (2011: 23) frames, particularly "scaling of cities" appears as an important concept of modern capitalism that differentiates among local, regional, national, transnational and global geographical units and are historically produced, reorganized and contested. Since for the macro level the World System and Political Economy theories were adopted, the above-mentioned dimensions of the cities appear as an appropriate and matching theoretical frame.

In the existing literature, as the roots of these special 'social spaces', we should start with the "field" concept by Pierre Bourdieu and the Manchester school of anthropology. Actually, by "field", Bourdieu does not refer to a real psychical and geographical location; but the boundaries of a field refer to where social relationships are structured by power. Thus, it is not limited by the boundaries of a nation-state or a city. In this

regard, it can be briefly said that a “field” is seen as a setting in which agents and their social positions are located. The position of each particular agent in the field is a result of interaction between the specific rules of the field, agent's habitus and agent's capital (social, economic and cultural) (Bourdieu, 1984). Bourdieu uses the concept of field as a social arena in which migrants manoeuvre and struggle in pursuit of desirable resources to continue the mobilisation or to maintain their lives in the gateway cities. Most importantly he argues that fields interact with each other and with the larger field of power and class relations as is the case for gateway cities within the transit countries and the world system.

The most contemporary and migration-focused approach is supplied by Glick-Schiller and Çağlar (2004: 8) regarding ‘location’. They define ‘field’ as “a set of multiple interlocking networks of social relationships through which ideas, practices, and resources are unequally exchanged, organized, and transformed.” Similar to Bourdieu, they do not see national boundaries as necessary and they focus on transnational migration rather than those borders. Thus, the emphasis is on their function, which connects actors through direct and indirect relations across national borders. In parallel, Tsianos et al. (2009) add that the boundaries of a field are fluid, and despite the strict regulations by the national states, the borders have been crossed by migrants, who join in the struggle for social position. Concerning borders, similarly, Enrica Rigo (2005) argues that nation states’ control has been diminishing and she uses “de-territorialisation” of state sovereignty in certain cases, where the EU’s communitarisation and externalization approaches appear in the field of migration policies.

The above-mentioned challenge to the territorial borders of nation-state also takes us to another discussion, which is “methodological nationalism”. In order to understand the theorization of location, this concept should also be mentioned. Levitt and Glick-Schiller (2004) define methodological nationalism as the “tendency to accept the nation-state as its boundaries as a given in social analysis” (2004: 4). They also argue that the dramatic changes in the globalizing world have also challenged the nation-state

container theory of society. Similarly, Glick-Schiller and Çağlar (2008: 5) argue that methodological nationalism is “the study of social processes and historical processes as if they are contained within the borders of individual nation states” should be abandoned to be able to understand the rescaling of cities. The opposition to methodological nationalism is mainly adopted by the scholars, who focus on transnational perspective of migration (Glick-Schiller, 2004; Faist, 2000) and who argue that the lives and experience of migrants cannot be understood by looking only at what goes on within national boundaries, but instead what happens within transnational social fields. In this regard, Das and Poole (2004: 3) emphasize that there is a challenge to the long-standing image of the state as a rationalized administrative form of political organization. It can be seen also as a milestone for anthropologists, who have been mainly working “about the state”, particularly the problems of political anthropology were defined within the framework of the state. However, even though territorial and institutional boundaries of nation states are still dominant, there is a challenge to these boundaries. In particular, the targeted multi-levels of analysis within this study do not allow me to detach the focus from the nation-state, while examining the political implications.

Concerning social fields, the emergence of new destinations and routes has shaped new geographies of migration and cities take place among them as the sine qua non elements of the initiation and perpetuation of irregular transit migration. By departing from the notion of the “social field”, we come across the notion of a distinctive ‘urban question’, which was first raised by Manuel Castells’ s master piece *The Urban Question* (1972), which can be seen as the blueprint of the 1970s in this field. Castells argues that "urban" refers to the ideological apprehension of the collective reproduction of labour power in capitalist societies.

Castell approaches urban from two different aspects. The first one refers to its scale, which is the materiality of social process organized at this level; but not at the national or supranational ones. The second one refers not to the geographical dimension; but to the functional role of social content. Thus, the most important contribution of Castells

can be seen as not only approaching cities as spatial units; but also arguing that within capitalist cities, they have special functions.

Brenner (2000: 362) summarizes his approach as follows

On the one hand, the urban question refers to the role of cities as socio-spatial arenas in which the contradictions of capitalist development are continually produced and fought out. On the other hand, the urban question refers to the historically specific epistemic frameworks, through which capitalist cities are interpreted, whether in sociological analysis, in public discourse, in socio-political struggles or in everyday experience.

Furthermore, *the Urban Question* was supported by David Harvey's (1982, 1989) studies, where he approaches urban scale as a key geographical location for capitalist development. Briefly, it can be argued that Harvey examines cities as the smaller units for capitalist production and searched for micro models of capitalism in there. Thus, as it was mentioned previously, cities can be seen as the continuation of the core-periphery discussions. By matching the larger scale, city scale appears in harmony and with its own micro core-periphery division which takes place within the capitalist economy like the cells or micro-units of it.

The scale theory explains the role of gateway cities regarding irregular (transit) migration by arguing that all cities should be examined within the global system; but some of them should be positioned differently in terms of power relations. The theory does not focus on migrants; however still supplies important hints regarding migration and space. In this regard, Glick-Schiller and Çağlar (2008: 12) argue that "the relative positioning of a city within hierarchical fields of power may well lay the ground for the life-chances and incorporation opportunities of migrants locally and transnationally". They emphasize that the concept of scale fills the gap of the socio-spatial part within the migration studies concerning locality. Thus, it can be seen also as a tool for analysing the relations, dynamics, structures etc. within the cities. For example the competences of the city in terms of supplying employment opportunities, to get in contact with smuggling networks, access to informal and formal receiving services, the level of state

control, housing, facilities or being able to be invisible, transportation facilities ranging from the existence of railroad or harbours, level of cultural diversity etc.

For being able to theorize the ‘location and migration’, there is a need to examine the social construction of space. Glick-Schiller and Çağlar (2008: 1) argue that while theorizing social construction, it is necessary to address the “unequal global processes including migration that are transforming economies, institutions of power, and the patterning of social life in specific places”. While they criticize Castles and Miller (2003), they emphasize the missing dimension from their studies as the ignorance of how specific localities are differentially affected and the implications for migrants of different cities in relationship to global restructuring.

Concerning the ‘migration and city’ dialogue, we come across the first studies in the 1980s. In general, those studies approached ‘city and migration’ from a globalization perspective and mainly the economic dimension has been focused on. The commonly used terminology for those locations is ‘global or world cities’ as a part of the Global Cities Hypothesis.

Important representatives of this approach can be identified as Peter Hall (1984²⁰) in *the World City Hypothesis*, John Friedmann (1986) in *the World City Hypothesis* and Saskia Sassen (1991) in *the Global City*. As the pioneer, Hall focuses on eight cities²¹ by questioning how to accommodate the additional population resulting from the demographic growth of cities (but not focusing on migration directly), which affects those cities’ spatial structures resulting in a need for city and regional planning to create satisfactory outcomes. Thus, it can be argued that he was examining the impact of population movement on those cities by focusing on their functional capabilities in terms of finance, technology, communications, politics and city planning.

²⁰ First published in 1966, as following in 1977 and the third edition was published in 1984.

²¹ London, Paris, Randstad Holland, Moscow, New York, Hong Kong, Tokyo and Mexico City

Hall was followed by John Friedmann (1986). He came from a more Marxian point of view, claiming that cities are the products of specific social forces set in motion by capitalism and the capitalist relations of production. He argues that structural changes in cities are related to the need for integration into the world economy. Friedmann also examines their function in the structure and dynamics of their production sectors and employment. In this regard, New York, Paris and the other cities that he selected are examined in terms of their concentration of corporate headquarters, international finance, and global transport/communications, high level business services to low wage labour forces. Briefly, Friedmann essentially provides a pattern of world cities and mainly focuses on power relations in terms of controlling capital, multinational corporations, and international institutions. For him, global cities are the places, where concentration and accumulation of international capital occurs; but the spatial and class polarization continues like the rule of capitalism.

Saskia Sassen outlines a process of global city formation with detailed consideration of the agents (refers to firms in particular sectors), who create global cities through their work. In *The Global City* (1991), she explains why global cities are witnessing large-scale immigration and why this necessarily involves increasing income and occupational polarisation. She claims that so-called “producer services”, which can be seen as law, accountancy, management and financial consulting etc. drive immigration through a demand for low-paid jobs. Sassen also argues that Third World immigration does not lead to the “informalisation” of global city economies, but “informalisation”. In this regards, like the general position of the Global City Hypothesis, we can find similarities with the Dual Economy Theory; because there is an emphasis on the fragmentation of markets (for goods, for labour etc.), where some of immigrants and ethnic minorities have no access. In addition, Sassen (2002) emphasizes that global cities are witnessing large-scale immigration and the population concerned are involved in increasing income and occupational polarisation, which can also be found in both world system and dual-market approaches.

Within the existing literature, the definition of gateway cities comes from Glick-Schiller and Çağlar (2008). They approach these cities as “containing a combination of historical and opportunity factors that attract a large proportions of new migrants” (pp. 11). They argue that these cities appear as mainly transit hubs before the settlement in global cities, and sometime global cities take place within the list of gateway cities. As a concrete example, Berlin is displayed as not a global city but a city of initial migrant settlement and also clustering acquired a stable place. In this regard, the gateway cities appear as the main entrance cities such as Van, Hatay etc. in Turkey, and İstanbul can be categorized as both a gateway and global city. In addition, Edirne and Izmir are approached as gateway cities in terms of irregular migration from Turkey to Europe. Instead of “gateway city” also ‘transit or exit cities’ can be used for these special locations.

Gateway cities are places, where a multitude of networks converge and intersect, thus creating a wealth of opportunities for migrants. With the help of these social networks, migrants reach particular locations or get information, access resources and are taken care of. Thus, they play a significant role in the sustainability of their migratory trajectories or survival strategies. In a nutshell, their routes are shaped, where the above-mentioned opportunities are offered by these cities so that migrants may have the chance to cross the territory and reach their destinations. But, again we cannot isolate these cities from the broader transformation systems and globalization; because transit hubs also represent the dynamism and transition between different migration categories. In addition, they supply alternative approaches to ‘before and after migration’ studies. The first group of case studies focus on the first stage of migration, which starts from the country of origin and the reasons for flight are analysed; while the second group focuses on the country of destination and the experience of integration or exclusion are studied (Papadopoulou, 2005). However, since these trajectories are not linear as it is assumed, there is a missing part between these two ends, which has the capacity to impact on the intended routes. In most of the cases, “the final destination may or may not become the final destination depending on various factors and circumstances in a person’s life” (Papadopoulou- Kourkoula, 2008: 2). It is a fact that not all transit

migrants in a hub for transit migration are determined to engage in a dangerous or even life threatening journey to reach Europe, in some cases they change their first intention or prefer to extend their stay in the transit country. Thus, perpetuation and process of migration are important as much as the initiation (before) and integration (after) processes. In this framework, Edirne and Izmir as two gateway cities are examined in terms of their roles concerning irregular migration and also in terms of the implications of the EU's concerning policies.

3.3.4.2. Theoretical Background for 'Social Networks' and Adopted New Conceptual Framework

Despite the studies on social networks and social capital in the home and destinations countries, those networks and their roles in transit countries; but particularly in gateway cities are less studied. Thus, there is a need to examine the role of social networks in terms of location-specific social capital.

During the field research at the local level, besides the main independent variables, which were determined as the macro level policies in this field; the intervening variables, "sending" and "receiving" networks (Faist, 1997) should be analysed in relation to the EU's policies implications on them. As Pessar (cited in Koser-Akçapar, 2009: 170), argues anthropology is concerned with theorizing the relationship between structure and agency and this ethnography of policy analysis also aims to use social networks as interlinking units of analysis between the macro and micro levels.

They can be seen as the results of the relevant policies as well as they supply a better understanding of how irregular migration flows are perpetuated despite the examined restrictive immigration policies, which create constrains for them (Brettell, 2000). But, since some of those can be seen as the results of these policies, they can also be reasons for change in the organization of social networks; while those networks can also create change for those policies as well. Therefore, these networks are not static structures; but are highly affected by the EU's and Turkey's immigration and asylum policies,

transnationalism and globalization, and other place-specific features like Turkey's location bridging East and West, having geographical limitation for the CRSR (1951) etc. (Koser-Akçapar, 2009: 161). Also, those networks function by supplying fundamental needs for migrants such as accommodation, food, health, employment, continuation of mobilisation etc.

Among the existing theoretical approach, the most appropriate one appears to be the Social Network and Social Capital Theory. As the main theoretical frame, basically the Social Network Theory highlights the importance of networks in international migration. Once these networks are established, they can facilitate and perpetuate the migration process.

The Theory argues that social networks can only operate through social capital, which is a widely applied concept in studies on social relations by referring to connections within and between social networks. As first, we come across L. J. Hanifan's definition of "social capital" as follows:

I do not refer to real estate, or to personal property or to cold cash, but rather to that in life which tends to make these tangible substances count for most in the daily lives of people, namely, goodwill, fellowship, mutual sympathy and social intercourse among a group of individuals and families who make up a social unit... If he may come into contact with his neighbour, and they with other neighbours, there will be an accumulation of social capital, which may immediately satisfy his social needs and which may bear a social potentiality sufficient to the substantial improvement of living conditions in the whole community. The community as a whole will benefit by the cooperation of all its parts, while the individual will find in his associations the advantages of the help, the sympathy, and the fellowship of his neighbours (Hanifan, 1916: 130- 131).

Bourdieu used the term in the *Outline of a Theory of Practice* (1972) "as the aggregate of the actual or potential resources, which are linked to the possession of a durable network of more or less institutionalized relationships of mutual acquaintance or recognition" (1985: 248). As Bourdieu (Ibid.) suggests, there is a need to distinguish social capital from the economic, symbolic and cultural capital. It can be said that Bourdieu was searching for the ways society is produced; but the explanation that was based mainly on the economy was not satisfying for him. Even though, they have ability

to explain a lot, they cannot fill some gaps in the social dimension. In this regard, Bourdieu developed an alternative path for finding the roots of society. The below given quotation supplies a framework for his understanding of “capital” as follows:

A general science of the economy of practices that does not artificially limit itself to those practices that are socially recognized as economic must endeavour to grasp capital, that ‘energy of social physics’... in all of its different forms... I have shown that capital presents itself under three fundamental species (each with its own subtypes), namely, economic capital, cultural capital, and social capital (Bourdieu, in Bourdieu & Wacquant, 1992: 118–9).

Bourdieu also supplies the definition of “social capital” by following Hanifan and pioneering much of the scholastic work in this field: “Social capital is the sum of the resources, actual or virtual, that accrue to an individual or a group by virtue of possessing a durable network of more or less institutionalized relationships of mutual acquaintance and recognition (Bourdieu, in Bourdieu & Wacquant, 1992: 119). With the same motivation Coleman (1988: 39) approaches “social capital” by defining it as an important resource for individuals, which “...may affect greatly their ability to act and their perceived quality of life. They have the capability of bringing it into being. As Bourdieu’s and Coleman’s contemporary scholar, who also contributed to the existing literature on social capital, Robert Putnam (cited in Siisiainen, 2000: 2) argues that social capital has three sine qua non components; “moral obligations and norms, social values (especially trust) and social networks (especially voluntary associations)”. But unlike the other two social capital scholars, he emphasizes the importance of location, where a well-functioning economic system and a high level of political integration exist as the precondition for accumulation of social capital. In this regard, he associates ‘location’, which has specific characteristic as it was discussed under the Global Cities Hypothesis and ‘social capital’.

In parallel, to the above-given definitions, Meyerson (1994) defines “social capital” as the collection of valuable relationships that a person has accumulated over time. On the basis of those definitions, social capital is briefly the sum of actual or virtual resources that accrue to an individual or a group by possessing a durable network of institutional relationships. As the other scholars emphasize, people gain access to social capital

through membership of networks. Similarly, as the pioneer scholar, who applied social networks and social capital to the field of migration, Massey (et al., 1998: 43) states that “Network connections constitute a form of social capital that people can draw upon to gain access to various kinds of financial capital: foreign employment, high wages, and the possibility of accumulating savings and sending remittances”. Similar to Bourdieu’s (1985) categorization for social capital as in economic, symbolic or cultural forms; Castles (2010a, 2010b) defines cultural capital as the knowledge of other cultures and societies. The information concerning migration pathways, migration policy and procedures of the host and destination countries, the accessible institutions on their migration trajectories can also be covered as a part of this cultural capital like Portes (1998) argues. In fact, in the case of irregular transit migrants; the information that is learnt from the other migrants can be vital; because migrants are able to learn opportunities, for example, related to transportation, accommodation or illegal border passing from the interaction with previous migrants as well as the social networks that they have access to. During their journey migrants ask for help from different actors within their migration network such as smugglers, civil society organizations, service providers etc.

It can be said that the Social Network Approach supplies an integrated theory by including different variables ranging from economic, social and cultural) at multi-levels, namely macro, micro and meso. As it will be displayed later on through the findings of the field research, particularly for irregular migration the EU as well as other countries face difficulties to control this type of migration; because of the above-mentioned process of institutionalization. Concerning their functions, Crisp (2005) defines three main functions of social networks in relation to irregular migration. As mentioned above, first of all these networks can act an important sources of information by providing details on issues such as transport arrangements, entry requirements, asylum procedures and social welfare benefits, as well as the detention and deportation policies of different destination states. Secondly, these networks provide a means of mobilization, which varies from access to financial resources to working with smugglers. Concerning this study, according to this function, sending networks

(Mobility facilitating networks) will be focused on. Thirdly, these networks can provide an organizational infrastructure. Crisp argues that these function can be employed both for facilitation of mobilisation but also as the reception conditions' facilitators. He states that particularly if the movement has irregular character, this function gains importance. Indeed, in case of irregular migration, migrants have to move within a highly fragmented structure and they need to be supported and facilitated by numerous social networks ranging from their relatives, service providers or civil society organizations working in this field. Therefore, the EU's policies as well as Turkey's policies concerning irregular migration do not only affect migrants; but also the above-mentioned networks.

Briefly, it can be said that in the Social Network Theory, migration is seen as embedded in a series of political, ethnic, familial and communal relationships, environments, crossing borders etc. Thus, it seems appropriate to the trans-border character of irregular migration as occurring in more than one national context. Also as Gold (2005) argues, network approaches understand migration as a collective process shaped by both agency and structure as it is argued by this study, which also challenges the 'agency versus structure' dichotomy. Today, due to the extension of networks, social networks have become more institutionalised and independent of the initial factors. They also challenge the margins of the states.

At this stage, I would like to focus on Thomas Faist's approach in terms of social networks, which is adopted as the main approach for this study; while the developed conceptualization is also based on his approach. Faist defines social networks as follows:

Network patterns of ties comprise social, economic, political networks of interaction, as well as collectives such as groups- kinship groups or communities- and private or public associations. Network is a concept or strategy to study how resources, goods and ideas flow through particular configurations of social and symbolic ties (Faist, 2000: 51- 52).

In the light of the above-given definition, Faist categorises networks as can be seen from the table given below.

Table 3.8. Networks of Movers and Stayers and Organizations in International Migration

NETWORKS OF MOVERS AND STAYERS AND ORGANISATIONS	
<p>Sending Networks: Aid with travel arrangements, financial support, etc.</p> <ul style="list-style-type: none"> • Illegal intermediaries (e.g. smugglers) 	<ul style="list-style-type: none"> • Elite institutional networks (e.g. transnational corporations) • Legal/extra-legal agencies (e.g. recruitment bureaus) • State labour recruitment (e.g. national labour offices) • Refugee-aid organisations (e.g. UNHCR and privately sponsored associations)
<p>Receiving Networks: Aid with legal systems, housing capital for enterprises, language training</p>	<ul style="list-style-type: none"> • Support associations in the receiving country • (e.g. human-rights organisations)

Source: Thomas FAIST (1997). “The Crucial Meso-Level”, in International Migration, Immobility and Development edited by T. HAMMAR et al., Berg Press, the Great Britain, pp. 208.

Following on from this table, Faist argues that once “the number of network connections reaches a certain level, international movement become self-perpetuating; because they create the social structure necessary to sustain them” (Faist, 1997: 209). In this regard, after reaching a certain number, they become more institutionalised and independent of initial factors affecting irregular migration and the policies in this field. Faist states that “the more immigrants of a given place and state in the destination region, the more want to come. It takes time to develop the chain and this is the reason why we see it fully-fledged only in later phases of international migration” (1997: 209). Similarly, as much as the number of irregular transit migrants increases, more and more would like to follow the same routes and use the well-established “sending and receiving networks”, but because of the illegibility of the movement they can’t. However, as soon as it became visible and blocked by measures and controlling mechanisms, new strategies and networks are developed or the routes changes. For example, in case of Izmir and Basmane, during 2007- 2010 the numbers were extremely high and according to the respondents as it will be discussed later on, all the hotels in that district were fully booked as a consequence of the above-mentioned Faist’s argument; because of the measures that have been taken by the law enforcement institutions, the route had to change its path. At this stage Edirne was passed the flag;

but by mid-2012, again because of the same reasons, the numbers had greatly increased (daily average apprehensions were 300 at the BCPs and inside the city), then controls were increased. Greece built a fence, the EU deployed FRONTEX at the external borders; thus, again the migration path turned to the Aegean Sea.

Those networks at the local level were categorized as “sending” and “receiving” networks by Faist (2010). It should be stated that networks for irregular migration appears to be quite different compared to the networks for regular migration in terms of Faist’s categorization; but also with significant similarities. Thus, with this research new categories for the network dimension are created and the field study was carried out according to this categorization.

Faist refers to the networks in country of origin and destination by “networks of movers and stayers”; however in transit countries and particularly in gateway cities, there are special networks, which facilitate mobilisation and also reception conditions for migrants. As much as in the case of irregular transit migrants, these networks are also affected by macro level policies; but also affect the implementation of those policies. At the local level, particularly illegal intermediaries are categorized as ‘Mobilisation Facilitating Networks- MFNs’ when referring to Faist’s “sending networks”. In this regard, both in Edirne and Izmir, 8 smugglers were interviewed in order to understand the impact of the policies concerned. For example civil society organizations, hotels, internet cafes, mosques etc. appear as the representative organisations of “receiving networks” of Faist’s suggestion, which are re-named as ‘Reception Facilitating Networks- RFNs’. It should be stated that there are transitions between these categories. For example as the MFNs, smugglers supply reception conditions for irregular transit migrants, such as accommodation, food, health services, communication facilities etc. As based on the findings in the selected cities, it was seen that smugglers supplied all the above-mentioned facilities for irregular migrants as their clients. It can be seen as a full package, which covers accommodation, food, supply of health service in case of any emergency along with transportation, all as a part of “RFNs”. On the other hand some of the RFNs supplies sending facilities. For example as the representative

institution of this category, hotel owners work with smugglers or they undertake the smuggling function as well. Or some civil society organizations, particularly in case of asylum applications, undertake the sending role for resettlement in the third safe countries. Since many of them have been accused of working in collaboration with smugglers, the 'asylum' dimension should be insistently re-emphasized. However as it was previously explained, under the 'asylum and irregular migration' nexus; asylum seekers and refugees can fall into irregular status or because of problems within the asylum system, they may have to apply to irregular ways. The role of geographical limitation appears as one of the driving forces at least for non-European asylum seekers to reach a country where refugee status can be obtained.

Faist also categorizes state institutions under sending and receiving networks. In case of irregular migration, this approach can create problems. Because the role of the state is not as he pictures for "state labour recruitment organizations" as functioning labour offices or recruitment bureaus for labour migration; but rather to combat, control and manage irregular (transit) migration. Thus, at the local level policy implementers, local government and the law enforcement forces appears as also as important actors as much as sending and receiving networks. As it was examined at the macro level, those local actors' interpretations and implementations are important for being able to understand the impact of the policies concerned. Faist (Ibid.) argues that the existing theories focus on only movers, not the stayers and he emphasizes also some stayers "who once make a move shuttle back and forth, or become stayers again, be it in the countries of origin or destination" (1997: 187). However, the direction of 'moving' is not always as it is planned or desired in the case of irregular migration; but may end with deportation of irregular migrants. In this regard, in relation to "sending networks", those state institutions mainly function as blocking mobilisation and sometimes 'sending back'. Some of those state institutions also take the role of receiving networks. For example following apprehensions, removal centres supply accommodation facilities or removal centres. In addition, as could be seen in Edirne and Izmir, some of the state institutions supply informal reception facilities for irregular migrants, regardless of their illegal status. Therefore unlike Faist's categorization, also 'local authorities' are added.

As the researcher I am aware that “sending” and “receiving” networks are conceived in the sending and receiving countries; however Faist does not recognise the transit countries. However, in those countries, specifically in gateway cities for this research; there are also receiving and sending networks. It should be noted that because of the long waiting periods ranging from couple of months to years, receiving networks function as they are in receiving countries despite the ‘illegibility’ dimension. In addition, sending networks function as they facilitate the mobilisation and perpetuation of the movement. Regardless of their location, in terms of their function, the networks that are supplied in Edirne and Izmir perfectly fit into the categories that are supplied by Faist; however because of the potential confusion, they will be given different names in this study.

Faist’s approach is also criticized; because of the exclusion of transitions between categories and also the role of transit countries and cities in regard to location. Within this research these deficiencies were challenged. It is argued that as much as the location, these networks are also important for irregular migrants and the perpetuation of this type of movement. Representative of those networks at local level are also affected by the macro level policies and being able to analyse the impact of these policies, therefore, examination of them appears necessary because the implications of the policies cannot be isolated from implementations and those social networks take active roles in the process along with the local level policy implementers.

In the light of the above-given framework, the meso level networks in relation to irregular migration are renamed and re-determined as follows:

1. **Mobility Facilitating Networks (MFNs, refers to Faist’s “sending networks”):**

These networks support continuation of irregular transit migration through transit countries to the destination countries. In some cases, receiving networks can undertake this function as well, particularly in the case of the asylum and irregular migration nexus. In the case of irregular migration, unless there is a connection with the asylum application those networks appear as informal and illegal.

2. **Reception Facilitating Networks (RFNs, refers to Faist's "sending networks")**: In the absence of reception conditions, these networks undertake services in terms of providing access to legal systems, accommodation, health, employment (mainly in informal sectors), communication etc.

In addition to those networks, the local authorities (governmental and also law enforcement bodies) appear as the local policy implementers at the provincial (urban) level. As it was discussed they function as blocking mobilisation through expulsion/deporting of irregular migrants back to their home countries; but in some cases, particularly in the case of asylum applications they also undertake the 'receiving role'. In regard to the macro level respondents, those institutions and their representatives carry utmost importance. It should be also emphasized that besides the above-mentioned function, those networks have also a significant function for this research to supply access to irregular migrants; because of its conceptualization it was difficult to reach irregular transit migrants in Edirne and Izmir. They are extremely temporary and would like to be invisible because of their 'irregular' position. Thus, only with the help of the local networks, could I manage to reach the respondent migrants for this research.

In the case of irregular transit migration, where social capital cannot be used, local assets become part of this type of movement. Since, social capital is not internationally transferable, adaptation in the transit country proceeds on a new level, which is determined as transnational social spaces by Faist (2000: 17) and in this dissertation as transit cities. Within these cities, Faist defines social capital as a "transnational transmission belt", which can only be used with the support of local assets. On the one hand, it functions as the resources and strategies of migrants, which can be mobilized through ties and on the other hand, properties of co-operation in networks. This alternative definition of social capital makes it transferable and convertible by migrants across transnational borders. Briefly, it can be argued that social capital both works at local level and functions as a "transmission belt" in migrant networks at transnational level. Thus, the connection between locality and social network is provided.

Finally, before completing the theoretical dimension of the study at meso level, I would like to mention the Institutional Theory, which mainly focuses on the macro-level process and perpetuation of migration as a result of both formal and illegal migration circuits and organizations dealing with undocumented migrants. According to the Institutional Theory, a large inflow of international migrants induces profit and non-profit organisations, which can be illegal or legal, to provide for instance clandestine transport, labour contracts, legal advice, accommodation etc. (Massey et al., 1993). In fact, there is a link between the World System Theory, because it argues that global capital searches for new markets and new ways for accumulation in semi-peripheral and peripheral areas; and new actors emerge in these new markets, where ‘social capital’ is also exchanged. Wallerstein (1974) defines the mechanism as historical capitalism, which is a system of endless accumulation of capital. The drive behind o this accumulation has forced capitalist countries to search for new natural resources, new low-cost labour and new outlets. However, this mechanism does not only work at macro level, but also at meso level, there is a need for other actors. At this point, Institutional Theory comes to the stage; because in order to perpetuate low-cost labour and to feed new sectors such as illegal channels, international migration induces those institutions. In this framework, protective and selective policies of the EU become more meaningful. At the beginning of this chapter, (irregular) transit migration had been defined as highly politicized, and also based on securitisation and economisation concepts. Thus, semi-peripheral countries function as the net for unwanted migration; however semi-peripheral countries and the new transnational social spaces use this type of migration both as low-cost labour and also to feed alternative markets.

In this regard, even though the selected networks are allocated under the Social Network Theory part, they should be re-mentioned under this part as well. Institutional theory discusses the role of private institutions and voluntary organizations that step in to assist the migration process; they become known by migrants and constitute another form of social capital as they become institutionalized. Those structural actors are defined as “rules and resources, recursively implicated in the reproduction of social systems, which includes the rules that governs society” (Giddens, 1984: 377); social institutions

compromise norms, values and attitudes. They often manifest themselves in traditions and cultural practices that are performed by the members of a society. In this regard, they refer to modes of discourse. By providing the use of power, regulating the distribution of goods and services, transmitting knowledge, social institutions appear as material sources for information, rights and duties, migration and asylum policies and numerous other entities that migrants are faced with. Turner (1997) defines social institutions as follows

...complex positions, roles, norms and values lodged in particular types of social structures and organising relatively stable patterns of human activity with respect to fundamental problems in producing life-sustaining resources, in producing individuals, and in sustaining viable societal structures within a given environment (Turner, 1997: 75).

In this framework, the above-mentioned dimensions are defined as the socio-institutional environment, which refers to ‘structure’ that migrants interact with. Thus, migration is not solely based on the decision of individuals, households or community dynamics, but also historical experiences and institutions.

3.3.5. Theories for the Micro Level

For the micro level mainly the ‘Social Network’ Theory is employed and during the interviews with irregular migrants, as well as the Structuration Theory. Since the former one is also part of the meso level, it has already been discussed.

As a consequence of the interaction between agency migrants and the above-mentioned structures, opportunity cost and risk perceptions and risk-coping strategies change by causing further change in migration decisions. In the case of their further migration as transit migrants, their possible journeys can have different levels of risk depending on the possible options. Information about risks and access to that information appears as one of the important part of the social capital of migrants. The existing realities may display themselves as macro and meso level variables; however, in order to understand irregular transit migration, it is important to examine the perceptions and risk-coping

strategies of migrants. Because, it is a fact that even though people are aware of the risks they might face by strategizing migration goals, available social and material resources, aspirations for advancement and the perception of informational resources affect their willingness to accept these risks.

It should be stated sometimes despite the high level of risk and even risk of losing their lives, migrants continue their journey. In this regard, macro and meso level factors remain inadequate to explain irregular transit migration. Without a doubt, the societal and structural conditions in the European and Non-European countries, domestic policy and border regime have an impact on the decision for further migration. However, within this study it is argued that there are no static conditions and the below given fixed assumptions remain inadequate to explain the transit migration process.

Regarding the cross-border movement of migrants, Düvell (2008) supplies the following diagram, which displays the external factors and the migrants' decisions.

Table 3.9. External Factors and Decision to Migrate

		EUROPEAN UNION	
		Closed Border	Open Border
NON-EU COUNTRIES	Favourable Legal and Social Conditions	Almost all stay	Majority stays, minority moves on
	Adverse Legal and Social Conditions	Some stay Some migrate illegally Some return	Almost all move on

Source: Frank DUVELL, (2008). "Transit Migration in Europe", Presentation of "First Conference on Irregular Migration" on 18-19 June 2008, Tripoli, retrieved from <http://www.cespi.it/PDF/Libia-D%C3%BCvell.pdf> (Accessed on 07.07.2011)

The above given table and particularly the highlighted box supplies a road map for this study. As one of the non-EU country, where borders are closed, as having adverse legal and social conditions, Turkey hosts transit migrants, who stay, migrate illegally or

return. Thus, briefly, it can be said that the legal and social conditions and the role of agency will be analysed in order to understand the ones who, stay, migrate onward or turn back.

In addition to the Social Network Theory, also Structuration Theory has the capacity to help us understand irregular transit migration in the transnational new world order. It mainly argues that both individual and societal forces are influential on the constitution of society and incorporates this into one explanation. This theory should be seen as an approach rather than a theory, which brings together both macro and micro influences of the migration decision making process. It can be argued that from individual to structural through the contribution of social networks, this approach gives a place to the transition in between these two levels; because, the existence of social networks can be seen as the gates, where knowledgeable and capable agents have access to structures. These networks provide the opportunity for migrants to access information and affect their decision to move further or not. While all actions are intentional or have some purposes as Giddens argues (1984), they are also not free from the impact of structure. In Giddensian theory, individuals as having agency, make cost-benefit analysis in order to make decision. If the benefit is higher than the cost, the action will be undertaken. Thus, risk perceptions and risk coping strategies seems to be at the micro level, however, they appear as the results of external structures. However, this assumption does not claim that those individuals have perfect knowledge, since they do not have the opportunity to access to information at all times. Thus, Giddens (1984: 282) adds that agency may have unintended actions. To be able to understand “unintended actions”, Giddens suggest looking at the results, instead of the original intentions. In the case of transit migrants, who try to cross the Aegean Sea to reach a Greek island for access to Europe may end up losing their beloved child during this hazardous journey. However, the original intention of this journey may be to secure his/her child’s future, to escape from a civil war or conflict, or to escape from famine. Then, the original intention may appear with an unintended result at the end. However, even though, it is an unintended part of their action, the risk perception and risk coping strategies are important. From a

different aspect, we can see this unintended result as a wrong calculation of cost-benefit assumptions, where the cost becomes higher than the benefit.

On the other hand, structure also does not hold the entire power, but as Giddens (1984) argues there is a “duality of structure”, which is both produced and reproduced within a continuum, thus he conceives structure as a dynamic entity. “The theory of structuration involves that of the duality of structure, which relates to the fundamentally recursive character of social life and expresses the mutual dependence of structure and agency” (1979: 69). According to him, structure is “rules and resources, recursively implicated in the reproduction of social systems, which includes the rules that governs society (1984: 377). On the other hand, he defines system as “the relationship between individuals and groups of actors”, thus, in the case of a migration decision; systems have an effect on the decision-making processes as a part of structure. Finally, he argues that structuration is “the continuity or transformation of structures”, within the above-given dynamism and continuum. The “Dialectic of Control” can be seen as the structuration process itself.

As a part of Giddensian theory, time and space have importance. Thus, location of the transit country and being in a hub for transit countries are meaningful for impacting the decision-making for migration, or whether to migrate further. On the other hand, the time dimension refers to his approach to history and the place-specific characteristic of the location. In the light of Giddensian theory, it is necessary to review migration from both the individual and societal perspectives. Through the interaction with socio-institutional environments, migrants retrieve social capital, which is needed for new migration initiatives. However, this interaction does not only contribute social capital but also changes their risk perceptions and risk-coping strategies in a positive or negative manner.

CHAPTER 4

EXTERNALIZATION OF THE EUROPEAN UNION'S IMMIGRATION AND ASYLUM POLICY CONCERNING 'IRREGULAR MIGRATION'

As stated in the introduction, this study focuses on the EU's immigration and asylum policy concerning 'irregular migration' and its implications for Turkey. Since the study is designed as a 'multi-level and multi-sited policy analysis', the above-mentioned impact is analysed at macro, meso and micro levels.

In parallel to the adopted multi-level of analysis, Geddes (2009) also argues that the EU's immigration and asylum policy has a "multi-level" and "multi-dimensional" character. He claims that it is multi-level, because ranging from supranational to international level; the policy-making process has different levels. In addition, the EU policies concerning irregular migration consists of more than just measures aimed specifically at irregular immigrants. By referring to the conceptualization part; migrants, who do not satisfy the conditions for legality, or fall between provisions, are considered as irregular. Thus, when the EU takes any type of action that regulates in one way or another legal migration stocks and flows, or gives a set of rights to a particular group of people, it indirectly affects irregular migration as well. Thus, it is quite difficult to isolate 'irregular migration' policies from 'immigration and asylum' policies.

Within this chapter, the EU's immigration and asylum policy and its implications will be examined with a special focus on 'irregular migration'. Within this framework selective action and policy areas, such as 'visa policy', 'border management', 'return policy and readmission agreements' etc., are focused on, in order to examine the impact of the EU policies in Turkey, which mainly refers to the 'remote control approach' rather than the 'root causes approach' as well as 'pre-entry', 'entry' and 'during stay' procedures.

Illies (2009) categorizes two main approaches of the EU in terms of migration. The first approach refers to a long-term strategy that is based on trade and development agreements with a third part for eradicating the root causes of both legal and irregular migration (root causes approach). In other words, it addresses and focuses on the circumstances by which people immigrate in the first place as the “push factors” in international migration. Briefly, it can be seen as the development of the sending countries being a key element for preventing irregular immigration by improving conditions in the countries of origin. The second strategy appears as more medium or short term measures, which can also be seen as a “control-oriented” and mainly “remote control-based” approach. Within this study, it is argued that particularly the second type of strategy is more valid for the EU’s actions. Boswell (2003) and Soykan (2010) argue that unlike the above-mentioned categorization, the externalization of immigration policy mainly in the field of ‘irregular migration’ can be analysed with two main components. The first one refers to Illies’s second category: the classical migration control instruments for sending or transit countries outside the EU incorporating different tools such as border control measures to fight illegal migration, smuggling and trafficking or the capacity building of asylum systems and migration management systems in transit countries. Geddes argues that “if a state is primarily understood as a transit country, this has important consequences for its relationship to the EU migration policy framework (2009: 16). Thus, with its ‘transit country’ status, the EU the first competent seems perfectly adopted for Turkey by the EU. The second component refers to return policy, which employs mainly the readmission agreements with third countries. Again, in case of Turkey, it can be easily said that the readmission agreement with the EU constitutes an important part of the recent membership negotiations with the EU. The above given argument is also supported by the comprehensive research project funded by the European Commission. The European Migration Network (EMN) also argues with its “Practical Measures to Reduce Irregular Migration” Project that the EU policy in the field of irregular migration mainly focuses on “return, as well as on border control, although specific legislation also focuses on stay and work” (EMN, 2012: 12).

However, it can be argued that regarding restrictive migration policies, as also Geddes (2009) argues, neither for the EU nor the member or non-MSs, 'zero migration' is possible. Sassen (2007) also adds that 'total control' can be seen as largely symbolic and irrelevant within the global sphere in terms of control and regular international migration. Geddes argues that in Sassen's sociology of globalisation; elected governments in the European states still adhere to regulatory control policies (Sassen cited in Geddes, 2009). At this stage, we come across a conjunction between the macro and meso levels, where the study contributes to the existing literature with the empirical findings. This transition becomes clear particularly through borders and their management. In this regard, as the controller of borders, states are still powerful, but their sovereignty has been eroded. The perfect expression of this again comes from Geddes (2009: 13), as "borders still keep out intruders, but at other times they are more porous". Within this study, without ignoring the impacts of macro level policies, through the gateway cities, which represent Geddes's "porous" entities, the study will focus on the role of these cities, where the dilemmas of migration policy across the societal and the international borders appears. Borders give meaning to international migration as a distinct social process. Within this study, borders are examined with the selected two gateway and border cities.

Gateway cities can be approached from a spatial dimension. The relationship between various types of flow across those borders challenges the sovereignty of states by the thinning out of their borders as a result of global flows, where complex interchanges between state actors, sending and receiving networks and groups of citizens as well as migrants as movers and stayers take place. They can also be seen as the "seamless web" of international migration, which is resided on the boundary between the societal and the international. Geddes (2009) classifies borders as "territorial", "organizational" and "conceptual borders". Within this study, gateway cities refers to territorial borders as land and sea ports of entry (Edirne and Izmir); but they are also "organisational" borders where irregular transit migration displays both self-sustaining and self-undermining characteristics. Finally, borders are where migrants come across "conceptual" borders particularly where they come across the existing discourse regarding 'migration' or

more specifically ‘irregular migration’ such as “illegal, clandestine, fugitives, traitors in their home countries, terrorists, criminals” etc.

Migration and particularly ‘irregular migration’ has become one of the most dynamic areas as well as an issue of very high concern in the EU policy-making of the past two and even three decades. In parallel to this increasing importance, the EU’s immigration and asylum policy has undergone a dramatic change. As Lavenex (2006) pointed out, the shift “upwards” towards cooperation among MSs was stimulated less by the goal of a truly supranational migration policy (Lavenex 2006). Instead, migration has become a part of foreign policy and was sustained as an external dimension of the EU cooperation in justice and home affairs (Boswell 2003: 619). This was an easy manoeuvre for the EU rather than a harmonization or a comprehensive approach, both of which necessitate compromising national asylum and immigration systems. With the concern for controlling common borders, the immigration and asylum policy rapidly turned into an external area focusing on the border controls along with security issues, such as organized crime, terrorism, human smuggling and trafficking. In fact, this policy area can be seen as the continuation of a security policy (Niemann, 2013; Gökalp-Aras and Şahin-Mencütek, forthcoming).

Concerning this external dimension, the EU should be seen as a direct driver of institutional change in Turkey, like other candidate countries and even non-EU countries. It has been intensively argued that except for the early changes in asylum policies in the mid-1990s as a direct consequence of mass influxes to Turkey; the central role played by the EU in this process of reforming Turkey’s immigration and asylum policy was reflected by the extensive amount of research (Lavenex, 2002; Kirişçi 2003 and 2007a; Kale, 2005; Çiçekli, 2006; İçduygu, 2011b; Tolay, 2012). In general the EU’s immigration and asylum policy, in particular its restrictive legislative and administrative measures against irregular migration, has a major impact on Turkey’s policies in this field through Turkey’s status as a candidate country (limited Europeanization or “Europeanization beyond Europe”) and also operationalized through externalization.

In this regard, relations between the EU and Turkey should be analysed in parallel with Turkey's accession process on the one hand and through 'external' dimension of the EU's action on immigration and asylum on the other, which refers to "the formulation and impact of the EU migration and asylum policy on non-MSs and the attempt to build partnership and dialogue around migration issues" (Geddes, 2009: 9). Thus, it can be briefly said that the importance of this chapter is to display the external dimension of Europeanization in the case of immigration and asylum, particularly 'irregular transit migration' by referring to the 'macro level' of this multi-level analysis. Within this chapter, the rationale of these policies and externalization tools and programmes, the development of both formative and institutional framework in this field, and finally the challenges and limitations of the EU policies with its unintended results will be examined. The Chapter aims to display the macro level policy as being the undermining and sustaining tool of irregular migration in Turkey and particularly through gateway cities as the case study. To do this as an external and independent variable, the Chapter question why the EU developed its policy on irregular migration, how it has been changing and developing itself and what are the tools and different strategies for operationalization of those policies with its self-undermining and self-sustaining aspects.

The complementary and sub-questions of the main research question for this chapter can be summarized as follows:

- What are the EU's immigration and asylum policy concerning irregular migration (legislative and institutional structure)?
- What are fundamental instruments of the external dimension of the EU's policies and policy instruments concerning irregular immigration?
- What are the EU's policy instruments for irregular (transit) migration, especially for Turkey as one of the non-EU member; but also a candidate county?
- What are the implications of the EU's irregular migration for Turkey?
- What is the existing legislative and institutional structure in Turkey regarding irregular (transit) migration?
- Where the irregular migration stands in the EU- Turkey relations?

- How the macro level relevant actors and institutions perceive, interpret and implement the concerning policies?
- What are the unexpected consequences of the EU's irregular migration policy in Turkey?

4.1. Rationale Behind the EU's Externalization on Irregular Migration Policy

Under this title, the main aim is to focus on the empirical data that the policies concerning irregular migration are based on as well as to display the importance of Turkey regarding irregular migration from the EU's point of view.

It is a fact that the area has become a significant agenda issue for the EU and the MSs for the last few decades. However not only its terminology; but also both the size and main features of irregular migration appears as mainly under-researched, while the real figures cannot go further than "guesstimates" (Triandafyllidou, 2010: 1) since this type of migration and its size appears as 'mission impossible'; because of the difficulty of 'counting the uncountable'. Irregular migration because of its nature, by its very own nature, is "...a non-registered phenomenon and hence most data available does not actually refer to irregular migrants but rather to people who, while being irregular migrants, have been identified by the authorities for one reason or another" (Ibid.). Even though both stocks and flows of irregular migration are important, it can be also argued that numbers are often referred to as 'guesstimates' due to not having any methodological or conceptual backing on the one hand (Ibid.) and on the other "the lack of reliable data and the use of inflated figures concerning undocumented migrants in the EU have been used as a basis for justifying increasingly restrictive policies and practices" (Merlino and Parkin, 2011: 4).

Despite the existing problems with the reliable data in the field, since the EU's policies particularly relating to "illegal migration" and its implications are the main concern of this study, the existing data provides an important justification for these policies. Irregular migration data relies mainly on statistics such as border apprehensions

regularization, or refusal of entry and returns. Each of these statistical variables indicates a particular aspect of the irregular migration process. For example: border apprehensions deal specifically with irregular entry; regularization and returns widen the measurement by including those with an irregular status, such as visa over-stayers or failed asylum seekers who may have entered legally. Since the study focuses on ‘irregular transit migration’, apprehensions at the Border Crossing Points (BCPs) carry utmost importance.

In terms of figures, according to the ‘guesstimations’, the number of irregular migrants range from 2 million to 8 million in the EU and its MSs.²² A recent study claims that this figure ranged from 1.9- 3 million to 8 million for the EU27 in the year of 2008 (Kovacheva and Vogel, 2009). In comparison, it is guesstimated that over 11 million unauthorized immigrants resided in the United States.²³ However for the focus of this study, rather than the irregular migrants residing in the EU, irregular entries to the MSs’ territories are focused on along with the effect of these on EU-Turkey relations. In other words, the study focuses on the ‘irregular entries’ and ‘irregular transit migration’. According to the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX)²⁴ (2013: 5), the detections of illegal border-crossing along the external borders of the EU MSs rose sharply from approximately 104.000 in 2009 and 2010 to nearly 141.000 in 2011 (35 per cent increase); while the numbers dropped to about 73.000 in 2012. The graph below shows the general figures regarding irregular migration in Europe.

²² As one of the EU funded comprehensive project, called the CLANDESTINO Project- Undocumented Migration: Counting the Uncountable Data and Trends across Europe, the number of undocumented (irregular migration) ranges from 2.8 and 6 million persons.

²³ Christal MOREHOUSE and Michael BLOMFIELD (2011). *Irregular Migration in Europe*, Migration Policy Institute, Washington, DC: Migration Policy Institute, pp. 1.

²⁴ FRONTEX (from French: *Frontieres Exterieures* for "external borders", legally: European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union), the EU agency based in Warsaw, was created as a specialized and independent body tasked to coordinate the operational cooperation between Member States in the field of border security. The activities of FRONTEX are intelligence driven. FRONTEX complements and provides particular added value to the national border management systems of the Member States (For further information: <http://www.frontex.europa.eu/>).

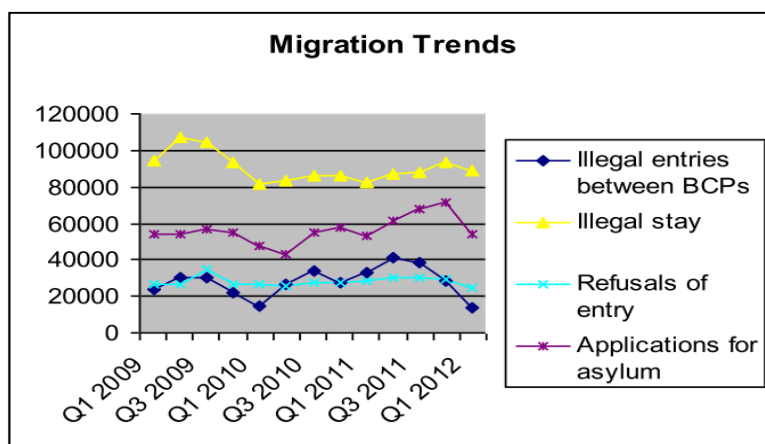


Figure 4.1. Trends in Border Apprehensions, Apprehensions in Country, Refusals of Entry, and Asylum Applications in the EU-27 2009-2012

Source: FRONTEX (2012). Quarterly Reports (FRAN), pp.17, retrieved from http://www.frontex.europa.eu/assets/Publications/Risk_Analysis/FRAN_Q1_2012.pdf (Accessed on 29.06.2013).

More details about the changing figures and also the types of irregular migration are given in the table below, which also displays the previously discussed nexus between asylum and irregular migration from the point of the EU.

Table 4.1. Annual Overview of Situation at the Border (2009- 2012, EU27)

FRAN indicator	2009	2010	2011	2012	% change on prev. year
Illegal entries between BCPs	104 599	104 060	141 051	72 437	-49
Clandestine entries at BCPs	296	242	282	605	115
Facilitators	9 171	8 629	6 957	7 720	11
Illegal stay	412 125	353 077	350 948	344 928	-1.7
Refusals of entry ¹	113 029	108 651	118 111	115 305	-2.4
Applications for asylum ²	219 814	203 880	254 054	272 208	7.1
Persons using fraudulent documents	:	:	5 288	7 888	49
Return decisions issued ³	:	:	231 385	269 949	17
Effective returns	:	:	149 045	159 490	7.0
Other indicators	11 203 043	10 241 000	11 842 761	13 510 250	14
Issued visas (source: European Commission)					

Source: FRAN data as of 12 February 2013

¹ EDF-RAN data as of 12 February 2013

² For France, only asylum applications at the external borders are reported, not inland applications. For the Netherlands, inland asylum applications in Q3 and Q4 2012 are not available at this moment.

³ Data on decisions are not available for France, Ireland, Luxembourg, the Netherlands and Sweden.

Source: FRONTEX (2013). Annual Risk Analysis Report, Risk Analysis Unit FRONTEX Reference Number: 5202, Warsaw, pp. 12, retrieved from http://www.frontex.europa.eu/assets/Publications/Risk_Analysis/Annual_Risk_Analysis_2013.pdf (Accessed on 29.06.2013).

As it can be seen above, the biggest proportion belongs to ‘irregular labour migration’; however since this study focuses on ‘irregular transit migration’, the first and second lines as well as the asylum dimension carry the utmost importance.

The above-mentioned two FRONTEX’s reports and also empirical findings of the field study of this research display the impact of the Arab Spring and most recently the developments in Syria. These developments in the Middle East are used for explaining the drop in 2011; but also the significant increase in 2012. Even though the first nationality appears for the last three reports of FRONTEX as Afghans; the latest report emphasizes the increasing numbers of Syrians as both “illegal migrants” and also as asylum-seekers. In terms of nationalities of the apprehended migrants, the following table and figures supply important information. As it can be seen from the table, the number of apprehended Syrians increased dramatically in 2012. In addition, the following table shows that importance of Turkey-Greece and Turkey-Bulgaria borders with the highest apprehension figures.

Table 4.2. Detections of Illegal Border-Crossing between BCPs (2010- 2012, EU27)

Routes	2010	2011	2012	Share of total	% change on prev. year
Eastern Mediterranean route (Greece, Bulgaria and Cyprus)	55 688	57 025	37 224	51	-35
Land	49 513	55 558	32 854		-41
Afghanistan	21 389	19 308	7 973		-59
Syria	495	1 216	6 216		411
Bangladesh	1 496	3 541	4 598		30
Sea	6 175	1 467	4 370		198
Afghanistan	1 373	310	1 593		414
Syria	139	76	906		1 092
Palestine	1 500	128	408		219
Central Mediterranean route (Italy and Malta)	1 662	59 002	10 379	14	-82
Somalia	82	1 400	3 394		142
Tunisia	650	27 964	2 244		-92
Eritrea	55	641	1 889		195
Western Mediterranean route	5 003	8 448	6 397	8.8	-24
Sea	3 436	5 103	3 558		-30
Algeria	1 242	1 037	1 048		1.1
Morocco	300	775	364		-53
Chad	46	230	262		14
Land	1 567	3 345	2 839		-15
Not specified	1 108	2 610	1 410		-46
Algeria	459	735	967		32
Morocco	0	0	144		n.a.
Western Balkan route	2 371	4 658	6 391	8.8	37
Afghanistan	469	983	1 665		69
Kosovo*	372	498	942		89
Pakistan	39	604	861		43
Circular route from Albania to Greece	35 297	5 269	5 502	7.6	4.4
Albania	32 451	5 022	5 398		7.5
†YROM	49	23	36		57
Kosovo*	21	37	34		-8.1
Apulia and Calabria (Italy)	2 788	5 259	4 772	6.6	-9.3
Afghanistan	1 664	2 274	1 705		-25
Pakistan	53	992	1 156		17
Bangladesh	12	209	497		138
Eastern borders route	1 052	1 049	1 597	2.2	52
Georgia	144	209	328		57
Somalia	48	120	263		119
Afghanistan	132	105	200		90
Western African route	196	340	174	0.2	-49
Morocco	179	321	104		-68
Gambia	1	2	39		1 850
Senegal	2	4	15		275
Other	3	1	1	0	0
Iran	0	0	1		n.a.
Russian Federation	2	0	0		n.a.
Somalia	0	1	0		-100
Total	104 060	141 051	72 437		-49

Source: FRONTEX (2013). Annual Risk Analysis Report, Risk Analysis Unit FRONTEX Reference Number: 5202, Warsaw, pp. 21, retrieved from http://www.frontex.europa.eu/assets/Publications/Risk_Analysis/Annual_Risk_Analysis_2013.pdf (Accessed on 29.06.2013).

The below-given figures display the importance of the Eastern Mediterranean Route as well as Turkey's role in combatting irregular migration; while the next figure focuses on the last two years apprehensions at the borders concerned by displaying the nationalities of the irregular transit migrants.

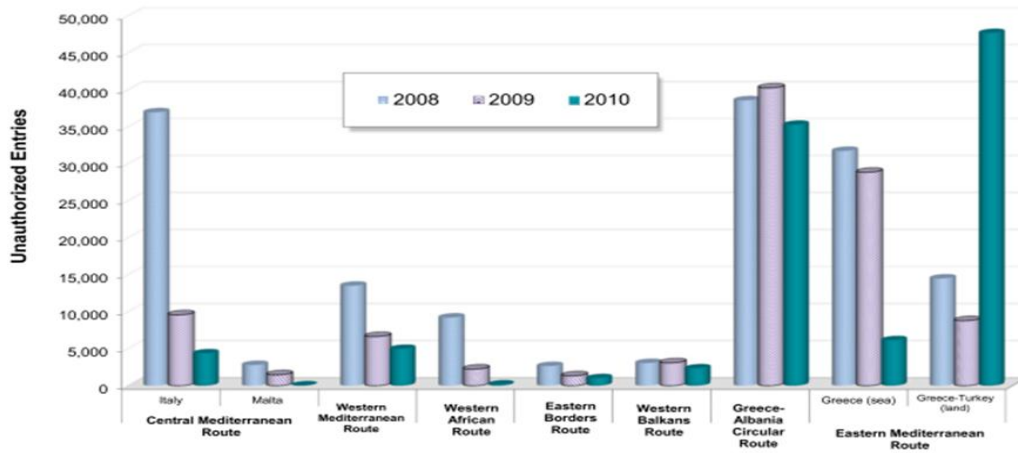


Figure 4.2. Shifts in Illegal Border-Crossing Detections into the European Union (2008- 2010)

Source: Christal MOREHOUSE and Michael BLOMFIELD, (2011). Irregular Migration in Europe, Migration Policy Institute, Washington, DC: Migration Policy Institute, pp.10 (consolidated data based on FRONTEX, General Report 2008; FRONTEX, Press Pack, May 2011; FRONTEX, Annual Risk Analysis 2011).

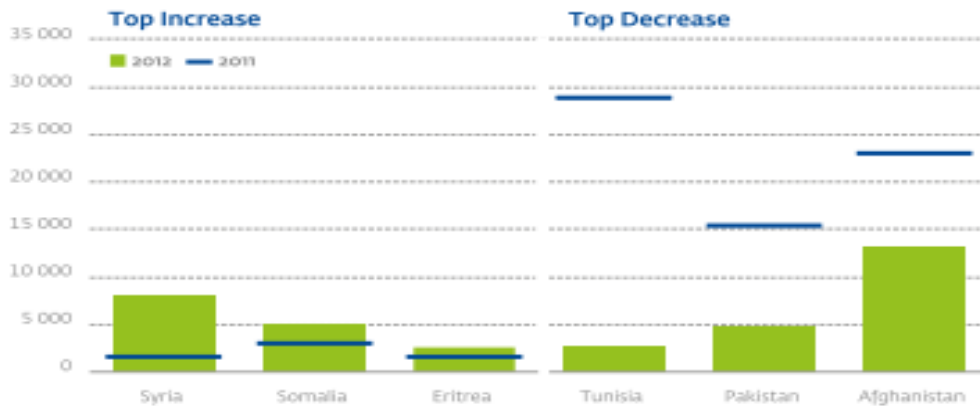


Figure 4.3. Nationality of the Apprehended Illegal Migrants (EU27)

Source: FRONTEX (2013). Annual Risk Analysis Report, Risk Analysis Unit FRONTEX Reference Number: 5202, Warsaw, pp. 20, retrieved from http://www.frontex.europa.eu/assets/Publications/Risk_Analysis/Annual_Risk_Analysis_2013.pdf (Accessed on 29.06.2013).

Since Turkey holds an important position in regards to irregular transit migration to the EU countries, there is specific information about the BPCs, where the highest irregular passing and apprehensions occur. In the below given figure, FRONTEX displays the specific information about the Turkey-Greece land and sea borders, where the dramatic drop is explained by the Greek-FRONTEX operation called “Aspida” at the Greek land border with Turkey.

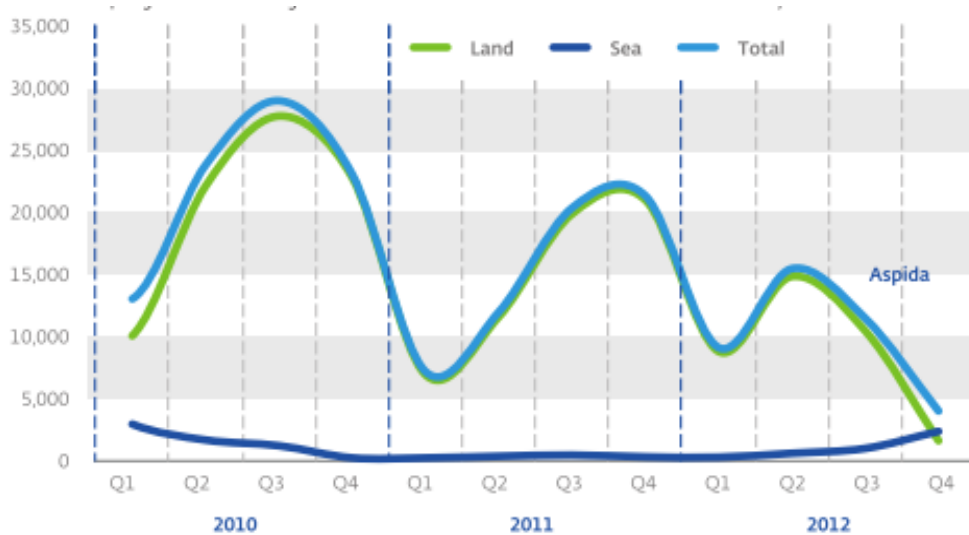


Figure 4.4. Detections of illegal border-crossing at BCPs at the Greek land and sea borders with Turkey (2010- 2012)

Source: FRONTEX (2012), FRAN Quarterly: Q4, pp. 19, retrieved from http://www.frontex.europa.eu/assets/Publications/Risk_Analysis/Fran_Q4_2012.pdf (Accessed on 21.01.2013).

The following illustration displays the importance of Turkey in terms of “combating illegal migration” in the eye of the EU. As it can be seen, the highest border crossings appear at the Turkey-Greece borders, where Afghans are the first nationality in terms of apprehension.

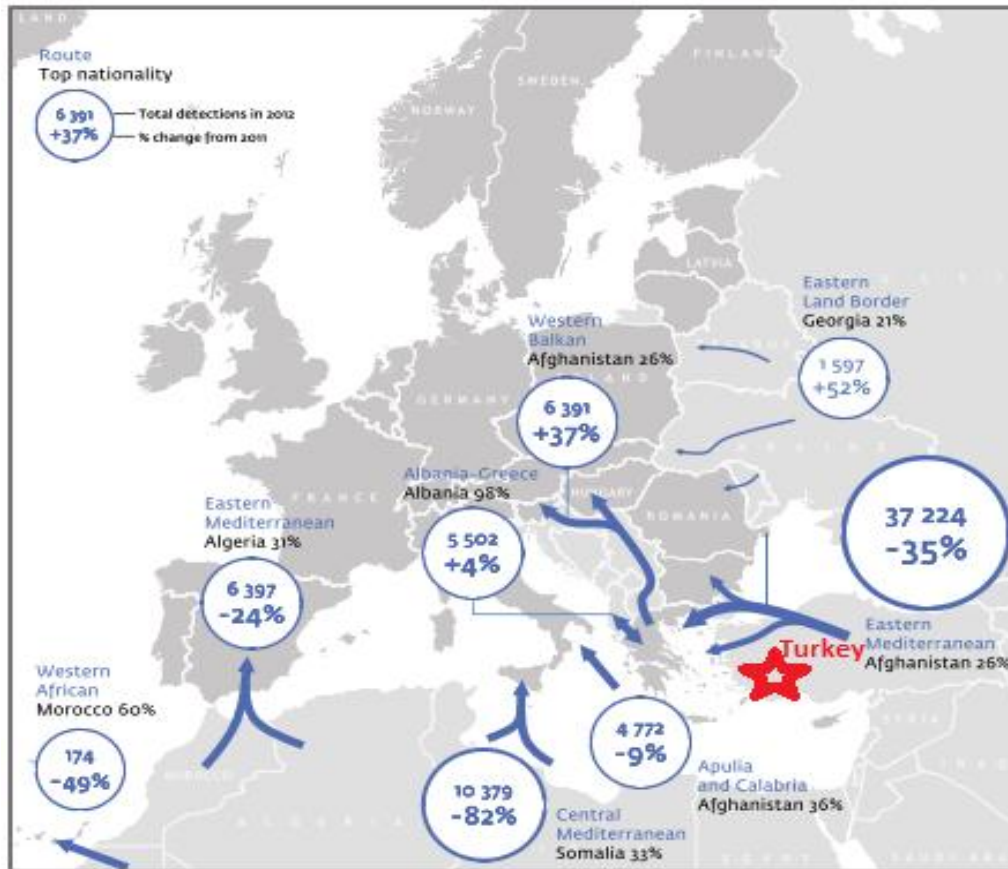


Illustration 4.1: Detections of Illegal Border-Crossing

Source: FRONTEX (2013). Annual Risk Analysis Report, Risk Analysis Unit FRONTEX Reference Number: 5202, Warsaw, pp. 22, retrieved from http://www.frontex.europa.eu/assets/Publications/Risk_Analysis/Annual_Risk_Analysis_2013.pdf (Accessed on 29.06.2013).

FRONTEX also welcomes the measures that were taken by Greece in terms of preventing “illegal migration”, particularly the so-called Eastern Mediterranean route, where Greece-Turkey as well as Bulgaria-Turkey borders are situated. Again in parallel to the findings of this research, the very latest reports determine the Bulgaria-Turkey border as an important BCP within the Eastern Mediterranean route.



Figure 4.5. Implications of Greek Operations on the Greece-Turkey Land Border (2012)

Source: FRONTEX (2013). Annual Risk Analysis Report, Risk Analysis Unit FRONTEX Reference Number: 5202, Warsaw, pp. 23, retrieved from http://www.frontex.europa.eu/assets/Publications/Risk_Analysis/Annual_Risk_Analysis_2013.pdf (Accessed on 29.06.2013).

All of the above-given figures can be used as justification of the externalization and Europeanization of the EU’s policies on immigration and asylum seeking with a particularly emphasis on ‘irregular migration’ and concerning Turkey. However, it should also be noted that the mis-usage of statistics may create a negative impact and also result in both political and public fear that the EU is in the process of being flooded by irregular migrants and at times forming a basis for the trend towards restrictive practices and ‘emergency’ led policy responses. The Prime Minister of Greece’s statement perfectly summarizes the existing securitized and economy-based fears concerning ‘irregular migration:

We are a pivotal part of the European Union. Any destabilization of Greece would totally rock the boat. I wake up every morning and say, ‘Has anything happened to Syria today?’ If something happens in Syria, thousands of people would be flowing into Greece. Illegal immigrants are already a very big problem for us. We are already taking big steps to disallow illegal immigrants from coming in. Imagine if that number is multiplied by ten²⁵ (Antonios Samaras, 14.09.2012).

²⁵ Retrieved from http://www.washingtonpost.com/opinions/an-interview-with-antonis-samarasgreek-prime-minister-on-austerity-and-unrest/2012/09/14/f80887dc-fdb4-11e1-a31e-804fccb658f9_story.html (Accessed on 26.12.2012).

Consequently, the above-mentioned mis-usage and politically and economically reconstructed fear may serve to “exacerbate the vulnerable position of irregular migrants as targets of exclusionary policies and discriminatory practices” (Merlino and Parkin, 2011: 5).

Finally, the following two figures below display the current situation concerning apprehensions and the population of irregular migration in the EU member states. As can be seen below, the highest apprehensions rate belongs to Greece, which is followed by Spain, France, the UK and Germany. In this regards, the Eastern Mediterranean Border and the role of Turkey show the highest apprehensions rates.

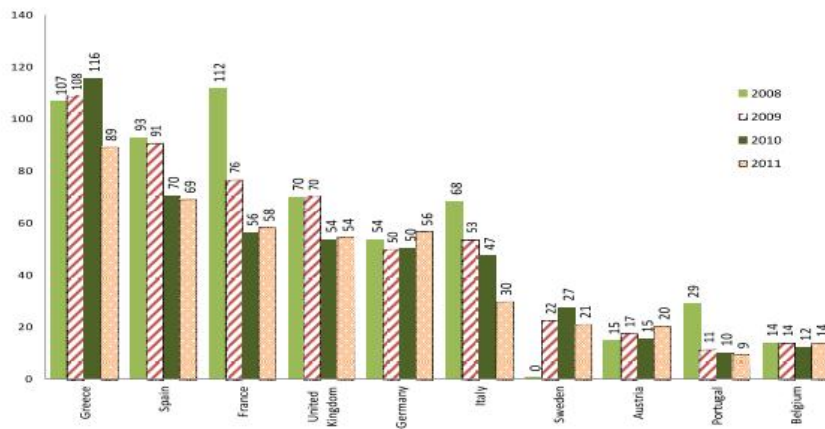


Figure 4.6. Apprehensions, ‘Top-Ten’ Members States (in 1000s, 2008- 2011)

Source: EUROSTAT

The above-given statistics and figures can be seen as the justification of the existing immigration and asylum policies concerning irregular migration in other words the restrictive migration policies, which are supported by both securitisation and economisation discourse by the EU. In this regard, the EU produces its own knowledge regarding “illegal migration” as supporting the security discourse. On the one hand the EU has a tendency to act as a state, which operates within a fixed territory marked by The above-given statistics and figures can be seen as the justification of the existing immigration and asylum policies concerning irregular migration in other words the restrictive migration policies, which are supported by both securitisation and

economisation discourse by the EU. In this regard, the EU produces its own knowledge regarding “illegal migration” as supporting the security discourse. On the one hand the EU has a tendency to act as a state, which operates within a fixed territory marked by borders, and controls the movement of people, money, and good across those borders. Therefore, to ensure its area of freedom, security and justice; but on the other hand in the light of the changing and expanding definition of security, to define new ‘threats’, where ‘migration’, in particular “illegal migration” is listed as one of the top item on the agenda.

4.2. Development of the Normative and Institutional Framework of the EU Policy on Reducing Irregular Migration: Socio-Economic and Political Context

4.2.1. Historical Developments

The history of immigration within Europe can be dated back to the Post-World War II period when the majority of the immigration was in South-North direction, whereas today this direction can be framed as from South-East to North-West. Following the Post-War era, first we come across forced migration as a consequence of the severe destruction of Europe as a continent. Following on from this, migration movements continued through bilateral agreements between sending and receiving countries. However, those migrants were mainly ‘legal’ and mainly were the subjects of those labour-based agreements. Since the main focus was to satisfy the needs of the labour markets, ‘irregular migration’ was not on the agenda of either the EU or the MSs. Düvell (2006) argues that even before they arrived in the receiving countries, their official papers had been organized.

As discussed in the theoretical part, since there is a negative correlation between the economic health of the receiving countries and the development of restrictive immigration policies; following the oil crisis in 1973, immigrants were not welcomed by those economies anymore. However, through family unifications and similar to the Post-War Era through asylum, immigration continued to Europe. During this period,

we also come across a bi-polar world, where the international movements were strictly controlled as least by the countries that were under communist rule (Triandafyllidou, 2010: 10). During the 1980s, we come across a dramatic change, when the communist regimes collapsed along with their welfare systems. Thus, the representable political refugees were followed by the intense economic migrants; but Europe was not waiting with their doors wide open. As it is mentioned within the theoretical part, times of economic distress were associated with restrictive immigration policies. Also as Massey (2009) argues the size of the flows determines the political, economy-based and highly securitized conceptualization of 'irregular migration'. Then, the period of "Segmented Labour-Market Theory" and its arguments became visible in the European economies, where for migrants only low paid, little stability and few opportunities for advancement were available. However, during this second period, a considerable part of labour immigrants was not 'legal' as was the case for the Post War era. On the one hand, the new comers were not welcomed on the other hand the existing migrants were falling into the 'irregular migrants' category due to facing difficulties in renewing their residence or work permits. However, all the needs were finding their place within the economy; thus new enterprising agents or other middlemen appeared to support migration.

The above-given restriction for the immigration and asylum policies became a policy rather than temporary regulations by the 1990s, where we come across the definition of "illegal migration" as was discussed in Chapter 3. After the 1980s, controlling migration and combating "illegal migration" was not a manageable problem anymore. Thus, the study focuses on the developments starting in the late 1980s and the beginning of the 1990s and continuing up to today.

Starting from the 1990s, we come across the first 'irregular migration' than again in parallel to the above-given restrictive policies, the globalizing world was flowing with 'transit migration', with at this point, the direction of the migratory movement being from peripheral countries, using the semi-peripheral as 'transit' countries and having destination as the European countries (the core). The development of these policies to

reduce irregular transit migration has been intensively developing since then and irregular migration has become one of the most significant policy agenda items in Europe and particularly the EU. In parallel to the development in the globalizing world, European integration has been adding additional challenges for the EU MSs concerning irregular transit migration such as the creation of an internal borderless zone by the Schengen Agreement (1995), and enlargement waves. The Schengen zone abolished the internal borders by requiring the transformation of external borders with better surveillance and control mechanisms supported with international cooperation and even new technologies. But more importantly, the Schengen Agreement brought a new understanding, which sees “migration, refugees and asylum seekers under one umbrella with the fight against drugs, terrorism, police cooperation and assistance in criminal matters” (Huysmans cited in Neimann, 2012: 2). In addition, the EU was faced with challenges as a consequence of the severe economic recession and political transition problems faced in the Central and Eastern European Countries along with the increasing number of asylum seekers and refugees in the world, the terrorist attacks of 9/11 in the USA that were followed by the Madrid bombings of 2004 and the London bombings of 2005. Thus the securitisation was followed with economisation of migration policies, which has since been becoming even stricter.

Today, reducing irregular migration constitutes an important element within the EU’s overall approach to effectively balancing and managing migration flows. Mainly, regulation on return, border control, readmission agreements, and a specific visa policy appear as the important tools for combating irregular migration; but before focusing on these tools; there is a need to examine the normative and institutional developments of the EU policies on irregular migration.

Regarding the historical development, it can be said that the formal and informal co-operation patterns on immigration and asylum can be seen in the 1980s, and since then there has been an intense effort to build a common migration and asylum policy. Geddes (2003) argues that between 1986- 1993, ‘irregular migration as well as ‘transit migration’ became visible. Also, during this period, the EU immigration and asylum

policy can be seen at the minimal EU involvement level in MSs, which appears mainly “informal”. Within this period, the area was approached under the JHA and the above-mentioned informal structure was developed through intergovernmental groups such as the Trevi Group, the Ad Hoc Group on Immigration, the Coordinators of Free Movement. In this period also as an important part of the common immigration policy for the EU, we come across the 1985 Schengen Agreement, which sets up the rules for an area of free movement within strictly controlled external borders. During its formation, ‘irregular migration’ was not one of its focuses; however, later on it became an important part of the EU policies and it was accepted as compulsory for future MSs in order “to fight illegal migration, smuggling and trafficking together with capacity building of asylum systems and migration management were extended beyond the territorial borders of the EU” (Soykan, 2010: 214).

Even though it was not directly part of the EU immigration and asylum policy, the Single European Act (1986)²⁶ should be noted as a significant development for the European Integration, which created a frontier-free Europe within which people, services, goods and capital could move freely. Thus, it has a close relation with the policy of concern.

Concerning this period, harmonization of national migration and asylum policies along with the creation of a borderless Europe were seen as crucial steps for succeeding in European integration. It initially started with the establishment of the free single market based on the principle of free circulation of goods, persons, capital, and services under the framework of the Single European Act and the Schengen Agreement (1985) that aimed at removing borders among the MSs and ensuring internal free movement of people, capital, goods and service (1985).

²⁶Retrieved from http://ec.europa.eu/economy_finance/emu_history/documents/treaties/singleeuropeanact.pdf (Accessed on 19.02.2012).

Another important development can be seen as the Treaty of European Union (TEU, 1992), which is also known as the Maastricht Treaty that formulizes the JHA under the Third Pillar with Article K.1²⁷ by listing nine areas for intergovernmental cooperation. Concerning this study the following statements of this article are closely related to this study: “asylum policy”; “rules governing the crossing by persons of the external borders of the MSs and the exercise of controls thereon”; “immigration policy and policy regarding nationals of third countries, mainly a) conditions of entry and movement by nationals of third countries on the territory of MSs b) conditions of residence by nationals of third countries on the territory of MSs, including family reunion and access to employment c) combating unauthorized immigration, residence and work by nationals of third countries on the territory of MSs.

Between 1993 and 1999, ‘formal’ inter-governmentalism regarding the policies concerned can be observed. Within this period, both from the point of ‘externalization’ and also concerning the asylum-irregular migration nexus, the Dublin Convention (which came into force in 1997) can be seen as an important development, which aims to create a common asylum system at the EU level. At this stage the complementary restrictive tools also came along with the Dublin Convention: Schengen Information System (SIS)²⁸, Supplement d’Information Requis a l’Entree Nationale (SIRENE)²⁹,

²⁷ **ARTICLE K.1:** For the purposes of achieving the objectives of the Union, in particular the free movement of persons, and without prejudice to the powers of the European Community, Member States shall regard the following areas as matters of common interest: (1) asylum policy; (2) rules governing the crossing by persons of the external borders of the Member States and the exercise of controls thereon; (3) immigration policy and policy regarding nationals of third countries: (a) conditions of entry and movement by nationals of third countries on the territory of Member States; (b) conditions of residence by nationals of third countries on the territory of Member States, including family reunion and access to employment; (c) combating unauthorized immigration, residence and work by nationals of third countries on the territory of Member States; (4) combating drug addiction in so far as this is not covered by (7) to (9); (5) combating fraud on an international scale in so far as this is not covered by (7) to (9); (6) judicial co-operation in civil matters; (7) judicial co-operation in criminal matters; (8) customs co-operation; (9) police co-operation for the purposes of preventing and combating terrorism, unlawful drug trafficking and other serious forms of international crime, including if necessary certain aspects of customs co-operation, in connection with the organization of a Union-wide system for exchanging information within a European Police Office (Europol).

²⁸ **SIS** is a governmental database used by European countries to maintain and distribute information on individuals and pieces of property of interest. The intended uses of this system are for national security, border control and law enforcement purposes. A second technical version of this system, SIS II, is scheduled to go live on 9 April 2013[1] under the responsibility of the European Commission.

European Dactylographic System (EURODAC)³⁰ and The European Police Office (EUROPOL)³¹.

In terms of real ‘communitarization’ and a certain liberalisation, the Tampere European Council Conclusions can be seen as a real shift in the EU level migration policy development. Briefly, in the last three decades, the EU MSs have moved toward further cooperation at the supranational level and introduced increasing numbers of regulations at the EU level on migration related matters. In parallel, the Amsterdam Treaty (1997) can be seen as another primary law development and a progressive establishment of the (AFSJ), which was determined as one of the treaty objectives and the area of immigration and asylum was transferred to the First Pillar from the Third one by appearing more Europeanized. The Treaty created a new chapter (Title IV) in the main EU Treaty dealing with free movement, migration and asylum. In addition, the roots of the relations with the non-MSs in the field of immigration can also be found in the Treaty of Amsterdam (1999), which conferred powers to the Community with regard to readmission (Art 63(3) of the Treaty of the European Community) as well as the Presidency Conclusions of the Tampere European Council of 1999.

Information in SIS is shared among institutions of the participating countries in the Schengen Agreement Application Convention (SAAC).

²⁹ **SIRENE** provides supplementary information on alerts and coordinate measures in relation to alerts in the Schengen Information System (SIS), and ensures that appropriate action is taken if a wanted person is arrested, a person who has been refused entry to the Schengen area tries to re-enter, a missing person found, a stolen car or ID document seized, etc. The Schengen area is that area without internal border controls.

³⁰ **EURODAC** is the European fingerprint database for identifying asylum seekers and irregular border-crossers. Asylum applicants and irregular border-crossers over the age of 14 have their fingerprints taken as a matter of European Community law. These are then sent in digitally to a central unit at the European Commission, and automatically checked against other prints on the database. This enables authorities to determine whether asylum seekers have already applied for asylum in another EU Member State or have illegally transited through another EU Member State ("principle of first contact").

³¹ **EUROPOL** is the EU’s law enforcement agency whose main goal is to help achieve a safer Europe for the benefit of all EU citizens. We do this by assisting the European Union’s Member States in their fight against serious international crime and terrorism. Large-scale criminal and terrorist networks pose a significant threat to the internal security of the EU and to the safety and livelihood of its people. The biggest security threats come from terrorism, international drug trafficking and money laundering, organised fraud, counterfeiting of the euro currency, and people smuggling.

Since the Tampere Summit, migration has been given top priority on the agenda of numerous summit meetings. Following the Tampere Summit, the Council meetings in Laeken in 2001 and in Sevilla in 2002 were held to focus on more effective measures against irregular migration.

In 2001, the Nice Treaty³² developed decision-making rules to give the EP co-decision-making powers in key migration policy areas, such as asylum and the return of illegal immigrants and thus sought further development of the framework agreed at Amsterdam. However, in terms of irregular migration it did not bring a significant contribution. In the same year, we come across the specific EC Communication on A Common Policy on Illegal Immigration³³, which frames the rationale of the EC in terms of irregular migration as being an essential part of a common immigration policy at the EU level. This Communication also frames the definition of “illegal immigrants” by pointing to three main groups. The first group was determined as the TCNs, who enter the EU territory illegally by land, sea or air by using false documents or with the help of criminal trafficking networks; while the second group was defined as those who enter legally with a visa or under the visa-free regime and overstay. Finally, displaying the EU’s approach to the asylum-irregular migration nexus, the third group is the unsuccessful asylum seekers, who do not leave after a final and negative decision to their request for asylum.

On 28 February 2002, the EU Council of ministers adopted a comprehensive plan to combat illegal migration and trafficking in human beings in the EU. This plan identifies a number of areas, where action is deemed necessary: visa policy, the exchange and analysis of information, readmission and repatriation policies, pre-frontier measures, measures relating to border management, EUROPOL and penalties. The plan also envisages new actions and measures for combating illegal migration and human

³² The Nice Treaty/ Consolidated Version of the Treaty Establishing the European Community, retrieved from http://eur-lex.europa.eu/en/treaties/dat/12002E/pdf/12002E_EN.pdf, (Accessed on 30.06.2013).

³³ European Commission (15.11.2001). Communication from the Commission to the Council and the European Parliament on A Common Policy on Illegal Immigration, COM (2001) 672 Final, Brussels, retrieved from <http://www.statewatch.org/news/2001/nov/illimm672.pdf> (Accessed on 30.06.2013).

trafficking more effectively. On 13 June 2002, the EU Council also adopted a plan for the management of the external borders of the MSs of the EU.³⁴ The European Council meeting in Laeken³⁵ on 14 and 15 December 2001, called for an action plan on illegal migration.

The Council meeting in Seville³⁶ on 21 and 22 June 2002, called for the speeding up of the implementation of all aspects of the programme adopted at the Council meeting in Tampere in October 1999 for the creation of an area of freedom, security and justice in the EU, in particular the common policy on migration and asylum. It stressed the need to fight effectively against illegal migration, as an essential part of such a common and comprehensive policy. On the basis of the Commission's Communication on a common policy on illegal migration of 15 November 2001 (COM(2001) 672), the EU Council of Ministers adopted a comprehensive plan to combat illegal migration and trafficking in human beings in the EU on 28 February 2002. This action plan set out the measures on illegal migration, which were seen as necessary. There were short-term measures, which should be implemented within one year, and medium-term measures, which should be implemented within three years. These deadlines clarify the high interest of MSs to come up with concrete results.

In 2004, we come across a significant institutional development concerning external border controls of the EU with the establishment of FRONTEX. This institution will be examined under the “Integrated Border Management” heading. The following year (2005), the EC produced the Communication on Priority Actions for Responding to the Challenges of Migration³⁷, which can be seen as the basis of the Global Approach to

³⁴Migration Introduction, 18.05.2005, retrieved from http://europa.eu.int/comm/justice_home/fsj/migration/wai/fsj_migration_intro_en.htm (Accessed on 04.01.2013)

³⁵ The Council (2001), Presidency Conclusions of the Laeken European Council, 14-15 December 2001, SN 300/1/01, REV 1.

³⁶ The Council (2002), Presidency Conclusions of the Seville European Council, 21 and 22 June 2002.

³⁷ European Commission (30.11.2005). Communication from the Commission to the Council and the European Parliament: Priority Actions for Responding to the Challenges of Migration, COM(2005) 621

Migration (GAM). In response, the Council confirmed basic guidelines in its Resolution on “the GAM: Priority Actions Focusing on Africa and the Mediterranean” in the same year.

The below given statement by the Council summarizes the relevant part concerning ‘irregular migration’:

Action must be taken to reduce illegal migration flows and the loss of lives, ensure safe return of illegal migrants, strengthen durable solutions for refugees, and build capacity to better manage migration, including through maximising the benefits to all partners of legal migration, while fully respecting human rights and the individual's right to seek asylum (The Council, 2005: 3).

In 2006, the EC focused on irregular migration with another Communication on Policy Priorities in the Fight Against Illegal Immigration of TCNs³⁸, where the EC states that without reinforced Community action, in the case of crisis periods, the impact would be more powerful both in qualitative and quantitative terms.

The above-given communications were followed with the Communication on a Common Immigration Policy for Europe³⁹ on 17 June 2008, which formed one of the first building blocks of the European Pact on Immigration and Asylum. With this Communication, the EC stated the importance of cooperation for combating irregular migration. Again in the very same year, the EC prepared another Communication concerning global approaches to migration; strengthening the Global Approach to Migration: Increasing Coordination, Coherence and Synergies.⁴⁰ This Communication

Final, Brussels, retrieved from http://eur-lex.europa.eu/LexUriServ/site/en/com/2005/com2005_0621en01.pdf (Accessed on 30.06.2013).

³⁸ European Commission (19.07.2006). Communication from the Commission on Policy Priorities in the Fight Against Illegal Immigration of Third-Country Nationals, COM(2006) 402 Final, Brussels, retrieved from http://eur-lex.europa.eu/LexUriServ/site/en/com/2006/com2006_0402en01.pdf (Accessed on 30.06.2013).

³⁹ European Commission (17.06.2008). Communication from the Commission on A Common Immigration Policy for Europe: Principles, Actions and Tools, COM(2008) 359 Final, Brussels, retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0359:FIN:EN:PDF> (Accessed on 30.06.2013).

⁴⁰ European Commission (08.10.2008). Communication from the Commission to the Parliament, the Council and the European Economic and Social Committee and the Committee of the Regions on

focused on the partnership with third countries and intensively addressed irregular migration. However, it can also be seen as the EU's emphasising that a balanced and coherent approach to migration was needed to reduce irregular migration in the long-term as well as a demand for cooperation in migration policies based on partnership with third countries. Niemann (2012: 5) argues that, the Global Approach can be seen as a "coherent long-term strategy to tackle the causes of irregular migration".

In addition, the Council adopted the widely recognised European Pact on Migration and Asylum⁴¹ by the European Council of 15 and 16 October 2008, which aims to guide the future of EU migration policy. It can be seen as the commitment to "controlling illegal immigration" in particular by ensuring that illegal immigrants return to their countries of origin or to a transit country" and to the effective application of greater cooperation between MSs and the EC and the countries of origin and of transit in order to control illegal immigration.

In a similar way to the above-mentioned GAM, the Council was expressing a more balanced approach to migration, where migration was also represented as an opportunity and unrealistic immigration and asylum policies such as 'zero migration' were criticized. The importance of the Pact is its reliance on the emphasis on migration controls and common actions "against illegal immigration". In the Pact is identified the need "to control illegal immigration by ensuring that all illegal immigrants return to their country of origin or transit" as one of the five political commitments underpinning the future EU immigration policy and the Stockholm Programme (Carrera and Guild, 2010: 3).

Strengthening the Global Approach to Migration: Increasing Coordination, Coherence and Synergies, COM (2008) 611 Final, Brussels, retrieved from http://europa.eu/legislation_summaries/justice_freedom_security/free_movement_of_persons_asylum_migration/jl0008_en.htm (Accessed on 30.06.2013).

⁴¹ THE COUNCIL (24.09.2008), No. 13440/08, European Pact on Migration and Asylum, Brussels, retrieved from <http://register.consilium.europa.eu/pdf/en/08/st13/st13440.en08.pdf> (Accessed on 30.06.2013)

In summary, it can be said that as the main policy initiator concerning irregular migration, the EC mainly concentrates on ‘hard’ policy measures particularly for combating’ irregular migrants starting from its first Communication in 2001, which refers to visa policy, infrastructure for information exchange, co-operation and co-ordination, border management, police co-operation, aliens and criminal law and the return and readmission policy (Illies, 2009: 3).

The Hague Programme (2004) set the agenda for fighting “illegal migration” for the period of 2005-2010 in a number of different policy areas such as border management; return policy, cooperation with third-Countries, readmission etc. In this period, it can be argued that a more balanced approach was adopted to deal with both legal and illegal migration and thus, to conduct cooperation actions with third countries, both of origin and of transit. As a part of the second multi-annual programme, responding to the control of the external borders of the EU, because of the previous period’s development- the Schengen Zone-, the EU’s external borders agency, the European Agency for the Management of Operational Cooperation at the External Borders of the MSs of the EU (FRONTEX) was established in 2004 via the Council Regulation (EC) 2007/2004⁴² with the aim of strengthening cooperation in the area of migration, asylum and security, which was amended by Regulation (EC) No 863/2007⁴³ and also by Regulation (EU) No 1168/2011⁴⁴. As a means of supporting FRONTEX’s activities, in 2008, the EC offered to supply the MSs with a roadmap for gradually developing a European Border Surveillance System (EUROSUR) with a new Communication on the Creation of a European Border Surveillance System (EUROSUR)⁴⁵. The aims of the EUROSUR can

⁴² Retrieved from http://frontex.europa.eu/assets/About_Frontex/frontex_regulation_en.pdf (Accessed on 07.12.2012)

⁴³ Retrieved from http://frontex.europa.eu/assets/Legal_basis/rabit_regulation-863-2007.pdf (Accessed on 07.05.2012)

⁴⁴ Retrieved from http://frontex.europa.eu/assets/About_Frontex/frontex_amended_regulation_2011.pdf (Accessed on 17.04.2013)

⁴⁵ European Commission (13.02.2008). Communication from the Commission to the European Parliament, The Council, The European Economic and Social Committee and the Committee of the Regions Examining the Creation of a European Border Surveillance System (EUROSUR), COM(2008)

be summarized as to increase the internal security of the EU by preventing cross-border crime; to reduce the number of irregular migrants entering the Schengen area undetected and to reduce deaths of migrants at sea.

Within this period, the most recent Treaty of the EU came into force, the Lisbon Treaty (2009), which brought important changes in the EU's AFSJ. Following on from this, the Treaty on the Functioning of the European Union (TFEU)⁴⁶ came into force, outlining the EU's legal basis for measures on border checks, asylum and immigration, and specifically stating that the EP and the Council "shall adopt measures (in the area of) illegal immigration and unauthorised residence, including removal and repatriation of persons residing without authorisation" [Art. 79 (2c)]. In addition Articles 77 to 80 of the Treaty should be examined due to their relationship with the EU's irregular migration policy.

The following third multi-annual programme, called the Stockholm Programme⁴⁷ (2010- 2014) emphasized that the immigration and asylum policy was as an important part of the EU's external policy. The control-oriented approach on irregular migration, which is based on criminalisation, return and readmission, is the prevalent one in the Stockholm programme and the one which has been translated into the Action Plan adopted by the Commission. The priorities that were put forward in the Stockholm programme include: monitoring the transposition of the Directives on Returns and Employers' Sanctions; increasing cooperation among MSs on the return of irregular immigrants by chartering joint flights; fostering the external dimension of Europe's irregular immigration policy by developing information on migration routes, promoting

68 Final, retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0068:FIN:EN:PDF> (Accessed on 30.06.2013).

⁴⁶ Consolidated Version of the Treaty on the Functioning of the European Union (2010), retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:083:0047:0200:en:PDF> (Accessed on 30.06.2013).

⁴⁷ The Council (2009). The Stockholm Programme: An Open and Secure Europe Serving and Protecting Citizens, 2010/c 115/01, retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:115:0001:0038:en:PDF> (Accessed on 30.06.2013).

cooperation on border surveillance and border controls, and facilitating readmission and capacity building in non-EU countries; concluding “effective and operational” readmission agreements, developing monitoring mechanisms for implementation and a common EU approach against non-cooperative countries; developing an action plan on unaccompanied minors, focused on prevention, protection and assisted return.

Within this period, another important development can be seen as the establishment of the CEAS in 2012. Within this framework, the EU provides support to its MSs in reducing irregular migration through its General Programme, called Solidarity and Management of Migration Flows (SOLID)⁴⁸, particular the External Borders Fund⁴⁹ and the European Return Fund.⁵⁰

The above-mentioned two major policy documents concerning irregular migration- the European Pact on Immigration and Asylum (2008) and the Stockholm Programme (2009)⁵¹- were finalised with the addition of the EC Communication prepared on the Global Approach to Migration and Mobility (GAMM)⁵² in 2011, which outlines ‘preventing and reducing irregular migration and trafficking in human beings’ as one of its four thematic pillars to ensure a migrant-centred approach to migration policy. It can be said that the GAMM focuses on responding to various problems rather than only focusing on the traditional ‘flows’, ‘stocks’ and ‘routes’, and on empowering migrants

⁴⁸ Retrieved from http://ec.europa.eu/home-affairs/funding/solid/funding_intro_en.htm (Accessed on 14.03.2013).

⁴⁹ Retrieved from http://ec.europa.eu/home-affairs/funding/borders/funding_borders_en.htm (Accessed on 14.03.2013).

⁵⁰ Retrieved from http://ec.europa.eu/home-affairs/funding/return/funding_return_en.htm (Accessed on 14.03.2013).

⁵¹ The Council (2009). The Stockholm Programme: An Open and Secure Europe Serving and Protecting Citizens, 2010/c 115/01, retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:115:0001:0038:en:PDF> (Accessed on 30.06.2013).

⁵² European Commission (18.11.2011). Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the Global Approach to Migration and Mobility (GAMM), COM(2011) 743 Final, Brussels, retrieved from http://ec.europa.eu/home-affairs/news/intro/docs/1_EN_ACT_part1_v9.pdf (Accessed on 30.06.2013).

through the provision of access to information about opportunities, rights and obligations. Thus, it can be argued that the human rights aspect was also covered by the GAMM. A year after, in April 2012, the Council approved a Strategic Response for EU Action on Migratory Pressures⁵³, which outlines a number of non-exhaustive Strategic Priority Areas (SPA) as is given below.



Illustration 4.2: EU Action on Migratory Pressures – a Strategic Response

Source: COUNCIL OF THE EU (23.04. 2012), EU Action on Migratory Pressures - A Strategic Response, 8714/1/12, pp. 4.

As can be seen from above-given figure, Turkey can be seen to be an important country within all the strategy priority areas and even one area is reserved specially for the Greek-Turkey border regarding preventing irregular migration. These priority areas also determine these studies’ priorities for both the macro and meso level analyses.

Starting from the first area, Strengthening Cooperation with Third Countries of Transit and Origin on Migration Management, Turkey takes its place as one of the most

⁵³ The Council (23.04.2012). EU Action on Migratory Pressures- A Strategic Response, 8714/1/12, Brussels, retrieved from <http://register.consilium.europa.eu/pdf/en/12/st08/st08714-re01.en12.pdf> (Accessed on 30.06.2013)

important transit countries for irregular migration. The document argues that in order to prevent and combat illegal migration, there is a need to ensure the smooth and orderly return of illegal migrants between States, including respect for the obligation of each State under customary international law to readmit its own nationals. Thus, the EU focuses on readmission agreements as tools of an effective return policy in order to tackle illegal immigration. At this stage, the relevant secondary law appears as the Council Conclusions of June 2011 defining an EU strategy on readmission (doc. 11260/11 MIGR 118⁵⁴) and the Council calls for the state parties to operationalize this legislation. Since the initiation and continuing of negotiations on the EU readmission agreements with relevant third countries, including further appropriate steps when negotiations stall were emphasized, the readmission agreements as a part of the EU's return policy to combat irregular migration will be specifically focused on later on within this chapter, but also the developments on the EU- Turkey readmission agreement at both macro and meso level will be analysed in Chapters 5 and 6.

In addition to the initiations of readmission agreements with the targeted third countries, this strategy's priority area also focuses on the better implementation of the existing agreements as well as enhancing the capacity of countries of origin and transit to manage mixed migration flows. In this regard, the goal, "to equip the countries of first asylum with the necessary means to be able to guarantee refugees protection that meet international standards" is stipulated. (The Council, 2012: 12); but more importantly "to assist third countries to better manage mixed migratory flows" and "to establish Mobility Partnerships with relevant third countries" are mentioned (Ibid.) concerning Turkey's role.

In the framework of the second strategy, Enhanced Border Management at the External Borders, the Council emphasizes strengthening political guidance and the legal framework regarding border control; thus the better implementation of the Schengen Governance. Again the same strategy priority highlights the role of strong and efficient

⁵⁴ Retrieved from <http://register.consilium.europa.eu/pdf/en/11/st11/st11260.en11.pdf> (Accessed on 04.07.2013).

external border controls again by mentioning the Schengen Governance but also the significant role of FRONTEX, EUROPOL and EASO. At this stage it should be noted that even though Turkey is a non-EU country, the memorandum of understanding regarding the EU-Turkey cooperation for FRONTEX was signed between the two sides in 2012. The study examines both the Schengen *aquis* and also as an important institution FRONTEX under the ‘border management’ title.

The third strategy priority carries utmost importance regarding this study, which is SPA: Preventing Illegal Migration via the Greek-Turkish Border. By this, the importance of the role of Turkey regarding irregular migration is highlighted and the selection of two gateway cities is justified. Thus, detailed attention will be paid to this priority, which determines the following two challenges: “Ensuring effective border controls are in place at the Greek- Turkish border” and “Combating illegal immigration transiting Turkey to the EU” (The Council, 2012: 15). Concerning these challenges the Council frames the below given actions and goals:

To fight illegal border crossings by ensuring that efficient measures are in place for the detection, prevention and interception of illegal migrants at the Greek-Turkish border; increase capacity in Greece by introducing sustainable measures to reduce illegal immigration; to obtain an effective engagement of Turkish authorities to prevent illegal immigration transiting through their territory towards the EU external borders; to sign and conclude the EU-Turkey readmission agreement. Intensify trilateral cooperation between Greece, Bulgaria and Turkey for joint border management and police cooperation (The Council, 2012: 15-16).

This priority also emphasizes the importance of the Schengen Area, the role of FRONTEX and particularly its operations concerning borders such as Rabbit, Poseidon and most recently Aspida.

The fourth strategy’s priority is determined as Better Tackling of Abuse of Legal Migration Channels, where the previously discussed nexus between irregular migration and asylum appears more visible for the EU policies. The priority determines the increase of unfounded asylum applications as a direct consequence of introducing a visa free regime for a third country as well as the decrease in the number of over-stayers in

the Schengen Area, and thereby combating and preventing illegal immigration caused by visa liberalisation. The EU's focus appears to be the visa policy; particularly the negative and positive visa lists as well as standardized and well-managed visa policies in the third country, particularly in the transit countries. Thus this dimension will be examined further under the "Visa Policy" dimension.

The fifth strategy area is called "Safeguarding and Protecting Free Movement by Prevention of Abuse by Third Country Nationals", which is related to the externalization policy of the EU. The Council determines one of the most important challenges as "to improve the understanding of abuse of free movement rights by third country nationals and organised crime aiming at facilitating illegal immigration" as well as "to prevent the fraudulent acquisition and use of free movement rights by third country nationals" (The Council, 2012: 19). The appropriate action is determined to be to share data and information to be able to prevent fraudulent documents that are used for circulating the "illegal migration".

The final strategy priority is defined as Enhancing Migration Management, Including Cooperation on Return Practices, where the main emphasis is on both developing a better migration management systems in the members states but also in the transit and source countries and support these systems with better support which refers to deportation, either forced or on a voluntary basis. One more time one of the stakeholders is defined as FRONTEX.

Briefly, the Strategic Response for EU Action on Migratory Pressures (2012) organized the "pre-entry" dimension under the first, second and the third strategy priorities; while the "entry" part is tackled by the second, third and sixth priorities; and finally, the "during stay" dimension is regularized by the fourth and fifth priorities.

As it can be seen from the entire Strategy Document, both for Europeanization or externalization of the EU's immigration and asylum policy there is a particular emphasis on 'to combat irregular migration'. Even though the above-discussed priority

areas are organized under different headings, there is an intense overlapping. It can be also argued that the Strategy documents do not mention the correct and standardized implementations in the EU member states; but the focuses is on both “pre-entry” and “entry” measures. Regarding the “during stay” dimension; return policies were highlighted rather than rights of the migrants. Even though the EC has often been calling for measures to fight irregular immigration; while respecting the dignity, fundamental rights and freedoms of the persons concerned and has been highlighting the need to ensure irregular migrants’ access to services which are essential to guarantee their fundamental rights; the EU’s central approach in policy making procedures addressing irregular migration has been more ‘control-oriented’. The corresponding development of a right-oriented approach has been marginalised, and limited only to “legally resident” TCNs.

4.2.2. The EU Primary Law and Irregular Migration

The historical development of the EU’s immigration and asylum policy concerning irregular migration was given under the previous title. Under this heading, the most important constitutional (normative) and institutional structure will be examined. Within this framework, the previous Treaties that constitute the EU’s primary law will be addressed by expanding on the importance of the JHA as an intergovernmental pillar in the Maastricht Treaty of 1992 (which remained valid until the Treaty of Lisbon, 2007) and the designation of the AFSJ in the Amsterdam Treaty in 1997. The later treaty regulates “Visas, Asylum, Immigration and other Policies Related to Free Movement of Persons”. The Lisbon Treaty (2007) put the EU law in conformity with fundamental rights, regardless of the individual’s migration status. It also made the EU subject to a more rigorous external control and monitoring in human rights matters through accession to the European Convention of Human Rights (ECHR) (Merlino and Parkin, 2011: 7). It retained the MSs decisive actors in migratory and bordering processes at EU level. Similarly, the MSs remain competent in managing their borders via bilateral agreements (Wolff, 2010: 26).

As the most recent development, the Treaty of Lisbon or Lisbon Treaty (initially known as the Reform Treaty) was signed by the EU MSs on 13 December 2007, and entered into force on 1 December 2009. It amends the Maastricht Treaty (also known as the Treaty on European Union) and the Treaty Establishing the European Community (TEC); also known as the Treaty of Rome). In this process, the Rome Treaty was renamed to the Treaty on the Functioning of the European Union (TFEU). Thus, the Lisbon Treaty is also renamed as TEC and the TFEU. The AHSJ operates within the mandate of TFEU, which goes into deeper detail on the role, policies and operation of the EU.

The Lisbon Treaty changed the general organization or architecture of the EU. As it was mentioned in the Maastricht Treaty (1992), a new structure consisting of ‘three pillar’ was introduced and by the Amsterdam Treaty an important change had been introduced by replacing the responsibility for asylum, immigration & external border controls to the EC’s pillar as it can be seen from the figure given below. However, the existing three pillar structure was changed by the Lisbon Treaty.

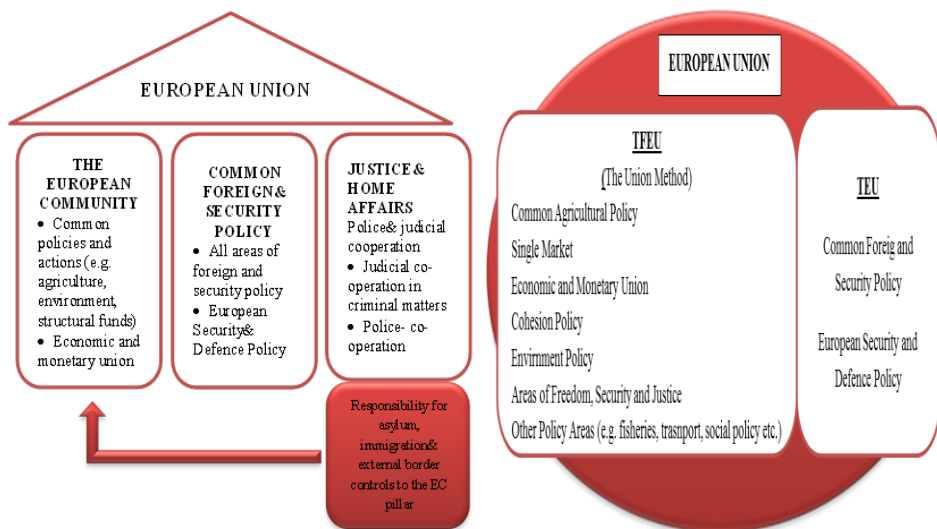


Illustration 4.3: The EU’s Three-Pillar Structure 2003-2009 (Left) and the EU’s Post-Lisbon Architecture (Right)

Source: George BACHE (Et al.) (2012). *Politics in the European Union*, 3rd Edition, Oxford, pp. 227-228.

Concerning irregular migration Merlino and Parkin (2011: 5) argue that the Lisbon Treaty brought important changes to the EU's AFJS, particularly recognizing the binding status of the Charter of Fundamental Rights, having provisions of a legal basis for the EU's accession to the ECHR and finally recognizing the expansion of the jurisdiction of the Court of Justice of the European Union (CJEU). Since the Charter of Fundamental Rights guarantees rights for everyone regardless of their migration status, the accession of the EU to the ECHR allows everyone an individual petition to the ECHR as the guarantor of human rights and finally, the CJEU becomes binding on national administrations and courts again as a similar actor to the ECHR; these development can be seen as directly related to irregular migration.

The Treaty regulated the AFSJ under the General Provisions, by stating that "It shall ensure the absence of internal border controls for persons and shall frame a common policy on asylum, immigration and external border control, based on solidarity between MSs, which is fair towards third-country nationals" [Article 67 (2)].

Chapter 2 is titled "Policies on Border Checks, Asylum and Immigration", where we can find aspects of the irregular dimension such as control of external borders and common visa policy as a part of Article 77 (1, 2 and 4) as follows:

*Article 77: 1. (b) carrying out checks on persons and efficient **monitoring of the crossing of external borders**; (c) the gradual introduction of an **integrated management system for external borders**; 2. (a) **the common policy on visas and other short-stay residence permits**; (b) **the checks to which persons crossing external borders are subject**; (d) any measure necessary for the gradual establishment of an **integrated management system for external borders**.*

Concerning common asylum policy and complementary international protection such as subsidiary or temporary protection, Article 78 (1) supplies a frame:

Article 78: 1. The Union shall develop a common policy on asylum, subsidiary protection and temporary protection with a view to offering appropriate status to any third-country national requiring international protection and ensuring compliance with the principle of non-refoulement. This policy must be in accordance with the Geneva Convention of 28 July 1951 and the Protocol of 31 January 1967 relating to the status of refugees, and other relevant treaties.

However, in terms of irregular migration the most relevant article appears as Article 79 as follows:

*Article 79: 1. The Union shall develop a common immigration policy aimed at ensuring, at all stages, the efficient management of migration flows, fair treatment of third-country nationals residing legally in MSs, and the prevention of, and enhanced measures to combat, **illegal immigration** and trafficking in human beings; 2. For the purposes of paragraph 1, the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, shall adopt measures in the following areas: (a) the conditions of **entry and residence**, and standards on the issue by MSs of long-term visas and residence permits, including those for the purpose of family reunification; (c) **illegal immigration and unauthorised residence, including removal and repatriation of persons residing without authorisation**; 3. The Union may conclude agreements **with third countries for the readmission** to their countries of origin or provenance of third-country nationals who do not or who no longer fulfil the conditions for entry, presence or residence in the territory of one of the MSs.*

4.2.3. The EU Secondary Law Addressing Irregular Migration

The secondary law addressing irregular migration can be dated to the Amsterdam Treaty (1999), which brought shared competences in the field of immigration and asylum. Since the enactment of this treaty, the EU has adopted several secondary legislative measures dealing with diverse aspects of irregular migration. The body of the secondary law of the EU *acquis* on irregular migration is summarised in the below-given table.

Table 4.3. The EU Secondary Law Instruments Concerning Irregular Migration

SUBJECT	MEASURE
Carrier Sanctions	The Council Directive 2003/110/EC of 25 November 2003 on assistance in cases of transit for the purposes of removal by air ⁵⁵
	The Council Directive 2004/82/EC of 29 April 2004 on the obligation of carriers to communicate passenger data ⁵⁶
Employers Sanctions	The Council Directive 2009/52/EC of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals ⁵⁷
Expulsion/ Removal Expulsion/ Removal	The Council Directive 2008/115 of 16 December 2008 on common standards and procedures in MSs for returning illegally staying third-country nationals (Returns Directive) ⁵⁸
	The Council Decision 575/2007/EC of 23 May 2007 establishing the European Return Fund for the period 2008 to 2013 as part of the General Programme Solidarity and Management of Migration Flows ⁵⁹
	The Council Decision 2004/191/EC of 23 February 2004 setting out the criteria and practical arrangements for the compensation of the financial imbalances resulting from the application of Directive 2001/40/EC on the mutual recognition of decisions on the expulsion of third-country nationals ⁶⁰
	The Council Decision 2004/573/EC of 29 April 2004 on the organisation of joint flights for removals from the territory of two or more MSs, of third-country nationals who are subjects of individual removal orders ⁶¹
	The Council Directive 2003/110/EC of 25 November 2003 on assistance in cases of transit for the purposes of removal by air ⁶²

⁵⁵ Retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32003L0110:en:NOT> (Accessed on 04.04.2013).

⁵⁶ Retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32004L0082:en:NOT> (Accessed on 04.04.2013).

⁵⁷ Retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:168:0024:0032:EN:PDF> (Accessed on 04.04.2013).

⁵⁸ Retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:348:0098:0107:EN:pdf> (Accessed on 04.04.2013).

⁵⁹ Retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32007D0575:EN:NOT> (Accessed on 04.04.2013).

⁶⁰ Retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:060:0055:0057:EN:PDF> (Accessed on 04.04.2013).

⁶¹ Retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:261:0028:0035:EN:PDF> (Accessed on 14.07.2103).

⁶² Retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32003L0110:en:NOT> (Accessed on 02.07.2013).

Table 4.3. (Continued)

SUBJECT	MEASURE
Expulsion/ Removal Expulsion/ Removal	The Council Directive 2003/110/EC of 22 December 2003 on transit via land for expulsion ⁶³
	The Council Directive 2001/40/EC of 28 May 2001 on the mutual recognition of decisions on the expulsion of third country nationals ⁶⁴
External Borders External Borders	The Council Regulation 1988/2006/EC of 21 December 2006 amending Regulation 2424/2001/EC on the development of the second generation Schengen Information System (SIS II) ⁶⁵
	The Council Regulation 1987/2006/EC of 20 December 2006 on the establishment, operation and use of the second generation Schengen Information System (SIS II) Regulation 1987/2006 establishing SIS II ⁶⁶
	The Council Regulation 562/2006/EC of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code) ⁶⁷
	The Council Regulation 871/2004/EC of 29 April 2004 concerning the introduction of some new functions for the Schengen Information System, including in the fight against terrorism ⁶⁸
	The Council Decision 2001/886/JHA of 6 December 2001 on the development of the second generation Schengen Information System ⁶⁹
	The Council Regulation 2424/2001/EC of 6 December 2001 on the development of the second generation Schengen Information System ⁷⁰
Exchange of Information/ Data	The Council Decision 2005/267/EC of 16 March 2005 establishing a secure web-based Information and Coordination Network for MSs' Migration Management Services ⁷¹

⁶³ Retrieved from <http://www.statewatch.org/sem/doc/205.html> (Accessed on 04.04.2013).

⁶⁴ Retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2001:149:0034:0036:EN:PDF> (Accessed on 04.07.2013).

⁶⁵ Retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:411:0001:0005:EN:PDF> (Accessed on 04.03.2013).

⁶⁶ Retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:381:0004:0023:EN:PDF> (Accessed on 04.07.2013).

⁶⁷ Retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:105:0001:0032:EN:PDF> (Accessed on 04.07.2013).

⁶⁸ Retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:162:0029:0031:EN:PDF> (Accessed on 04.07.2013).

⁶⁹ Retrieved from <http://www.statewatch.org/news/2005/may/sources-SIS-to-SIS%20II-and-VIS.htm> (Accessed on 04.07.2013).

⁷⁰ Retrieved from <http://www.statewatch.org/news/2005/may/sources-SIS-to-SIS%20II-and-VIS.htm> (Accessed on 04.07.2013).

Table 4.3. (Continued)

SUBJECT	MEASURE
Exchange of Information/ Data	The Council Directive 2004/82/EC of 29 April 2004 on the obligation of carriers to communicate passenger data ⁷²
	The Council Regulation 378/2004/EC of 19 February 2004 on procedures for amending the Sirene Manual ⁷³
Human Smuggling	The Council Directive 2002/90/EC of 28 November 2002 defining the facilitation of unauthorised entry, transit and residence ⁷⁴
	Council framework Decision 2002/946/JHA of 28 November 2002 on the strengthening of the penal framework to prevent the facilitation of unauthorised entry, transit and residence ⁷⁵
	The Council Decisions 2006/616/EC and 2006/617/EC of 24 July 2006 on the conclusion of the Protocol against the Smuggling of Migrants by Land, Air and Sea, supplementing the United Nations Convention against Transnational Organised Crime ⁷⁶
Readmission	Readmission Agreements: Concluded with Hong Kong (entered into force in 2004), Macao (2004), Sri Lanka (2005), Albania (2006), Russia (2007), Ukraine, Moldova, Bosnia and Herzegovina, Montenegro, Serbia and FYROM (on 1 January 2008), Georgia (2010), and Pakistan. 5 Current mandates are at various stages of negotiation: Morocco, Algeria, China, Turkey, Cape Verde and Belarus. Directive 2004/81 on res. permits for trafficking victims (OJ 2004 L 261/19) Framework Decision on trafficking in persons (OJ 2002 L 203/1)
Visa Policy	Regulation (EC) No 453/2003 of 6 March 2003 amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement ⁷⁷
Relevant Financial Instruments	Decision No 573/2007/EC of 23 May 2007 establishing the European Refugee Fund for the period 2008 to 2013 as part of the General programme ‘Solidarity and Management of Migration Flows’ and repealing Council Decision 2004/904/EC ⁷⁸

⁷¹ Retrieved from http://frontex.europa.eu/assets/About_Frontex/1_08320050401en00480051.pdf (Accessed on 04.07.2013).

⁷² Retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32004L0082:en:NOT> (Accessed on 04.07.2013).

⁷³ Retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32004R0378:EN:HTML> (Accessed on 04.07.2013).

⁷⁴ Retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2002:328:0017:0018:EN:PDF> (Accessed on 04.07.2013).

⁷⁵ Retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32002F0946:EN:NOT> (Accessed on 04.07.2013)

⁷⁶ Retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32006D0617:EN:NOT> (Accessed on 04.07.2013).

⁷⁷ Retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2003:069:0010:0011:EN:PDF> (Accessed on 04.07.2013).

Table 4.3. (Continued)

SUBJECT	MEASURE
Relevant Financial Instruments	Decision No 574/2007/EC establishing the External Borders Fund for the period 2007 to 2013 as part of the General programme ‘Solidarity and Management of Migration Flows’ ⁷⁹
	Decision No. 575/2007/EC establishing the European Return Fund for the period 2008 to 2013 as part of the General Programme ‘Solidarity and Management of Migration Flows’ ⁸⁰
Institutions	Regulation (EC) No 377/2004 of 19 February 2004 on the creation of an immigration liaison officers network ⁸¹

Source: Massimo MERLINO and Joanna PARKIN (2011). Irregular Migration in Europe: EU policies and the Fundamental Rights Gap, Centre for European Policy Studies (CEPS) Report, pp. 6, retrieved from http://migration.etuc.org/en/tomate_en.htm/ (Accessed on 28.02.2013) (Modified by N. Ela GÖKALP-ARAS as adding the missing secondary legislation, such as relevant financial instruments or other instruments that missing within the existing categories)

⁷⁸ Retrieved from <http://eur-lex.europa.eu/JOHtml.do?uri=OJ:L:2007:144:SOM:en:HTML> (Accessed on 04.07.2013).

⁷⁹ Ibid.

⁸⁰ Ibid.

⁸¹ Retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:2004R0377:20110616:EN:PDF> (Accessed on 04.07.2013).

The above-given secondary law instruments can be seen as part of the Europeanization dimension of the EU's irregular migration policy, since the recipients are the EU members. Thus, first, since the study mainly focuses on irregular transit migration and secondly, because Turkey is one of the candidate countries and has commitments to undertake and adopt the EU *acquis*, the externalization dimension carries more weight regarding irregular migration. Thus, the study mainly focuses on the policies and policy instruments concerning the externalization dimension.

4.2.4. Fundamental Instruments of the External Dimension for Irregular Immigration

European migration policy is composed of both internal and external elements. The internal elements encompass conditions of entry, residence and the status of third country nationals, measures to tackle irregular migration, and conditions for the reception and processing asylum claims. The external elements include relations with third countries to externalize tools of domestic and the EU migration control and to take preventive measures to address the root causes of migration (Geddes, 2009: 23; Boswell, 2003: 619). Both internal and external elements of the European migration policies have a complex institutional undertaking within the EU. As it was discussed above, as based on the Strategic Response for EU Action on Migratory Pressures, not only the EU's internal tools, but mainly the tools for the Externalization of the EU's policies on irregular migration will be examined in order to have a multi-level policy analysis concerning Turkey.

When we trace all the tools of the externalization of irregular migration of the EU, we come across mainly diplomatic practices, related external institutions and also specific concrete policies. In terms of diplomatic practices, 'readmission agreements' will be examined. Regarding external institutions, rather than the other elements of this heading, such as, camps and asylum processing centres and immigration offices, FRONTEX will mainly be focused on. Finally, in terms of 'concrete policies', the most important three policy, which are 'visa', 'return' and 'repatriation' policies will be

analysed. In this framework, it can be argued that none of these strategies or tools can be categorized as a part of ‘root cause approach’, which can be seen as the comprehensive approach to combatting irregular migration; but rather mainly the ‘remote control approach’ as a part of the externalization of the EU’s policy in this field. Briefly, within this study the main areas focused on are determined as ‘external border management’, ‘visa policy’ and ‘readmission agreements and institutions’ and ‘asylum and irregular migration nexus’.

4.2.4.1. External Border Control, Integrated Border Management and Schengen Zone

Borders can be seen as the areas where the territorial sovereignty of nation-states starts or ends. Concerning European Integration, the significant historical turning point can be seen as the Single Market. O’Dowd (2001: 70) argues that this development can be explained in line with the World System Theory and particularly by the post-war economic consensus on ‘Keynesianism’, which abolished the distinction between domestic and foreign economic policy and replaced it with the following hypothesis, “neo-liberals sought to utilise market disciplines as a way of reducing states’ roles in their domestic economies”. Within this framework legal, administrative, political and cultural borders were seen as distortions for the market as well as “interrupting and distorting factors for flows of trade, limiting the size of the market, and increasing transaction costs” (Ibid.). As it was discussed earlier, we can find a similar rationale behind the theory of the Single Market and the expansionist approaches as explained within the World-System Theory. The aim for the EU was to create a ‘borderless’ single market, to decrease the transaction costs and increase competitiveness by creating the European Community level at that time for supporting the competitive competences of the EU with the other economies. During this period, not only economic globalisation, but also institutional transformation of the EU as well as the enlargements was creating pressure on the state borders to reconfigure. However, it should be emphasized that the World System Theory’s arguments become clearly visible at this stage. In the same period as the Single Market and particularly the Single European Act (1986), the EU

was faced with mass unemployment, which can be seen as the impact of global recessions; where the EU saw solution as embracing its markets to the transcended borders. It was requiring the fluidity of the borders for the actions of the core through semi-peripheral and peripheral economics. The tides of the core to the peripheral shores will be returning with immigration as the outcome. A similar tendency also continued through the 1990s first with the Single European Act (1985) then with the Maastricht Treaty (1992), even though the means were political for the EU but the driving forces were mainly economic. Thus, the Political Economy, which was mentioned in the theoretical part, was also following the World System Theory by creating the appropriate “superstructure”.

As a consequence, the EU MSs’ borders became the barriers for the completion of the European Market and, furthermore, the European discourse also determined them as the barriers for a political union. While the national borders were being abolishing, Wallace argues that (cited in O’Dowd, 2001: 72) some countries such as “Poland, Hungary, and the Czech and Slovak Republics had become a new Central European buffer zone characterised by particular forms of capital investment and circulation of people and goods”. Concerning the circulation of population movements, those countries were also undertaking the roles for controlling immigration to the EU, which will be also conceptualized as “transit countries” as well.

Thus, the above-mentioned border management issues can also be seen as the starting point for the EU’s external and multilevel governance or in other words externalization or “Europeanization beyond Europe” policies.

The borders can be seen as both barriers and also bridges between the nations, societies and economies. But it should be noted that they do not only undertake their mission as part of the world’s global economy; but they also serve as resources for a range of actors. It should be emphasized that they are also places of economic and political opportunity for the countries as well as the other interest groups and agencies, which can be formal or informal or legal or illegal as they are conceptualized by the MFNs and

RFNs in the border/ gateway cities. It does not mean that this internal borderless structure has demolished all the state's role in regulating or co-ordinating the competitiveness of economic activities within their own borders; but it is a fact that economic regionalisation via transnational cooperation beyond the inter-state level has also started .

Briefly it can be said that while the EU started to take actions to abolish the internal borders during the 1980s, within the same period, the EU were also faced with 'unwanted immigrants'. Since the Amsterdam Treaty (1997), the EU has been trying to reconcile the above-mentioned two sides of the coin as aims to create the AFSJ. This reconciliation required satisfying the needs of the liberal market economy without scarifying 'security', thus, the Integrated Border Management (IBM) was introduced as the best formula for this specific area of management.

Under this heading, the study focuses on the IBM, which also covers the cooperation with third countries and directly related to irregular migration and the role of Turkey. Besides the historical developments, also the Schengen Agreement and its tools, the relevant primary law and the most important institution, FRONTEX will be focused on.

4.2.4.1.1. Introduction to the Integrated Border Management (IBM)

The "Integrated Border Management (IBM)", which is framed by the previously-given "secondary law" table and particularly based on the Council Regulation 562/2006/EC of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code).

IBM structures the EU standards which are necessary to facilitate mobility of persons by effectively tackling customs fraud, trafficking and the illegal migration progress in key policy areas such as trade, customs and visas. Assistance for demarcation of internationally recognised borders is also provided in the frame of the IBM. It also consists of measures in third countries and the EU's neighbouring countries, and control

measures in the territories of the MSs. The above-given Regulation's conclusions also specify the most urgent development measures to be taken by FRONTEX. These measures include an effective implementation of joint operations and regional cooperation arrangements and the further development of the common risk analysis system, particularly at operational level. The conclusions also draw attention to the specific situation in the Mediterranean region and ask that joint operational measures be taken in the region as soon as possible. In the conclusions, the MSs commit themselves to strengthening cooperation between police, customs and border guard authorities. Within the Regulation, it also emphasizes the importance of information exchange and smooth border traffic. In addition, the MSs are requested to take an active role in developing joint operations, for example by dealing efficiently with the relevant EU legislative initiatives, allocating resources to joint operations and continuing coordinated consular cooperation. On the one hand, IBM reserves of the openness of borders for trade and movement of persons and on the other it aims the closeness of borders for all criminal activities and other activities which jeopardize stability in the region. As a part of the IBM, the fact that problems related to smuggling of all kinds, illegal migrations, terrorism, and organized crime must be resolved throughout the region, particularly at borders, are included.

4.2.4.1.2. The Schengen Agreement and Its Tools

Creating the EU border management policy has been closely intertwined with the development of the Schengen Zone as well as the establishment of a single market and the ideal of freedom of movement. Even though not all the measures from the Schengen Agreement are directly related with border issues, the Schengen *acquis* supplies an important frame for the internal territory but are still crucial to enhancing border efficiency. Here, mainly the general overview for the Schengen as well as its border related dimension will be focused on. Under the 'visa policy' title, the Schengen Agreement⁸² will be mentioned one more time.

⁸² Retrieved from <http://www.statewatch.org/sem/doc/assets/files/keytexts/SchAg.htm> (Accessed on 08.11.2012)

The agreement can be seen as the initiative of five members of the EU (France, Germany, the Netherlands, Belgium and Luxembourg) out of ten total members aside from the European Economic Community *acquis* and was signed on 14th June, 1985. Within its main remit, it proposed the gradual abolition of border checks at the signatories' common borders. Measures proposed included reduced speed vehicle checks which allowed vehicles to cross borders without stopping, allowing of residents in border areas freedom to cross borders away from fixed checkpoints and the harmonization of visa policies. In 1990 the Agreement was supplemented by the Schengen Convention⁸³, which proposed the abolition of internal border controls and a common visa policy. Following the ratifications by the founding members of the EEC as well as Spain and Portugal, the Convention came into force on 26th March, 1995.

Today, it can be said that the Schengen Area operates like a single state for international travel purposes with only external border controls for travellers entering and exiting the area, and common visas, but with no internal border controls. It currently consists of 26 European countries covering a population of over 400 million people. The below given map display the current members and the countries planning to join in the near future. The Schengen Zone and its implications could also be observed during the field research of this study, which will be revealed in Chapter 5 and 6.

⁸³ Retrieved from <http://www.hri.org/docs/Schengen90/> (Accessed on 08.11.2012)

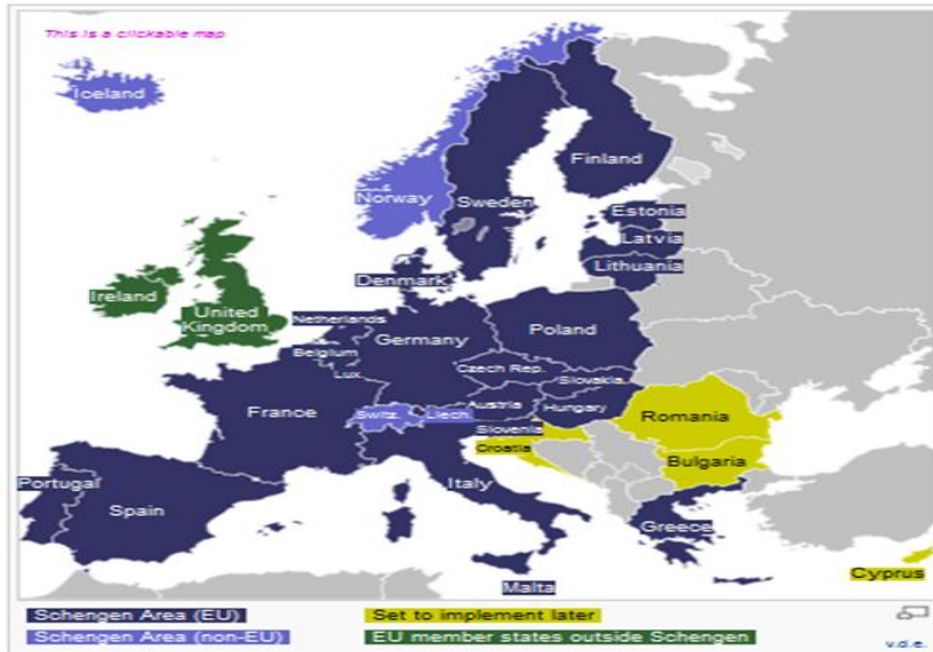


Illustration 4.4: The Schengen Area

Source: Retrieved from http://en.wikipedia.org/wiki/Schengen_Area (Accessed on 05.07.2013).

The aim of the Schengen *aquis* can be determined as the gradual abolition of the internal borders as well as border-checks for EU citizens, with the purpose of facilitating the movement of goods and services as well as citizens of the Union (Köktaş, 2011). Among other things, the Schengen regulatory requirements includes the removal of internal border controls and regulations under the following subjects; visa, migration, circulation and residence of third-country nationals, asylum, police cooperation, judicial cooperation, extradition, and covers issues such as the protection of personal data. The concerning secondary law was given within this chapter previously.

Even though the Schengen Agreement was signed in 1985; the legislation could not bring about the expected results until the Amsterdam Treaty (1997) (Ibid.) in terms of neither internal borders nor the external ones. Köktaş (2011) argues that particularly during the first years of the Agreement, it could not be functional adequately regarding border management, since it was relying on “common uniformed principles”, which

were extremely limited. In this regard, Article 6⁸⁴ of the convention is seen as the vital turning point that was made by the Convention. This article is perceived as the core of the Schengen system. According to this article, ‘border control’, regardless of the purpose, should be determined as all controls made by officials regarding the border-crossing actions. The article states that “Cross-border movement at external borders shall be subject to checks by the competent authorities” [Article 6 (1)]. In addition, the Article calls on the authorities to use mobile units to exercise surveillance on external borders between crossing points. The most updated definition can be found in Article 2 (9), where by the Regulation 562/2006/EC⁸⁵, the Council defines it as follows:

Article 2(9): ...border control’ as “the activity carried out at a border, in accordance with and for the purposes of this Regulation, in response exclusively to an intention to cross or the act of crossing that border, regardless of any other consideration, consisting of border checks and border surveillance...

The Amsterdam Treaty (1997) and in particular its Article 62 emphasized the Community’s competence for the crossing of external borders, rules on visas, etc. – and the integration of the Schengen *acquis* into the EU legal framework, which has created an important positive impact on the IBM as well. IN this way, the Schengen *acquis* was integrated within the *Acquis Communautaire* in 1997 with the Amsterdam Treaty in order to pave the way for shared competence over the external borders (Wolff, 2010:23).

Following the Amsterdam Treaty both the Tampere and Laeken Summits supported the IBM’s establishment. On 15-18th October 1999, the Council shared its concerns regarding ‘external border management’ by stating that

Much cross-border crime also crosses the external borders of the European Union and of neighbouring third countries. The European Union and its law enforcement agencies must therefore not only play an active part in international bodies like the

⁸⁴ Retrieved from <http://www.hri.org/docs/Schengen90/> (Accessed on 08.11.2012).

⁸⁵ The Council Regulation 562/2006/EC of 15 March 2006 on the rules governing the movement of persons across borders (Schengen Borders Code), retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:105:0001:0032:EN:PDF> (Accessed on 08.07.2013).

United Nations, the Council of Europe, OSCE, and OECD but also in co-operating with neighbouring countries, countries of origin (from which drugs, illegal immigrants, etc. come) and countries of transit (through which drugs, illegal immigrants and stolen goods are transported). ...The objective is to stop drugs, smuggled and stolen goods, and illegal immigrants entering the European Union (The Council, 1999: 3).

In addition, by foreseeing the establishment of FRONTEX, during the same summit, the Council states the needs for external border control by trained professionals. In parallel to the Tampere Summit, on 14-15th December, 2001; the Laeken Summit's Presidency conclusions stated that

Better management of the Union's external border controls will help in the fight against terrorism, illegal immigration networks and the traffic in human beings. The European Council asks the Council and the Commission to work out arrangements for cooperation between services responsible for external border control and to examine the conditions in which a mechanism or common services to control external borders could be created. It asks the Council and the MSs to take steps to set up a common visa identification system and to examine the possibility of setting up common consular offices (The Council, 2001, 42th paragraph).

In relation to the IBM, Article 10⁸⁶ of the Convention can be seen as the turning point for the IBM, as it regulated the common visa rules for stays shorter than 3 months. In addition, Article 101⁸⁷ regulates the SIS as the most important implementation tool. One of the other important articles can be seen as Article 2⁸⁸, which states that

Where public policy or national security so require, however, a Contracting Party may, after consulting the other Contracting Parties, decide that for a limited period national border checks appropriate to the situation will be carried out at internal borders. If public policy or national security requires immediate action, the Contracting Party concerned shall take the necessary measures and shall inform the other Contracting Parties thereof at the earliest opportunity [Article 6(1)].

⁸⁶ The Schengen *acquis* - Convention implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders , retrieved from [http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:42000A0922\(02\):en:HTML](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:42000A0922(02):en:HTML) (Accessed on 02.02.2013).

⁸⁷ Ibid.

⁸⁸ Ibid.

Thus, the Article foresees the re-implementation of the internal borders in t special cases which has recently become a controversial agenda item for the EU. In addition, the Convention covers police cooperation (Article 39), trans-border operations (Article 40), and communication among local border units (Article 46), which can be seen as innovative regulations for that time.⁸⁹ Despite these detailed articles, because of implementations problems; the Council prepared a handbook, which has four sub-series.⁹⁰

In a similar way to the IBM, on the one hand the Schengen Convention was abolishing the barriers to allow free movement of capitals, services, peoples and products; but also required better control of external borders and cooperation with third countries. Thus, while full freedom of movement appears a daunting task for the EU with its expansion waves, irregular migration has been considered as the most serious threat not only in building internal area of freedom but also in protecting external borders (Zapata-Barrero, 2010: 9).

In the following two chapters, the research will show the constraints of border management regarding Turkey and specifically for the two selected transit (border) cities: Izmir (Sea Border) and Edirne (Land Border with River crossing). It should be

⁸⁹ The Schengen *acquis* - Convention implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders , retrieved from [http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:42000A0922\(02\):en:HTML](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:42000A0922(02):en:HTML) (Accessed on 02.02.2013).

⁹⁰ The Council (2002). “Schengen Information System, SIRENE, Recommendations and Best Practices, Vol. 2.” EU Schengen Catalogue, Brussels, retrieved from <http://consilium.europa.eu/uedocs/cmsUpload/Cat.Sch.Vol.2EN.pdf> (25.03.2009); The Council (2002). “External Borders Control, Removal and Readmission, Recommendations and Best Practices” EU Schengen Catalogue, Brussels. Retrieved from <http://consilium.europa.eu/uedocs/cmsUpload/catalogue20EN.pdf> (25.03.2009); The Council (2002). “Issuing of Visa, Recommendations and Best Practices Vol. 3.” EU Schengen Catalogue, Brussels, retrieved from <http://consilium.europa.eu/uedocs/cmsUpload/Cat.Sch.Vol.3EN.pdf> (25.03.2009); the Council (2002), “Police Co-Operation, Recommendations and Best Practices Vol. 4.” EU Schengen Catalogue, Brussels, retrieved from http://www.consilium.europa.eu/uedocs/cms_data/librairie/PDF/item_2310_12364.pdf (Accessed on 05.07.2013).

noted that among the three different border types (air, land and sea), the most difficult to control appear to be the latter two types.

4.2.4.1.3. FRONTEX

As it was mentioned previously, full freedom of movement appears a daunting task for the EU with its expansion waves. In addition, irregular migration has been considered as the most serious threat not only in building internal areas of freedom; but also in protecting external borders (Zapata-Barrero, 2010: 9). The EU endorses an integrated approach to border management involving policy harmonization among the MSs and cooperation with third countries. FRONTEX assists the MSs to strengthen control measures and instruments at the borders. In addition to FRONTEX, there are many policy packages addressing the entry/exit and crossing of borders by third country nationals. Moreover, the EU employs highly developed computer tools for the detection, identification, and control of undocumented migrants. It creates various databases and shares them with all the MSs in the hope of obtaining and keeping more information about undocumented migrants. Forms of border management include cross-border policing, the externalization of migration policies, and bilateral management (Aubarell, Zapata-Barrero and Aragall, 2009).

FRONTEX should be examined as a part of the IBM, whose origins can be found in the Lahey Programme. The agency special unit FRONTEX was established by the Council Regulation (EC) 2007/2004 and started operating on October 3, 2005, having its headquarter in Warsaw, Poland. As one of the Community Agencies, FRONTEX has legal entity status, as well as operational and financial autonomy (Council Regulation 2007/2004/EC). It should also be noted that FRONTEX have been expanding in terms of its budget and human resources. The budget of this institution has grown extensively, from approximately 6.3 million euros in 2005 to nearly 88 million euros in 2010⁹¹. The

⁹¹ FRONTEX Budget Increase (2005-2010), retrieved from www.frontex.europa.eu/showImage.php?src=image/Z2Z4L2Zyb250ZXgvZW4vZGVmYXVsdF9vcGlzeS80LzgvMQ/2027059518.jpg:RnJvb nRleCBidWRnZXQgaW5j cmVhc2UgMjAwNS0yMDEw (Accessed on 03.01.2012)

main role of this institution is to set out standards and procedures for external border management.⁹²

The aim of FRONTEX can be determined as to realize and control the integrated management of the external borders of the EU MSs, the land and sea borders of the MSs and also external border crossings by persons. FRONTEX ensures the management of external borders and facilitates the implementation of the Community measures. Within this framework, FRONTEX coordinates the operational cooperation between the MSs in the field of management of external borders, organizes in-service trainings for the national border guards by setting the common standards, supports the MSs for their in-service trainings, conducts risk analyses and research on the monitoring of the control of external borders, supplies a high level of technical and operational support for the MSs and finally supports the MSs in their return policy implications and the relevant operations (Peers, 2007: 142-144).

In addition to the main headquarters of FRONTEX, there are local centres established in various locations and activities are carried out in some of the MSs such as on the German land borders, the Greek and Spanish sea borders, airport centres in Italy, a risk analysis centre in Finland, a training centre in Austria, and a control and surveillance technologies centre in the EU. However, the main concentration of centres is along the southern external borders as this is considered the place where the highest irregular migration potential for the mass fluxes coming from the African countries is located. (Köktaş, 2011: 14).

FRONTEX cannot be successful without the cooperation of third countries. Thus, joint operations are coordinated by FRONTEX with non-EU countries, and prevention of the TCNs' irregular migration appears at the core of this external cooperation. Particularly, prevention of irregular migration requires cooperation with transit or non-EU members.

⁹² European Commission, "Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code)," Official Journal of the European Union (L105/1, 2006), retrieved from http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:10_5:0001:0032:EN:PDF (Accessed on 04.04.2013)

But, as discussed within the ‘asylum policy’ dimension, the EU’s border management’s external dimension should respect the Geneva Convention (1951), particularly the non-refoulement principle. Because, as it is discussed in the following chapters; the land and sea border controls that are carried out in the third countries’ territories cause to label forced migrants fleeing from their countries but apprehended at the above-given borders by ignoring the possibility that they might be asylum seekers. Thus, before entering the EU territory, these people remain excluded from the EU *aquis* on asylum as it was seen in the most recent developments in Syria and on the forced migrants, the Syrians.

In summary, it can be said that the EU seeks to externalize its means of control to the countries of origin and transit countries. It uses a wide variety of mechanisms ranging from trans-border police cooperation, to the establishment of migrant detention centres in transit countries, to sending immigration liaison officers to those countries (Perez, 2010: 100). It provides substantial aid for the promotion and support of capacity-building in border management, particularly training and equipping the countries' staff responsible for managing border controls.⁹³ For example, a budget of €40M was provided to Ukraine and Moldova over the 2005-2009 periods via an EU Border Assistance Mission. This mission aimed to reform the customs and border guard operations. Even, Central Asian countries were given a budget of around €25.6M from 2003 to 2010 from a Border Management Programme to enhance border security by adopting modern border management methods (Wolff, 2010: 31). In total, the EU allocated 1820 million euro to the external borders funds for the period 2008-13.⁹⁴

Despite all attempts by the EU for border management, there is much evidence indicating a lack of coordination in enforcing the external borders, especially in the Mediterranean Sea (Haake, Krieger and Minter, 2010:57). Even, the EC reported that the operational cooperation in the field of border management was still “inefficient and insufficient, especially for operational solidarity” (cited from Wolff, 2010: 27). First of

⁹³ Retrieved from <http://register.consilium.europa.eu/pdf/en/08/st13/st13440.en08.pdf>. p.10. (Accessed on 18.04.2013)

⁹⁴ Retrieved from http://ec.europa.eu/home-affairs/funding/borders/funding_borders_en.htm. (Accessed on 18.04.2013)

all, border control is a very difficult task. Secondly, the interests and priorities of the MSs weaken effectiveness of border management as the concept of burden-sharing or solidarity is rarely realized (Wolff, 2010:26).

The EU border management policy has been closely intertwined with the development of the Schengen zone, the creation of the single market and the ideal of freedom of movement. The Schengen *acquis* was integrated within the *Acquis Communautaire* in 1997 and with the Amsterdam Treaty in order to pave the way for shared competence over the external borders (Wolff, 2010:23).

4.2.4.2. Managing Migration through Visa Policy

As one of the ‘pre-entry’ strategy tools, ‘visa policy’ represents a good example of the externalization of the EU’s immigration policy. As was mentioned, the Schengen Agreement signed on 14 June 1985 by the founding members of the EU, led to these countries agreeing on gradually removing controls at their common borders and introducing freedom of movement for all nationals of the signatory Members, other MSs or third countries. The agreement was supplemented by the 1990 Schengen Convention which laid down common rules for visas, the right of asylum, checks at the external borders and cooperation between police forces and customs authorities to allow freedom of movement for individuals within the territories of the signatory countries without disturbing law and order. The Agreement and the Convention as well as the related agreements and rules together form the Schengen *acquis*. The MSs and non-EU countries can be participants in the Schengen *acquis* when the Council affirms that their border controls have been maintained. Countries that are candidates for Union membership must have accepted the whole of the Schengen *acquis* by the time of accession, which will be also the case for Turkey in terms of full membership.

Concerning the ‘visa’ dimension of the Schengen *acquis*, briefly it should be noted that a Schengen visa is a document, which citizens from a number of countries outside the Schengen system must be in possession of in order to travel to and in the Schengen

countries. A Schengen visa issued by any of the Schengen countries applies to all Schengen countries and can give entitlement to travel in all Schengen countries for up to three months. Not all citizens from countries outside Schengen must have a visa in order to travel in the Schengen area.

By the Maastricht Treaty (1992) the territorial competence of the sovereign states was transferred to the EU from the MSs; while the Amsterdam Treaty (1997) even expanded the EU mandate under “Visas, Asylum, Immigration and Other Policies Related to Free Movements of Persons”. For further specifying the above-mentioned ‘persons’, the EU has approved a list of countries whose citizens must have a visa and a list of countries whose citizens are exempt from the requirement to have a visa with a clear stigmatization (Bigo and Guild, 2005). The Draft Regulation⁹⁵ amending the 539/2001/EC No listing the third countries whose nationals must be in possession of visas when crossing the external borders of MSs and those whose nationals are exempt from that requirement, supplies the updated “negative and positive visa lists”. The Great Britain and Ireland are not participating in this part of the Schengen cooperation and the EU’s visa rules do not therefore apply to these two countries.

The Schengen Border Code [Regulation (EC) No 562/2006] is the most detailed part of the EU’s policies on justice, freedom and security. The Council Regulation [(EC) No 539/2001)] makes two lists determining visa requirements. While the negative list includes the third countries whose nationals must be in possession of visas when crossing the external borders, the positive list indicates those who are exempt from the visa requirement.⁹⁶ The composition of these lists evolved over time in relation to third countries and has been amended eight times. The EU expects the candidate countries to adopt the negative list. On the other hand, candidate states expect to be transferred onto the positive list; but the EU is reluctant to make transfers by claiming that there is a risk

⁹⁵Retrieved from http://ec.europa.eu/dgs/home-affairs/what-is-new/news/pdf/review_of_visa_regulation_539_2001_com_2012_650_en.pdf (Accessed on 09.07.2013).

⁹⁶ Brussels, 7.11.2012 COM(2012) 650 final 2012/0309 (COD), retrieved from http://ec.europa.eu/dgs/home-affairs/what-is-new/news/pdf/review_of_visa_regulation_539_2001_com_2012_650_en.pdf. (Accessed 19.4.2013)

of illegal immigration or a threat to public policy for the Union. The same draft also clearly states the link between ‘visa policy’ as a managing instruments for combating w irregular migration’:

*The determination of those third countries whose nationals are subject to the visa requirement, and those exempt from it, is governed by a considered, case-by-case assessment of a variety of criteria relating inter alia to illegal immigration, public policy and security, and to the European Union's external relations with third countries, consideration also being given to the implications of regional coherence and reciprocity. **In view of the criteria of public order and illegal immigration, particular attention should also be paid to the security of travel documents issued by the third countries concerned** (European Commission, 2012: 2).*

With this proposal, the EC emphasized that since 2001 (Regulation No 539/2001/EC), the above-mentioned lists were updated eight times⁹⁷, and the most recent was revised in 2010; when Taiwan, Albania and Bosnia and Herzegovina were removed from the negative list and put onto the positive one. Thus, since the EC only supplies a ‘draft’, the most recent as well as the most valid list should be taken into consideration, which can be found within *the* Council Regulation 1211/2010/EU⁹⁸ of 15 December 2010 amending Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement.

As it was displayed also from the EU’s side, ‘visa policy’ is determined as one of the important tool for the externalization of the irregular migration policy, where the control of the EU starts within the third countries after the gradual abolishment of the internal borders and visa requirements. With the enactment of the Schengen *acquis*, the EU acts like a unified entity without borders inside but an even more protected “European

⁹⁷ Council Regulations (EC) No 2414/2001 of 7 December 2001 (OJ L 327, 12.12.2001, p. 1), (EC) No 453/2003 of 6 March 2003 (OJ L 69, 13.3.2003, p. 10), (EC) No 851/2005 of 2 June 2005 (OJ L 141 4.6.2005, p. 3), (EC) No 1791/2006 of 20 November 2006 (OJ L 363 20.12.2006, p. 1), (EC) No 1932/2006 of 21 December 2006 (OJ L 405 30.12.2006, p. 23), (EC) No 1244/2009 of 30 November 2009 (OJ L 336 18.12.2009, p. 1), (EU) No 1091/2010 of 24 November 2010 (OJ L 329 14.12.2010, p.1) and (EU) No 1211/2010 of 15 December 2010 (OJ L 339 22.12.2010, p.9).

⁹⁸ The Regulation 1211/2010/EU of 15 December 2010 amending Council Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement

Fortress” in terms of external border management. The EU- Turkey relations in terms of ‘visa policy’ will be examined within Chapter 5. However, concerning the case of Turkey, it can be said that not all the demands of the EU were accepted and applied and on the other hand, despite the changing routes and methods, the existing visa policy is far from being able to prevent irregular migration. It should be noted that even though, the EU asks the candidate countries at least to have standardized procedures for all the EU MSs; the EU does not apply the same rules for the candidate or the TCNs.

Finally, as part of ‘visa policy’, the notion of ‘visa facilitation’ should be considered, which is defined as the “simplification of visa issuing procedures for nationals of third countries who are under visa obligation” by the Council (2005: 2). This facilitation can be seen as the EU’s offer in return for ‘readmission agreements’. Petkova (2012: 5) argues that even though “the agreements are reciprocal in theory; they usually introduce more obligations for the third country than for the EU”, thus visa facilitations mitigate the burden in other words they can be approached as the ‘carrots’. In terms of the EU-Turkey relations, Turkey requires ‘mutual visa exemption’ not ‘visa facilitation’.

4.2.4.3 A Prime Instrument of the External Dimension of the EU’s Fight against Irregular Migration: Readmission Agreements

As one of the ‘entry’ as well as ‘during stay’ tools, ‘Readmission Agreements’ have become significant tools for improving the management of the EU’s external borders by cooperating with the source and transit countries. In this context, the cooperation of countries of origin and of transit appears to be of great importance in order to make the EU MSs’ actions more efficient, thus making the externalization and cooperation appear as important dimensions. These type of agreements can also be seen as the sine qua non element of the EU’s ‘return policy’ or as it was given under the EU’s secondary law on irregular migration ‘expulsion or removal strategy’ or ‘repatriation’ in order to combat irregular migration. Briefly these agreements facilitate the removal of migrants, who are irregularly present on the parties’ territories. The Council of Europe defines these agreements as follows:

Readmission agreements reiterate and define the obligation to readmit a country's own citizens and set out the conditions under which state parties to such agreements are obliged to readmit citizens of third countries who have passed through their territory. They facilitate and expedite the enforcement of return decisions in respect of irregular migrants and may also function as an incentive for countries of origin or transit to enhance their migration control (The Council of Europe, 2010: 2).

Petkova (2012: 4) defines the readmission agreements as the “reciprocal instruments of immigration policy that enable countries to return unauthorized migrants residing in their territory to the country of origin or country from which the immigrants entered their territory”.

Readmission agreements appear as one of “the oldest instrument of the MSs to establish reciprocal undertakings between two partners to cooperate over the return of irregular residents to their country of origin or transit” (Billet, 2010: 47). These were proposed within the Council Recommendation of 30 November 1994 concerning a specimen bilateral readmission agreement between a Member State and a third country, and also the Council Recommendation of 24 July 1995 on the guiding principles to be followed in drawing up protocols on the implementation of readmission agreements. The main requirements behind these resolutions can be seen as the disparities between the existing agreements. Following on from this, in 1995, the Council adopted standard clauses on readmission for the EC i to be inserted in all association or cooperation agreements. In practice, as least to defeat the disparities, the standard clauses have been added to several readmission agreements.

By the Amsterdam Treaty the EC became competent to conclude such agreements and its attitude changed in giving priority to EC readmission agreements rather than bilateral agreements with MSs and since then readmission agreements have become an effective way of ensuring the removal of irregular immigrants from the EU. Up to now, the EC has been negotiating readmission agreements with tens of countries.

The below-given table displays the most recent readmission agreements between the EU and the third countries. However it should be noted that as the below-given readmission

agreements are concluded on the basis of an article of Title IV EC, the two protocols which give some MSs the option to opt out apply. Thus, even though the EC is legally bound by the agreement, it does not necessarily apply to three MSs: Denmark, the United Kingdom and Ireland.

Table 4.4. Readmission Agreements of the EU with the Third Countries

Type of Agreement	Countries
Readmission Agreement and Visa Facilitation	Albania (2006), Bosnia and Herzegovina (2008), FYROM (2008), Georgia (2011), Moldova (2008), Montenegro (2008), Russia (2007), Serbia (2008), Ukraine (2008)
Readmission Agreement	Hong---Kong (2004), Macao (2004), Pakistan (2010), Sri Lanka (2005)
Mandate to Conduct Negotiations	Azerbaijan, Algeria, Armenia, Belarus, China, Cape Verde, Turkey, Morocco

Source: EUROPEAN COMMISSION (2012), Visa Policy, retrieved from http://ec.europa.eu/dgs/ho-me-affairs/what-we-do/policies/border_s-and-visas/visa-policy/index_en.htm (Accessed on 21.04.2012-3)

As it can be seen from the above table, some countries particularly the Western Balkan countries have both ‘readmission agreement’ as well as ‘visa facilitation’. Thus, ‘readmission agreements’ should be examined in parallel to the EU’s visa policy as well.

Billet (2010: 52) argues that the EU adopts a “differentiated” strategy concerning determination of the countries required to sign ‘readmission agreements’. For these determinations, the migratory patterns, number of irregular migrants, the size of stock migrants, border types, the capacity of the border management can be seen as the independent variables and as a consequence Billet (Ibid.) argues that there are different groups such as “the Schengen Associated members, “Neighbouring Countries” and “Distant Countries”; which also significantly fits into the World System Theory’s categorization. Thus, it can be argued that the core countries determine the semi-peripheral and peripheral countries for the implications of restrictive migration policies, particularly ‘return policies’.

Regarding the first category, we come across the EU neighbouring countries; which are Norway, Iceland, Switzerland and Liechtenstein. Even though they are not EU members, they occupy a unique position concerning the Schengen Zone. As it can be seen from the given table, the EU has not any readmission agreements with those countries; but rather the MSs have bilateral agreements. On the other hand, the second group, “Neighbouring Countries” appears as the most important semi-peripheral groups, where Turkey should also be located. Billet (Ibid.) allocates the Western Balkan countries within this group (Croatia, the FYROM, Albania, Bosnia and Herzegovina, Montenegro and Serbia) and Croatia became an EU member as of 1st July 2013. The previously given Table 4.3, displays the importance of these neighbours by emphasizing the importance of the Western Balkan Borders.

Under this category, Billet also categorizes (2012: 56) the other neighbouring countries as the South Caucasian countries (Armenia, Azerbaijan and Georgia), Central Asian countries (Uzbekistan, Kyrgyzstan, Kazakhstan, and Tajikistan), new eastern neighbours of the EU (Ukraine, Belarus, and Moldova) and Russia. However, despite the on-going negotiations, as it can be seen from Table 4.5., the number of concluded readmission agreement is quite low.

Finally, for the “distant countries” which are conceptualized as the peripheral countries of the EU, the Cotonou Agreement⁹⁹ regulates readmission. The Agreement established three main institutions, namely the EU-African, Caribbean and Pacific (ACP) Joint Institutions. This agreement also focused on readmission of nationals of the EU and ACP countries living in countries of the other regions. Article 5 states that

*Article 5 c) The Parties further agree that: i) Each Member State of the European Union shall accept **the return of and readmission of any of its nationals who are illegally present on the territory** of an ACP State, at that State’s request and without further formalities; each of the ACP States shall accept **the return of and readmission of any of its nationals who are illegally present on the territory** of a Member State of the European Union, at that Member State’s request and without further formalities...) at the request of a Party, negotiations shall be initiated with*

⁹⁹ Retrieved from http://ec.europa.eu/europeaid/where/acp/overview/documents/devco-cotonou-consol-europe-aid-2012_en.pdf (Accessed on 09.07.2103)

*ACP States aiming at concluding in good faith and with due regard for the relevant rules of international law, bilateral agreements governing specific obligations **for the readmission and return of their nationals**. These agreements shall also cover, if deemed necessary by any of the Parties, arrangements **for the readmission of third country nationals and stateless persons**. Such agreements will lay down the details about the categories of persons covered by these arrangements as well as the modalities of their readmission and return.*

In March 2010, the EC and the APC concluded the second revision of the Cotonou Partnership Agreement following a first revision in 2001 by adopting new challenges such as climate change, food security, regional integration, state fragility and aid effectiveness.

4.2.4.4. Irregular Migration and Asylum Nexus from the EU's Perspective

4.2.4.4.1 Rationale and Historical Developments of the Common European Asylum System (CEAS)

Even though forced migration can be seen as old as human history itself, the first recognized refugees in the modern state system of Europe were Huguenots, French Protestants fleeing France in 1685 (Barnett cited in Su, 2008: 1). Then, the 20th Century saw dramatic refugee movements as a consequence of dissolution of the old empires, aggressive nationalism as well as the World Wars. According to statistics, even though the war was named as World War I, the most intense impact was felt within Europe, where 9, 5 million displaced people and refugees headed to Europe.

However, the EU policies which have been mainly concerned with 'asylum' can be seen as the outcomes of the increasing numbers of asylum seekers coming to European countries starting from the 1980s. Following the collapse of the Berlin Wall in 1989, and also the wars in Bosnia (1992-1995) and Kosovo (1998- 1999) as well as the continuous ethnic and political conflicts all over the world, the number of forced migrants increased. As a consequence, a dramatic increase in asylum applications was recorded particularly during the 1990s as can be seen from the below given figures.

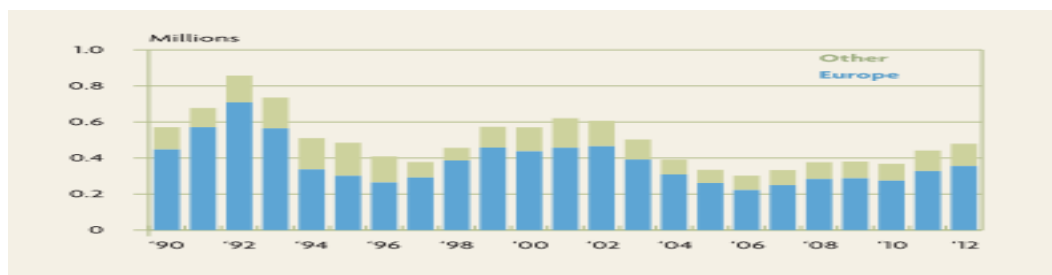


Figure 4.7. Asylum Claims Lodged in 44 Industrialized Countries (1990-2012)

Source: UNHCR (2013). Asylum Trends 2012 Levels and Trends in Industrialized Countries, pp. 7, retrieved from <http://www.unhcr.org/5149b81e9.html> (Accessed on 07.06.2013)

According to the most recent report by the UNHCR (2013: 1), an estimated 479.300 asylum applications were registered in the 44 industrialized countries in 2012, an increase of 8 per cent over 2011. The report states this level as the second highest level in the past decade. Within this general picture, the report emphasizes that 296,700 new asylum claims in 2012 were registered by the EU27; which represent a 7 per cent increase compared to 2011 (277,800). This figure also refers to 83 per cent of all asylum claims in Europe. The below given table displays the regional distribution of asylum applications and the increase from 2010 to 2012.

Table 4.5. Asylum claims lodged in selected regions (2010- 2012)

Regions	2010	2011	2012	Change in 2011-2012 (%)
Europe	274,710	327,640	355,550	9
EU27	240,410	277,800	296,690	7
EU Old	224,850	262,840	275,790	5
EU New	15,560	14,960	20,900	40
USA/ Canada	78,690	101,350	103,930	3
Australia/ New Zealand	12,980	11,820	16,110	36
Japan/Rep. New Zealand	1,630	2,880	3,680	28
TOTAL	368.010	443.690	479.270	8

Source: UNHCR (2013). Asylum Trends 2012 Levels and Trends in Industrialized Countries, pp. 8, retrieved from <http://www.unhcr.org/5149b81e9.html> (Accessed on 07.06.2013)

More specifically, if we look at the first ten countries, which have received the highest asylum applications in 2012, it is seen that while also a destination country, Turkey appears as the tenth placed country; while the majority of the top ten countries are EU member states.

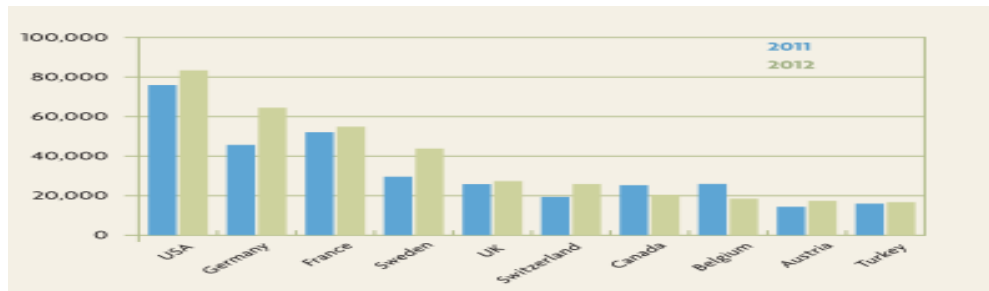


Figure 4.8. Asylum Claims Submitted in 10 Major Receiving Countries (2012)

Source: UNHCR (2013). Asylum Trends 2012 Levels and Trends in Industrialized Countries, pp. 8, retrieved from <http://www.unhcr.org/5149b81e9.html> (Accessed on 07.06.2013)

Finally, concerning Europe and the most recent figures, the following illustration displays the country based distribution in general within Europe. This illustration both emphasizes the role of Turkey in terms of the nexus between the irregular migration and asylum, and the role of external borders of the EU.

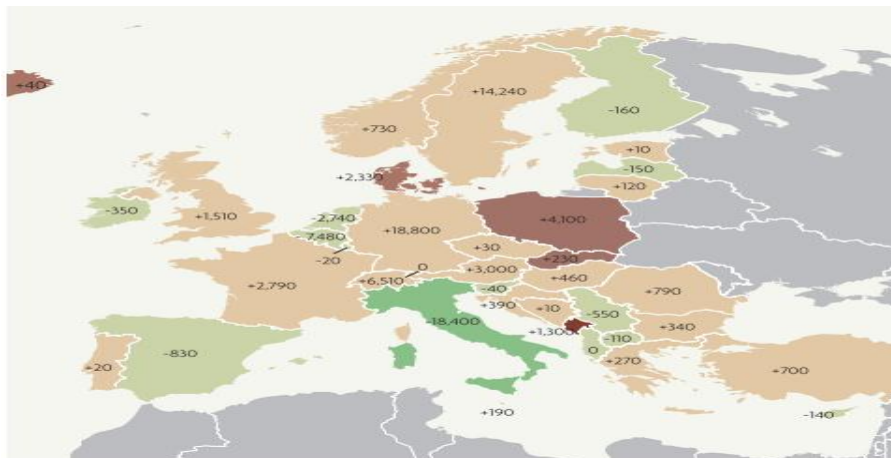


Illustration 4.5. Trends in Asylum Claims Lodged in 44 Industrialized Countries Absolute and Relative Increase or Decrease in 2012 compared to 2011

Source: UNHCR (2013). Asylum Trends 2012 Levels and Trends in Industrialized Countries, pp. 11, retrieved from <http://www.unhcr.org/5149b81e9.html> (Accessed on 07.06.2013)

It is widely accepted that asylum, considered as durable territorial protection in a foreign country in the case of persecution or risk of breach of fundamental rights and it should be noted that it is not a subjective right of individuals in International Law (Morgades, 2010: 4). However, this right can be recognized only in case of the existence of a “well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion” and after this recognition the person concerned can be given ‘refugee’ status according to the Article 1 of the United Nations Convention relating to the Status of Refugees (CRSR).

A refugee situation arises when “the normal relationship between states and citizens breaks down, and when people are compelled to flee and seek protection abroad” (Ibid.). This type of migration should be considered within the “forced migration’ and the population concerned are entitled to the international community’s protection. At this stage, when the relationship between a state and its citizen breaks down, as members of the international community, the other states’ undertake a moral duty to receive people in search of protection. This duty can be summarized as not to refuse, return or immediately expel aliens within their jurisdiction without giving them the opportunity to show that they need protection. This right also endeavours to provide international protection and to supply rights. In some cases this protection can be “temporary protection” or “secondary protection”; however, the principle of “non-refoulement” is essential for all cases.

The existing framework of the EU asylum policy was drawn up by international conventions namely, the 1951 United Nations Convention relating to the Status of Refugees (CRSR), the 1967 New York Protocol relating to the Status of Refugees, the 1984 United Nations Convention against Torture, the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), the 1967 International Covenants, and despite its formal non-compulsory status, the 1948 Universal Declaration on Human Rights. Some of these norms have attained the *ius cogens* status, such as the non-refoulement principle, or the ban on torture. The prohibition of states from sending or expelling to another country anyone who there

might be subjected to any serious risk of treatment that amounts to torture, with a non-derogative character, stems from those norms, at least in the European countries which belong to the ECHR. The earliest international regulation can be seen as the Declaration and Article 14, which states that

Article 14: (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution; (2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Thus, it can be said that conventional and non-conventional norms concerning refuge and asylum as well as a series of principles, rules, procedures and international standards, which are based on the International Refugee and Asylum Regime, constitute the frame of the EU's asylum policy.

Starting from the 1980s, the surges in the number asylum seekers played an important role in the rise of anti-immigration feelings in some European countries, which were accompanied by measures to stem illegal migration and asylum applications. The EU had been faced with a dilemma to combat irregular migration on the one hand and on the other to meet standards of the norms and principles of the international refugee regime based on the CRSR.

Regarding the historical developments, the Schengen Convention incorporates important principles regarding the assessment of asylum applications in the MSs. Article 29 of the Convention states that "the parties undertake to process any application for asylum lodged by an alien within any one of their territories". Thus, it can be argued that the core of the Dublin Convention (1990¹⁰⁰) can be found in this convention; where it is also stated that "only one state shall be responsible for processing the application".

¹⁰⁰Retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:1997:254:0001:0012:EN:PDF> (Accessed on 19.04.2012)

(Accessed on

The importance of the Schengen Convention can be summarized as the abolishment of internal borders; through intergovernmental cooperation towards a common standing against common problems such as organised crime, terrorism; but of greater importance to this study, irregular immigration and asylum seekers. Following on from this, the Dublin Convention (1990) was enacted, which determined the signatory states responsibilities concerning examining applications for asylum lodged in one of the MSs of the European Communities. Even though the Convention was signed on 15 June 1990, it came into force some seven years later (1st September 1997). One of the most important aims of the Convention can be seen as preventing ‘asylum shopping situation’ and duplications of applications. Concerning irregular migration and the related migration management tools, the Convention differentiates between “the State, where illegal entry was made outside the EU” (Article 6) and “the State responsible for controlling the entry through the external borders (Article 7). Also Article 8 determines the responsible country, where the first application was lodged.

In 1992, the Maastricht Treaty transferred the asylum dimension to an area of common interest in the JHA, under Article K.1 of Title VI; where intergovernmental cooperation was stressed. During this period, rather than binding legislation, we come across non-binding instruments, such as resolutions. The Amsterdam Treaty (1997) was the cornerstone for the formation of the CEAS transferring of asylum policy from the Third Pillar of Intergovernmental Co-operation as a matter for the JHA to the First Pillar of Community Law. While the Treaty brought important arrangements in the field of asylum and immigration, it also mentioned the need to take measures in five year time concerning “illegal immigration and illegal residence”, including repatriation of “illegal residents”.

The Amsterdam Treaty launched a five year transitional period (1999-2004) for enormous work to adopt formal legally binding instruments rather than only ‘soft law’ instruments. The determined aims can be summarized as the assurance of the free movement of individuals, development of the measures concerning external border controls, asylum, migration and the prevention of crime, where irregular migration was

also considered. As a consequence, a series of legislative measures were taken and the resulting Council Directives and Regulations were adopted between 1999 and 2005, which harmonising common minimum standards for asylum. One of the important results can also be seen as the intention to establish the CEAS which was stated in the Conclusions adopted by the Council and the EC at the Council meeting in Tampere in 1999. However, as was previously mentioned, asylum policy was mentioned together with “illegal migration” by stressing the security considerations and restrictive approach of the asylum policy.

*...this in turn requires the Union to develop common policies on asylum and immigration, while taking into account the need for a consistent control of external borders to stop **illegal immigration** and to combat those who organise it and commit related international crimes... (Paragraph 3-4 of the Tampere Conclusions).*

In the light of both the Amsterdam Treaty and the Tampere Summit, legislative developments , such as the Directive on Temporary Protection (2001/55/EC)¹⁰¹; the Directive on Reception Conditions (2003)¹⁰², the Dublin Regulation (2003)¹⁰³, the Directive on Qualification (2004& 2011)¹⁰⁴ and the Asylum Procedures Directives

¹⁰¹ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof, retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2001:212:0012:0023:EN:PDF> (Accessed on 10.07.2013).

¹⁰² Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers, retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2003:031:0018:0025:EN:PDF> (Accessed on 10.07.2013).

¹⁰³ Council Regulation 343/2003/EC of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national, retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2003:050:0001:0010:EN:PDF> (Accessed on 10.07.2013).

¹⁰⁴ Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted, retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32004L0083:EN:HTML> and Council Directive 2011/95/EU of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted, retrieved from [http://eur-](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:243:0013:0023:EN:PDF)

(2005)¹⁰⁵ frame common minimum standards, particularly as a part of asylum legislation. Among the above-mentioned legislative developments, Dublin II Regulation (2003) is significant regarding its relations with irregular migration. The fundamental principle is the same as the previous Convention; but there is also a particular emphasis on irregular migration. Concerning illegal entry or stay in a Member State; where the asylum seeker has irregularly crossed the border into a Member State, that Member State will be responsible for examining the asylum application. This responsibility ceases 12 months after the date on which the border has been illegally crossed. In addition, when the asylum seeker has been living for a continuous period of at least five months in a Member State before lodging his/her asylum application, that Member State becomes responsible for examining the application. Where the applicant has been living for a period of time of at least five months in several MSs, the Member State where he/she lived most recently shall be responsible for examining the application (Article 10).¹⁰⁶

After the Tampere programme, the new period (2005-2009) was launched with the Hague Programme; when the Return Directive (2008)¹⁰⁷ and readmission agreements

lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:337:0009:0026:EN:PDF (Accessed on 10.07.2013).

¹⁰⁵ Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status, retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2005:326:0013:0034:EN:PDF> (Accessed on 10.07.2013).

¹⁰⁶ Article 10: 1. Where it is established, on the basis of proof or circumstantial evidence as described in the two lists mentioned in Article 18(3), including the data referred to in Chapter III of Regulation (EC) No 2725/2000, that an asylum seeker has irregularly crossed the border into a Member State by land, sea or air having come from a third country, the Member State thus entered shall be responsible for examining the application for asylum. This responsibility shall cease 12 months after the date on which the irregular border crossing took place. When a Member State cannot or can no longer be held responsible in accordance with paragraph 1, and where it is established, on the basis of proof or circumstantial evidence as described in the two lists mentioned in Article 18(3), that the asylum seeker — who has entered the territories of the Member States irregularly or whose circumstances of entry cannot be established — at the time of lodging the application has been previously living for a continuous period of at least five months in a Member State, that Member State shall be responsible for examining the application for asylum.

¹⁰⁷ Council Directive 2008/115/EC on of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals, retrieved from [http://eur-](http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:324:0013:0019:EN:PDF)

became part of EU secondary law. This second period was followed by the most recent multi-annual programme called the Stockholm Programme (2010-2014) which was adopted by the European Council on 10-11 December 2009. During this period, the Lisbon Treaty came into force in 2009, which eliminated the structure of the Pillars of the EU and places policies and instruments linked to the creation of a EUAFSJ within the Treaty on the functioning of the European Union (Part Three, Title V).

The most recent developments can be seen as the revision of the Directive on Qualification (2011)¹⁰⁸ and the adoption of the GAM, which can be seen as the turning point for the CEAS by emphasizing the international protection and the external dimension of the asylum policy.

4.2.4.4.2 Externalization of the EU Policy on Asylum with a Special Focus on Irregular Migration

Similar to the ‘externalization of immigration policy’, the externalisation of asylum policy can be understood as the design and application of policies by the EU by means of cooperation or participation in the EU’s Immigration and Asylum Policy, in other words the CEAS. Since the externalisation of the asylum function can be the result of some forms of immigration control, such as remote control of borders, sometimes by sub-contracting this control and sometimes through extra-territorialisation of the act of controlling beyond Europe with visa requirements and controls. Morgades (2010) suggests focusing on the external dimension through the return to safe third countries and to countries of first asylum, which is carried out by means of readmission agreements as well as the strategies defined by the Hague and Stockholm Programmes

lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:348:0098:0107:EN:pdf (Accessed on 10.07.2013).

¹⁰⁸ Council Directive 2011/95/EU of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted, retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:337:0009:0026:EN:PDF> (Accessed on 10.07.2013)

regarding the detention (administrative) and removal centres for irregular immigrants in terms of externalization of the CEAS.

At this stage concerning the nexus between asylum and irregular migration, it should be noted that despite the existing international protection, it can be argued that in the last two or three decades, the EU MSs have started to implement strategies of deterrence towards potential asylum seekers, aimed at avoiding the use of non-refoulement as a privileged way of entering the territory and settling in the country as migrants for economic reasons. In a context where economic migration has been almost proscribed, applying for asylum and family reunification appear as the only ways of entering the EU zone. Thus, people are considered as a ‘volunteer or economic migrant’ instead of as people who are at risk of persecution or serious violations of fundamental rights and asylum seekers are perceived as defrauding the European welfare state and as a threat to the states’ homeland security as well as their economies. To achieve this, the EU MSs have been applying different strategies and tools to transfer the burden. One of these strategies can be seen as the return of asylum seekers to the first country of asylum or third safe countries. In general, destination countries reject asylum applications of people who, before arriving, have passed through countries deemed to be safe and where, not in the absence of a fear of persecution or serious violations of their human rights, applicants were in fact (or in law) protected, or could have obtained protection. These countries are defined as “first country of asylum”. In the case of Turkey, because of the geographical reservation, non-European asylum seekers cannot be accepted as ‘refugees’, thus before the Law on Foreigners and International Protection (2013) parallel procedure between the MoI and the UNHCR and by enactment of the Law in 2014, by the General Directorate of Migration Management, the resettlement procedure will be realized for those migrants to settle in the third safe countries. Since the 1951 Geneva Convention does not forbid them from doing so by the non-refoulement rule of Article 33¹⁰⁹, this way has become a widely applied strategy for the EU countries. Thus,

¹⁰⁹ Article 33 “Prohibition of expulsion or return (“refoulement”)” of the 1951 Geneva Convention (1951 GC) establishes that: “1. 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”. According to this

it can be briefly said that returning asylum seekers, who apply for refuge or asylum in the EU countries; but, who have not arrived directly in third countries from the country where persecution is feared create the externalisation of the asylum function. This assumes the responsibility for asylum for people who have not arrived directly in the MSs is transferred to other countries where asylum seekers have not usually applied for protection. Countries may expel or refuse entry to refugees as long as this is not forbidden by the CRSR.

Concerning the implications for the first country of asylum and third safe countries, the EU develops another strategy called “burden-sharing”. This concept started life in the 1950s as a principle for promoting international solidarity among states receiving refugees, which appeared at both national and international levels. It is based on solidarity and ensures financial aid to countries receiving asylum seekers and refugees and if necessary, the resettlement of asylum seekers and refugees in other countries in order to prevent the economic and social structure of the countries receiving large numbers of people in need of protection from collapsing. Thus, the use of the notions of third safe country or first asylum countries to defer responsibility for refugees and asylum seekers reveals the approach of the EU countries to asylum seekers, treating them as if they were economic migrants trying to breach restricted means of entry to the AFSJ. As such, this can be determined as a legitimate tool for externalization approach.

The following table displays all the channels and instruments for burden-share.

article, it could be possible to expel or return a refugee to the frontiers of a country where his life or freedom would not be threatened, thus to a first country of asylum or to a safe third country. A narrow interpretation of Article 33 of the 1951 GC says that there is nothing compelling countries to analyse an asylum application completely based on the refugee’s condition, if the applicant cannot prove that he/she landed directly from his country of origin, where he/she fears persecution.

Table 4.6. Examples of Burden-Sharing Mechanism

	Direct Burden-Sharing		Indirect Burden-Sharing
	Financial Transfer	Physical Dispersal	Influence incentive structure
NATIONAL	Centre-periphery financial flows	Dispersal of asylum seekers	
INTRA-EUROPEAN	European Refugee Fund	Kosovo Humanitarian Evacuation Programme	EU harmonization of asylum legislation
INTERNATIONAL	Financing refugee camps in regions of origin (1950s concept)	Resettlement	Recent proposals for reception in the region

Source: Retrieved from <http://www.migrationinformation.org/feature/display.cfm?ID=173> (Accessed on 23.04.2013)

The main concern of the EU appears to be supplying ‘temporary protection’ or dissuading migrants not to apply to the asylum system, returning them to the first country of asylum or in the case of abusing the asylum system, guaranteeing return or deportation as the bases of the EU’s externalization.

Within this study, as it was explained previously within the Introduction and also Theoretical and Conceptualization parts, there is a strong connection between irregular migration and asylum. From the EU’s discourse in this field, policies and programmes and implications within this nexus are highly visible. However, as it will be discussed in Chapter 6, this nexus has been also evidenced by the field study and its empirical findings. Under this title, the EU’s asylum policy will be approached from its relationship with irregular migration.

4.2.4.5. Financial Assistance in the Field of Irregular Migration

Financial assistance appears as an important complementary tool for the externalization of the EU’s immigration and asylum policy. Since the candidate countries, which appear as mainly semi-peripheral ones and the non-EU members as the peripheral countries cannot benefit from the Structural Funds or the Cohesion Funds, the EU uses other financial assistance programmes for those countries. Concerning candidate countries such as Turkey, we come across the Instruments for Pre-Accession Assistance (IPA). In

addition, concerning the non-EU MSs, the EU's migration and asylum policy is financed through two types of instruments, which are:

- The implementation of the policy at national and regional level is supported by geographical instruments, such as the European Development Fund (EDF) for the African, Caribbean and Pacific countries; the Development Co-operation Instrument (DCI) for Latin America, Asia and South Africa; and the European Neighbourhood & Partnership Instrument (ENPI) for the neighbouring regions
- A specific thematic programme focused on capacity building and cooperation initiatives, which helps the EC to operate more easily across regions that are covered by different financial systems.

The first type of instruments refers to geographic programmes, which are based on a dialogue with the partner countries after which the EC draws up strategy papers based on the countries and regions' needs and performance. These strategy papers set out the priority areas and financial allocations and serve as the basis for the programming of development aid. An action programme is then adopted each year to define the specific objectives, fields of intervention, expected results and amount of funding. The second type of instrument refers to thematic programmes; which are implemented on the basis of thematic strategy papers and annual action programmes. These programmes are used for supporting the political dialogue as well as the implementation of the policy tools by also supporting practical cooperation with third countries that is based on shared responsibility of countries of origin, transit and destination.

The above-given financial assistance, covering all the policy areas regarding third countries and candidate countries, takes place within the Multi-Annual Financial Framework (MFF) of the EU. The new period of the MFF will be starting in 2014 and will run until the end of 2020; during which both the Europeanization and Externalization of the EU's policies will be financially supported. The Council has agreed an overall ceiling of € 959.988 billion (€1 033 billion) under five headings and the determined weighting for each: Smart and inclusive growth (48 per cent);

Sustainable growth & natural resources: 37 per cent; Global Europe 7 per cent; Administration 6 per cent and Security and citizenship 2 per cent. Within the MFF 2014-2020, the externalization of the EU policies are supported under the “Global Europe” title with 70 million Euros which is equals to 7 per cent of the entire budget for the MMF (2014-2013) with a 1 per cent increase on the previous year.¹¹⁰

As a part of “Global Europe”, there are nine components; but concerning immigration and asylum policies as well as financial assistance for Turkey, the most important programme has been IPA since 2007. In 2013, the total support is determined as 902.9 million Euros for all the candidate countries including Turkey; where Turkey has access to the five IPA Components: Transition Assistance and Institution Building; Cross-Border Cooperation; Regional Development; Human Resources Development and finally Rural Development. Within this structure, Turkey implements IPA funds itself, under the Decentralised Implementation System. Turkish authorities are in charge of procurement, contracting and payments for IPA projects with prior appraisal by the Commission (EU Delegation in Ankara). All funding proposals must be submitted in the first instance to the Turkish authorities. Concerning the immigration and asylum policy, “cross-border cooperation” and “capacity building” appears as the two most important components. Within the last three years, the distribution of the allocated amount for the IPA components concerning Turkey can be seen below:

Table 4.7. IPA Components& Allocated Budget for Turkey (2011-2013)

IPA COMPONENTS	2011	2012	2013
Transition Assistance and Institution Building	228.62	233.90	238.33
Cross-Border Cooperation	9.78	9.97	10.17
Regional Development	293.40	367.81	378.00
Human Resources Development	77.60	89.93	96.00
Rural Development	172.50	197.89	213.00
TOTAL	781.90	899.50	935.50

Source: Retrieved from <http://www.abgs.gov.tr/index.php?p=42164&l=1> (Accessed on 11.07.2013)

¹¹⁰ Retrieved from http://ec.europa.eu/budget/mff/commission-proposals-for-the-multiannual-financial-framework-2014-2020/index_en.cfm (Accessed on 11.07.2013)

As a concrete example of the financial assistance in the field of irregular migration, the EU funded twinning projects by the Transition Assistance and Institution Building Component under IPA, can be given. In this framework, “Support to Turkey’s Capacity in Combating Illegal Migration and Establishment of Removal Centres for Illegal Migrants” Project¹¹¹, with a € 19,433,333 budget can be mentioned. This project aims to control “illegal migration”, to strengthen the institutional capacity and to introduce standards for legislative and administrative alignment with the EU *acquis* and best practices. The beneficiaries of this project are determined as the Department of Foreigners Borders and Asylum, the General Directorate of Security, and the Ministry of Interior. As an outcome, the setting up and functioning of at least two well-structured removal centres is determined, if Turkey will guarantee recruitment and training of the necessary number of staff and provision of adequate office space and also clear budgetary provisions to cover, out of national funds, all running costs related to the full functioning of the centres once they are ready. In addition, a similar twinning project called “Establishment of a Reception, Screening and Accommodation System (Centres) for Asylum Seekers and Refugees” will also be supported by the EU to promote better implementation of asylum policies in Turkey in line with international and EU standards and best practice and foresees at least seven centres in different cities, including Izmir. With these projects the EU also emphasizes the importance of adjustment in line with the judgments issued by the ECHR concerning detention and deportation.

4.3. Challenges and the Limits: The Basis for a Co-operation on Irregular Transit Migration

There are new challenges for the EU immigration and asylum policy, which have a direct impact on irregular migration as well. As Geddes (2009) argues first of all, “the geo-political widening of migration to Europe” brings new challenges. Following the last two enlargement waves in 2004 and 2007; the EU has not only destination

¹¹¹ Standard Summary Project Fiche: IPA decentralised National Programmes, Project number: TR 07 02 16, TWINNING NO: TR 07 IB JH 05, retrieved from http://ec.europa.eu/enlargement/pdf/turkey/ipa/tr_07_02_16_removal_centres_en.pdf (Accessed on 02.01.2013)

countries; but source and transit countries as well, which requires different strategies particularly concerning irregular migration. Secondly, the conceptual widening of migration to Europe refers to different types of migration and among them “the fight against illegal immigration” and this now appears as one of the core concerns for the EU. At this stage it should be noted that each category or conceptualization refers to a different discourse and policy framework. Thus, as this study mainly deals with ‘irregular transit migration’, it has own terminology, policy tools and discourse. Thus, Geddes argues that today, we cannot talk about ‘immigration’ in general, but the different types of migration. Thirdly, besides the enlargement of the EU and expansion of the policy area, there is “the spatial reconstruction of the policy response to migration”, where both within the EU and outside the EU as a part of externalization, there is a relocation of responsibility to decision-makers and power shifts. Finally, Geddes argues that the fourth challenge is the “the temporal reconstruction of migration”, referring to the fact that the period of the guest-worker system and post-colonialism is not valid anymore. But he does not supply any alternative for this. At this stage this study argues that those systems are still valid and the above-mentioned different conceptualization of migration, serve as the EU’s ‘strainer’, which can filter the ones who are welcomed and those who are not wanted as migrants.

However, these harmonized policies focus more on the better protection of external borders and on having an effective return policy. Thus, when it comes to the management of the irregular migrants, who are already within the country, the main approach offered at the EU level is identification, detention and then expulsion. Supranational policy making remains relatively silent on the treatment of irregular migrants in relation to their fundamental human rights. To make it clearer, the EU does not declare any specific policy in relation to irregular migrants’ access to their basic social rights. Although this is the case the perception of the irregular migration at the EU level could affect the way in which nation states treat irregular migrants. It is argued that irregular migration or the irregular migrants have become the objects of the process of “securitisation of certain persons and practices as ‘threats’” (Guild et al, 2008: 2) that has been going on in the EU context. “This ‘undesired’ form of human mobility often

called ‘irregular immigration’ is being subsumed into a European legal setting that treats it as a crime and a risk against which administrative practices of surveillance, detention, control and penalisation are necessary and legitimised” (Guild et al, 2008: 2). Additionally, the EU decisions/policies highlighting the necessity of increased border security clearly shows that the EU has already linked irregular migratory movements with territorial security. Irregular migration has been considered as one such threat against which the security of the borders of the EU must be preserved. Moreover, the selective use of such expressions as “fight against”, “combat” and “illegal” could be considered as the discursive strategy in order to place the phenomenon of irregular immigration within the context of security and to create a category of human activity and a group of people who threatens the security of the state (Guild et al, 2008: 3). Therefore, when there is this perception at the EU level, one could not expect that the supranational decision making on migration would positively affect the rights and conditions of irregular migrants within the states. Although this is the case on paper, in actual terms irregular migrants do not even have access to fundamental rights and end up in very difficult living conditions. Existing research on life situations of irregular migrants clearly demonstrates the difficult lives that this undocumented existence brings about.

4.4. Conclusion

As supporting the theoretical part, concerning irregular migration, the EU’s immigration and asylum policy concerning irregular migration in relation to externalization focuses on rather than irregular migrations as an entire category which also consists of irregular labour migrants and over-stayers, but rather on the irregular transit migrants, who see the EU member countries as their final destination. It should not be ignored that these two sub-categories aside from irregular transit migrants also increase the migrant stock in the transit countries; however the EU’s main target is the irregular transit migration from transit countries to Europe.

In the light of this chapter, it is seen that the EU uses ‘externalization’ as a strategy concerning immigration and asylum policy in order to control migration, particularly ‘irregular migration’ even beyond its borders. Thus, not only theoretically; but also in practice, it is seen that the externalisation of asylum and immigration policy has been employed and also functioning to expand the migration control carried out domestically and at the EU borders and preventing unwanted migration from reaching the EU territory. In case of Turkey as it will be discussed by the coming chapter, the impact of the EU policies has two dimensions: Europeanization and externalization, since Turkey is a candidate country; but also a non-EU as well as a significant transit country. Overall approach can also be named as “extra-territorialisation” as country Rijpma and Cremona (2007) suggest where the EU tries to extend the impact of its legislative frame to the third countries.

Turkey has been a candidate country for many years and the internal approach in other words ‘Europeanization’ remains weaker tool in comparison with ‘externalization’ to understand the implications of the EU policies concerned. On the other hand, externalization also displays quite characteristic features and outcomes for Turkey as it was stated that while the EU adopts tailor-made strategies for third countries, the implications and response also differ in those countries. But in general, the chapter should be concluded that regardless the target countries, the EU policies and strategies regarding irregular migration mainly aim to fight against “illegal” migration as adopting border controls, patrols, and physical barriers before the entrance and in case of entrance to employ readmission agreement, voluntary return or the different expulsion instruments. In relation with ‘asylum and irregular migration nexus’, the EU works hard to keep the asylum request outside the EU territory as much as possible. Previously displayed policies and instruments regarding irregular migration revealed the above-given dimensions clearly. Thus, in terms of implications, since tackling with the ‘root causes’ and concentrating migration and development dimension are not the case, the ‘extra-territorialisation’ results ‘delocalization’ of the migration routes. Briefly, in parallel to the theoretical part, Chapter 4 displays the ‘remote control’ approach of the

EU, which is supported with ‘burden-sharing’ and ‘capacity building’ efforts in origin and transit countries.

The above-mentioned tendency of the EU has been also examined from a broader perspective, where the EU is approached as a capitalist democracy, which constitutes a protective wall against unwanted migration movements; but leaves of doors open for allowing the procurement of certain types of labour. At this stage, source and transit countries undertake a new role and structural relations and a specific division of labour between core, semi-peripheral (transit) and peripheral (source) countries are redefined. As it could be seen from this chapter, while inside the EU territory ‘irregular labour migration’ gains importance, outside its territory the role of transit and source countries is to function as a ‘buffer-zone’ for unwanted migrants; but also supply cheap labour and host the new sectors (smuggling) and actors as enterprising agents, contractors, and other middlemen in order to create migration-supporting institutions that also serve to connect areas of labour supply and demand. Thus, the examined strategies and policy instruments of the EU’s immigration and asylum policy concerning irregular migration should also be examined as the forms of capitalist penetration of the core to the transit and source countries; where migrants are not seen more than new ‘commodities’. However, as the Differentiation Theory argues, this ‘system’ brings its own supporting discourse as the human rights of the produced knowledge. On the one hand, the knowledge, which is based on the statistics as they were displayed to reflect the rationale behind the EU’s restrictive policies present ‘irregular migration’ as a threat for the European economy and security; but also the generous EU emphasized the importance of the human rights.

For justifying the foreseen measures for the concerning policies, FRONTEX works both for preventing the irregular entries at the external borders of the Fortress of Europe; but also producing empirical data regarding apprehensions, deportations as well as its operations against to irregular entries; in other words, the required knowledge that supports the economisation and securitisation discourse. Through FRONTEX’ reports it can be seen that the differences between the borders are also displayed, which is

frequently used to accuse the neighbouring transit countries as well as the MSs of lack of border management and also reflects the outcomes of FRONTEX's operations. At this stage, it should be emphasized that through FRONTEX's reports, dislocation of the irregular migration routes is visible. While at the one area the numbers have been decreasing, which is showed as the outcomes of the successful operations by the FRONTEX, it is also visible that there is a visible increase at the other borders. In this regard, it is confirmed that in terms of implications, rather than combating with the root causes of the irregular migration, the EU's policies concerned change the routes and thus the affected countries and locations with their normative, legislative structure as well as migration related networks.

In relation with the EU's immigration and asylum policies concerning irregular migration, there are two target groups. The first group is the MSs; however since migration is a transnational issue, which goes beyond the EU borders, we come across with transit countries and source countries. Turkey's situation appears as being in between, since the country is both an important non-EU member transit country; but also takes its place within the EU full-membership candidates. Thus, Turkey represents a unique case study for evaluating the EU's policies on irregular migration with its implications, which will be analysed in the following chapter. However, within this chapter it is explained that migration, particularly irregular migration is one of the most important parts of the EU's external policies and through externalization and special policy instruments of complementary policies, this policy also creates important results in the transit and source countries. Within this framework, since the main focus is irregular transit migrants in the transit countries, rather than the irregular migrants who do not aim to continue their journeys, the main policy tools and complementary policies appears as 'border management', 'visa policy' and 'readmission agreements'. However because of the strong association between irregular migration and asylum, some parts of the asylum policy are also allocated within the irregular migration policy. In return, what the EU offers for the countries concerned is 'burden share' and technical assistance for its members as well as the non-members.

Concerning those policies, it should be stated that rather than the implications in the transit countries and on irregular transit migrants, the main driving motivation is to stop irregular transit migration to Europe, which has been stated in many of the primary and secondary law documents for the member and candidate countries. However for the non-EU members, it appears as an agenda item for political bargaining and specifically in the case of candidacy even a precondition for the candidate countries.

CHAPTER 5

THE EXTERNAL DIMENSION OF THE EU'S IMMIGRATION AND ASYLUM POLICY CONCERNING IRREGULAR MIGRATION AND ITS IMPLICATIONS FOR TURKEY

Migration has become more prominent in the EU's political agenda over time¹¹² and particularly 'irregular migration' has been a major component of the issue of immigration the EU. Although reliable data on irregular migration is not available, most immigration experts agree that since the early 1990s, approximately 500.000 irregular migrants have entered the EU area each year (Jandl, 2004; Boswell, 2005). As the issue of irregular migration is often associated with the problems of human trafficking, smuggling, and transnational/ trans-border crime within the security frame; the primary goal in the EU's strategy towards irregular migration appears to be "to fight illegal immigration". Within this framework, the EU sets a number of priorities including securing the control and surveillance of the EU external borders by enforcing the return of irregular migrants by concluding readmission agreements and by securing travel and identity documents, tackling illegal employment of irregular migrants, establishing administrative and penal sanctions for third parties involved in the irregular migration process, and improving exchange of information through existing instruments (Merlino and Parkin, 2011: 7). As argued in the previous chapter, the EU's approach can be summarized as a 'remote control-based approach' shaped by economization and securitisation by using expulsion and readmission tools. Thus, controlling common borders and facilitating returns appear as the main objectives in political relations of the EU with these countries and regions; which requires close cooperation with both countries of origin and transit.

¹¹² European Commission (2011), Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the Global Approach to Migration and Mobility, No. COM(2011) 743 Final, Brussels, retrieved from http://ec.europa.eu/dgs/home-affairs/news/intro/docs/1_en_act_part1_v9.pdf (Assessed on 25.02.2013)

The EU's interest in combating irregular migration has been visible from the beginning of the 1990s, and besides irregular, transit migration also started to gain attention mainly in Europe with its social, economic and political implications and has become a geopolitical and also a highly politicized phenomena. As one of those countries, since the early 1980s Turkey's relationship with Europe has been marked by the large migration flows to (as creating migration stocks), from and through its territory ranging from regular migrants to irregular and transit migrants and asylum seekers. Among these categories are ones conceived as unidirectional movements originating from Asian, African and Middle East countries through Turkey and directed towards Europe. Thus, in the eye of Europe, Turkey appears as an important settlement as being a source and transit country with its diverse migratory movement to, from and through Turkey towards Europe and North America (IOM, 2003: 12). In the light of the above-mentioned developments, Turkey has becoming increasingly important to the irregular migration routes to the EU MSs because of its location. Turkey is one of the last stops for irregular migrants and asylum seekers before their final journey to the MSs, in this case, Greece, Bulgaria or Italy. The EC's Progress Report (2012: 75) states that the number of irregular migrants apprehended in Turkey as 44.415 and the number of third country nationals detected in 2011 by the EU MSs' law enforcement forces when entering or attempting to enter illegally the EU and coming directly from or transiting through the Turkish territory amounted to 55.630; which means that over 100.000 irregular migrants were apprehended before and after crossing the borders.

As discussed in the previous chapter, due to being a transit, source and destination country for irregular migration, Turkey is the subject to the externalization of the EU policies. As a candidate country, Turkey has to adopt the EU *acquis* on immigration and asylum; thus, the EU is an important actor in delineating Turkey's national immigration policies. Within this framework, this chapter focuses on the implications of the EU externalization policies on the field of immigration and asylum concerning 'irregular migration' in Turkey. It is argued that the existing EU measures have direct and concrete impacts on Turkey's immigration policies as observed in particular with the

launching of border management measures, initiating administrative agencies and in the introduction of the Law on Foreigners and International Protection (LFIP, Law No. 6458) in 2013. On the other hand, Turkey resists complying with the EU demands in some policy areas such as changing its liberal visa policy, lifting geographical limitation and finalizing readmission agreements, which is approached as “conditionality” under the previous theoretical part. Furthermore, Turkey’s case shows that externalization generates unintended consequences in the country concerned such as emergence of transit zones and transnational social fields as well as fostering human rights violations of migrants and asylum-seekers.

Within this framework, the aim of this chapter is to examine the basic characteristics, dynamics and mechanisms of the irregular transit migration flows in and through Turkey and to analyse the implications of the relevant EU’s policies for Turkey; by analysing the patterns and scope of irregular migration in Turkey; investigating Turkey’s policies and practices regarding irregular (transit) migration and exploring the migration-related interaction between Turkey and the EU. This chapter explores the implications of the previously discussed EU policies in particular concerning irregular migration by taking into consideration the enlargement process negotiations, externalization of the EU policy through issue-based dimensions such as border management, visa policy, readmission agreements and asylum policy. However, the most important contribution of the Chapter can be seen as not only reflecting the legislative changes according to the EU’s policies as well as Turkey’s unique policy responses, which can be analysed under “conditionality” as it was discussed in Chapter 4; but also displaying the findings of the field research. The below given questions will be focused on in this chapter:

- What are the implications of the EU’s immigration and asylum policy concerning irregular migration for Turkey?
- What is the existing legislative and institutional structure of Turkey concerning irregular (transit) migration?
- Where irregular migration stands in the EU- Turkey relations?

- How the macro level relevant actors and institutions perceive, interpret and implement the policies concerned?
- What are the unexpected consequences of the EU's policies concerned in Turkey?

5.1. Irregular Transit Migration Profile of Turkey

5.1.1 From Time and Space Perspectives an Overview of Migration Flows 'To-Through- From' Turkey

Turkey plays a part in the interlocking migratory routes of Europe, Asia, the Middle East and North Africa and displays a significant location for analysing local, regional and also transnational transformation. The country was considered and also categorized as the country of emigration in its early Republican era; however it is a fact that since its establishment, Turkey has been experiencing different phases and witnessing diverse migratory movements as both the country of emigration and immigration. For being able to categorize these migration flows to, from and through Turkey; both "space and time" aspects appear as important tools. In addition, traditional 'emigration' and 'immigration' classification can also be employed. However, it should be noted that particularly for irregular transit migration, which includes various and overlapping categories, it is difficult to figure out clear-cut divisions. On the one hand, the clandestine nature of irregular migration and counting the uncountable problem with lack of data and on the other hand the dynamic and non-linear character of 'transit migration' should be challenged. It is also difficult to allocate 'irregular transit migration' into an immigration category, since it mainly refers to 'from' and 'through' Turkey to Europe migratory movements.

Mainly by taking 'time and space' into consideration; but also by taking into consideration the major political, economic and social changes in the history of Turkey, İçduygu (2010: 2) argues that the migration history of Turkey can be studied in four periods as follows:

1. From 1923 to 1950: The early Republican period during which the nation state was being constructed under the one party rule
2. From 1950 to 1980: The period of the multi-party regime and the strengthening of the nation state.
3. From 1980 to 2000: The period of democratic consolidation and economic liberalization.
4. From 2000 to present days: The period in which the EU candidacy and its effects are becoming more significant.

While considering Turkey, the above-given classification will be considered, however mainly the above-given third and most importantly the fourth periods will be focused on because of the EU-Turkey relations' dimension.

Starting from the 1980s, Turkey interlinked with the European migration system and as it will be discussed through empirical data, Turkey has become a country of immigration /and a transit migration country as well as an emigration country. Simultaneously, within this period, the country experienced sizable asylum seekers flows from mainly Asian, Middle East and African countries. Concerning this study, also since the 1980s irregular transit migration oriented to Europe and irregular and circular labour migration from neighbouring countries and the Commonwealth of Independent States (CIS) into Turkey has been increasing. Thus, regarding immigration, fundamental changes in the characteristics of immigrants in Turkey can be observed from the 1980s, and thus, the transformation of Turkey into a country of immigration and transit can also be seen.

Turkey's immigration history starts as a successor state of the Ottoman Empire in 1923 and this government-supported period lasted until the 1950s. During this period, the space dimension was mainly Balkans; where immigrants were welcomed with a Turkish identity as a consequence of the homogenization of population policies by state policies of the 1930s. In this framework, because of the Exchange of Greek and Turkish

Populations regulation of the Lausanne Treaty (1923)¹¹³, Turkey witnessed emigration of its non-Muslim population in response to the immigration of Muslims from the Balkans. During this period there was both immigration and emigration flow; but in a forced migration form with a minimum of 1.3 million Greeks' expelled from Turkey and some 500.000 Muslims from Greece were received (Baldwin-Edwards, 2006: 116). European Jews also came to Turkey either seeking temporary asylum or as part of their journey to Palestine (UNHCR, 2003). Again from the Balkans, Bulgarian immigration into Turkey between 1923 and the 1990s (reaching a peak in 1989) appears as an immigration movement to the country. Concerning this population, important dates and their impact on the population can be seen in Appendix D (Table 1).

Concerning the immigration policies, the definition of 'migrant' is also important. Turkey defined a migrant as a "person of Turkish descent and who is attached to Turkish culture" with a special focus on having Turkish origin, where others living in Turkey are determined as not migrants; but foreign residents by the Law on Settlement (1934)¹¹⁴, which was changed in 2006. Thus, it can be argued that mainly "Turkification" policies were adopted and those policies had dramatic impacts on the religious minorities, particularly Greeks, Armenians, Catholics and Jews (İçduygu, 2012: 10). It can be also said that during the decline of the Ottoman Empire, this negative impact had already started. The most important developments of that time can be seen as the exiling of Armenians from Anatolia in 1914- 15 and the population exchange of the majority of the Christians in Anatolia in 1922- 23, which took place between Greece and Turkey concerning Western Thrace Muslims and Greeks in Turkey. The semi or hidden forced migration of the Christian population continued during the first years of the Republic. İçduygu (2012: 10) adds that the establishment of Israel in 1948 and the 1960-1970s Turkey-Greece tension because of Cyprus even accelerated this emigration more. Briefly, it can be said that until the early 1950s, the tendency was mainly concerning the ethnic Turks, living in neighbouring areas, who were welcomed as a part of nation-building process (IOM, 2003: 12).

¹¹³ Retrieved from <http://www.mfa.gov.tr/lausanne-peace-treaty.en.mfa> (Accessed on 14.07.2013).

¹¹⁴ Retrieved from http://mirekoc.ku.edu.tr/sites/mirekoc.ku.edu.tr/files/tr_leg11.pdf (Accessed on 05.04.2013)

During the period of 1950-1980, both time and space dimensions were changing and mainly the country of emigration characteristics were notable for sending thousands of its citizens to Europe as labour migrants for the solution of unemployment and received remittances (EUMAGINE, 2010: 3). During this period, on the one hand relations with the European Economic Community (EEC) started with the signature of the Ankara Agreement (1963)¹¹⁵, and on the other hand, bilateral labour agreements with the European countries were deepening relations with Europe. Thousands of ‘guest workers’ were first welcomed from Turkey; however following the 1967 Economic Stagnation and 1973 Oil Crisis, their presence was not welcomed by Europe anymore, however mainly through family unification the movement continued. As a consequence, in the 1980 first Germany and subsequently many of the destination countries in Europe introduced ‘visa conditions’ for preventing more flows from Turkey. Even though this requirement started as a temporary measure, today it is still the most controversial issue between Turkey and the EU. This period can also be seen as the starting point for the strict policies and the first bricks of the ‘Fortress of Europe’ which will be focused on further under the ‘Visa Policy’ title. Concerning the 1950-1980 period, it should also be noted that internal migration from rural to urban areas was also significant and in many cases; it was even from rural areas to abroad.

Following the oil crisis in the 1970s and the decrease in demand regarding Turkish labour migrants, new destinations for labour immigration appeared in Middle Eastern, North African, and the CIS countries, which in terms of migration movements from Turkey was a new ‘space’ change. However, the blue-print for this period can be seen as the European labour migration process following the Second World War. During this period, special bilateral agreements on labour recruitment had been signed with several destination countries (the Federal Republic of Germany, Austria, Belgium and the Netherlands, France, Sweden) and today, the number of people from Turkey living abroad has reached 5 million (4 million in Western Europe, approximately 300.000 in

¹¹⁵ Retrieved from <http://www.abgs.gov.tr/index.php?p=117&l=2> (Accessed on 31.05.2012).

the USA, 200.000 in the Middle East, 150.000 in Australia) and when the 3 million returned emigrants are taken into consideration, the total number reaches 8 million.¹¹⁶

According to the Directorate for Turkish Expatriates (2011: 3), which was founded in 2010 and is responsible for emigrants and their problems, the number of Turks in Europe is displayed in Table 2 that is given in Appendix D.

In the 1970s, even though with the decreasing tendency for emigration continued in Turkey, by the 1980s, both time and space as well as the discourse were changing in terms of international migration. İcduygu (2008, 2010) argues that starting from the 1980s, Turkey was met with the concept of incoming or outgoing ‘foreigners’.

During this period, it is observed that immigration began to be discouraged on the grounds that Turkey’s population had grown enough as was also the case in the rest of Europe during the 1970s (Sen cited in Şahin-Mencütek, 2012: 149). As also pointed out by Daniş, unlike the migrants of the early Republican years, most of the post-1980 migrants were ‘uninvited’ and unwelcomed (Daniş cited in Kaya, 2008: 6). Within this framework, along with national policies and official discourse the type of migration was also changing from labour migrants to asylum seekers, refugees, transit and irregular migrants mainly coming from non-European countries. Thus, the new era can be determined as starting from the 1980s and continuing until the present day. In this way, we observe a 40 year-long cycle or milestone.

This new era also appears as a period of democratic consolidation and economic liberalization (EUMAGINE, 2010: 11); even though, it started with a military intervention in 1980. This era can also be seen as a respond of Turkey for globalization. With her respond, Turkey adopted more liberal economy policies and opened its borders to international capital and products. Among the newly developing sectors, the priority was given to tourism. Similarly, investment incentives were created. As a consequence, the number of foreigner coming to Turkey increased. In addition, during period a new

¹¹⁶ Retrieved from <http://www.mfa.gov.tr/yurtdisinda-yasayan-turkler.tr.mfa> (Accessed on 31.05.2012).

political identity was created, which was one of the main characteristics along with sharp dichotomy between right and left as well as the neo-liberal period for the national economy. This political change created tension between secularists and Islamists on the one hand; but on the other the emergence of the Kurdistan Workers' Party (PKK) in 1984 led to clashes between PKK and the Turkish state, and ultimately forced migration resulting with internally displaced people (IDPs) from predominantly the Kurdish population and asylum seeking, mainly in Europe, was also appearing as one of the outcomes of this era. The below given table displays the asylum movement from turkey; which can be seen as the outcome of the above-given developments in the period concerned.

Table 5.1. Asylum Movement from Turkey to Countries of Destination (1981-2005) (persons)

Destination Country	1986-1990		1991-1995		1996-200		2001-2005		1981-2005	
	#	%	#	%	#	%	#	%	#	%
European Countries	185.797	100	175.557	98,6	141.226	97,9	107.534	97,2	665.734	98,7
Canada			755	0,4	1919	1,3	2451	2,2	5.125	0,8
Australia			780	04	928	0,6	332	0,3	2.040	0,3
USA			984	0,6	199	0,1	330	0,3	1.513	0,2
TOTAL			178.076	100	144.272	100	110.647	100	664.412	100

Source: EUMAGINE (2010), Turkey Country and Research Areas Report, Final Version, 2010-09-28, p.p. 75, retrieved from <http://www.eumagine.org/outputs/PP5per cent20-20Turkeyper cent20Countryper cent20andper cent20Researchper cent20Areasper cent20Reportper cent20-per cent20Final.pdf> (Accessed on 16.03.2013)

Besides these emigration flows mainly to Europe, since the early 1980s; Turkey has also increasingly become a major country of immigration and asylum. In this period, Turkey faced and is still faced with immigration and asylum flows. This change was seen as an issue of concern mainly for the EU, IOM and the UNHCR and starting from the second half of the 1990s, numerous studies were conducted (IOM 1995, 2003). As a consequence, Turkey was re-categorized as not only a country of emigration but also as a 'country of immigration', as a result of intense migratory movements over the previous two decades (İçduygu, 2003, 2006a, 2006b; İçduygu and Kirişçi, 2009). Even though the migratory flows towards Turkey are not a new phenomenon, as they have existed since the early years of the Republic; but since the destination of these flows

were mainly European countries, discourse, conceptualization and also policy responses were also changing. Thus concerning the EU- Turkey relations in terms of ‘migration’, this period can be seen as a milestone.

The period started with the immigration flow coming from Afghanistan; because of the Soviet invasion. The Soviet war in Afghanistan lasted nine years from December 1979 to February 1989. While the second flow was from Iran a following the collapse of the Shah’s regime. Iran voted in a national referendum to become an Islamic Republic on April 1, 1979 and to approve a new democratic-theocratic hybrid constitution, whereby Khomeini became Supreme Leader of the country, in December 1979. There is no consolidated and reliable data concerning this population; however, as asylum seekers and refugee Afghans are still the biggest group among forced migrants in Turkey as well as irregular ones. The flows continued from Iraq as the result of the political turmoil in this country starting with the Iraq-Iran War in (1980- 1988) and the second flow came in 1991 as a consequence of the Gulf War, which also caused large numbers of people to flee and to seek asylum in Turkey (IOM, 2003: 13). As a result of these two developments, it is claimed that approximately 50.000 to 460.000 Iraqis entered Turkey.¹¹⁷ Turkey’s respond to these groups can be seen as the 1994 Council of Ministers Regulation¹¹⁸, which was amended in 1999 and 2006. However, because of the different approach adopted for the US-led invasion of Iraq in 2003, there were no mass influx of Iraqis, thus even though in total approximately two million Iraqis fled Iraq, mostly Syria and Jordan accepted them and only 10.000 arrived in Turkey.¹¹⁹ Table 3 within Appendix D shows that they are still the most important three source countries in terms of asylum.

¹¹⁷ The Iraqi Refugee Crisis and Turkey: a Legal Outlook, retrieved from <http://cadmus.eui.eu/handle/1814/11298> (Accessed on 01.02.2013).

¹¹⁸ The Regulation on the Procedures and the Principles Related to Population Movements and Aliens Arriving in Turkey either as Individuals or in Groups Wishing to Seek Asylum Either from Turkey or Requesting Residence Permission in Order to Seek Asylum from Another Country.

¹¹⁹ Retrieved from <http://data.unhcr.org/syrianrefugees/country.php?id=224> (Accessed 30.03.2013).

In the same period, another population movement came to Turkey in a population transfer or resettlement movement, which occurred between Turkey and Bulgaria as an exchange of large groups of people from both sides in the form of forced migration imposed by two states' policies on the basis of religion in 1989. As a result, between 1992 and 1994 Turkey became a destination country for some 25.000 Bosnian Muslims who sought temporary refuge in Turkey and also Kosovo Albanians in 1999 (UNHCR, 2003: 2). Unlike the other groups, only Turkish Bulgarian asylum seekers settled in Turkey. However, because of Turkey's geographical reservation in the 1951 Geneva Convention, as they were not accepted as non-European refugees, the Iranians and Iraqis mostly stayed in Turkey only temporarily, and left again for the European countries and for North America (Şahin-Mencütek, 2012: 149).

In the same period (after the 1980s), after the dissolution of the Soviet Union in 1991 into 15 post-Soviet states; Turkey emerged as a destination for migrants from Eastern Europe and the former Soviet Union, as these new migrants envisage Turkey as a gateway to a new job, a new life, and a stepping stone to employment in the West (IOM, 2008: 11). In this period, Turkey was also witnessing the arrival of professionals and retirees from Europe (TÜSİAD 2006 cited in EUMAGINE, 2010: 28). Figure 1 given Appendix D shows the recent immigrant population in Turkey.

Briefly, it can be said that Turkey has been playing a role in both emigration and immigration, in other words as a source and also as a destination country. Fluctuations according to time can be seen from the table below, where the 1960-70 period European labour emigration as well as 1980s asylum movement to Europe are both visible with dramatic decreases for the annual net flows of migration in Turkey. As it can also be seen from Figure 5.1., since the 1990s, there has been almost a balance between emigration and immigration. But different from the 1970s, instead of labour migrants, the emigration dimension appears as mainly asylum seekers, and irregular (transit) migrants.

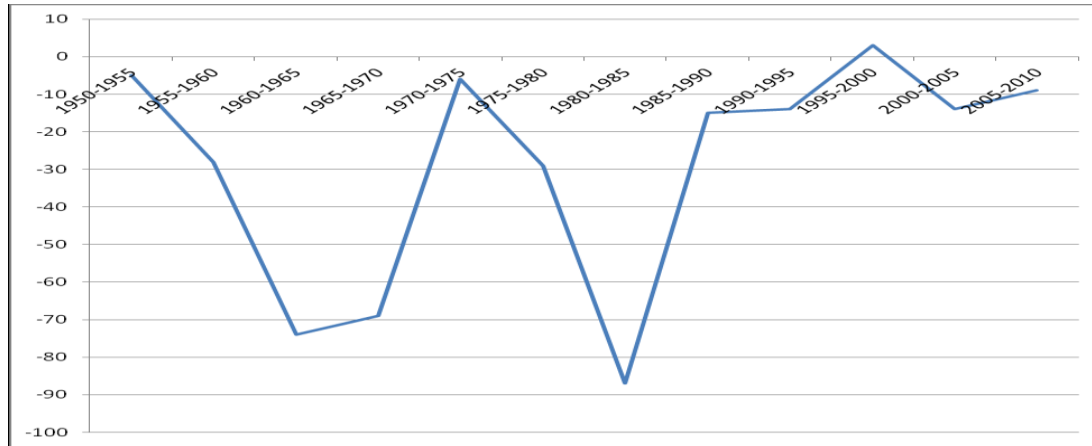


Figure 5.1. Annual Net Migration Flows (Immigration minus Emigration) for Turkey in Thousand

Source: UNITED NATIONS: POPULATION DIVISION (2010), retrieved from <http://esa.un.org/UNPP/> (Accessed on 11.09.2013)

Concerning this study's main focus, it should be noted that starting from the 1990s to the present day, Turkey has also become a country of transit for mainly people from Western European countries with the irregular transit migration movements from mainly countries in the Middle East, Asia, and Africa (İçduygu 2003, 2006a, 2011; Kirişçi 2004, 2009) and a destination country for European professionals and retirees (Kaiser cited in İçduygu 2011a: 6) as well as regular and irregular migrants from former Soviet Bloc Countries. As a consequence of the recent developments in Syria following the Arab Spring starting from 2011, there is a new group, which is under 'international temporary protection'. Turkey has also been hosting Syrians under temporary protection as the most recent developments in the time-space framework. As of 12.08.2013, the number of Syrians under the temporary protection was 433.971 as it can be seen below.

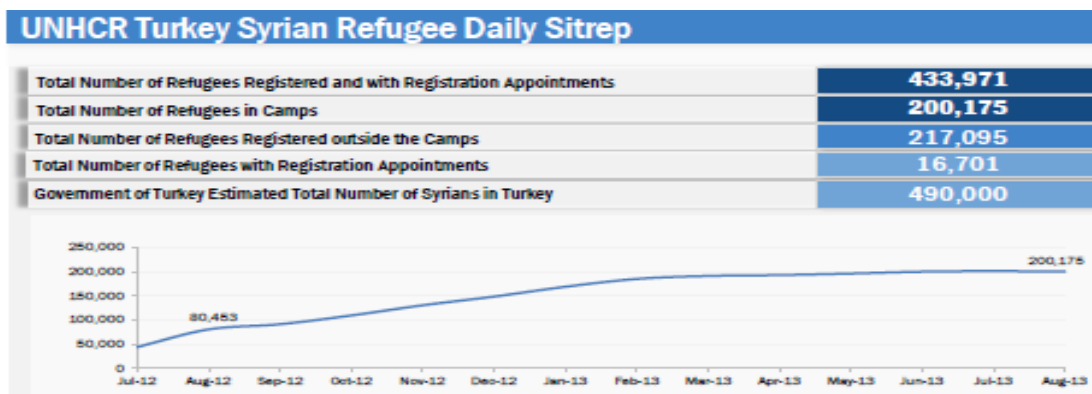


Figure 5.2. UNHCR Turkey Syrian Daily Situation Report/ Sitrep (As of 12.08.2013)

Source: UNHCR (2013), retrieved from <http://data.unhcr.org/syrianrefugees/country.php?id=224> (Accessed 30.03.2013)

Even though, Syrians in Turkey are recognized under “temporary protection”, and cannot be categorized as asylum seekers or migrants (regular or irregular); it is a fact that they are forced migrants and as Iranians, Afghans, Iraqis or Bulgarians did before them they will take their place in the Turkish migration history. It should also be stated that the number of irregular migrants apprehended at the BCPs in both Edirne and Izmir has been increasing, which is displayed by the official data as well as the findings from the field research of this study as will be discussed later on.

As it can be seen above, even though Turkey has long been defined as a ‘country of emigration’, since its beginning it has also always been a country of immigration and most recently a country of transit. During its nation-building process because of the population homogenization approach, Turkey was sending and receiving migrants; while during the 1960s and 1970s it appeared more as a country of emigration. Starting from the 1980s, it can be seen that instead of labour migrants, Turkey became a source for asylum seekers mainly to European countries. However, as it can be also seen from Figure 5.1., since the 1990s there has been a balanced net migration flow and even in the 2000s, immigration was slightly higher than emigration and since then Turkey cannot be determined as a country of emigration but as an immigration and transit country (İçduygu, 2006a&b). Particularly, the IOM’s studies of 1995 and 2003, clarified

this new classification for Turkey as a country of immigration (mainly irregular) and also a country of transit. However, it should be noted that conceptualization of irregular migration and transit migration needs attention and not all the mass influx cannot be classified as transit migration and not all irregular migration as the transit one.

At this stage international migration flows from-through-to Turkey can be roughly classified as regular migration, irregular migration, shuttle/ circular migration and asylum seekers and refugees and temporary protected forced migrants. This categorization both responds to the “regular-irregular” and “voluntary-forced” migration dichotomies. As a new movement, although there is no adequate data exit; it is a fact that irregular migrants also have been mainly those who mainly returned from Greece to Turkey; because of the inadequate reception conditions, problematic asylum procedures, unlawful push-backs as well as not being able to go any further from this country to the other destinations countries. This last group appears as a new and highly important group concerning both Turkey and the EU relations and the phenomena itself.

Among the above-mentioned categories, this study mainly focuses on irregular transit migration. Thus, the regular migration¹²⁰ from-through-to Turkey dimension will be intentionally excluded. However in Table 4 in Appendix 6, the current situation in Turkey concerning regular migration can be seen.

¹²⁰ IOM (2004) defines “regular migration” as “migration that occurs through recognized, legal channels” (2004: 54). In the existing literature, we come across with two dichotomies as “irregular vs. Regular” and “voluntary vs. forced”. Concerning to regular migration, the main determinant appears as sovereign states rather than push and pull factors. Thus, regular migrants can be seen as migrants, who enters into a country lawfully and resides in accordance with that country’s admission criteria.

5.1.2. Irregular Transit Migration in Turkey: Categories, Changing Patterns and Figures

As it was shown above; Turkey, which is mostly known as a country of emigration to other places, especially to Europe, has also been a country of immigration, asylum and also transit. Concerning irregular migration, Turkey has been seen mostly as a transit country, but it has also become a destination country in other words a country of immigration. The country lies on a major migration routes with a significant number of irregular immigrants coming from the East trying to cross Turkey towards Europe (IOM, 2003: 31).

Concerning ‘transit countries’, in parallel to the theoretical part of the study, irregular transit migration first targets the peripheral zones such as Eastern Europe, Western Asia or North Africa, where “transit countries” take place as it was conceptualized previously, and as a final destination targets European countries. As a consequence of this global human mobility pattern, the IOM has conducted several studies analysing the role and special situation of transit countries such as Bulgaria, the Czech Republic, Hungary, Poland, Russia, Turkey and the Ukraine. In this framework, one of the first IOM study concerning transit migration in Turkey was published in 1995, which claimed that Turkey has been progressively turning into a country of immigration.¹²¹ In 2003, the IOM was also approaching Turkey as a source country for irregular migration.¹²²

While empirical studies prefer to use the concept of *transit country*, *country of transit* or *transit route*, the theoretical study by Kimball (2007) which draws upon the experiences of Morocco and Mexico, utilizes the concept of “transit state”. Kimball proposes four criteria to be categorized as a transit state, as follows: 1) bordering a fully developed country; 2) exhibiting a high emigration, low immigration and transit migration; 3)

¹²¹ IOM, (1995), Transit Migration in Turkey, IOM Information Programme, Budapest.

¹²² IOM, (2003). Irregular Migration in Turkey, Working Paper, No: 12.

serving as a primary staging ground for migrants to plan clandestine entrance to heavily guarded destination countries; 4) implementing restrictive immigration policies and activities. It replaces the concept of transit country with transit state in order to highlight the state's growing role, instead of treating it as passive actor in the migration in the transit routes. Countries that are categorized as transit states vary from one study to another. According to Kimball; Russia, the Czech Republic, Hungary, Poland, Slovakia, Slovenia, Turkey, Libya, Tunis, Algeria, Morocco and Mexico fall into the category of transit states. Turkey has been identified as a transit state by meeting almost all four criteria of Kimball's transit state's category. 1) Turkey has border with a fully developed country, in its case, within Europe. 2) Turkey exhibits a high emigration and transit migration. Although Kimball puts low immigration as a criterion, Turkey differs from the other transit countries with respect to its high immigration rates. 3) Turkey serves as a primary staging ground for some migrants to plan clandestine entry to heavily guarded destination countries, such as European countries. 4) As we will discuss below, Turkey has tried to implement restrictive immigration policies and activities.

It should be noted that in general until the 1980s, it can be argued that migration to Turkey has been exhibiting mass influxes or irregular migration characteristic; while migration from Turkey has been mainly regular. However, starting from the 1980s, but intensively by the 1990s, Turkey had been transforming into a transit country; while the above-given two-sided character was also changing. Indeed, Turkey is on a major migration route with ever-increasing numbers of irregular migrants from its economically and politically unstable east and south trying to cross into its territory towards Europe (Kaya, 2008: 4). Turkey, which was once regarded as a source country for migration to Europe is now also a transit and destination country. As a destination country, Turkey attracts immigrants not only from Asia and Africa but also from Russia, Ukraine, Moldova as well as the EU states such as Romania and Bulgaria. Apart from immigrant workers of the said countries, Turkey is also becoming a destination country for relatively rich western Europeans who prefer Turkey as their retirement home.

The following figure, called I-Map was developed in 2006 by the International Centre for Migration Policy Development (ICMPD), Europol and FRONTEX as a support instrument to the Dialogue on Mediterranean Transit Migration (DMTM). The map is an output of the intergovernmental information regarding irregular migration routes. As it can be seen below, irregular and mixed migration movements towards the Mediterranean region and Europe originate in various regions of the world, including sub-Saharan Africa, Latin America, and Asia, where Istanbul appears as “Main Migration Hubs” and “Major Air Routes”; while Izmir, Ayvalık and Bodrum are determined as “Coastal Migration Hubs”. As it can also be seen there, FRONTEX has been conducting joint operations between Greece and Turkey. This map also displays and visualizes the EU’s classification, where Turkey takes part in the East Mediterranean Migratory Route, which starts from Asia with the Horns of Africa and continues through Cyprus and ends in Greece and Bulgaria in the north. The map is important because it also displays the other popular alternative routes for irregular and mixed flows. For example, one reason for transit migration to the EU via Turkey is the “deterrent effect of more effective border controls between Western Africa and the Canary Islands and between Libya and the Island of Lampedusa” (FRONTEX cited in Vukasinovic, 2011: 154).



Illustration 5.1. 2012 Map on Irregular and Migration Routes Allocating Turkey on the Migratory Routes

Source: Retrieved from http://www.imap-migration.org/fileadmin/Editor/Visualisations/MTM/i-Map_poster_ENGLISH_2012_FINAL_Outlines_04_05_2012.pdf (Accessed on 13.04.2012)

Similar to the previous illustration, Illustration 5.2 also shows the Greece- Turkey mainly land border as the second irregular border-crossing point in 2010 and 2011.

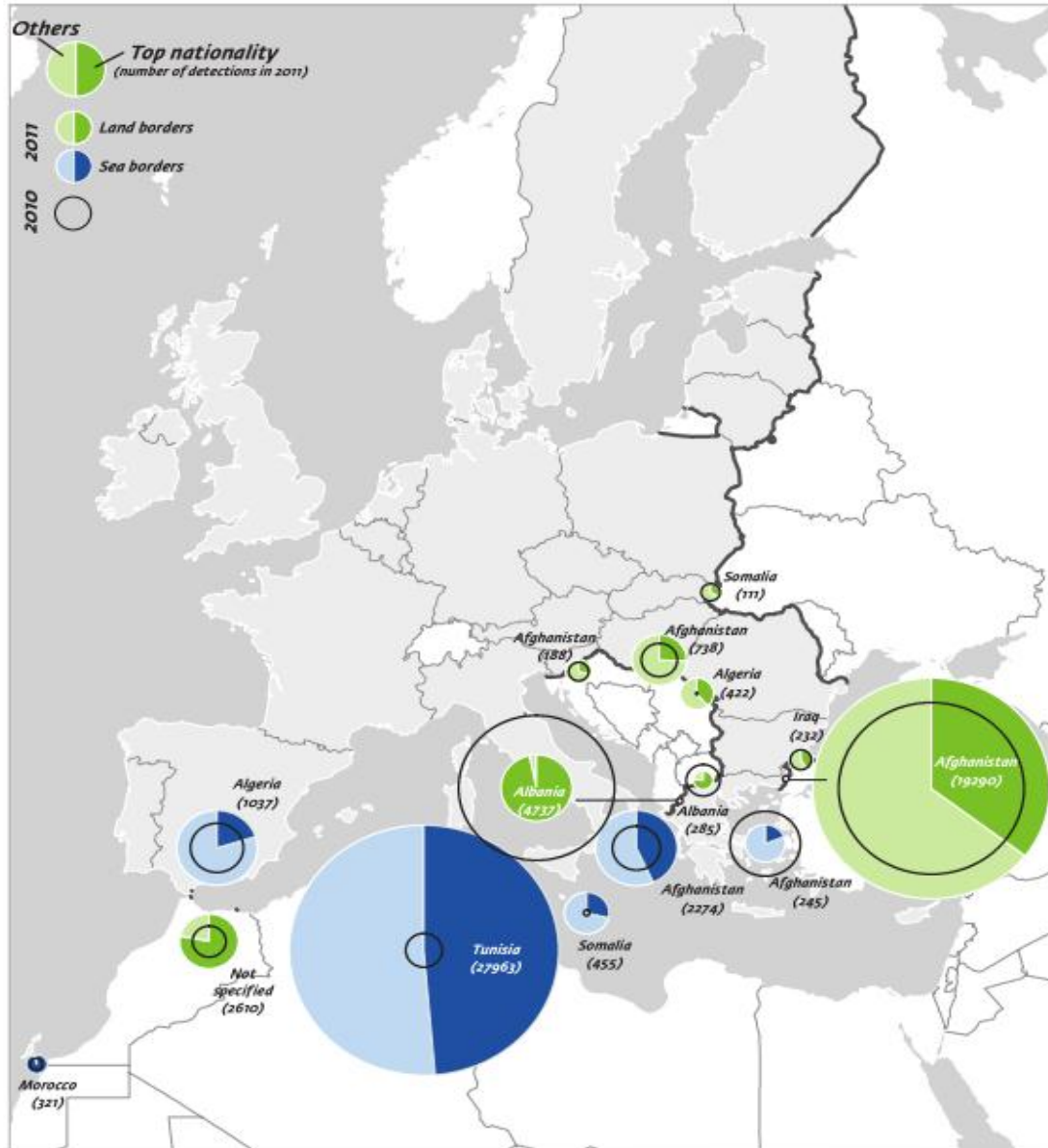


Illustration 5.2. Main Areas of Detections of Illegal Border-Crossing in 2011

Source: FRONTEX (2012), Annual Risk Analysis, pp. 10, available at http://frontex.europa.eu/assets/Attachment_Featured/Annual_Risk_Analysis_2012.pdf (Accessed on 24.03.2013).

In the light of the conceptualization part, this research mainly focuses on ‘irregular transit migrants’; who are mainly orientate to Europe, and as such carries the utmost importance for the EU- Turkey relations rather than the ‘irregular labour migrants’ in Turkey. This group will be mentioned under “over-stayers or circular/ shuttle migration” sub-group. However, it should be noted that also irregular transit migrants

can easily fall into “irregular labour migrants” group in case of opposition to law. Thus, European countries, particularly the EU is most interested in irregular transit migrants who see Europe as a destination region. Thus, even though the irregular migrants stock in Turkey always takes the EU’s attention, mainly irregular transit migrants carry importance. Thus, concerning the externalization dimension of the EU policies in this field and Europeanization of the relevant policies with their implications in Turkey, the main focus will be on “irregular transit migration”, and the “asylum movement”, because of the nexus between asylum and irregular migration with a similar destination, Europe.

It should be noted that ‘irregular migration’ and ‘transit migration’ are intensively interrelated; but they also display different forms of migration. Not all transit migrants are irregular in the hosting countries. They aim to transit; but may hold permission to stay in that country, and not all transit migrants move to an EU country; but decide to stay in transit countries and become immigrants. Thus, it is a fact that migrants switch between the existing categories and a single label such as ‘transit migrants’ seems inappropriate (Commission, 2009: 21). Concerning the “irregular and transit” relationship, İçduygu argues that majority of irregular migrants are transit migrants, who come to Turkey with the intention of going to a third country, but who remain there and, yet, continue with the idea that they are in transit with the below given quotation.

...that some of the apprehended migrants, mostly coming from the Eastern and Southern borders of Turkey, have intended to choose the country as a bridge to reach their destination countries in the West and North, so they were most likely transit migrants (İçduygu, 2008: 3).

In the light of the above-given categorizations, this study classifies different types of irregular migration into three main groups. The first group appears as the ones, who mainly aim to reach European countries via Greece and Bulgaria by using sea and land routes (Kirişçi: 2008, 2-3). Concerning the externalization of the EU policies, this group gains the utmost importance since irregular migration is a top priority in the EU rather than irregular migrants in the EU. Due to security and financial concerns, the main concern appears to be to prevent people from entering without authorization.

The second group can be categorized as asylum seekers and refugees, who come from Non-European countries and are the subject of the parallel procedure by Turkish authorities and the UNHCR since Turkey has a geographical limitation to the CRSR (1951) and fall into irregular status as a consequence of rejection and are expected to return their countries; the long waiting process and lack of reception conditions; sometimes they do not even apply to this procedure because of the high level of rejection of long waiting process, instead they apply to human smugglers and use the irregular ways. It is a fact that the number of registered asylum-seekers to the UNHCR and Turkish authorities is quite high; but also the actual number of registered asylum seeker whom residence is unknown is also significantly high. In addition, the differences between the number of applicants and the number of refugee statuses given and being able to resettled into third countries has also been increasing.

Concerning the third group, since the end of the 1980s and beginning of the 1990s, Turkey has been attracting migrants from ex-socialist countries, who came mainly for the purpose of trade and other economic activities. Despite their legal entry, since most of them stay with expired visas and also work without permits, they are faced with irregularity. They enter Turkey in particular from Armenia, Azerbaijan, the Balkan countries, Georgia, Moldova, and Ukraine without a visa or with an easily obtained visas at the border, to work in small-scale household in-service activities, prostitution, construction, and the tourism sector (Kaya: 2009, 6). This category is also named as “circular/shuttle migration” (İçduygu 2008; İçduygu and Yüksek, 2010), or “over-stayers” (İçduygu, 2003; Morehouse and Blomfield, 2010).

However, since its establishment, mass influxes have always been important for Turkey’s immigration history. However, because of the geographical limitation to the CRSR (1951), rather than ‘asylum seeker or refugee’ Turkey have always approached this forced migrants group as temporary guests and more recently for Syrians, cases for “temporary protection”.

Before focusing on those special groups and reflecting Turkey's profile concerning this population, it should be noted that the existing statistics have some limitations and handicaps. Regarding irregular transit migrants, the main source of information is the MoI (The General Directorate of Security and also the Bureau for Foreigners, Borders and Asylum). However even the data provided by official authorities do not give comprehensive and reliable estimations (Kaya, 2008: 27). For example apprehension and deportation statistics are available, which are important to display or estimate the trends, the volume and other characteristics of irregular migration into, through and from Turkey. But it should be noted that in the case of apprehension, there are many duplications; because during apprehensions, law enforcement bodies have to rely on the statements of migrants. For example, for the first apprehension, a migrant can claim that he/she comes from Myanmar and for the second time from Palestine with different names since they generally do not carry travel documents with them and intentionally they pick countries which do not have consulates in Turkey. Because of that multiple records for one person can occur in the apprehension statistics. In addition, there is the fact that apprehension statistics do not catch people who enter Turkey illegally and leave illegally. Thus, they do not even appear in statistics in Turkey. Again regarding apprehensions, the Gendarmerie statistics do not make any distinction between the number of illegal migrants and human smugglers. On the other hand, if we rely on the arrival statistics, since they do not distinguish between migrants and tourist, we come across another difficulty. It is a fact that tourist can also be irregular migrants as can be seen mainly from over-stayers or circular migrants' cases. In addition, the number of asylum seekers is also an important indicator for irregular migration; however despite a strong nexus with irregular migrants, asylums and refugees constitute a totally different category.

As far as irregular flows from Turkey to EU member countries are concerned, transit migration of third-country nationals is not the only component. There are also many Turkish citizens, who are in irregular positions, either in terms of their entry status or their resident category in EU countries. It has been already documented that in the last

three decades, there has been notable irregular migration and stay of Turkish citizens in the EU member states.

Other important indicators are readmitted migrants as part of the Greece-Turkey Readmission Protocol, migrants at detention centres and deported third country nationals. However, particularly regarding the last two groups, there is no updated and reliable data. Finally, from the beginning of the study, it is argued that since the early 1980s, Turkey has been a major source country of asylum seekers, who are mostly heading towards the West European countries.

İçduygu (2012: 4) argues that considering the number of residence permits, work permits, apprehensions and applications for asylum procedure, the total migrants' population for Turkey can be estimated at approximately 250.000 yearly. He also argues that the official authorities estimates the number of "illegal" migrants as one million, which is calculated based on the difference between yearly entrance and exit numbers.

Today, international migration is still a marginal issue for political discussions. The news regarding irregular transit migrants' apprehensions or deaths appear as third-page news and only during the economic crises did the claim that "Turkey has one million illegal migrants" with a special focus on "irregular labour migrants" appear in the news.

5.1.2.1. Irregular Transit Migration (Illegal Entries/Departures)

Concerning this group, the existing statistical data is mainly based on apprehensions of irregular border crossings at or between crossing points, apprehensions of suspected persons or facilitators as well as some cases of detections of irregular stay, detections of false documents or refusal of entry (Morehouse and Blomfield, 2010: 7). However, it should be noted that the number of deportations and the number of the irregular migrants at detention centres are also important indicators. According to the Progress Report by the EC (2012: 75), it is claimed that deportations by Turkish authorities reached 26,889 in the year of the report. In regard to the detention figures, there is no

official, reliable or consolidated data concerning the number of detained migrants; because detention facilities are not only provided at detention centres but also at international airports and some police headquarters as well. However, the Commission's Progress Report (2011: 75) stated that the overall capacity to host irregular migrants increased to 2,176 in 2011. At this stage it should be noted that deported or detained irregular migrants can also come from the irregular labour migrant group; however the majority belongs to the transit ones. The below given table shows the last three years (the first 3 quarters for 2013) deportations in terms of nationality, where it can also be seen that the most dramatic change belongs to Syrians. Despite the fluctuations, the most visible changes can be seen in the situation of this nationality.

Table 5.2. Deported Third Country Nationals by Turkey (by nationality)

COUNTRIES/ YEARS	2011	2012	2013
AFGHANISTAN	1576	5005	4413
AZERBAIJAN	104	1575	1216
BANGLADESH	55	907	289
MYANMAR (BURMA)	1187	5470	1576
ERITREA	297	1166	864
GEORGIA	316	3998	3737
IRAQ	257	1326	810
IRAN	217	1590	1144
KIRGHIZSTAN	94	780	458
MOLDOVA	53	732	448
MOROCCO	54	586	324
PAKISTAN	1025	1205	348
PALESTINE	822	5678	1792
SOMALIA	425	840	182
SYRIA	476	4761	10006
THE RUSSIAN FEDERATION	73	467	332
TURKMENISTAN	272	4071	2469
UKRAINE	69	420	344
UZBEKISTAN	127	1764	1212
TOTAL	7937	47678	35841

Source: Ministry of Interior- directorate of Security General

In general, irregular transit migrants involve nationals of neighbouring or even distant countries such as Iraq, Iran, Lebanon, Afghanistan and Pakistan, Myanmar, Eritrea. This population often benefit from the services of human smugglers and pay large fees to get themselves smuggled into western European countries (Kirişçi, 2004b: 11). Turkey has been used by migrants as a transit country to reach European Union member countries

and while Turkey’s eastern borders appear as the main entrance, the western borders mainly with Greece, and also increasingly with Bulgaria appear as the main exit points. Transit zones, in other words the exit points, also range from air, land and sea borders. FRONTEX’s latest Annual Risk Report (2013) and the Progress Report (2012) by the EC determine Turkey as a very important transit and destination country for irregular migration. The Progress Report (2012: 75) claims that the number of third country nationals detected in 2011 by the EU MSs’ law enforcement forces, when entering or attempting to enter the EU illegally and coming directly from or transiting through the Turkish territory amounted to 55.630 with a 2 per cent increase in comparison to the 2010 figures.

Since the 1995-2009 periods are displayed within different figures, the following two figures also supply the same information by focusing on different time periods.

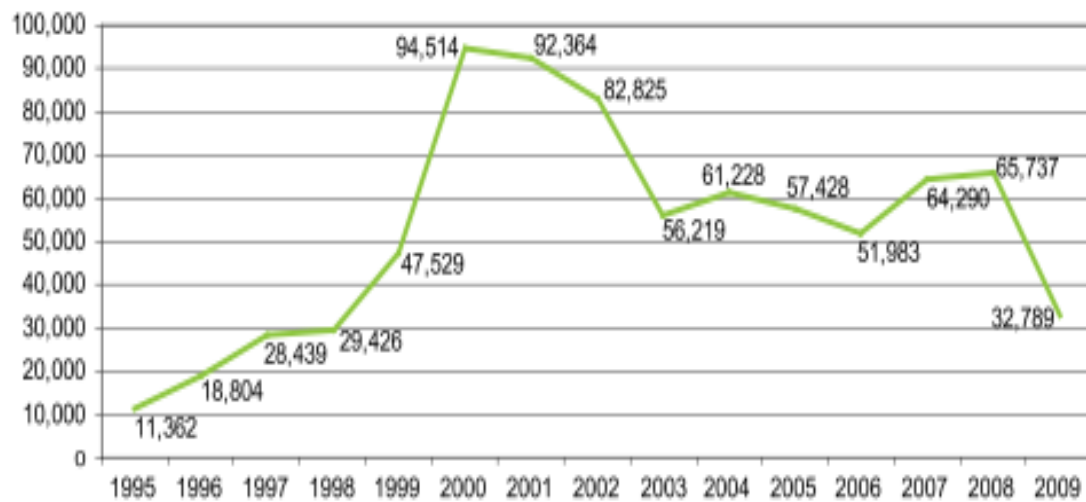


Figure 5.3. Apprehension of Irregular Migrants in Turkey (1995- 2009)

Source: IOM (2009), Migration, Employment and Labour Market Integration Policies in the European Union, pp. 308, retrieved from <http://www.labourmigration.eu/research/report/13-migration-employment-and-the-outcomes-of-labour-market-integration-policies-in-the-european-union> (Accessed on 03.03.2013).

Taking the apprehension figures of irregular migrants in Turkey, from Figure 5.4 it is seen that this form of migration significantly accelerated from the mid-1990s to the early 2000s. The figure displays a decline between 2009 and 2010 showing that on an average over 55.000 irregular migrants were apprehended.

Similarly, the following figure displays the increase since 2010 after which a dramatic drop becomes more visible.

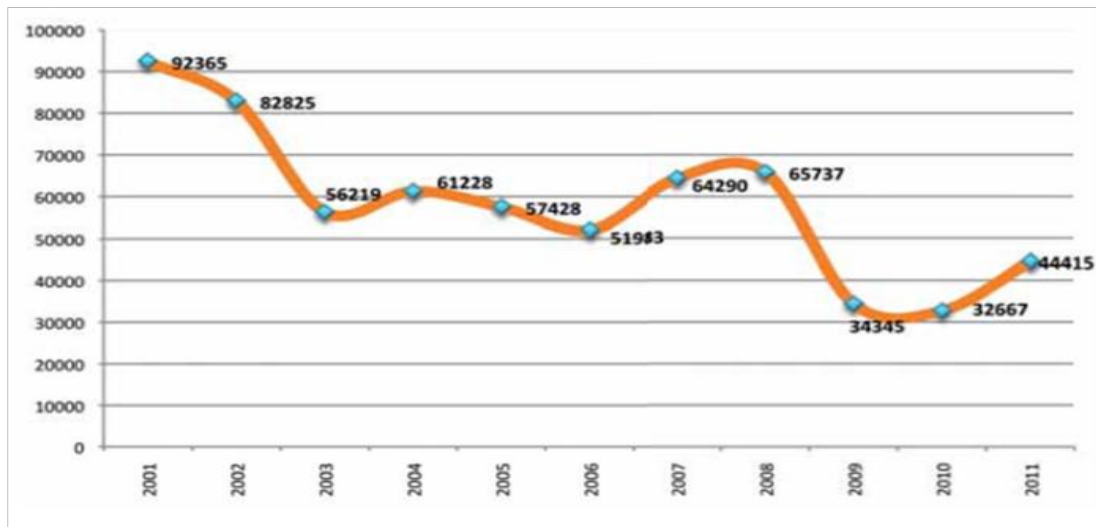


Figure 5.4. Apprehended Irregular Migrants between 2001- 2011

Source: UTSAM (2012), *Küresel Göç ve Fırsatçılığı: Türkiye’de Yasadışı Göçmenler ve Göçmen Kaçakçıları*, UTSAM Report Series, No: 18, pp. 12 retrieved from http://www.utsam.org/images/upload/attachment/1UTSAM_Yasadisi_Goc_Gocmen_Kacakligi.pdf (Accessed on 17.03.2013)

Table 5.3. displays the nationalities of the apprehended irregular migrants between 1995- 2007. If this table is compared with Table 5.4, it can be seen that the most represented nationalities have changed. In the year 2011, Myanmar, Palestine and Afghanistan rank in the highest positions; while in 2007, the first three nationalities were Iraq, Pakistan and Afghanistan.

Table 5.3. Apprehended Cases: Illegal Entry, Exit, Presence and Breach of Visa and Residence Permit (1995- 2007)

Country	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Afghanistan	24	68	81	921	2476	8746	9701	4246	2178	3442	2363	3665	6614
Albania		1		9	792	1026	1137	580	341	318	220	57	15
Algeria	27	25	69	207	102	430	305	542	378	397	375	144	46
Armenia	4	2		1	98	474	452	505	494	835	858	933	779
Azerbaijan	21	3	3	10	620	2262	2426	2349	1608	1591	1410	937	1227
Bangladesh	113	322	301	2408	1193	3228	1497	1810	1722	3271	1524	2313	981
Bulgaria	21	22	39	103	1005	1699	1923	3132	989	550	363	376	1224
China				1	115	545	264	674	787	788	339	295	405
Egypt	4	12	99	29	94	382	184	182	222	257	137	80	51
Georgia	37	9	9	5	809	3300	2693	3115	1826	2294	2348	1989	2439
Germany		1	1		372	629	458	586	988	1477	984	634	611
India	2	25	18	102	189	779	599	475	846	803	206	105	97
Iran	252	362	364	1116	5281	6825	3514	2508	1620	1265	1141	972	1107
Iraq	2128	3319	5689	14237	11546	17280	18846	20926	3757	6393	3591	6412	9384
Macedonia	1				439	488	384	197	185	105	54	2	6
Moldova	19		17	5	5098	8312	11454	9611	7728	5728	3462	1575	1095
Morocco	28	53	93	295	369	1401	849	603	361	402	171	138	124
Nigeria	1	20	30	84	137	450	301	733	117	142	34	73	65
Pakistan	708	435	307	1798	2650	5027	4829	4813	6258	9396	11001	3508	6970
Romania	68	12	107	36	3395	4500	4883	2674	2785	1785	1274	1013	803
Russian Federation	5	4	52	2	1695	4554	3893	2139	2130	1266	1152	730	817
Sierra				20	42	462	273	121	14	6	2	6	4
Stateless					61	322	235	0	0	0	0	0	0
Syria	78	86	144	476	776	1399	782	462	623	1097	983	1238	1383
Tunisia	3	48	81	44	76	255	216	191	274	301	300	292	113
Turkey					2085	3289	5304	6951	5660	3341	2164	2052	2476
Ukraine	9	4	17	4	1715	4527	3451	2874	1947	1341	1335	1004	798
UK		2		4	233	643	423	451	510	563	662	537	668
Uzbekistan	1	1			142	587	535	533	584	714	652	287	207
Other	7808	13948	20603	7382	3632	7695	8055	6908	8461	10644	662	2006	
Unknown		20	315	127	292	2998	2499	1934	826	716	4074	16606	2821
Total	11362	18804	28439	29426	47529	94514	92365	82825	56219	61228	43841	51983	64290

Source: Ahmet İÇDUYGU (2008). Rethinking Irregular Migration in Turkey: Some Demo-Economic Reflections, CARIM Analytic and Synthetic Notes, No. 2008/72, pp. 20 retrieved from http://cadmus.eui.eu/bitstream/handle/1814/10117/CARIM_ASper_cent26N_2008_72.pdf?sequence=1 (Accessed on 31.03.2013)

Table 5.4. According to Their Nationalities Apprehended Irregular Migrants between 2003- 2011

Nationality	2003	2004	2005	2006	2007	2008	2009	2010	2011
Myanmar	73	37	33	5	1502	4831	4087	4531	9800
Palestine	648	264	1295	1525	8313	6941	5393	5958	5357
Afghanistan	2178	3442	2363	3665	6614	10839	3917	2725	3843
Pakistan	6258	9396	11001	3508	6970	9186	2774	1842	2226
Somalia	1806	2756	3118	3468	3921	3348	2284	2383	1966
Turkey	5660	3341	2164	2052	2476	2520	2145	1838	1594
Iraq	3757	6393	3591	6412	9384	4818	1128	1327	1142
Russian Fed.	2130	1266	1152	730	817	1232	799	1231	1270
Iran	1620	1265	1141	972	1107	1288	817	1075	958
Azerbaijan	1608	1591	1410	937	1227	1681	1234	987	1068

Source: UTSAM (2012), Küresel Göç ve Fırsatçılığı: Türkiye’de Yasadışı Göçmenler ve Göçmen Kaçakçıları, UTSAM Report Series, No: 18, available at http://www.utsam.org/images/upload/attachment/IUTSAM_Yasadisi_Goc_Gocmen_Kacakciligi.pdf (Accessed on 17.03.2013)

As much as the nationalities and time dimension, also the location of apprehensions carry importance in displaying the changing roles of the transit zones and gateway cities. The following table displays the last two years and the first quarter of 2013 in terms of apprehensions, when the field research was carried out. This table was prepared by consolidating and categorizing the data, which is based on the information released by the Turkish General Staff on irregular border-crossings and it can be seen as a newly emerged data source. The importance of the data is in its ability to display the numbers, time and nationality of apprehensions regarding irregular border-crossings. Since September 2006, the Turkish General Staff have provided us with some figures which implicitly reflect the nature of transit migration through Turkey. However, it should be noted that these figures have already been integrated into the data of all apprehension cases provided by the Bureau for Foreigners, Borders, and Asylum at the Directorate of General Security of the Ministry of Interior. In addition, it is a fact that one irregular migrant can be apprehended more than one time. One of the respondents of the field research's interviews has mentioned that he had tried four times to cross the border. Thus, duplications should be considered. On the other hand, it is a fact the ones who could manage to cross the borders should also be considered. Finally, for consolidating the data, only the nationalities which have more than ten cases were taken into consideration.

Table 5.5. shows the responsive character of irregular transit migration to the external factors as well as its dynamism. As it can be seen above, the first 5 nationalities and source countries concerning irregular transit migration appear to be Syria, Palestine, Myanmar/Burma, Afghanistan, Eritrea and Turkey. Among them the highest representation belongs to Syria, which also displays the most consistent increase. The turning point can be seen as July 2012, when the numbers doubled and since then, the increase has been continuing. At this stage it should also be noted that there are also many Turkish citizens who are in irregular positions, either in terms of their entry status or their resident category in EU countries, which has been also documented in the EU member states.

Complementing the previous statistics, Table 5.6. displays the location of the apprehensions during the last two years, when the field research was carried out. As it can be seen, in parallel to the FRONTEX data, irregular transit exits mainly occurred at the Turkey- Greece borders; while irregular transit entrances take place at the Turkey-Syria borders. Particularly, it should be noted that the first quarter of 2013 is almost equal to the entire year of 2012. From this table, “in cities” refers to provinces where irregular migrants were apprehended during regular controls or upon denouncements. In this regard, it is difficult to distinguish between irregular transit migrants or over-stayers among them. However, İçduygu (2009: 11) estimates that the number of illegal migrant workers decreased from 50.000 annually in the early 2000s to below 25.000 in recent years.

Table 5.6. Apprehension According to Locations (Border, Sea, Land) (2012-2013Q1)

YEAR/ Apprehensions (Border, Sea, in Cities/Land)	Turkey-Azerbaijan Border	Turkey- Bulgaria Border	Aegean Sea	Turkey- Armenia Border	Turkey- Georgia Border	Turkey- Iraq Border	Turkey- Iran Border	Black Sea Border	Nakhcevan Border	Turkey- Syria Border	Turkey- Greece Border	In Cities
2012 (12 Months)	4	993	1704	6	8	541	2	2	15641	13159	17751	
2013 (First Quarter- Jan+Feb+March)		276	470			10	115		15333	972	4633	
TOTAL	4	1269	2174	6	8	10	656	2	2	30974	14131	22384

Source: Consolidated by N. Ela GÖKALP ARAS by using the General Staff Data retrieved from http://www.tsk.tr/11_haberler_olaylar/11_4_yasadisi_sinir_gecisleri/yasadisi_sinir_gecisleri_2012.htm

In addition, data from the Turkish Armed Forces and Gendarmerie, and also the special Department of Anti-Smuggling and Organized Crime within the General Directorate of Security has been collecting data regarding ‘irregular migration’ since 2007. As it can be seen below, there is no division between smugglers and irregular migrants; however despite the decrease in 2010, there has been an increase since 2011.



Figure 5.5. Apprehensions of Irregular Migrants and Smugglers by Department of Anti-smuggling and Organized Crime of General Directorate of Security Affairs & Nationalities

Source: GENERAL DIRECTORATE OF SECURITY AFFAIRS (2012), Report on Smuggling and Organized Crime- 2012”, Department of Anti-smuggling and Organized Crime Series, pp. 27.

While Figure 5.5. supplies the apprehension of smugglers in terms of numbers, the below given table shows the nationalities of the smugglers. As it can be seen below, the majority of the smugglers carry Turkish nationality and Iranians, Afghans and Pakistanis follow.

Table 5.7. Apprehended Smugglers and Their Nationalities (2011-2012)

NATIONALITY	2011	2012	TOTAL
AFGHANISTAN	13	14	27
BURMA (MYANMAR)	7	4	11
GEORGIA	2	4	6
IRAQ	1	9	10
IRAN	16	77	93
PAKISTAN	6	6	12
PALESTINE	7	1	8
SYRIA	3	10	13
TURKEY	559	368	927
TOTAL	625	505	1130

Source: Ministry of Interior- directorate of Security General

In addition, the Turkish Coast Guard Command supplies data concerning the operation and numbers of apprehended irregular migrants in Turkish territorial waters.

Table 5.8. Numbers of Illegal Border Crossings by Person in the Turkish Territorial Waters (2009-2012)

YEARS	2009	2010	2011	2012
Numbers of Illegal Border Crossings by Person in the Turkish Territorial Waters	3.677	1.219	546	685

Source: TURKISH COAST COMMAND (2013), retrieved from http://www.sgk.tsk.tr/baskanliklar/harekat/faaliyet_istatistikleri/faaliyet_istatistikleri.asp (Accessed on 04.04.2013)

Besides the apprehension figures, irregular transit migration cases in the context of the Readmission Protocol between Greece and Turkey are provided by the Department of Aliens, Borders and Asylum of the General Directorate of Security within the MoI as well as by FRONTEX.

Table 5.9. Figures from the Greece-Turkey Readmission Protocol (2002-2010)

	Claimed by Greece to be Readmitted	Claimed by Turkey as Readmitted	Sent by Greece and Readmitted by Turkey
2002	8.045	1.302	645
2003	5.190	978	333
2004	4.015	206	45
2005	2.02	706	135
2006	2.023	521	125
2007	9.439	1.414	390
2008	16.386	3.168	398
2009	14.328	1.189	276
2010	3.872	525	78
Total	65.300	10.124	2.425

Source: Ahmet İÇDUYGU (2011), The Irregular Migration Corridor between the EU and Turkey: Is it Possible to Block it with a Readmission Agreement?, Research Report Case Study EU-US Immigration Systems, No. 2011/14, pp. 7.

In order to distinguish between irregular transit migrants and irregular labour migrants and asylum seekers, İçduygu (2008: 19) supplies the below given table. Similar to Table 5.9., the ones who were apprehended in Turkey; because of opposition to admission law (under the “over-stayers” title) of Turkey and the ones, who were

apprehended during irregular cross-border crossings, is distinguished within this table. Also, the ones who reside as regular migrants and asylum seekers were also distinguished.

Table 5.10. Indicative Numbers for Migration to Turkey (1996–2006)

	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Irregular Migration	18800	28400	29400	31600	94600	92400	82800	56200	61200	43841	51983
Illegal entries/departures					51400	57300	44200	303	34745	19920	18876
Overstays					43200	35100	38600	25852	26455	23921	33107
Asylum application		5100	6800	6600	5700	5200	3794	3966	3908	3914	4548
of which: Afghan					100	400	47	77	341	365	339
of which: Iran		1700	2000	3800	3900	3500	2505	3108	2029	1716	2297
of which: Iraq		3300	4700	2500	1600	1000	974	342	964	1047	724
Residence Permit					68100	61254	57670	52203	155500	131594	186586
of which: work					24200	22414	22556	21650	27500	22130	22805
of which: study					24600	23946	21548	21810	15000	25240	24258
of which: other					19300	14894	13566	08743	113000	84224	139523

Sources: Ahmet İÇDUYGU (2008). Rethinking Irregular Migration in Turkey: Some Demo-Economic Reflections, CARIM Analytic and Synthetic Notes, No. 2008/72, pp. 19, retrieved from http://cadmus.eui.eu/bitstream/handle/1814/10117/CARIM_ASper_cent26N_2008_72.pdf?sequence=1 (Accessed on 31.03.2013) (based on UNHCR Ankara Office (2002-2006), Bureau for Foreigners, Borders, and Asylum at the Directorate of General Security of the Ministry of Interior (2000-2006))

The below given table displays the changes between irregular transit and labour migrants.

Table 5.11. Irregular Migrants, Transit Migrants and Irregular Labour Migrants in Turkey (1995- 2009, Top Ten Source Countries)

Irregular Migrants		Transit Migrants		Irregular Labour Migrants	
COUNTRY	TOTAL MIGRATION	COUNTRY	TOTAL MIGRATION	COUNTRY	TOTAL MIGRATION
Iraq	129 454	Iraq	129 454	Moldavia	55 022
Pakistan	69 660	Pakistan	69 660	Georgia	25 344
Afghanistan	59 281	Afghanistan	59 281	Rumania	24 168
Moldavia	55 022	Iran	28 432	Russian Federation	20 470
Iran	28 432	Palestine	25 398	Ukraine	20 566
Palestine	25 398	Bangladesh	21 593	Azerbaijan	17 382
Georgia	25 344	Somalia	21 533	Bulgaria	12 831
Rumania	24 168	Mauritania	15 690	Germany	7 929
Somalia	21 533	Syria	11 147	Armenia	6 805
Bangladesh	21 593	Burma (Myanmar)	10 569	United Kingdom	5 998
Others	336 609	Others	79 746	Others	138 045
TOTAL	796 494	TOTAL	461 934	TOTAL	334 560

Source: Ahmet İÇDUYGU (2011), The Irregular Migration Corridor between the EU and Turkey: Is it Possible to Block it with a Readmission Agreement?, Migration Research Institute Research Report Case Study EU-US Immigration Systems, No. 2011/14, retrieved from http://cadmus.eui.eu/bitstream/handle/1814/17844/EU-USper_cent20Immigrationper_cent20Systemper_cent202011_14.pdf?sequence=1 (Accessed on 07.07.2012)

Also covering 2010, the below given figures show the numbers of irregular transit migrants and irregular labour migrants in Turkey. As can be seen, irregular transit migrants are higher than irregular labour migrants.

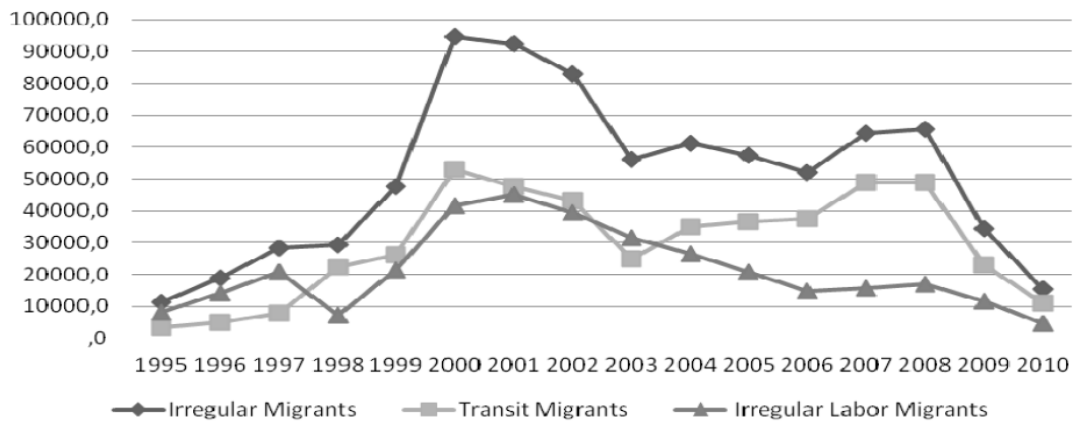


Figure 5.6. Irregular Migrants, Transit Migrants and Irregular Migrants in Turkey, 1995-2000

Source: Ahmet İÇDUYGU (2011), “Europe, Turkey, and International Migration: An Uneasy Negotiation”, Paper presented at the Migration Working Group, European University Institute (EUI), Florence, pp. 4, retrieved from <http://www.eui.eu/Documents/RSCAS/Research/MWG/201011/01-26-Icduygu.pdf> (Accessed on 24.03.2013)

As contemporary research shows (İçduygu and Sert 2010: 7) nearly half of irregular migrants, who were apprehended in Turkey between 1996 and 2008 seemed to be transit migrants. Thus, it can be deduced from the above mentioned data that at the beginning of the 2000s, more than 50.000 migrants used Turkey as a transit country annually, while this number has decreased to between 20.000 and 30.000 today. Most transit migrants enter Turkey irregularly with the help of human smugglers, and they attempt to leave in a similar way. Since these figures represent only apprehended illegal migrants, it is clear that the scale of illegal migration throughout Turkey is greater than these numbers suggest. In the early 2000s, İçduygu from the Migration Research Programme at Koç University in Turkey estimated the number of illegal migrants in Turkey at between 150.000 and one million. However, in his recent research, İçduygu estimates that the actual number of illegal migrants is at least two or three times higher than the number apprehended (İçduygu 2003, 2009; İçduygu and Sert 2010).

Concerning the total numbers of apprehended irregular migrant, the Grand National Assembly of Turkey's (GNAT) specially commissioned report¹²³ on the LFIP states that between 1995-2010, the number of apprehensions was recorded as 829.161; while the number of apprehended smugglers is stated as 11.449 (2008-2010).

5.1.2.2. Asylum and Irregular Migration Nexus

The nexus between asylum and migration is explained by Castles (2007: 39) as a fluid and blurry relationship between the political construct of migrant and asylum seeker. The causes for this migration-asylum nexus is explained with globalisation, growing North- South inequality, weak economies, impoverishment, human rights abuses and violence. On the other hand, debates about so-called bogus asylum seekers, which can be basically defined as “people who seek asylum but are accused of being economic migrants” (Soykan, 2010: 1) have drawn important political attention across Europe.

Along with the increasing economic problems and even severe crises in the European countries, this economisation discourse has been increasingly supported with securitisation, which found its relying point with the events of 11 September 2001. These discourse and concerns have been shaping the new European migration models and migration systems in and around the neighbouring countries and regions have also been affected. In this regards, in parallel to Castles (2007) and Soykan (2010) it can be argued that the migration-asylum nexus is a social phenomenon within the European context which has been created and supported by the EU itself.

The announcement in The Hague Programme (2004) towards a common immigration policy for the member states in 2004 displayed the EU's aim to control unwanted flows through its borders. Thus, third countries and Turkey became central to the EU policies in this field. In this framework, externalization of the immigration and asylum policy of the EU along with the implications within the EU countries have been creating important consequences particularly for the candidate country, Turkey.

¹²³ Retrieved from <http://www.amnesty.org.tr/ai/system/files/ss310.pdf> (Accessed on 17.04.2013).

Concerning the irregular transit migration and asylum nexus, although they are often used interchangeably and in Western political discourse in particular, the difference between an asylum seeker and an illegal migrant transiting through a country such as Turkey has become blurry (Mannaert, 2003: 1). Thus, this nexus can also be seen as the outcome of political discourse along with the social, economic and country-specific facts.

Irregular transit migration in Turkey has been effected by several external factors and the country's migration and asylum profile is one of the significant ones. In the case of Turkey, particularly, to maintain the geographical limitation of the CRSR (1951), which states that the country grant asylum only to persons fleeing persecution in Europe can be seen as a key feature of the country's asylum policy and practice (Kirişçi cited in IOM 2003: 20) with its implications creating a unique case along with the Europeanization in this field. Even more the above-mentioned distinctive feature of Turkey has an interaction with the EU's policies and Europeanization. Thus, irregular migration cannot be understood without analysing these crossing nexuses.

CURRENT ASYLUM PROFILE OF TURKEY

In the history of Turkey, the first mass influx of non-Turkish migrants can be seen as when asylum seekers from Greece, Bulgaria and the Dodecanese Islands (Oniki Ada) arrived in search of temporary asylum following the Second World War. Also, European Jews came to Turkey either seeking temporary asylum or as part of their journey to Palestine. Following the Cold War, asylum seekers from the Soviet Union and Eastern Europe were arriving in Turkey as asylum seekers as well. While, the Western European countries were keen to resettle these groups, Turkey served primarily as an area of transit (Mannaert, 2003: 2).

Even though the mass influx of forced migrants had started by the time of the establishment of the Turkish Republic, it can be argued that until the 1980s, the number of asylum seekers and refugees in Turkey was not very significant and the

Europeanization was not visible in the policy field. However, by the 1980s despite its geographical reservation to the CRSR (1951), thousands of asylum seekers, originating mostly from the Middle East, Asia and Africa, had entered Turkey. As it was mentioned earlier, the numbers continued to increase throughout the 1990s and until the 1994 Council of Ministers Regulation without a consolidated legislative regulation regarding non-European refugees.¹²⁴ The emphasis of all the actions were on ‘temporality’ and mainly ad hoc solutions were adopted as a highly pragmatic and flexible approach to what was obviously a growing migration problem (Kirişçi cited in IOM 2003: 21). Including the most recent mass influx of Syrians, Turkey has always accepted those forced migrants as “temporary guests” and expected them to leave again in due course. For the ones who could not return to their home countries, there were two options; to stay in Turkey and become a part of the UNHCR system but with a long waiting time for being resettled in the third safe countries without having appropriate reception conditions in Turkey or continue the journey to European countries, where reception conditions were better and recognition as a refugee was possible. Within this framework, these flows have usually comprised of large numbers of asylum seekers and irregular migrants and it can be assumed that many of them were in transit to Western Europe through Turkey. In this regard, İçduygu and Keyman argue that “almost 8 per cent of asylum seekers to Europe have a transit pass through Turkey” (İçduygu and Keyman, 2000: 386). The below given table displays the changing and increasing numbers of asylum seekers to Turkey from 2005 to 2010; where it can be seen that the numbers have been increasing dramatically.

¹²⁴ The 1994 Regulation defines refugee as “an alien who as a result of events occurring in Europe and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it”

Table 5.12. Number of Newly Arrived Asylum Seekers (As of 31.12.2010)

Year	Asylum seekers	Iraqi		Iranian		Afghan		Somali	
		Number	%	Number	%	Number	%	Number	%
2005	3.917	1.047	27	1.716	44	364	9	473	12
2006	4.553	724	16	2.297	51	261	6	680	15
2007	7.646	3.470	45	1.688	22	705	9	1.125	15
2008	12.981	6.899	53	2.113	16	2.642	20	647	5
2009	7.834	3.763	48	1.981	25	1009	13	295	4
2010	9.226	3.656	40	2.881	31	1.248	14	448	5

Source: UNHCR (2011), UNHCR in Turkey Facts and Figures, Issue 3, pp. 23, retrieved from [http://www.unhcr.org.tr/uploads/root/f&f_issue_03-eng\(1\).pdf](http://www.unhcr.org.tr/uploads/root/f&f_issue_03-eng(1).pdf) (Accessed on 01.04.2013)

The following figure displays the number of asylum applications since 1995. In parallel to the number of irregular migrants' apprehensions, it can be seen that the 2007-2008 period was also important in terms of asylum applications.

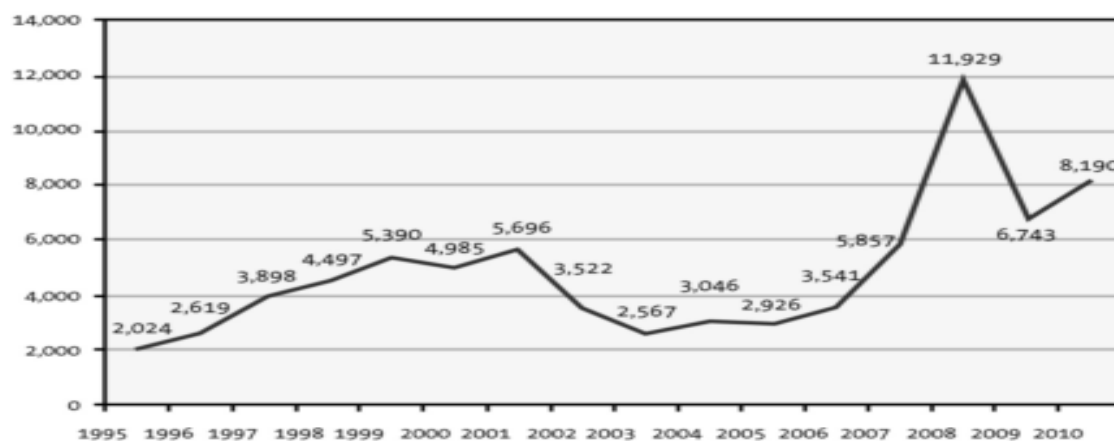


Figure 5.7. Asylum Applications in Turkey (1995- 2010)

Source: Kemal KIRIŞCI (2012), "Turkey, Migration and the EU: Potentials, Challenges and Opportunities", in Seçil Paçacı Elitok and Thomas Straubhaar (Eds.), Hamburg University Press Series Edition HWWI, Vol. 5, pp. 70.

In relation to Turkey's geographical limitation, as it was discussed earlier Turkey does not recognize non-Europeans as refugees but asylum seekers. Therefore, Refugee Status Determination (RSD) and resettlement has been done by the UNHCR. However, because of the decreasing acceptance quotas of the receiving countries as well as inadequate capacity in terms of human resources and budget of the UNHCR, there is an important and increasing gap between the applications of asylum in Turkey and resettlement. It refers to longer waiting period ranging from a couple of months to

several years. In this regard, the following table displays the diverging ‘application and resettlement’ concerning asylum applications, where it can be seen that only a small proportion actually applied to the UNHCR for refugee status and resettlement in a third country; while the majority attempted to find their own way to the West with the help of their personal connections.

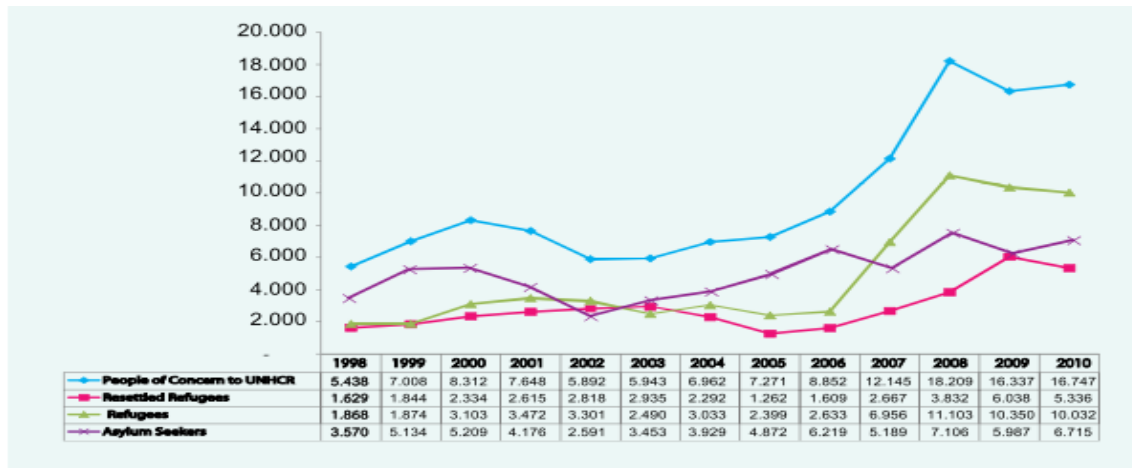


Figure 5.8. Persons of Concern to UNHCR Turkey (As of 31.12.2010)

Source: UNHCR (2011), UNHCR in Turkey Facts and Figures, Issue 3, pp. 23, retrieved from [http://www.unhcr.org.tr/uploads/root/f&f_issue_03-eng\(1\).pdf](http://www.unhcr.org.tr/uploads/root/f&f_issue_03-eng(1).pdf) (Accessed on 01.04.2013)

5.1.2.3. Over-stayers or Circular/ Shuttle Migration

İçduygu (2008: 4) argues that there is a close relationship between shuttle migration and irregular labour migration as forms of circular migration both conceptually and empirically since they have significant similarities. He argues that they have informal activities; they are intermingled with each other (a suitcase migrant may turn into irregular labour migrant easily and vice versa); they are subject to the state’s restrictive measures; they both function through cross-border social networks and they are subject to feminization.

Turkey has been hosting a significant number of migrants, who originally entered the country legally as tourists. Entrance to the country has been recorded by the Ministry of Culture and Tourism. However as it was mentioned earlier, there is no division between

migrants and tourists. Concerning irregular migrants, a group among the foreign visitors are faced with irregularity since most of them stay with expired visas and work without permits despite their legal entry. As can be seen from Table 5.6. under the ‘in cities’ title, some of the migrants have been apprehended during their irregular residence in Turkey. Due to Turkey’s liberal visa policy, it can be argued that some nationalities’ entrance has been becoming more representative of the nexus with irregular migration. This group mainly reside and work in the country illegally and some of them wait for an opportunity to either leave Turkey for another country or for some means of regularizing their presence (IOM, 2003: 26). Thus, it can be argued that both ‘irregular transit migrants’ and ‘irregular labour migrants’ can be found within this group. If we want to look at the makeup of this group in terms of nationality, Figure 5.9. shows the official data since 2004.

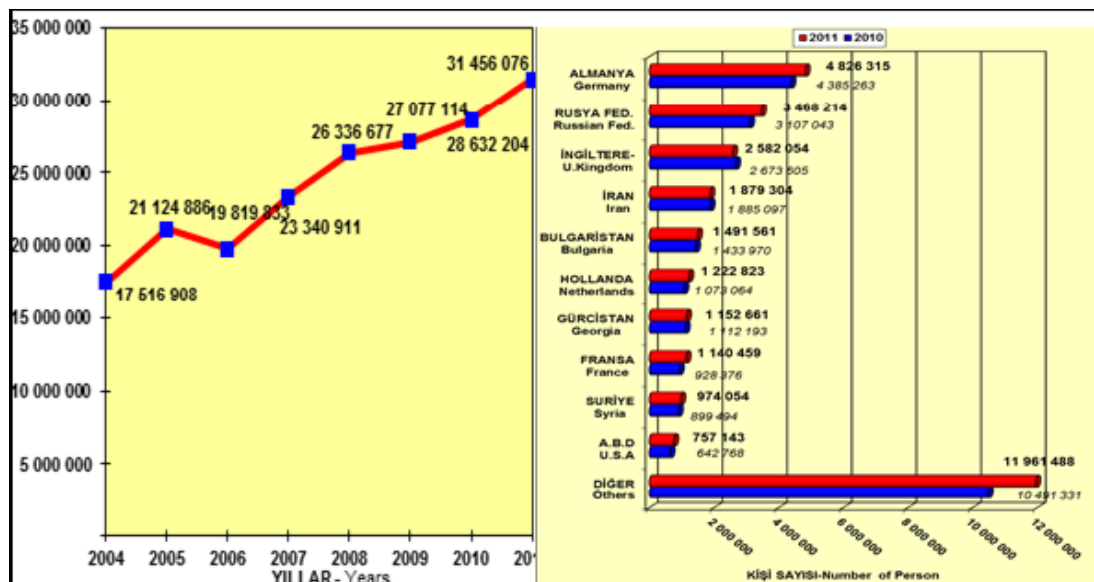


Figure 5.9. Foreign Visitors Arriving in Turkey (2004-2011) (Left) and Foreign Visitor Arrivals by Nationalities - 2010-2011 (Top Ten)

Source: Ministry Of Culture And Tourism (2012), retrieved from <http://www.kultur.gov.tr/EN,36568/number-of-arriving-departing-foreigners-and-citizens.html> (Accessed on 04.04.2013) (Left) & Ministry of Culture And Tourism (2012), retrieved from <http://www.kultur.gov.tr/EN,36568/number-of-arriving-departing-foreigners-and-citizens.html> (Right) (Accessed on 04.04.2013)

İçduygu argues that (cited in IOM 2003: 27), the number of irregular migrants in Turkey can only be guessed at and it is estimated at between several hundred thousand

and one million and most of them have been in Turkey only for a few months and have actually been shuttling between their home countries and Turkey for the purpose of trade and other economic activities¹²⁵. This group in general enters Turkey repeatedly to both sell and buy goods before returning to their home countries.

İçduygu claims that this practice of circular irregular migration begun in the 1980s with Polish traders before being joined by Romanians and citizens of the former Soviet Union, whose numbers peaked in the mid-1990s (İçduygu in IOM, 2003: 27). However, the movement became significant following the collapse of the communist regimes, significantly in the 1990s. For example, while in 1989 only 37.087 people entered Turkey from the Union of Soviet Socialist Republics (USSR) (İçduygu 2008: 4). By the mid-1990s, entries from all Community of Independent States (CIS) countries stood at 1,5 million; and despite a drop down to one million in 1999, following the currency crisis in Russia, by 2000 this figure had gone up to 1.380.000. As of 2006, the total number of entries from the CIS stood at 3.773.000 (Yükseker cited in İçduygu 2003 and SİS, 2008). Also, as it can be seen above, the Russian Federation and Georgia are still placed in the top ten countries; however, in the “other” category Moldova, Romania, Russia and Ukraine are significant for the domestic labour, prostitution and entertainment sector in Turkey by also representing feminization (IOM, 2003: 28).

Concerning irregular labour migration, one of the main sources of data can be seen as the data on apprehensions. Besides from border-crossing point data, the other apprehensions in cities can be seen as the most relevant data. İçduygu (2008) argues that it is possible to make an inference concerning irregular labour migration. He claims that the top five source countries for circular irregular migrants were: Moldova (53.000), Romania (23.000), Georgia (18.000), Ukraine (18.000), and Russian Federation (18.000) as it can be also seen from Figure 5.9. However he also admits that figures for apprehended migrants because of visa violations and illegal entries and exits may be misleading in the case of circular labour migrants.

¹²⁵ Suitcase Trading or Shuttle Trading refers to persons’ activities as making multiple trips to Turkey in search of economic opportunities (İçduygu, 2008: 3).

Within this study, mainly irregular transit migrants, asylum seeker and refugees are focused on because the main pressure from Europe and the most important and rapid national respond from Turkey comes regarding the ones who aim to migrate to Europe or at least carry the potential to do so. And it should also be noticed that it is difficult to know to what extent the two forms of irregular migration (transit and labour) are represented in the existing data.

Concerning the recent figures, in 1995, there were 2.024 international protection applications, which reached 8.190 in 2010. The total number of international protection applications reached a total of 77.430 for the 1995-2010 periods.¹²⁶

5.2. National Policies Concerning Irregular Migration in Turkey

With this study one of the main arguments is that restrictive policies such as the EU's immigration and asylum policy concerning irregular migration at macro level have an impact on the policies of the transit countries. Thus, within this part, the relevant policies in Turkey will be examined in relation to Turkey's candidate status and the EU's immigration and asylum policy's externalization dimension.

In parallel to the previously discussed spatio-temporal changes İçduygu (2012) argues that the development of the migration policies in Turkey can be analysed under three periods, which are 1934-1994 (ignorance term) and 1994-2001 (sudden reaction) and finally 2001-the present periods (impact of the EU). Particularly during the last period, the EU's influence has been quite visible. Starting from 2001, we mainly come across the dominant impact of the EU on Turkey's immigration and asylum policies. This process has brought the discussion about immigration and emigration into the centre. However, it should also be interpreted that almost the entire discussion about migration has been focusing on the management of migration directed to Turkey or through Turkey to European countries (mainly management and control of it). While the EU's border controls and migration management in general have been becoming stricter day

¹²⁶ Retrieved from <http://www.amnesty.org.tr/ai/system/files/ss310.pdf> (Accessed on 17.04.2013).

by day, the pressure on Turkey to manage and control migration has also been increasing along with Turkey's own security concerns. İçduygu argues that even in today's Turkey, we can still observe the same approach as was during the first years of the Republic and can be summarized as the unity of the population and homogeneity of it.

Concerning irregular migration, despite its long-lasting history, this type of migration has only recently moved to the forefront of official concern (IOM, 2003: 56). As it was seen earlier, the 1980s can be seen as a milestone of Turkish immigration policies and practices, where immigration began to be discouraged on the grounds that Turkey's population had grown enough, similar to the response from Europe; thus like ethnic Turks during the early years of the Republic, immigrants have not been welcomed any more. It should be noted that the 1980s were also a period where Turkish- EU relations gained importance and Turkey became a part of European migration system. However, since then both through the legislative framework and also in practice, the main emphasis can be seen as "temporality" and the numbers of immigrants could not be representative in comparison to the country's population like the case in Europe. In parallel, İçduygu argues that (cited in IOM, 2003: 56), the reason could also have been "the lack of established immigration policies and practices, except as regards the influx of welcomed migrants as part of the nation-building process".

However, today irregular migration, or 'to control and combat irregular migration' appears as one of the most important agenda items for both Turkey and also the EU. This changing trend can be explained by numerous factors. The increasing numbers in Turkey both as a consequence of the pushing factors in the source countries and also the outcomes of the Turkish immigration and asylum policy as well as the changing policies and discourse in the destination countries, particularly the EU Member States, which created external pressures on the transit countries like Turkey; can be seen as the main driving forces.

Today, irregular migration and as the main focus of this study ‘irregular transit migration’ have strong and visible direct and indirect economic, political and social consequences for Turkey as well as the EU countries. Within this part both Turkey’s own national dynamics and also the EU accession process through the issues of immigration, asylum and border controls, visa policy and readmission agreement will be analysed with arguments from both sides’. As the researcher of this study, I am also happy to be able to cover the Law on Foreigners and International Protection Law, which came into force on 11th April 2013 within this study.

5.2.1. Brief History of Immigration and Asylum Policies in Turkey: Normative Developments

Patterns of immigration to and through Turkey and asylum policy related to this can be summarized as regulating the nature of inward migration and resettling or repatriating asylum seekers and refugees rather than providing for their long-term integration into Turkish society (Kirişçi cited in Manneart, 2003: 7). Since under the “Irregular Transit Migration Profile of Turkey” heading, both through the “time and space” dimension of the history of migration in, to and through Turkey was analysed, under this title only the relevant legislative framework as the outcomes will be given.

Despite immigrants have been coming to Turkey for decades, Turkey did not have a comprehensive legal framework concerning migration and asylum (Kaya, 2009) at least until 2013, when the LFIP came into force, with which Turkey manages and regulates entry, exit, stay, and residence of aliens through a number of different and highly fragmented legislative pieces. In general the existing legislative documents including the most recent law on “Foreigners and International Protection” can be categorized under three categories, namely laws, regulations and circulars, within the normative framework.

The Republic of Turkey was established as a consequence of the mass influxes coming from the Ottoman territory, and in its history there have been important milestones

which also created an impact on the national policies. The first relevant policy in the field can be seen as the national identity and belonging policy of the nation-building efforts. One of the important outcomes of this policy can be seen as the Law on Settlement (Law No: 2510, dated 1934)¹²⁷ in 2006. According to this law, coming from Turkish descent and culture was the sine qua non element for being accepted as immigrants and refugees in Turkey. This Law was renewed by the new Law on Settlement¹²⁸, which deals with the admission and settlement of migrants coming to Turkey as well as the re-housing of Turkish citizens, whose immovable property was nationalized and who had to leave their houses for security reasons. By this Law, a migrant is defined as a “person of Turkish descent and who is attached to Turkish culture”; therefore, in the legal sense migrants are only those who had Turkish origin. Others living in Turkey are not migrants but foreign residents in parallel to the name of the LFIP. As a consequence, only individuals of “Turkish descent and culture”, essentially Turks from the Balkans, Albanians, Bosnians, Circassians, Pomaks, Tatars or Kazakhs, Kyrgyzs, Turkmen and Uygurs could manage to migrate, settle and acquire refugee status in Turkey (Mannaert, 2003: 7). However, different political considerations played an active role for determination of who comes from Turkish descent and culture (IOM, 2003: Şahin-Mencütek, 2012). Thus, on the one hand, Bulgarian Turks (1950s, 1989), Iraqi Turkmen (1989), Bosnian Muslims (1992) and Kosovars (1998) were welcomed to Turkey; but on the other hand, Chechen refugees (2000) were not welcomed because of political concerns (Kirişçi, 200; IOM, 2003).

During the Cold War Period, Turkey became a member of NATO and the characteristic of the period, “security” also acted as a blueprint for the national migration policies (ORSAM, 2012: 15). During this period, the majority of the borders were mainly closed and the policies were mainly determined according to the dominant security axis. In this period, two important legislative outcomes appeared and were enacted on the same day:

¹²⁷ Retrieved from http://mirekoc.ku.edu.tr/sites/mirekoc.ku.edu.tr/files/tr_leg11.pdf (Accessed on 02.01.2013).

¹²⁸ Retrieved from http://www.nvi.gov.tr/Files/File/Mevzuat/Nufus_Mevzuati/Kanun/pdf/IskanKanunu.pdf (Accessed on 02.01.2013).

the Passport Law (Law No: 5682, Dated 15.07.1950)¹²⁹, which was renewed in 2012 and the Law on Residence and Travel of Foreigners in Turkey (Law No: 5683, Dated 15.07.1950)¹³⁰. The former law stipulates that all travellers require a valid passport or travel document whenever they leave or enter the country. With some exceptions, a visa is needed to enter Turkey and for certain countries nationals, it is possible to obtain visas (sticker visas) at border gates. It should be noted that according to the 2006 Implementation Circular (IC, Circular No: 57 regarding the procedures and principles to be applied when implementing the 1994 Regulation on Asylum, 22.06.2006), asylum-seekers are excluded from punishment when violating this law, as long as they report to the Turkish government “within a reasonable time” and apply for a temporary residence permit. Previously, according to the 1994 Asylum Regulation¹³¹ (AR), people had to report within 5 or 10 days, but this time limitation was lifted to allow people time to report to the authorities in the city where they entered Turkey irregularly. In the case of a person reporting to the authorities in another city than where he or she had entered Turkey, the person is sent back to the city of entry. It is reliant upon the local authorities’ decisions, whether the person reported within a reasonable time.

The Law on Residence and Travel of Foreigners stipulates that any foreigner intending to reside in Turkey longer than a tourist visa allows, should apply for a (temporary) residence permit. Once this (temporary) residence permit is granted, the foreigner is obliged to pay a residence fee of approximately 200 to 300 US dollars for each six months. Asylum-seekers are not exempted from this obligation; in case they intend to leave Turkey again, either voluntarily or by formal resettlement in a third country, an exit permit will not be granted to them unless this fee, including interest, is paid. The

¹²⁹ Retrieved from <http://www.mevzuat.gov.tr/MevzuatMetin/1.3.5682.pdf> (Accessed on 02.01.2013).

¹³⁰ Retrieved from <http://kanun.hukukokulu.com/tag/yabancilarin-seyahatlari-kanunu> (Accessed on 02.01.2013).

¹³¹ The 1994 Regulation on Procedures and Principles related to Mass Influx and 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, No: 94/6169, the *Official Gazette*, No. 22127, 30 November, 1994.

residence fees are subject to the Law on Fees (Law No: 592, Dated 02.07.1964)¹³²; however because of the problems concerning this residence fee, the MoI adopted a new circular on 19.03.2010¹³³, which exempted foreign students (from primary level to higher education) and also the ones who cannot afford the required residence fee. This Law was also regulating deportation of processed people under Article 19¹³⁴, which was invalidated by the LFIP.

The third development can be seen as the 1951 United Nations Convention Relating to the Status of Refugees (CRSR) and its Additional Protocol (1967 Protocol) relating to the Status of Refugees. During this period, the implications also have similarities with the previous period and even the geographical limitation to the Convention can be read from this perspective. At the end of this period, Turkey was facing the end of the Cold War and also an increasingly intense relationship with the EU, both of which acted as driving forces in the national policies in the field.

By also recognizing the right to asylum as envisaged by Article 14¹³⁵ of the Universal Declaration of Human Rights, the CRSR was brought into force on 30th March 1962. In addition, on 31 July 1968, the 1967 Protocol came into force, which only removed the time restrictions from the CRSR for Turkey. However, Turkey still maintains its geographical limitation under which “it applies the Convention only to persons who have become refugees as a result of events occurring in Europe”. Thus, Turkey does not accept de jure refugees from non-European countries. For the ones, who operate under the non-European category, the UNHCR undertakes the principal responsibility for meeting the material needs of non-European refugees and applicants for asylum, being the only organization for status determination until the 1994 AR. However, there is no

¹³² Retrieved from http://www.alomaliye.com/492_sayili_kanun_harclar.htm (Accessed on 02.01.2013).

¹³³ Retrieved from http://www.egm.gov.tr/Documents/Bakanlik_19_Sayili_Genelge.pdf (Accessed on 16.02.2013).

¹³⁴ Article 19: Foreign nationals whose residence in the territory is deemed to be contrary to public order or political or administrative requirements shall be invited to leave Turkish territory by the Ministry of the Interior within a fixed period of time. Those who remain in Turkey beyond such period may be deported.

¹³⁵ Article 14: Everyone has the right to seek and to enjoy in other countries asylum from persecution

mechanism to ensure the UNHCR's involvement with all asylum cases because of the absence of a formal Host Country agreement between the Turkish state and the UNHCR Office in Turkey.

In the same period, Turkish Parliament enacted the Citizenship Law (Law No: 403, Dated 11.02.1964)¹³⁶, which was renewed in 2003 (Law No: 4866)¹³⁷ and 2009 (Law No: 5901)¹³⁸. The Law regulates the acquisition of Turkish citizenship. Accordingly, Turkish citizenship may be obtained by birth, descent, marriage or naturalization. Birth within the territory of Turkey does not automatically confer citizenship; however if a child, who was born in Turkey does not obtain a citizenship through his father or mother then he/she is a Turkish citizen. A child at least one of whose parents is a Turkish citizen has the right to Turkish citizenship.¹³⁹ Concerning non-Turkish citizens, the Law states that an alien who has resided in Turkey for at least five years, shown an intent to remain in the country, familiarity with the Turkish language, has adequate means of self-support, good moral character and has no illness that may pose a threat to the public may obtain Turkish citizenship through naturalization.¹⁴⁰ This law mainly regulated regular migration. At this stage, it should be emphasized that the Turkish Citizenship Law's (Law No: 403) Article 5 changed the acquisition of citizenship through marriages, which now requires three years marriage as the pre-condition of application. In this way, the law aims to avoid sham marriages undertaken by people wishing to remain in the country and eliminate a method used by human smugglers and traffickers.

¹³⁶Retrieved from http://www.nvi.gov.tr/Files/File/Mevzuat/Yururlukten_Kaldirilanlar/Kanun/pdf/turk_vatandasligi_kanunu.pdf (Accessed on 16.07.2013).

¹³⁷ Retrieved from <http://www.muhasebeturk.org/kanunlar/274-tc-turk-vatandasligi-kanununda-degisiklik-yapilmasina-iliskin-kanun-4866-sayili-numarali-nolu-yasasi.html> (Accessed on 16.04.2013).

¹³⁸ Retrieved from <http://www.tbmm.gov.tr/kanunlar/k5901.html> (Accessed on 22.01.2013).

¹³⁹ Article 5, 6 and 7

¹⁴⁰ Article 11 and 12

As was seen earlier, starting from the 1980s and reaching its peak in the 1990s, Turkey became a destination and also a transit country due to being faced with continuing mass influxes from both European and non-European countries and in general responded with 'ad hoc' tools instead of with a law comprehensively regulating asylum and other related issues. As an outcome of this period, we come across the 1994 AR as mentioned earlier. This regulation can be seen as the response of Turkey to the 1990s' large influxes of refugees and asylum seekers as well as to increasingly restrictive European immigration policies, which resulted in Turkey developing into a buffer zone, where asylum seekers and other migrants failing to reach the West became stranded. The 1994 AR includes the procedures and the principles related to population movements and aliens arriving in Turkey either as individuals or in groups wishing to seek asylum either from Turkey or to request residence permission in order to seek asylum from another country by aiming to bring status determination under the control of the Turkish government and introduce regulations governing access to asylum procedures. Until this Regulation, the RSD procedure has been mainly conducted by the UNHCR. However this Regulation transferred the authority to the MoI and the military authorities. Similar to the Cold War period, the main concern appears to be control and security but this time securitisation and economisation were the main axis through mass influxes. From Turkey's side this legislation can be seen as a message which clearly states that because of Turkey's territorial interests and security, population movements must be stopped at the border and asylum seekers prevented from crossing over into Turkey. State authorities viewed controlled and even uncontrolled movement of foreigners into the country as a security threat.

According to the 1994 AR and also the 2006 IC, non-European asylum seekers must register with the police who carry out an assessment within a reasonable time to determine whether they are asylum seekers rather than migrants. They are required to stay in "satellite cities" determined by the MOI. At this stage there is a parallel procedure run by both the Turkish government and the UNHCR. While registration with the Turkish government is compulsory, registration with the UNHCR is not, but asylum-seekers are strongly recommended to do so. Both the foreign police, on behalf

of the Turkish government, and the UNHCR make a recommendation about the request for asylum to the MoI, who makes the final decision. Generally, the MoI agrees upon the decision of the foreign police, while the recommendation made by the UNHCR is not always followed (Kaya, 2009; Kirişçi, 2007b). Both the procedures of the UNHCR and the Ministry of Foreign Affairs and the final decision by the Ministry of Interior can take from a few months to a few years. Resettlement as well may take up to 7 or 8 years (Kaya, 2009) and the waiting period can last up to five years depending on the country of origin of the applicant foreigners' law.¹⁴¹ Until the enactment of the LFIP, the Turkish asylum system had been based upon the above-given documents; the 1994 AR and the 2006 IC. Both of these texts represent secondary legislation, meaning that they are not as strongly binding as a law.

As a part of the above-given regulation and also circular, asylum seekers were also given additional rights. For example Article 27 of the 1994 AR provides that “within the general provisions, possibilities for education and work, limited to their period of residence in our country, are to be accorded to refugees and asylum seekers.” Under Turkish law, anyone who holds a residence permit for six months or more is allowed to apply for a work permit. As a result, they were encouraged to get a job; but, unfortunately for their registration cities (satellite) didn't usually have employment opportunities. During the field research many of the respondents in Izmir were escapees, displaying the nexus between irregular migration and asylum. Since irregularity is a given status by states, as soon as asylum seekers leave an assigned city in order to find better networks or a job to survive in the absence of reception conditions; they become irregular according to the Turkish asylum system, which can result in a monetary fine, administrative detention and even deportation. Thus, to supply the right to work does not work in practice. Similarly, to have right for education cannot be easily used in the absence of fundamental and survival needs. These two secondary legislations have also provided for the right to access to health care, which will be analysed in Chapter 5 with

¹⁴¹The Law on Sojourn and Movement of Foreigners in Turkey, Numbered 5683, 15.07.1950, the Official Gazette No: 7564, 24.07.1950 and the Passport Law, Numbered 5682, 15.07.1950, the Official Gazette No: 7564, 24.07.1950 and the Law on Work Permits for Foreigners, Numbered 4817, 27.02.2003, the Official Gazette No: 25040, 06.03.2003.

the implications in practice. It should be emphasized that regarding the working conditions, the Ministry of Labour and Social Security brought into being new regulations regarding working conditions with the Law on Work Permits for Foreigners (Law No: 4817, dated 27.02.2003).

The EU also appears as a significant external actor for the national migration policies. There have been important legislative and institutional developments as a part of this process since Turkey's accession negotiations started with the EU and the country was obliged to respect the *Acquis Communautaire* in the field. This era started in the 2000s, when the changing patterns of immigration into Turkey and Turkey's efforts to become a member of the EU were creating pressures on the immigration and asylum policies. Following on from this, the National Action Plan (NAP) for Asylum and Migration was prepared and adopted on 17, January, 2005. Briefly, it can be said that the NAP contains information on what to do and when to do them in order to comply with the EU *acquis* in the field of asylum (IOM, 2003: 16). Again in this period we also come across important administrative circulars.¹⁴²

This part of the study will be focused on in detail with a special emphasis on irregular migration; however it should be noted that this period has created a blueprint for Turkey's immigration and asylum policy with the adoption of the LFIP¹⁴³ (Law No. 6458) as of 11th April, 2013. The LFIP was prepared by the Bureau for the Development and Implementation of Asylum and Migration Legislation and Strengthening the

¹⁴² A number of circulars were issued within the past two years to improve the practice. A Circular by the Ministry of Interior specified some rules and procedures that should be followed in the return centres by the local police in 2010. The Circular 2010/18, numbered B.050.OKM.0000.11-12/632 (19.03.2010). Another circular issued in March, 2010 (No: B.050.OKM.0000.11-12/631, Circular 2010/19, 19.03.2010) for the security forces so that they take into consideration the asylum applications of irregular migrants in detention if they wish to seek asylum before their deportation process is completed. Another circular which came out in July, 2011 empowered the governorships of seven cities (Ankara, Izmir, Gaziantep, Van, Kayseri, Kırklareli and Erzurum) together with the Istanbul Ataturk Airport border management authority as the last decision making bodies for the initial process of asylum applications (Circular Number: B.05.1.EGM.0.13.49548, 18.07.2011).

¹⁴³ It was published on 11.04.2013 at the Official Gazette, retrieved from <http://www.resmigazete.gov.tr/main.aspx?home=http://www.resmigazete.gov.tr/eskiler/2013/04/20130411.htm&main=http://www.resmigazete.gov.tr/eskiler/2013/04/20130411.htm> (Accessed on 11.04.2013).

Administrative Capacity¹⁴⁴ (The Asylum and Migration Bureau), founded under the MoI in accordance with Turkey's EU accession process. The above-mentioned NAP insisted on the adoption of two separate laws, namely a law on foreign nationals and another law on asylum having 2012 as the deadline. However, from its initiation in 2008 to its completion there have always been academic circles and civil society organization with hundreds of activists and all these efforts coming from various stakeholders cannot be ignored. Thus, as the fifth political milestone this study acknowledges this consolidation and integral piece of legislation as the starting point of a new era in Turkish migration history.

With the LFIP, Turkey finally has a legal framework extending protection to asylum seekers and refugees together with an accompanying physical as well as administrative infrastructure by also representing a major break from past practices (Kirişçi, 2012: 63).

5.2.2. Legal and Institutional Framework in the Field of Immigration and Asylum with a Special Focus on Irregular Migration

With the adoption of the LFIP Law, the existing legal bases¹⁴⁵ regarding irregular migration were invalidated to a great extent¹⁴⁶. Therefore, in addition to the above-given

¹⁴⁴ This new Bureau was founded in 2008. The drafting process was officially launched in early 2010 and completed in 2011 with the contributions of academics, UNHCR Turkey and representatives of NGOs working in the field. The final draft also received comments from the Council of Europe and the European Union and was made public in January, 2011 on the Bureau's website (UNHCR 2011: 18). The Draft Law was accepted by the Council of Ministers on 16 January, 2012 and came to the parliament on 3 May, 2012. On 4 April, 2013, the Draft Law was enacted by the Parliament. After approval of the President, it will be published at the Official Gazette and enter into force.

¹⁴⁵ 1. The Passport Law (Law No. 5682); The Law on Residence and the Travel of Foreign Nationals (Law No. 5683); The Law on Work Permits of Foreign Nationals (Law No. 4817); The Law Concerning the Fight against Global Criminal Organizations (Law No. 4422); The Criminal Code (Law No. 5237); The Labour Law (Law No. 4857); The Law on Foreign Students Studying in Turkey (Law No. 2922); The Turkish Citizenship Law (Law No. 5901); The Foreign Direct Investment Law (Law No. 4875); The Law on Work Permits of Foreign Nationals (Law No. 4817); The Regulations concerning International Road Transport of People and Goods; The Regulation on the Inter-City Transportation of People; The 1994 Asylum Regulation, The 2006 Implementation Circular, The Circular Numbered B.050.OKM.0000.11-12/632, Circular 2010/18 (19.03.2010), The Circular Numbered B.050.OKM.0000.11-12/631, Circular 2010/19, 19.03.2010), the Circular Number: B.05.1.EGM.0.13.49548 (18.07.2011).

legal framework in parallel to internal and external policy changes, the remaining legal documents will be focused on. Under this part, also the LFIP will be analysed in detail, covering both international protection and the statuses and the rights of foreigners in the country. Since “irregular transit migration” is determined as the main focus of the study, only the direct and important indirect legal documents will be mentioned. However, it is a fact that whether transit migrants form an independent category of irregular migrants or not is still a controversial question. Different categories of irregular migrants may overlap some of the time, when a beneficiary of smugglers may seek asylum in Turkey or an asylum seeker may become an irregular employee or an irregular employee may apply for asylum, or an asylum seeker even a refugee may decide to use smugglers for irregular transit migration (Kaya, 2008: 7). Thus, at least the general framework for all the categories related to irregular migration should be given. As a strategy, the most recent legal framework, the LFIP will be taken as a reference and the areas not covered by this law or which remained the same as the existing law will be given subsequently.

The LFIP made substantial changes in the Turkish asylum system. It is the first law, which both covers international protection and the statuses and the rights of foreigners in the country. The LFIP also marks the end of a period in which laws relating to foreigners, but particularly asylum law, has been regulated by secondary legislation. It stipulates and arranges entry, residence and exit of foreigners as well as having the scope of international protection, which is determined as the authorities and responsibilities of the General Directorate of Migration Management under the MoI.¹⁴⁷ It can be argued that the Law takes the place of the all the previously discussed national legislation. Before this Law, the system was conducted through security forces (police) under the authority of local Departments of Foreigners, Passport, Borders and Asylum who dealt with asylum applicants in all cities. Thus, also for irregular migration, instead of law-enforcement forces mainly civil authorities will now undertake this role.

¹⁴⁶ The Law No. 5683, Articles of 4, 6, 7, 8, 9, 10, 11, 24, 25, 26, 28, 29, 32, 33, 35, 36, 38, the first and second clauses of additional 5th Article, the second paragraph of the first clause of Article 34 (Law No. 5682).

¹⁴⁷ Article 1

Starting from the very beginning, the definition for irregular migration in the Turkish legal context has been defined in relation to entrance or departures from Turkey or breaching passport, visa, residence and work-permit legislation. The LFIP comes with a clear yet similar definition with “...regular migration, which refers to legal entrance, stay and exit of foreigners; irregular migration, which refers to illegal entrance, stay and exit of foreigners and international protection...”¹⁴⁸ [Article 3/ 1(1)].

Even though the LFIP brings a significant number of improvements to current Turkish practice and most importantly a consolidated and uniformed legislation, it does not lift the geographical limitation, which is also one of the major conditions for Turkey’s full membership to the EU. This limitation can be seen as one of the driving force for the diverging number of asylum applications and resettlements to third safe countries regarding the Turkish asylum system. As it was mentioned before, many of the irregular transit migrants do not apply to the asylum procedure in Turkey, since they will not be able to obtain refugee status, but only “asylum seeker”. In parallel to Article 1 A (2) of the 1951 Convention¹⁴⁹, the LFIP determines a “refugee” according to “geographical limitation”¹⁵⁰. However, unlike the existing legal definition, instead of “asylum seeker”, for the non- European asylum seekers, the Law uses the “conditional refugee” terminology¹⁵¹ and “subsidiary protection” is used for the forced migrants, who cannot obtain “refugee or conditional refugee” status, but are unable to return to their countries, where they might face the death penalty, torture or inhuman or degrading treatment or punishment or where there is on-going generalised violence or armed conflict and as

¹⁴⁸ Article 3/ 1(i).

¹⁴⁹ Article A (2): 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 nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it. In the case of a person who has more than one nationality, the term “the country of his nationality” shall mean each of the countries of which he is a national, and a person shall not be deemed to be lacking the protection of the country of his nationality if, without any valid reason based on well-founded fear, he has not availed himself of the protection of one of the countries of which he is a national.

¹⁵⁰ Article 61

¹⁵¹ Article 62

such cannot be sent back to their home country; because of the principle of non-refoulement.¹⁵²

Concerning this terminology change, Soykan (2012: 41) points out that unlike 1994 AR, the LFIP Law eliminates the terminology confusion. Because according to this regulation, non-Europeans could be recognized only as “asylum seekers”, even after the UNHCR’s RSD procedure and recognition of “refugee”. Since the geographical limitation continues, non-Europeans will be recognized as “conditional refugees”, which it can be argued still creates usage of different terminologies. However in parallel to Soykan’s argument, it can be argued that the existing confusion and its implications in access to rights for the non-European refugees will be partly eliminated.

The LFIP also supplies a comprehensive approach in that different from the previous legal documents it is defining not only, who is entitled to refugee or conditional refugee status or subsidiary protection; but also recognizes the existence of such categories as human trafficking victim, unaccompanied minor, stateless person etc.

The Law regulates the entry, exit and partly the visa policy of Turkey by abolishing the Law on Residence and the Travel of Foreign Nationals in Turkey and also invalidating the relevant articles of the Passport Law under Articles 5- 18. Also regarding residency, in Articles 19- 49, quite detailed categories¹⁵³ as well as specific application procedures regarding these categories are given. Among those categories, “humanitarian residence” can be seen as the most relevant one concerning both the asylum procedure as well as irregular migration. Among the ones who are entitled to this type of residence are; the ones, who could not be deported despite the existence of the relevant decision (b), the ones who cannot be deported because of the absence of the relevant decision (c), the ones who used the right of appeal regarding the deportation decision (ç), the ones who will be sent to a safe first country of asylum or safe third country after completion of the

¹⁵² Article 4 and Article 63

¹⁵³ Short- term residence, family residence, student residence, long-tem residence, humanitarian residence and residence for human-trafficking victims (Article 30/ 1 (a,b,c,d,e)

procedure (d); the ones who cannot be given permission to leave the country because of the security concerns or emergency situations (e). Unlike the 2006 IC as well as the Circular Numbered B.050.OKM.0000.11-12/632, this Law does not mention any residence fee. However, as a real reform concerning the residence fee and also referring to the above-given Circular of 2010, Article 27 states that if the person has valid work permit according to the Law on Work Permits of Foreign Nationals (Law No. 4817) or exemption documents for a work permit, she/he does not have to apply for a residence permit; but is required to pay a residence fee.

Deportation appears as one of the important results concerning irregular migration. The Law of Residence and Travel of Foreign Nationals states that the decision for deportation is taken by the MOI by stating that

Foreign nationals whose residence in the territory is deemed to be contrary to public order or political or administrative requirements shall be invited to leave Turkish territory by the Ministry of the Interior within a fixed period of time. Those who remain in Turkey beyond such period may be deported (Article 19).

The LFIP displays similar regulation as given by the decision duty to the General Directorate of Migration Management or by Governorships in the province as ex officio. Even though the decision is based on administrative action, it can be challenged in administrative courts in the following 15 days after the notification. Article 54 defines the reasons for deportation in detail.¹⁵⁴ Among them not only illegal entrance with fake travel or identity documents; but also working without permission or working in illegal fields are also mentioned. In parallel to Article 5, Article 55 mentions the non-refoulement principle one more time (a), and it is also states that victims of the physical, psychological and sexual violence categories cannot be deported until the completion of their treatment. According to the LFIP, a person is required to leave the country in a maximum of 30 days. If no appeal is made to the administrative court or the applicant

¹⁵⁴ These article mainly focus on the changing status from regular to irregular migrants, such that Article 54 focuses on the deportation, which will be implemented in the case of fake travel documents usage, cancelation or expiration of residence permit or visa, working without a work permit, rejection of international protection applications, and in the case of residence permit rejection the ones who do not leave the country in the following first 10 days (after the deportation decision although the given time period is a maximum of 30 days) .

does not leave the country then he or she becomes an “illegal resident” in Turkey subject to deportation. The ones, who do not leave the country in the given time, are liable to pay an administrative fee ranging from a thousand Turkish Liras to two thousands with default interest.

In the case of apprehensions by the law-enforcement forces or in case of any risk to public security, administrative surveillance is mentioned.

The LFIP uses the “Administrative Surveillance” term instead of “Administrative Detention”, which can only be applied under specific circumstances¹⁵⁵. In Turkey this administrative detention has become a normal procedure and foreigners can be detained in Turkey for a number of reasons, including irregular entry, exit and presence. It should be noted that until the LFIP, there were no legal grounds for detention despite the fact that Article 4 and 23 of the 1950 Passport Law mainly referred to as the legal basis; or there have been no court orders. These implementations have also been criticized by the European Court of Human Rights.¹⁵⁶ In this framework, the Law permits a maximum six months of administrative detention in the case of deportation cases and this period can be extended by another six months. During this period a person has the right to access to his/her lawyer, representative of the UNHCR or notary and in the case of a deportation decision has the right to object, thus detainees are provided with the right to appeal to the magistrates’ court. According to Article 54, the LFIP requires the deportation of those, who entered or exited the country in an irregular manner or

¹⁵⁵ If the applicant has used forged documents and her/his ID or nationality needs to be verified, to prevent her/him from entering the country in an unauthorised way; if s/he might constitute a threat to public order and security or the assessment of the grounds of her/his application is otherwise not possible [Article 68 (5)].

¹⁵⁶ Abdolkhani and Karimnia v. Turkey/ Application no.30471/08, 22/09/2009), retrieved from <http://cmiskp.echr.coe.int/tkp197/view.asp?action=html&documentId=854351&portal=hbkm&source=externalbydocnumber&table=F69A27FD8FB86142BF01C1166DEA398649> and <http://www.yargitay.gov.tr/aihm/upload/30471-08.pdf> & Abdolkhani and Karimnia v. Turkey (Application no. 50213/08, 27/07/2010) retrieved from <http://cmiskp.echr.coe.int/tkp197/view.asp?action=html&documentId=871876&portal=hbkm&source=externalbydocnumber&table=F69A27FD8FB86142BF01C1166DEA398649> (Accessed on 11.10.2011); Charahili v. Turkey (Application no. 46605/07, 13/04/2010), retrieved from <http://cmiskp.echr.coe.int/tkp197/view.asp?action=html&documentId=866317&portal=hbkm&source=externalbydocnumber&table=F69A27FD8FB86142BF01C1166DEA398649> and <http://www.yargitay.gov.tr/aihm/upload/46605-07.pdf>, (Accessed on 11.10.2011)

without legal documents and of those who overstayed their visas for more than ten days or worked in the country “illegally”. Article 57 also authorises governorships to review the necessity of the detention every thirty days. This part will be analysed under the “irregular migration” framework.

In relation to administrative detention, Article 58-59 regulates the removal centres by defining the procedures and also given services within these places, where a person will have access to his/her visitors, the UNHCR representative, representative from her/his country’s consulate, lawyers (Article 59/ 1(b, c) and civil society members with experience in the field of migration (Article 59/ 2). For deportation the required expenses will be paid by the person and for the required cases by the General Directorate’s budget (Article 60).

In Articles 61-91, the LFIP focuses on “international protection”. Unlike the previous practice, international protection applications will be done through Governorships in the provinces and as the 2006 IC states, “within a reasonable time” (by Clause 4). Flexibility is still recognized and the justification for irregular entrance is required¹⁵⁷. Concerning administrative detention in the case of international protection, as it was mentioned earlier, the majority of forced migrants do not have their travel documents and in some cases these documents are intentionally destroyed. Therefore, until contact with the relevant consulate and completion of the investigation, the statements of migrants are the only information available. In the case of the special conditions¹⁵⁸, the Law also foresees administrative surveillance. However, it is clearly mentioned that “a person cannot be the subject of administrative surveillance because of their international protection application”.¹⁵⁹ In contrast to the administrative surveillance for deportation, the applicants’ administrative surveillance cannot be longer than 30 days and also this

¹⁵⁷ Article 65

¹⁵⁸ In case of the applicant who has used forged documents and her/his ID or nationality needs to be verified; to prevent her/him from entering the country in an unauthorised way; if s/he might constitute a threat to public order and security or the assessment of the grounds of her/his application is otherwise not possible (Article 68/2 (a, b, c, ç).

¹⁵⁹ Article 68 (1)

period cannot be prolonged. The person has the right to appeal and also the right to access to his/her lawyer, and/or a representative of the UNHCR or notary.¹⁶⁰ During this period concerning residence, the LFIP does not mention the “satellite city” term; but with Article 72, possible residence places of application for international protection are mentioned as reception centres or entitled provinces. The application should be finalized in six months following the application with the General Directorate of Migration Management again reserving the right to object.¹⁶¹ The implementations as well as appeal conditions are the same as in the case of irregular migration. The magistrates’ court should come up with a decision in a maximum of 15 days.

Regarding international protection applications, according to Article 73 and 74, if the person comes from a safe first country of asylum or safe third country, where the international protection application had already been done or a result given; his/her application is determined as not-acceptable in parallel to the Dublin II regulation. Concerning these articles, it should be noted that similar to other countries, these articles give Turkey the right to avoid its responsibilities for examining the merits of an asylum claim by shuttling asylum seekers to other states where they could have received effective protection, which is generally associated with accelerated procedures¹⁶² and usually reduces or excludes rights of appeal (Soykan, 2012: 42; Goodwin-Gill and McAdam 2007: 392). However, Article 79 uses fast-tracked procedure against the applicants by stating that the applications of persons, who used forged documents or identities, are to be deported or are waiting in detention and who purportedly apply for asylum to delay or stop their deportation will be fast-tracked within five days; while Article 80 even reduces the right to appeal. According to the New Law, the appeal can be done to the Evaluation Commission of International Protection in 15 days following the notification. In general, this application is also known as “Detained Fast-Track Process (DFTP).

¹⁶⁰ Article 57

¹⁶¹ Article 78 (1)

¹⁶² Article 79

Upon recognition of refugee status, refugees are entitled to ID documents and travel documents valid for three years, while conditional refugees and the ones under subsidiary protection only one year. These can also be used as a residence permit and are given free of charge. However, for the second group, travel documents are given according to the Passport Law (Law No: 5682). If the General Directorate finds it necessary, persons under international protection are required to reside at a specific and determined addresses, location or province. Similar to the 2006 IC, they should register themselves with the address record system and inform the Governorship of their residing city. They cannot leave the given address without permission, and it can be used as grounds for disqualification of the application similar to Article 17 of the Law on Residence and Travel of Foreigners in Turkey.

According to the 2006 IC, asylum seekers are required to pay his/her health expenses and if the asylum seeker is not able to pay for it, which is the case most of the time, the government pays as required by the Circular. Similarly, for the ones who are not able to pay for health expenses, the Social Security and General Health Insurance Law (Law No. 5510, Dated 31.05.2006) will be valid and for the subsidies, the General Directorate's budget will be used.¹⁶³

Regarding work permits and conditions for the people, under international protection, Article 92 states that after six months following the application, according to the Law on Work Permits of Foreign Nationals (Law No. 4817, Dated on 27.02.2003), they can apply for a work permit. This part is mainly related to irregular labour migrants, who generally travel to Turkey on a tourist visa for a short visit, but during that visit, which may last several months, work in Turkey without a valid work permit. This population mainly works in domestic service as cleaners, house-keepers and care-takers (Kaska cited in Kaya, 2008: 7).

¹⁶³ Article 89/ 3 (a,b).

The LFIP also regulates the procedures regarding ‘temporary protection’. Unlike the 1994 AR and the other ad-hoc and issue-based secondary regulations, the LFIP displays a solid legal ground for temporary protection in Article 91. The Article states that “temporary protection can be supplied to people who come to our borders or cross-passing the borders and who are forced to leave their countries, and are not able to return”. Thus, it is seen as a procedure of an exceptional character during an emergency situation that involves a mass influx of displaced persons. Similar to other historical examples, during these mass flow movements, individual refugee status determination is not immediately practicable in such a situation, because of the time and evidence required to do a full and fair evaluation of protection needs. Under such conditions it may be necessary to provide a generalized form of protection to all members of a large group, until they are able to enter a regular refugee status determination process. This refers to temporary protection and in Turkish history unlike similar cases mainly in the 1990s, instead of “temporary guests”, Syrians are recognised as people under “temporary protection”. The LFIP has a special emphasis on cooperation at local and international levels.

One of the important arrangements belongs to “reception centres”, where only applicants for international protection or recognized asylum seekers, refugees, or the ones who are under temporary or secondary protection with special needs can stay (Article 95).

In addition to the above-mentioned dimensions, with the LFIP, applicants would be entitled to free legal aid in the case of a negative decision (Article 81); financial support for voluntary repatriation (Article 87); a stipend (Article 94); the responsibilities of carriers with a special emphasis on transit routes (Article 98) and; would be able to stay at reception centres during the process (Article 100). Thus, briefly it can be said that the LFIP signifies important changes for Turkey’s asylum system, and therefore for individuals seeking asylum in the country.

Concerning the structural change, the most important development can be seen as the establishment of the General Directorate of Migration Management, with the aim of implementing the policies and strategies related to the field of migration, coordinating institutions and organizations concerned with these issues and executing all the procedures regarding entrance, exit and residence of foreigners, international protection, temporary protection, secondary protection, and human trafficking under the MoI.¹⁶⁴ Prior to this Directorate, the institutional framework was also highly fragmented like the legislative frame, where the Ministry of Interior, Ministry of Foreign Affairs, Ministry of Labour and Social Security, General Directorate of Security within the MoI, the UNHCR, IOM, ILO, the ASAM, Human Resource Development Foundation (IKGV), Turkey Refugee Rights Coordination, Association for Solidarity with Refugees (Mülteci-Der) and other rights -based NGOs working in this field. Now, while the Directorate undertakes the driving role; Governorships will execute the local level duties. Unlike the previous security-based and highly fragmented structure, the new one promises a more civilized and humanitarian system.

One of the main responsibilities of the Directorate is determined as the “coordination and execution of the harmonization (as a part of the Pre-accession period for the EU) in this field.¹⁶⁵ There are also complementary units working with the Directorate and as one of those units, the Council of Migration Policies is given a special duty concerning mass influxes and Turkey’s possible respond, which has been a missing and significant area for a very long time for Turkey’s policies in this field. The General Directorate will be working with different departments. As one of those, the Department of Foreigners both regulates regular and irregular migrations and Article 108 a (5) states that “in order to combat irregular migration, to ensure the coordination between law-enforcements and public institutions, to take measures and to follow the implementation of those measures” takes place under the responsibilities of this department. Thus, it can be argued that in practice in parallel to the previous procedure, this Department of Foreigners will be the main actor; however not under the General Directorate of

¹⁶⁴ Article 103

¹⁶⁵ Article 104 (f)

Security; but Migration Management. In addition, the Provincial Organizations in the provinces will mainly be responsible for conducting all the communication with the country of origin concerning irregular migration and asylum.¹⁶⁶ However, the most relevant unit concerning irregular migration is the Coordination Council for Combating Irregular Migration, which works under the Consultative Council for Migration. This Council will be constituted with the representative from the General Staff, Ministry of Labour and Social Security, Ministry of Foreign Affairs, the National Intelligence Service and the determined law-enforcement representatives.

Briefly, the complementary entities can be summarized as the Council of Migration Policies¹⁶⁷, permanent and ad hoc councils and committees such as the Consultative Council for Migration, the Coordination Council for Combating Irregular Migration and the Council of International Protection Evaluation.

Concerning ‘irregular migration’, the Turkish Penal Code (TPC, Law No. 5237, dated 26.09.2004) carries importance despite its secondary position. In parallel to the increasing importance and also harmonization of the EU *acquis*; the LFIP has one specific part regarding smuggling and human trafficking. Article 79 of the TPC, foresees three to eight years imprisonment and significant monetary fines for migrant smugglers. If the crime is committed by perpetrators acting as an organization, the penalty imposed will be increased by half. The same article also includes a definition of smuggling as “assisting foreign nationals to enter or stay illegally in or assisting foreign nationals or Turkish citizens to leave Turkey illegally with the intention of directly or indirectly obtaining material gain”. Human trafficking differs from migrant smuggling. In contrast to human smuggling, human trafficking is considered by Article 80 and is defined as an action “committed with the intention of making a person work or serve, subjecting a person to prostitution, persuading a person to give up their bodily organs

¹⁶⁶ Article 110/2 (ç).

¹⁶⁷ The Ministry of Interior, Ministry of EU Affairs, Ministry of Labour and Social Security, Ministry of Foreign Affairs, Ministry of National Education, Ministry of Health, Ministry of Transportation, Maritime Affairs and Communications, Ministry of Culture and Tourism, Ministry of Finance, Ministry of Family and Social Policies, the Directorate for Turkish Expatriates and the Directorate of Migration Management representatives take part in the Council.

through threats, pressure, coercion, use of force, use of undue influence or to secure their consent by deception or by exploiting the despair of such individuals”.¹⁶⁸

Within the legislative framework the United Nations Convention against Transnational Organized Crime¹⁶⁹ should also be considered, which is against migrant smuggling and human trafficking with its optional protocol and was ratified by Turkey in 2003. The Convention and one of its protocols, the Protocol against the Smuggling of Migrants by Land, Sea and Air (adopted by General Assembly resolution 55/25 on 28th January 2004) carries utmost importance, because it deals with the growing problem of organized criminal groups who smuggle migrants, often at high risk to the migrants and at great profit for the offenders. It can be seen as the first international instrument where a definition of smuggling of migrants was developed and agreed upon.¹⁷⁰ The Protocol aims at preventing and combating the smuggling of migrants, as well as promoting cooperation among States parties, while protecting the rights of smuggled migrants and preventing the worst forms of their exploitation, which often characterize the smuggling process.

In parallel to the above-given Convention, Turkey revised the TPC, and Article 79 and 80 (former 201/a and 201/b) were changed.¹⁷¹ According to Article 79, “smuggling” is defined as:

Article 79 – (1) Directly or indirectly, in order to obtain material benefits, illegally, a) which allows a foreigner to remain in the country who imports or, b) A person who allows Turkish citizen or foreigner to travel abroad, shall be fined up to three to eight years imprisonment and fined up to ten thousand days. (2) If this offense is committed within the framework of an organization, the penalties will be increased

¹⁶⁸ Article 80 (1)

¹⁶⁹ Retrieved from <http://www.unodc.org/unodc/treaties/CTOC/> (Accessed On 06.04.2013).

¹⁷⁰ Article 3 (a) “Smuggling of migrants” shall mean the procurement, in order to obtain, directly or indirectly, a financial or other material benefit, of the illegal entry of a person into a State Party of which the person is not a national or a permanent resident; (b) “Illegal entry” shall mean crossing borders without complying with the necessary requirements for legal entry into the receiving State...”

¹⁷¹ Retrieved from <http://rega.basbakanlik.gov.tr/> (Accessed on 19.02.2012).

by half. (3) If this offense is committed within the framework of a legal person, the legal person shall be subject to security measures specific to...

Again, as related to the Convention, the Land Transport Regulation¹⁷², which came into force on 25 February 2004 should be mentioned. This regulation foresees the limitation of transportation licenses in the case of human trafficking or smuggling.

In light of the above-given frame both the previous normative and institutional framework and also the post-LFIP period were shown concerning irregular migration. After reviewing the EU-Turkey relations briefly, the EU's immigration and asylum policy concerning irregular migration with its implications in Turkey will be analysed.

5.3. Turkey's EU Candidature and Its Implications Concerning Irregular Transit Migration

5.3.1. An Overview of the EU- Turkey Relations

Turkey first applied for associate membership in the European Economic Community (EEC) in 1959, and on 12 September 1963 signed the "Agreement Creating an Association between the Republic of Turkey and the European Economic Community", also known as the Ankara Agreement,¹⁷³ which aimed to integrate Turkey into a customs union with the EEC whilst acknowledging the final goal of membership. In November 1970, a further protocol called the Additional Protocol¹⁷⁴ established a timetable for the abolition of tariffs and quotas on goods traded between Turkey and the EEC.

¹⁷²Retrieved from <http://www.mevzuat.gov.tr/Metin.Aspx?MevzuatKod=7.5.13108&MevzuatIliski=0&sourceXmlSearch=> (Accessed on 16.07.2013).

¹⁷³ Official English translation can be retrieved from <http://www.abgs.gov.tr/index.php?p=117&l=2>.

¹⁷⁴ Retrieved from http://www.abgs.gov.tr/files/ardb/katma_protokol.pdf (Accessed on 11.12.2011).

On 14 April 1987, Turkey submitted its application for formal membership into the European Community (EC). The EC responded in December 1989 by confirming Turkey's eventual membership; but also by deferring the matter to more favourable times, citing Turkey's economic and political situation, as well its poor relations with Greece and the conflict with Cyprus as creating an unfavourable environment with which to begin negotiations.¹⁷⁵ This position was re-confirmed again in the Luxembourg European Council of 1997 in which accession talks were started with central and eastern European states and Cyprus, but not Turkey. During the 1990s, it can be said that Turkey proceeded with a closer integration with the EU by agreeing to a customs union in 1995. Moreover, the Helsinki European Council of 1999 proved a milestone as the EU recognised Turkey as a candidate on equal footing with other potential candidates. From that date onwards, Turkey witnessed overwhelming changes in virtually every aspect of social and political life. This period can be categorized as the first phase of the EU- Turkey relations.

The second phase started in 2000 and continued until 3rd October 2005, when the accession negotiations started with Turkey, which can be seen as a long-lasting dialogue as well as an intention for full-membership; but more importantly at the Council of European Union¹⁷⁶ on 12-13 December 2002. In Paragraph 18, the Council re-stated its decision on Turkey's candidature as in 1999 Helsinki and strongly welcomed Turkey to take important steps towards meeting the Copenhagen Criteria. Following on from this, Paragraph 19 was also foreseeing the opening of accession negotiations with Turkey without any delay in the case of Turkey fulfilling the Copenhagen political criteria. Finally, in Paragraph 20, the EC was invited to prepare the AP and the Union was promising to increase the financial support for the accession process. In parallel to these presidency conclusions, the EU leaders agreed on 16 December 2004 to start accession negotiations with Turkey from 3 October 2005.

¹⁷⁵ Commission Opinion on Turkey's request for accession to the Community (20 December 1989) can be retrieved from http://www.cvce.eu/content/publication/2005/2/4/4cc1acf8-06b2-40c5-bb1e-bb3d4860e7c1/publishable_en.pdf.

¹⁷⁶ Retrieved from http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/ec/73842.pdf. (Accessed on 11.12.2011).

By 2005, the EU-Turkey relations came to a new turning point with the decision to start accession negotiations. The Turkish government had already signed the AP document in 2001 which provided the main framework for the alignment of Turkish migration and asylum policies.

It can be argued that starting from the 2000s one of the main driving forces for Turkey's legal and institutional reforms can be seen as the EU, which becomes more visible through progress reports¹⁷⁷ (since 1998), the APD¹⁷⁸, the National Programmes¹⁷⁹ and the Negotiation Framework.¹⁸⁰ In response, Turkey has been harmonizing its legal and institutional frameworks; while the EU financially supports these processes through financial and technical assistance and cooperation tools such as the Instrument for Pre-accession Aid (IPA) or twinning projects. However, these developments could not be maintained and a number of domestic and external problems have been faced regarding Turkey's accession. On the one hand, France and Austria foresee referendums on Turkey's accession; and on the other hand the issue of Cyprus still continues to be a major obstacle to negotiations. These negative developments were also supported by the critiques regarding slowdown in Turkish reforms as well. This process is explained by Eralp (2009: 151), as a natural result of Europeanization, which is determined as neither a uniform nor a linear process; but an interactive one with its ups and downs. Eralp argues that the 1959- 1970 periods' harmony was shadowed during the 1970- 1999 time periods by discord. This cycle one more time was heading upwards with the Helsinki Summit (1999) as a positive turning point; but would change its direction again negatively due to the accession negotiations. On the one hand, the EU was being challenged with the biggest enlargement and the resulting Constitutional debates and on

¹⁷⁷ The progress reports that the European Commission prepares for all candidate countries displays the gaps and correspondences in national policies and implementation in comparison with the EU *acquis communautaire* and policies.

¹⁷⁸ Accession Partnership Documents: 4th Document dated as 18th Feb. 2008, 3rd Document dated as 23rd Jan. 2006, 2nd Document dated as 19th May 2003 and 1st Document dated as 8th March 2001.

¹⁷⁹ National Programmes of 2001, 2003 and 2008.

¹⁸⁰ http://www.avrupa.info.tr/fileadmin/Content/Downloads/PDF/Mper_centFCzakereper_cent20per_centC7erper_centE7evesi.pdf

the other the negative contextual shifts. In addition to this, the long-lasting unsolved problem was showing itself in an unfortunate way with the Additional Protocol¹⁸¹, which extended Turkey's customs union with the EU to the newly acceding members, including the Republic of Cyprus. Turkey signed the Additional Protocol; but did not accept the extended customs union to the newly acceding members, including the Republic of Cyprus.¹⁸² Following on from this, from the Ministry of Foreign Affairs (MFA) one declaration was published on 29th July 2005¹⁸³, which was responded to with a counter declaration from the EU side¹⁸⁴ as it was also mentioned in the 2005 Progress Report (EC, 2005: 5). Due to these setbacks, negotiations again came to a deadlock in December 2006 as well as the EU's actions in freezing talks in eight of the thirty-five key areas under negotiation, which included the Chapter 24 "Justice, Freedom and Security" concerning immigration and asylum. Thus, regarding this study,

¹⁸¹ The Additional Protocol (29.07.2005) Article 1: The Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia, and the Slovak Republic (hereinafter referred to as the new Member States) shall be Parties to the Agreement establishing an Association between the European Economic Community and Turkey, signed in Ankara on 12 September 1963, and shall respectively adopt and take note, like the other Member States of the European Community, namely the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Republic of Austria, the Portuguese Republic, the Republic of Finland, the Kingdom of Sweden and the United Kingdom of Great Britain and Northern Ireland, of the texts of this Agreement, of the Protocols and Declarations annexed to the Final Act signed on the same date as well as of all subsequent amendments, Agreements, Protocols, Decisions and Declarations adopted which are related to the Ankara Agreement, retrieved from http://www.abgs.gov.tr/files/AB_Iliskileri/Tur_En_Realitons/protokol_2005.pdf in English; while the Official Translation to Turkish from http://www.abgs.gov.tr/files/ardb/ek_protokol.pdf.

¹⁸² Following Turkey's noncompliance with the provisions of the Additional Protocol (2005) to the Ankara Treaty, which made it mandatory for Turkey to extend its Customs Union to all new member states and thus open its ports and airports to the vessels and aircrafts of the Republic of Cyprus, the European Council decided in 2006 to provisionally suspended eight chapters in Turkey's negotiating framework. It ruled that no chapter could be closed until Turkey conforms to the requirements of the Additional Protocol. Turkey is unwilling to open its ports and airports unless EU enables direct trade for the Turkish Cypriot community as promised in the aftermath of the failed referenda on the Annan Plan. The plan envisaging the reunification of the divided Cyprus was rejected by the Greek Cypriots and approved by the Turkish Cypriots a few days before the Republic of Cyprus joined the EU.

¹⁸³ Paragraph 4: Turkey declares that signature, ratification and implementation of this Protocol neither amount to any form of recognition of the Republic of Cyprus referred to in the Protocol; nor prejudice Turkey's rights and obligations emanating from the Treaty of Guarantee, the Treaty of Alliance, and the Treaty of Establishment of 1960, retrieved from http://www.mfa.gov.tr/declaration-by-turkey-on-cyprus_-29-july-2005.en.mfa. (Accessed on 11.07.2013).

¹⁸⁴ Retrieved from http://www.eu-un.europa.eu/articles/en/article_5045_en.htm (Accessed on 15.04.2013)

the most important chapter, which is also determined as an area where considerable efforts are needed by the EC, could not be opened. However, by the common initiatives of both sides, “Positive Agenda”¹⁸⁵ was launched on 17th May 2012 in Brussels, which aims to give a new impetus to the EU- Turkey relations and a new dynamism to Turkey’s accession progress since Turkey-EU relations are undergoing a period of stagnation. The positive agenda is determined as “not only to support but to go beyond the accession negotiations,” (European Commission, 2012) proclaimed the EU Commissioner for Enlargement and European Neighbourhood Policy, Stefan Füle. Within this framework, the EU and Turkey have agreed to establish working groups with the aim to further support and accelerate the process of alignment of Turkey with EU policies and standards under eight chapters¹⁸⁶ including Chapter 24, which refers to the chapter where immigration and asylum procedure is organized. Following the Positive Agenda, it can be argued that the adoption of the LFIP will accelerate the process in the case of opening the related chapter.

5.3.2. Europeanization and Externalization of Immigration and Asylum Policies in Turkey

Under this title, immigration and asylum policies, particularly relating to “irregular migration” as a part of the EU- Turkey relations will be analysed in detailed within the context of the general Europeanization process.

The analysis of these processes shows that migration in the EU- Turkey relations in general and irregular migration in particular, has been a source of tension for both sides for almost the last three decades. As a part of the accession process, Turkey as a candidate country has been facing with an increasing political pressure to deal with the phenomenon of irregular migration under the EU rules. Regarding irregular migration, Turkey distinguishes itself from other countries on the EU’s external borders; because

¹⁸⁵ Summary can be retrieved from http://ec.europa.eu/commission_2010-2014/fule/headlines/news/2012/05/20120518_en.htm (Accessed on 20.04.2013).

¹⁸⁶ Judiciary and Fundamental Rights; Company Law; Financial Control; Statistics; Consumer and Health Protection; Information Society and Media; Justice, Freedom and Security; Right of Establishment and Freedom to Provide Services

of its size, long and porous borders, and its bridging position between Europe, Asia and the Middle East (Vukasinovic, 2011: 147) and has been criticizing the EU's common migration policy as being restrictive, securitized and externalized. From some aspects it can be even argued that Turkey has been resisting aligning its legislation with the EU *acquis* in the area of migration and using some counter conditions such as visa exemption in return for a readmission agreement. On the other hand, economic globalization, poverty, and ethnic conflicts around the world have increased the number of people fleeing persecution and even though the majority of this population mainly moved to neighbouring countries rather than Western European ones, it is a fact that some of this migratory flow headed to Europe through irregular ways, making the division between irregular migration and asylum more blurry. Thus, it can be argued that the EU countries in order to “ formulate solutions for the problem of unwanted flows, the international protection provided to asylum seekers was loosened for the sake of national security” (Soykan, 2010: 207). In addition, because of the abolishment of internal borders and having common external borders for Europe, external borders have attracted even more attention along with neighbouring countries and their asylum and immigration practices. Within this framework, the EU has been criticizing Turkey for not doing enough to tackle irregular migration and on the other hand for having too slow a pace of reforms. Thus, it can be argued that particularly irregular migration in the EU-Turkey relations is at the stage of unpalatable political bargaining that slows down the process of reforms and their co-operation on migration issues.

Alongside many other policy areas and intensification of relations with the EU; immigration and asylum practices from 1999 onwards provided a major impetus for Turkey to introduce reforms in her immigration policy and practices and the process was mainly shaped according to the progress reports, but also, Turkey displayed exceptional responses and implementations as well. Turkey is not a member state; but a candidate country, thus the current *Acquis Communautaire* does not have a direct binding impact on it. Thus, the external dimension of Justice and Home Affairs and the implications of the EU on Turkey's domestic change as a non-member state by

considering the role of the EU conditionality and the models of EU external governance will be focused on.

5.3.2.1 Europeanization and Externalization at the Institutional and Legislative Level with a Special Focus on Irregular Migration

At the Helsinki European Council in December 1999, the EU extended candidate status to Turkey, which launched a process of pre-accession including a transitional period of adoption and harmonization of European level policies and the EU *acquis* for Turkey like other candidate countries. Because of the changing patterns and routes regarding migration and also intensification of relation with the EU a major driving force for reforms in national migration policy and practice was created, particularly a significant pressure to control irregular migration flows through and from Turkey.

Following on from Helsinki, two major documents were prepared by both sides. On 8th November, 2000 the EC presented the APD, which was adopted by the Council in 2001. After revisions in 2003 and 2006, the most recent revision was made in 2008. According to the priorities and targets of the APD, Turkey prepared the National Programme for the Adoption of the EU *acquis* (NPAA) in March 2001, which was also revised in 2003 and 2008 according to the changes in the APD¹⁸⁷ and came into force with the Council of Ministers' decision. This programme can be seen as a kind of commitment by Turkey, where reinforcing the fight against irregular migration, and the adoption and best practices on migration with a view to preventing irregular migration in the medium term were emphasized. In order to respond to these challenges, a special Task Force on Asylum, Migration and Border Protection was formed in 2003, which prepared the following documents: Strategy Paper on the Protection of External Borders in Turkey, the Asylum Strategy Paper, and the Migration Strategy Paper.

In the first APD (2001), as a part of the medium-term priorities, combating irregular migration was mentioned for the first time. Under “reinforcement of administrative and

¹⁸⁷ National Programme of Turkey for the Adoption of the EU *acquis* (2008), retrieved from <http://www.abgs.gov.tr/index.php?p=42260&l=2> (Accessed on 19.04.2013).

judicial capacity”, the importance of capacity building as well as developing an effective border control to prevent illegal migration was emphasized (Council, 2001: 19)¹⁸⁸, where particularly emphasis on admission, readmission and expulsion as important tools for this struggle were determined (Council, 2001: 21). In response to the first APD, irregular migration was taken into consideration under the “justice and home affairs” title, which regulates “asylum, migration, organized crime, external borders and Schengen”.

According to the new developments and needs, the EC prepared the second APD, which was adopted by the Council on 19th May, 2003. Unlike the first APD, combating irregular migration was taken to short-terms priorities with a special emphasis on a readmission agreement with the European Community, and the improvement in the capacity of public administration to develop an effective border management (Council, 2003: 49).¹⁸⁹ In response to the second APD, Turkey updated her NPAA and it was adopted on 23rd June, 2003 by the Council of Ministers. Unlike the first NPAA, a time schedule was also introduced and “combating irregular migration” allocated within its priorities.

The Council adopted the third APD on 23 January 2006¹⁹⁰ on the principles, priorities and conditions contained in the Accession Partnership with Turkey, which focuses on irregular migration under the “Freedom, Justice and Security” title. As a consequence, Turkey renewed its NPAA in 2008 according to the most recent APD by the Council.

¹⁸⁸Retrieved from http://www.abgs.gov.tr/files/AB_Iliskileri/Tur_En_Realitons/Apd/turkey_apd_2001.pdf (Accessed on 19.04.2013).

¹⁸⁹Retrieved from http://www.abgs.gov.tr/files/AB_Iliskileri/Tur_En_Realitons/Apd/turkey_apd_2003.pdf (Accessed on 19.04.2013).

¹⁹⁰ Council Decision of 23 January 2006 on the principles, priorities and conditions contained in the Accession Partnership with Turkey (2006/35/EC), Retrieved from http://www.abgs.gov.tr/files/AB_Iliskileri/Tur_En_Realitons/Apd/turkey_apd_2006.pdf (Accessed on 19.04.2013).

The latest APD by the Council, allocated ‘irregular migration’ under the ‘Justice, Freedom, and Security’ chapter; emphasizes the need to increase capacity to combat illegal migration in line with international standards; concludes the conclusion of a readmission agreement; makes progress in the adoption of a comprehensive asylum law in line with the *Acquis* including the establishment of an asylum authority; continues the efforts towards a better integrated border management; implements the national strategy on organised crime (Council, 2008: 13) and lifts geographical limitation to the Geneva Convention, which are all drawn from today’s general framework and display the priorities on the EU side. In the light of these recent developments, it can be argued that by the adoption of the LFIP, these expectations have been mainly responded to by the Turkish side except for the “geographical limitation and readmission agreement” parts. In response to this APD, in the renewed NPPA in 2008, Turkey was supplying a detailed planned road map for adoption of the *Acquis*. Under the first priority¹⁹¹, mainly the customs and EUROPOL dimension were focused on. However, concerning the Schengen Agreement¹⁹², the establishment of a legal and technical Base for SISII and the National Schengen Information System (N-SIS) is also seen as an important regulation. However, the most important part can be seen as Priority 24.2, which focuses on the adoption of a comprehensive asylum law in line with the EU *acquis* including the establishment of an asylum authority and increasing the capacity for combating illegal migration in line with international standards as well as its implementation through secondary legislation. However, even though the NPAA foresees harmonization with the existing EU legislation¹⁹³ regarding asylum, to

¹⁹¹ Priority 24.1 Continuing to strengthen and enhance the judicial and administrative capacity of all law enforcement institutions and align their status and functioning with European standards, including through developing inter-agency cooperation.

¹⁹² Schengen *acquis*-Convention Implementing the Schengen Agreement of June 1985 between The Governments of the States of Benelux Economic Union, The Federal Republic of Germany and The French Republic on the Gradual Abolition of Checks at their Common Borders.

¹⁹³ Directives No. 2001/55/EC 2003/09/EC, 2004/83/EC and 2005/85/EC; Resolutions of 30 November and 1 December 1992 on a harmonized approach to matters with regard to host third-countries; Council Declaration No. 15067/02 regarding Safe Third-Countries; Conclusions of 30 November and 1 December 1992 on Countries in Which There is Generally no Serious Risk of Persecution; Resolutions of 30 November and 1 December 1992 on Manifestly Unfounded Applications for Asylum; Council Resolution on minimum guarantees for asylum procedures; Amsterdam Treaty: Protocol on the right of asylum for

maintain the existing geographical restrictions was emphasized. Thus, in parallel to the LFIP, since the first APD in 2001, this requirement still remains as incomplete.

Aside from the asylum dimension, the NPAA also foresees harmonization of visa descriptions and types (single and multiple entrance visas) with the EU visa types as well as identification of the procedural and legislative framework for the struggle against illegal immigration and employment in parallel to relevant part of the existing EU *acquis*¹⁹⁴ by referring to the adoption of a Law for Foreigners. Thus, as seen in the previous part, the requirements concerning asylum and foreigners law were mainly realized by the adoption of the Law on Foreigners and International Protection.

Within the framework of institutional structure, the NPAA foresaw the establishment of an “Asylum and Immigration Unit” under the MoI and employment of personnel to work in this field with an expertise status by the Sub-Priority 24.2.1.¹⁹⁵ This requirement was partly realized by setting up a new Bureau on Development and Implementation of the Legislation on Asylum and Migration and Administrative Capacity under the Ministry of Interior in 2008. The Bureau is assigned to drafting and implementing the laws on asylum and aliens, which will redefine basic policies and significantly develop the system in the areas of asylum and migration and it will have completed its main task by the enactment of the LFIP, which established the administrative set up and physical infrastructure of the General Directorate of Migration Management.

citizens of the EU member states; Resolutions No. 2000/596/EC, 2001/275/EC 2002/307/EC and 2002/46/EC; Regulation No.491/2004.

¹⁹⁴ Schengen *acquis* SCH/Com-Ex (99) 13; Decision of the Executive Committee of 28 April 1999 on the Definitive Versions of the Common Manual and Common Consular Instruction; Regulation No. 1091/2001/EC, Council Recommendation for harmonizing the means of struggle against illegal immigration and illegal employment, and developing the control procedures in relation to these; Resolutions of 20 June 1994 and 30 November 1994 on limitation of admission of third-country nationals to the territory of the Member States for employment; Articles 11, (1), (a) and 21 of the Schengen Convention; Part I, 2.1.3 of the Common Consular Instructions (CCI).

¹⁹⁵ Sub Priority 24.2.1 Establishment of an Asylum and Immigration Unit under the Ministry of Interior and employment of personnel to work in this field with an expertise status.

The third and the most updated NPAA defines the role as well as the sub-units of the above-mentioned administrative structure, which are entirely covered by the LFIP as it was already discussed. Concerning “irregular migration”, the NPAA foresees the training of law enforcement personnel on the EU legislation regarding irregular immigration within the scope of the EU *acquis*. However, one of the arguments of this study is the nexus between asylum and irregular migration thus, it should be mentioned that the NPAA also undertakes the establishment of “Reception and Accommodation Centres” for asylum seekers and refugee guest houses as laid down in the Hague Programme as well as establishing a reception system for asylum seekers/refugees in the framework of the EU Council Reception Conditions Directive.¹⁹⁶ The NPAA also mentions the Council Directive¹⁹⁷ concerning “temporary protection” in the case of mass influx.

Again concerning irregular migration, the NPAA foresees training of the staff working in the field of migration and irregular migration and the establishment of alien removal centres. Finally, concerning this study, the NPAA focuses on border management under Priority 2.4.3, which aims to display a roadmap for Turkey’s integrated border management and visa regulations in line with the relevant part of the EU *acquis*.¹⁹⁸

¹⁹⁶ Council Directive of 27 January 2003 Laying Down Minimum Standards for the Reception of Asylum Seekers (2003/9/EC), retrieved from <http://eurolex.europa.eu/LexUriServ.do?uni=OJ:L:2003:031:0018:0025:EN:PDF>, (Accessed on 20.04.2013).

¹⁹⁷ Council Directive of 20 July 2001 on Minimum Standards for Giving Temporary Protection in the Event of a Mass Influx of Displaced Persons and on Measures Promoting A Balance of Efforts Between Member States in Receiving Such Persons and Bearing the Consequences Thereof (2001/55/EC), retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2001:212:0012:0023:EN:PDF> (Accessed on 20.04.2013).

¹⁹⁸ Regulation No. 1683/95/EC and 334/2002//EC; The recommendations and best applications chapter of the Schengen Catalogue; Part VI of the Common Consular Instructions; Annex No: 8, 9, 10, 13 of the Common Consular Instructions; Directives No. 2005/60/EC and 2006/70/EC; Joint Action No. 96/197/JHA Schengen Acquis SCH/Com-ex (99) 13; Decision of the Executive Committee; Annex No.3 of the Common Consular Instructions; Treaty of Amsterdam and Article 8 of the Protocol annexed to that Agreement and which integrates Schengen Acquis with European Union framework; Schengen Catalogue, prepared on 8 February 2002; Article 6 of Schengen Implementation Agreement; Regulations No. 539/2001, 2414/2001, 453/2003 and 851/2005; Common Consular Instructions of the EU (Annex No. 1); Regulations No. 539/2001, 2414/2001, 453/2003 and 851/2005

As can be seen above, the special focus on “irregular migration” can be clearly observed in the APDs and also NPAAAs. After analysing the four APDs, the common priorities for all appear as the improvement of Turkey’s integrated border management, completion of the readmission agreements, and abolishment of the geographical limitation to the Geneva Convention as well as a creating a well-established asylum system and combating irregular migration. Because of the specific importance of “border management”, “visa policy”, “and readmission agreement” and also as it was explained through its nexus with irregular migration, “asylum” will be analysed in detail.

In addition to the APDs and NPAAAs, particularly concerning implementation, the progress reports, which have been prepared by the EC since 1998 represent another important tool for the EU. Under this title, mainly legislative and institutional aspects within the reports will be focused on and under the dimensions will be analysed under the relevant headings.

In general, the progress reports or in other words “regular reports” that are prepared by the EC show both the progress and also gaps concerning the EU *acquis* and developments within the implementation aspect, in Turkey. Concerning “irregular migration”, progress reports have been showing commonalities and differences. It can be said that from the first report until the most recent one published in 2012, all of them first welcomes the progress under “Justice, Freedom and Security” and then focuses on the problematic areas, concerns or priorities. Regarding commonalities, “irregular migration”, “border management and Schengen”, “geographical limitation and in general the asylum system”, readmission agreement”, “visa policy” feature in all the reports. However, there are also differences. First of all it can be said that the first two reports determine Turkey as a “transit country”.

*As Turkey is a **transit country** for quite a number of illegal immigrants, mainly from Asia and northern Iraq, its refusal to conclude any readmission agreements, pleading constitutional grounds, is a serious problem. It has, however, introduced a new passport complying with the International Civil Aviation Organization (ICAO) standards and optical scanning of passports, measures that could prove helpful in controlling immigration (Commission, 1998: 44).*

The progress report of 1999 even emphasizes that “Turkey is not a country of final destination, almost all the persons caught try to reach Western European countries...” (Commission, 1999: 36). However, by 2000s, the EC started to define Turkey as both “transit” and also “destination” country. In addition, year by year the weighting of the “Justice, Freedom and Security” part has increased with the addition of new priorities such as the “role of civil society”, “reception conditions”, “detention and deportation of irregular migrants”, “cooperation with FRONTEX” etc.

With the first progress report in 1998, The EC emphasized the importance regarding “irregular migration” with a particularly emphasis on “illegal migration from Iraq and other countries in the region made it possible to activate the cooperation” (Commission, 1998: 44). Like Turkey’s respond to the mass influx from Iraq in the 1994 IR, with its first progress report, the EU was defining Turkey as a transit country, under “immigration and border controls” part. Similarly, the Report of 2012 focuses on another mass influx, which came from Syria this time. However while the Report of 1999 displays its concerns regarding the nexus between irregular migration and mass influxes from Iraq, the later report mainly welcomes Turkey’s implementation of temporary protection for Syrians by stating that “The Turkish authorities demonstrated a high level of competence and operational capacity in dealing with the continuous inflow of Syrian nationals into Turkey since the outbreak of the crisis in Syria.” (Commission, 2012: 76).

Since 1998, each report has also supplied statistics regarding “irregular migration” mainly based on apprehensions and also showing the final destinations as Western European countries. By 2003, the EC was increasing the emphasis on irregular migration and also in the absence of the much needed administrative unit to deal with this issue by stating that “Turkey should start implementing the strategies adopted and intensify its efforts to align its legal and institutional framework.... co-operation with the European Union on illegal migration...” (Commission, 2003: 57).

The Report of 2009 welcomed the establishment of the Development and Implementation Office on Asylum and Migration Legislation and Administrative Capacity; however the limited resources of this office in comparison to its assigned tasks were criticized (Commission 2009: 73). In parallel, the Report of 2010 mentioned another institutional development with the establishment of the Coordination Board for combating illegal migration which was established in February 2010 to identify measures to fight irregular migration, strengthen inter-institutional cooperation and coordination and monitor operational activity. It is chaired by the Deputy Undersecretary of the Ministry of the Interior and meets every two months. Members are the Chief of General Staff, the Land Forces, the MFA, the TNP, the Gendarmerie General Command and the Coast Guards. Again concerning the administrative capacity the opening of the new removal centres were also determined as progress by this report. In addition, the same report congratulated Turkey on further progress in combating irregular migration. Within this framework, the amendment to Article 79 of the TPC on smuggling of migrants increasing the sentences for those involved in migrant smuggling, which was adopted in July 2010 as well as the two Circulars of 2010¹⁹⁹ issued by the Ministry of the Interior, which were mentioned earlier, was also welcomed by the EC.

Since 2008, it can be said irregular migration has been mentioned with the main focus being on the apprehensions of irregular migrants as well as smugglers. By 2011, the EC expressed its concern about the role of civil society; while it welcomed the establishment of the “Turkey Refugee Rights Coordination”, which was formed by a number of civil society organizations working in the area of asylum and migration. (Commission, 2010: 83).

It should be noted that all the developments and processes concerning immigration and asylum and particularly irregular migration within the framework of this study have been closely monitored and evaluated by the Progress Reports prepared by the EC.

¹⁹⁹ The Circular 2010/18, numbered B.050.OKM.0000.11-12/632 (19.03.2010) and the Circular 2010/19, numbered B.050.OKM.0000.11-12/631 (19.03.2010).

Despite all this, the long-standing and consistent emphasis on abolishing the geographical limitation to the Geneva Convention as well as the readmission agreement between the EU and Turkey are still uncompleted. By the NPAA of 2003, Turkey declared its conditionality for geographical limitation by stating that

The issue of geographic limitation will be addressed during the progression of EU accession negotiations of Turkey. The geographic limitation will be lifted in the accession process, on the condition that it should not encourage large scale refugee inflows to Turkey from the East, upon the completion of the necessary legislative and infra-structural measures and in line with the sensitivity of the EU Member States on the issue of burden (NPAA, 2003 PRIORITY 24.1 Alignment with the EU acquis and Capacity Building in the Field of Asylum).

5.3.2.2. Integrated Border Management

Following the categorization of irregular migration, ‘irregular transit migration’ can be interrelated through mainly the border management aspect of the EU externalization. Thus border management as well as the Schengen Agreement carries utmost importance for the EU- Turkey relations regarding irregular migration.

Turkey is located in the southeast of the Asian Continent on the Anatolian Peninsula. A part of its land is located on Thrace which is in the southeast of Europe and constitutes a part of the Balkan Peninsula so making the country both European and Asian. Turkey has been on various migration and transportation routes along the centuries due to its geography. In addition, Turkey has a rugged land configuration with 65 per cent of her border being land borders, a total of 2.949 km. Borders in the east and south east lie in mountains and these long steep land borders in the east and south east create challenges for border management. Turkey also has a long coastline, which constitutes sea borders in its South, North and West of 6.530 km. Due to this geographical location a strong organization for controlling and safeguarding its borders is needed.

The country is surrounded by numerous countries and shares borders with them. The length of its borders with its neighbours is provided in the following table.

Table 5.13. Turkey and Its External Borders

Neighbouring Country	Length of the Border (km)
Bulgaria	269
Greece	203
Syria	911
Iraq	384
Iran	560
Nahcevan (Azerbaijan)	18
Armenia	328
Georgia	276
Total Length of the Land Border	2.949

Source: Ahmet İÇDUYGU and Deniz SERT (2010). *Irregular Migration at Two Borders: the Turkish-EU and Mexican-U.S. Cases*, German Marshall Fund of the United States, Immigration Paper Series 2010, pp. 6.

Since the study focuses on irregular transit migration from and through Turkey, the main concern appears as exit borders rather than entrance ones. The Turkish- Greek and Turkish- Bulgarian borders constitute the main exit points for migration through and from Turkey to Europe. Particular, The Meriç/ Evros (Greek) river forms the border between Turkey and Greece; in recent years it has become one of the main ‘exit gates’ to the EU for undocumented migrants and refugees as was shown by the previously given statistics.

The Turkish- Greek Border was drawn up by the Lausanne Treaty of July 23. 1923. The total length of the border is 203 km with 3 border gates. It goes along the side of the Meriç (Evros) River. However, even though the most of Turkey’s border with Greece runs along a river known as Evros in Greece and Meriç in Turkey, there is a small stretch of dry land, where the river loops east and runs for about 12 kilometres on the Turkish side, with the Greek-Turkish land border located in this loop. This specific river loop carries utmost importance, since trespassers do not have to cross a river; but land. Thus it has always been a border-crossing point. Upon the request of Greece, concerning this 12.5km land border, FRONTEX took a role with its rapid intervention border teams in 2010. Two years later, Greece announced plans to build a 10.5 km fence along its border with Turkey to prevent a wave of unregistered immigrants from flowing into the country at this a very popular entry point for Europe-bound immigrants along the Evros River. Stretching from Kastanies to the village of Nea Vyssa, near the north-eastern town of Orestiada, the wall is designed to block a short stretch of dry land

between the two states. At the beginning of 2013, Greece completed this 10.5 km, 4-meter-tall, barbed-wire fence even though this idea was not welcomed by the EU. When it was first announced the EC rejected the request from Greece to help pay to build a fence along its porous border with Turkey, however the fence was completed by Greece. Concerning this project, Michele Cercone, a spokeswoman for EU Home Affairs Commissioner Cecilia Malmstrom, stated that “Fences and walls are short-term measures that do not solve migration management issues in a structural way.”²⁰⁰

On the other hand, the border with Bulgaria was drawn up by the Balkan Treaty of 1912-1913 and approved in Lausanne on July 24, 1923. The total length of the border is 269 km. As with other borders, this border is also an artificial and politically drawn one.



Illustration 5.3. Turkey and Its External Land-Air-Sea Borders

Source: HOME AFFAIRS COMMITTEE (2011), Implications for the Justice and Home Affairs area of the accession of Turkey to the European Union, retrieved from <http://www.publications.parliament.uk/pa/cm201012/cmselect/cmhaff/789/78902.htm> (Accessed on 21.04.2013).

Different from the other land borders, the two important exits points of Edirne and Izmir display comparatively easier geographical conditions than the other mountainous and difficult entrance borders. However, all the Turkish borders should be assessed from a

²⁰⁰ Retrieved from <http://www.bbc.co.uk/news/world-europe-12109595> (Accessed on 21.04.2013).

special perspective; because of conflicts, domestic warfare, and regime changes in neighbouring countries and illegal movements and even terrorist actions in the region. Neighbouring geographies appear as an important source area for migration and on the other hand the entrance land borders display difficulties to control as was mentioned above. Thus, the relationship between entrance and exit points cannot be ignored. In the light of the most recent developments in Syria, the numbers of apprehensions has been increasing at the Western exit land and sea borders of Turkey as was given in Table 5.6. Thus, the control of those borders is directly related to irregular transit migration.

In Turkey, border management has been performed by the MoI; the General Directorate of Security at the border gates; the Prime Ministry – Under-secretariat of Customs regarding the entrance and exit of goods; the General Command of Land Forces and the General Command of Gendarmerie at land borders (between border gates); and by the Coast Guard Command at sea borders. Because of the importance of a comprehensive harmonization strategy on the protection of external borders as a part of the efforts of alignment with the EU legislation and practice, Turkey set up a Task Force for Asylum, Migration and Protection of External Borders in 2002, under the coordination of the Ministry of Interior, the secretariat tasks of which are undertaken by the Aliens, Borders, Asylum Department of the General Directorate of Security. Following this, the Task Force prepared a Strategy Paper Support for The Development of an Action Plan to Implement Turkey's IBM Paper in 2003, which was prepared in consultation with the EC Delegation to Turkey and resulted in several projects in this field.²⁰¹ The adoption of the Border Management Strategy in alignment with the EU *acquis* was also seen as a significant step forward as recommended in the 2002 Regular Report by the EC. In the 2003 Report, this development was welcomed and Turkey was encouraged to start implementing this strategy without delay (Commission, 2003: 44). According to this Paper, the NAP towards the implementation of Turkey's Integrated Border Management Strategy was adopted in March 2006, which represents a step towards alignment with

²⁰¹ "Support for the Development of an Action Plan to Implement Turkey's Integrated Border Management Strategy" (TR02-JH-02); Support to the Development of an Action Plan to Implement Turkey's Asylum and Migration Strategy" (TR02-JH- 03); "Strengthening the Institutions in the Fight against Trafficking in Human Beings" (TR03-JH-03) and "Visa Policy and Practice" (TR03-JH-05).

EU standards, as the development of an integrated approach to border management is a key element for accession negotiations in this chapter.

Kirişçi (2007b: 10) argues that the formation of the Task Force, the publication of the Strategy Paper and the subsequent twinning projects and the adoption of Action Plans have helped to focus the attention of bureaucracies and organizations dealing with various aspects of border management. The monitoring and evaluation of the above-mentioned documents and projects have been done by the Bureau on Development of Border Management Legislation and Administrative Capacity under MoI, which was renamed as the Border Management Bureau on 23rd August 2012.

Starting from the first APD, the EU was focusing on border management and the full implementation of the Schengen Convention. The APD of 2001 states that Turkey should “continue strengthening border management and prepare for full implementation of the Schengen Convention“ and “complete public administration modernization reform to ensure efficient management of Community policies, including strengthening border management and preparation of full implementation of the Schengen Convention.”

In 2003, the relationship with “irregular migration” was realized by emphasizing the need for “improvement in the capacity of public administration to develop an effective border management, to prevent and combat illegal migration” (Council, 2003: 49). By the APD of 2008, the humanitarian approach was also added and the importance of the pre-screening mechanism to identify persons in need of international protection at borders was emphasized (Council, 2008: 17). In response, the three NPAAAs by Turkey have also been focusing on border management and alignment with the Schengen Convention.

Concerning Europeanization and the main priorities in the field of border management, the Progress Reports supply the most important framework by also focusing on implementation. Starting from the first progress report in 1998, “border management

and the Schengen Agreement” have been a major part of the EU’s priorities. The general focus of the reports can be summarized as the bilateral cooperation concerning border management with Turkey and her neighbours, and integration border management in line with the Schengen Agreement. Until 2007, the Task Force, the Strategy Paper and the Action Plan were determined as important progress; however in the Progress Report of 2007, the EC was stressing the need to be equipped with a more precise roadmap containing concrete actions, targets, realistic deadlines, responsible authorities and an estimated budget for each of the actions requiring important investment (Commission, 2007: 65).

In 2008, the Common Manual of Checks at the EU External Borders was published as a part of the twinning projects²⁰², which was also mentioned in the same year’s progress report. On the one hand, the Report (2008: 73) welcomes this outcome and on the other, highlights the limited awareness of border staff concerning Turkish National Strategy on integrated border management or of the action plan to implement it as well as displays the concerns on the data on the EU citizens’ entry documents, as being not in line with the EU *acquis*. The following reports raised the same concerns that limited progress had been achieved in the implementation of the National Action Plan on integrated border management (IBM) and in the definition of a clear roadmap and despite the establishment of the Task Force on External Borders, the Report of 2010 emphasized the need to establish a new civilian, non-military, border law enforcement body under the MoI to perform border control tasks and good border cooperation with neighbouring countries (Commission, 2009: 75). The same report welcomed Turkey’s efforts to conclude a working arrangement with FRONTEX.

²⁰² Twinning Project, Reference No. TR 07 IB JH 04, called “Action Plan on Integrated Border Management-Phase 1”; Twinning Project, Reference No. TR2004/IB/JH/05, called “The Training System of Border Police of Turkey”; Twinning Project, Reference No. TR 02 JH 0, called “Integrated Border Management Twinning Project”; Twinning Project, Reference No. TR2004/IB/JH/04, called “Development of a Training System for Border Police”; Twinning Project, Reference No. TR 03 JH 05, called “Visa Policy and Practice”; Twinning Project, Reference N. TR 02 JH 03, called “Asylum-Migration Twinning Project”; Twinning Project, Reference No. TR 03 JH 03, called “Strengthening Institutions in the Fight Against Trafficking in Human Beings”.

The EC was expressing its concern that very limited progress could be reported on external borders and Schengen; however was welcoming the establishment of the Integrated Border Management Coordination Board and preparation of the Road Map on Integrated Border Management (Commission 2011: 93); while the Report of 2012 was criticizing the delay concerning to this road map. The same report also expresses the importance of cooperation with FRONTEX and congratulates Turkey for the memorandum of understanding that was signed on 28th May, 2012 (No. 148).

If we look at the existing legal structure concerning border management, it can be seen that the developments date back to 1937, when the Security Department Law (Law No. 3201) was adopted and various laws and regulations followed. By this Act, a part of the previous Police Regulations was repealed, and the General Directorate of Security was established, and the central and provincial organization of the General Directorate of Security was rearranged on the basis of scientific and special provisions. According to the new arrangement, the responsibility of duties and processes regarding border gates, passports and foreigners were assigned to the first department, which reported to the General Directorate of Security. In 1971, the first branch of the first department was detached from the Security Department and the name of the first department was changed to the Passport, Foreigners and Border Affairs Department. Then, in 1974, the name of the Passport, Foreigners and Border Affairs Department was changed again to the Foreigners, Borders, Asylum, Migration, Citizenship and Passport Department. After 1981, the Department for Aliens, Borders, and Asylum Affairs was re-designed into four branches as Aliens, Passport, Border Gates, Refugee-Immigrant-Citizenship, Borders, Trailer Branch Managements, and General Documents and Statistic Bureau Authority. Currently, the Department for Aliens, Borders, and Asylum Affairs is one of 29 Departments of the General Directorate of Security. By the new law, this department's authority and responsibilities was transferred to the General Directorate of Migration Management by the LFIP.

Concerning border management, it can be argued that the three different levels of the EU border management have been considered by Turkey and the required legislative

and institutional changes given haven't been realized so far. However, increasing use of technology in the development of advanced systems of borders is the first step and it is known that broadening of the network of intermediate actors is needed. At the third level, the EU goes even further and aims to create control far from borders through the computerization of border monitoring such as with the EURODAC, SIS I and II, and VIS databases, which provide information about the three ways an undocumented immigrant can enter (request for asylum rejected but remains in the country; entry without authorization; or entry with a tourist visa, overstaying once that expires.) Concerning externalization, the EU exports its control agenda to third countries, which results in the creation of "buffer zones" in transit countries like Turkey or Morocco. Thus, there is a need for reconciliation of both sides' needs and priorities.

5.3.2.3 Harmonization in the Field of Visa Policy

In the first APD in 2001, the Council emphasized the need for Turkey to start the alignment of visa legislation and practice with those of the EU" (Council, 2001: 21). In parallel, the APDs of 2003 and 2006 stressed the same needs; while the most recent APD of the Council (2008) does not mentioned harmonization or any requirements concerning visa policy.

In response to the Council's APDs, the NPAA's display the road map for adoption of the visa legislation in the EU *acquis*²⁰³. The NPAA in 2001 emphasized the need for work in regard to the adoption of the visa legislation of the EU; while the justification was given as "Turkey's visa application procedures were, in general, not in harmony with

²⁰³ Annex I of the Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement – EU visa negative list; Council Regulation (EC) No 1683/95 of 29 May 1995 laying down a uniform format for visas; The Schengen Acquis - Decision of the Executive Committee of 28 April 1999 on the definitive versions of the Common Manual and the Common Consular Instructions (SCH/Com-ex (99) 13) (Part I.2 on the description and types of visas); Joint Action of 4 March 1996 adopted by the Council on the basis of Article K.3 of the Treaty on European Union on airport transit arrangements (96/197/JHA); The Schengen Acquis - Decision of the Executive Committee of 28 April 1999 on the definitive versions of the Common Manual and the Common Consular Instructions (SCH/Com-ex (99) 13) (annex 3 to the Common Consular Instructions on airport transit visa requirements).

the EU *acquis*” (NPAA, 2001: 125). In 2001, the Law on the Residence and Travels of Foreigners in Turkey (Law No. 5683) and the Passports Law (Law No. 5682) both represented the national legislation concerning visa policy and the MoI as well as the MFA as the corresponding institutional structures. However, the first NPAA did not represent a detailed road map unlike the other two NPAAs. In 2003, the updated NPAA approached visa harmonization under its Priority 24.3, titled “Alignment of the Visa Legislation with the EU *acquis* and Implementation”.

This NPAA supplied a detailed list of the necessary changes with a time schedule. The first priority was given as alignment with the EU’s Visa Negative List. Since it required issuing visas for the countries, where the EU requires visa, Turkey introduced visa requirements for six Gulf Countries²⁰⁴ in 2002, and scheduled another thirteen countries²⁰⁵. At this stage it should be noted that Turkey’s liberal visa policy appears as the most problematic dimension, which should be replaced with the Schengen *acquis* and its requirements. In addition, changing visa stickers and visa types in line with the Schengen Visa framework was scheduled. Particularly, investigating face documents to combat irregular migration, the need for technical requirements as border controls and abolishing the practice of issuing visas at borders, which is not used in the Schengen system were also mentioned by the NPAA (NPAA, 2003: 662- 663).

Within the last NPAA of 2008, Turkey undertook harmonization with the EU’s visa policy under the Priority 24.3, titled “Continuing efforts to implement the “National Action Plan towards the Implementation of Turkey’s Integrated Border Management Strategy”, which includes the definition of a precise roadmap. In order to realize harmonization with the EU *acquis*, Regulation No. 1683/95/EC and 334/2002//EC, the recommendations and best applications chapter of the Schengen Catalogue, Part VI of the Common Consular Instructions and Annex No: 8, 9, 10, 13 of the Common Consular Instructions were defined; while the relevant actions were given as

²⁰⁴ Bahrain, Qatar, Kuwait, Oman, Saudi Arabia and United Arab Emirates.

²⁰⁵ Indonesia, Republic of South Africa, Kenya, Bahamas, Maldives, Barbados, Seychelles, Jamaica, Belize, Fiji, Mauritius, Grenada and Santa Lucia.

“Legislation for Harmonizing the Turkish Visa Sticker with the EU Schengen Visa Sticker” (NPAA, 2008: 273). In addition, regarding Regulations No. 539/2001, 2414/2001, 453/2003 and 851/2005, terminating the visa supply at borders was determined as the relevant action. Concerning the Common Consular Instructions of the EU (Annex No. 1) - Regulations No. 539/2001, 2414/2001, 453/2003 and 851/2005, dealt with the alignment with the EU’s negative list. However, just one year later the mutual visa exemption with Syria was completed, followed by Jordan, Tajikistan, Libya, and Azerbaijan in the same year. In 2010, Turkey signed similar agreements with Lebanon and the most recent mutual visa exemption agreement was signed with Yemen on 20th October, 2012 and after the Parliament’s approval, this was published in the Official Gazette on March 17, as Law No. 4391.

Concerning visa policy, Turkey justifies the above-mentioned mutual visa exemption agreements with trade and cultural dialogue by also criticizing the EU’s visa policy on Turkey, which has become the main condition for the readmission agreement between the EU and Turkey. On the other hand, it should be noted that besides the technical problems such as visa types, stickers and also visa policy’s related part of border management; the most controversial issue appears as Turkey’s liberal visa policy. It should be noted that many of the countries which feature on the negative list also feature on the list of countries which Turkey has mutual visa exemption agreements with.²⁰⁶

Regarding legal, institutional developments and mainly implementation; the EC also focuses on harmonization of visa policy through its yearly progress reports. The first two reports in 1998 and 1999 do not mention visa policy or the related Schengen *acquis*. In 2001, for the first time the EC criticizes Turkey for not taking any action concerning harmonization of visa policy and realization progress. The Report focused on the above-mentioned criticized Turkish visa list, which was not in line with the EU list by

²⁰⁶ COUNCIL REGULATION (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement, pp. 81/5, retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2001:081:0001:0007:EN:PDF> (Accessed on 23.04.2013).

naming Iranian citizens, who may enter Turkey for a period of three months without a visa (Commission, 2000: 63). In addition it mentioned some countries such as Afghanistan, Pakistan and Sri Lanka, whose citizens can be granted a visa at the borders i. The EC welcomed the developments regarding the abolishment of the visa free regime for Kazakhstan and Bosnia-Herzegovina and initiation of airport transit visas in the case of a selected number of countries from which “illegal immigration” originates; while criticizing delays on harmonization with the Schengen *acquis* (Commission, 2001: 82). Similarly, the 2002 Report determined visa requirement introduction for six countries, namely Bahrain, Qatar, United Arab Emirates, Kuwait, Saudi Arabia, and Oman (Commission, 2002: 115). The same report mentioned the discrepancy between the EU’s negative visa list and Turkey mutual visa exemption countries list. In 2003, the EC again mentioned the need to maintain alignment of the EU’s negative visa list and lifted visa exemptions for the citizens of the following 13 countries²⁰⁷ and identified an existing discrepancy between the EU visa obligations list and that of Turkey as seven countries (Commission, 2003: 81), which was decreased to four with the introduction of visa requirements for Azerbaijan (2004), the Marshall Islands and Micronesia (2005). It should be noted that besides the EU’s negative visa list, there is also a positive list, which Turkey needs to align with too. Within this framework, Turkey’s efforts to align with the EU’s positive list with the visa exemption agreement for ordinary passports between Turkey and Brazil that came into force in July 2004 was welcomed by the EC (Commission, 2004: 137). This progress continued with Guatemala (2005), the Czech Republic (2005), Venezuela (2006) and Paraguay (2006); while the agreement was signed with Colombia (2006) and introduced with Andorra.

Regarding the technical dimension, the EC raises the existing problems concerning visa types and procedures. According to the Schengen *acquis*, visas should be issued by diplomatic/consular authorities instead of at the borders. Thus, in its report in 2006, the EC criticized Turkey for its practices, which allows nationals of 35 countries to apply for a visa at border, including citizens of the Member States (Commission, 2006: 63).

²⁰⁷ Indonesia, South Africa, Kenya, Maldives, Seychelles, Grenada, Saint Lucia, Bahamas, Barbados, Belize, Jamaica, Fiji Islands and Mauritius.

Despite some slow progress it should be noted that in the view of the EU there are also some step backs. For example, as it was shown by the EC (Commission, 2007: 64), while the visa exemption has been abolished in 2004, in 2007 Turkey signed mutual visa exemption agreements with Azerbaijan, Mongolia, Uzbekistan, Tajikistan and Turkmenistan, which is not in line with the EU *acquis*. Steps are needed to introduce airport transit visas and to abolish the practice of issuing visas at borders.

Visa policy has a close relationship with irregular migration, particularly in the detection of forged documents. Thus, rather than issuing visas at the border, longer and more detailed procedure is suggested, which would be undertaken by the consulates and also airport transit visas should be introduced. In 2007, the EC progress report expresses that 493 documents were identified as false and falsified as such emphasizing the importance of this issue (Commission, 2007: 72-73).

The Report of 2009 again focused on the negative and positive visa list of the EU by complaining about granting visa exemption to citizens of Brunei Darussalam in April 2009 and welcoming a bilateral visa exemption agreement with Kosovo. Concerning fake and false documents, the report supplies detailed information about the requirement for harmonization of visa policy. The report highlights the delays in the introduction of airport transit visas, standard visa stickers, improvement of the security features of visas, passports and travel documents to ultimately align them with the EU security features and standards (Commission, 2009: 75). In parallel to the EU's demands, it can be said that regarding the visa policy dimension 2010 was a progressive year. First of all Turkish passports with biometric security features were brought into use on 1 June 2010. Secondly, Turkey revised its policy in regards to duration of stays allowing for 90 days within 180 days, in line with the EU *acquis* and visa issuing is now processed on-line through the Consular Offices and the MoI. However, the introduction of new Turkish visa stickers with higher security features as well as airport transit visas remain to be introduced as important tools for combating irregular migration. In addition, Turkey's visa exemptions with Libya, Jordan and Syria in 2009; Lebanon, Russia, Serbia, Cameroon and Tanzania in 2010 were recorded as backward steps by the EU

since some of those countries are on the EU's negative list (Commission, 2010: 83). In the most recent Progress Report of the EC (2012), concerning the visa policy in relation to irregular migration, it can be said that the focus was on negative visa list as well as visa types.

Concerning visa policy there are also other requirements, however this part mainly focuses on its relationship with 'irregular migration'.

During the field research the macro policy decision-making mechanism institutions were asked through their representatives about Turkey's liberal visa policy and its impact on irregular migration as well as their views on the rationale behind this policy.

5.3.2.4. Readmission Agreement Bargain

Return policy appears as an important tool for the EU to combat irregular migration, and is mainly based on cooperation with the non-EU countries, particularly the source and transit ones and readmission agreements. However, it should be considered as a complementary tool within a larger mechanism for fighting irregular immigration along with border controls, internal efforts for the identification of irregular migrants etc.

Particularly, starting from the EU Sevilla Summit in 2002, readmission agreements have become an important and frequently used method, which consists of an asymmetrical relationship (IKV, 2010: 5). Even though in theory, this relationship is based on the proportionality principle, in practice it works to the disadvantage of third countries. İçduygu (2011b: 10) argues that the above-mentioned risks, asymmetries, and uncertainties associated with a readmission agreement become even more complicated for Turkey because of its accession talks with the EU.

Concerning the possible disadvantages and the burden for Turkey, similar to geographical conditions; Turkey has been emphasizing the burden-sharing with the EU as well as the need for preparation of the required legislative and institutional structure.

In return for the readmission agreement, Turkey asked for visa exemption from the EU countries by relying on the acquired rights by Article 41²⁰⁸ of the Additional Protocol (1977) as well as in line with the case law of the ECJ.²⁰⁹ In addition, the recognized visa exemption rights to Macedonia, Montenegro and Serbia before the membership have been used as counter claims by Turkey. It is a fact that citizens of all other candidate countries have enjoyed visa-free travel to the Schengen Area since 2009. Due to the resistance of the member states to implement visa liberalization, the EU offers visa facilitation to Turkey as an interim remedy. This intermediate step has not been seen as satisfactory by Turkey and as such it has reacted by saying that without a visa facilitation process, the readmission agreement will not be signed, initiated, or implemented. Egemen Bağış (2012) criticized the EU for applying a “discriminatory and high-cost, low-value visa regime” towards Turkey, i.e. a country that has been an official candidate since 1999. Readmission agreements are defined as the frames of “clear obligations and procedures for the authorities of the non-EU country and of EU States as to when and how to take back people who are irregularly residing in the EU”.²¹⁰ These agreements aim to bring about the expulsion of irregular migrants by establishing obligations and procedures regarding readmission between the contracting parties (İçduygu, 2011b: 9). In this sense, they are reciprocal instruments of immigration policy that enable countries to return unauthorized migrants residing in

²⁰⁸ Article 41 (1): The Contracting Parties shall refrain from introducing between themselves any new restrictions on the freedom of establishment and the freedom to provide services. (2): 2. The Council of Association shall, in accordance with the principles set out in Articles 13 and 14 of the Agreement of Association determine the timetable and rules for the progressive abolition by the Contracting Parties, between themselves, of restrictions on freedom of establishment and on freedom to provide services. The Council of Association shall, when determining such timetable and rules for the various classes of activity, take into account corresponding measures already adopted by the Community in these fields and also the special economic and social circumstances of Turkey. Priority shall be given to activities making a particular contribution to the development of production and trade.

²⁰⁹ On the application of Veli Tum and Mehmet Dari) v. Secretary of State for the Home Department, Case C 16/05, European Union: Court of Justice of the European Union, 20 September 2007, retrieved from <http://curia.europa.eu/juris/liste.jsf?language=en&jur=C.T.F&num=C-16/05&td=ALL> (Accessed on 26.04.2013) and Mehmet Soysal and Ibrahim Savatli v Bundesrepublik Deutschland, Case C-228/06, European Union: Court of Justice of the European Union, 19 February 2009, retrieved from <http://curia.europa.eu/juris/liste.jsf?language=en&jur=C.T.F&num=C-228/06&td=ALL&parties=Soysal> (Accessed on 26.04.2013).

²¹⁰ Retrieved from http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/immigration/return-readmission/index_en.htm (Accessed on 24.04.2013)

their territory to the country of origin or the country from which the immigrants entered their territory (Petkova, 2012: 4). As discussed under the EU tools to combat irregular migration, as an instrument of migration control and management; readmission agreements have been intensively criticized by civil societies as well as academia, since they may have negative impacts on the protection of refugees.

This policy tool can only be implemented if the reciprocal decision is taken by the Asylum Procedure Directive.²¹¹ In the case of ratification of the agreement between the EU and Turkey, irregular migrants apprehended in the EU countries (including the TCNs) and entered those countries by coming from Turkey will be given back to Turkey. In other words, by this agreement, the EU will “facilitate the expulsion of irregular migrants who enter the EU from Turkey by establishing obligations and procedures regarding readmission between the EU and Turkey” (İçduygu, 2011b: 10).

The negotiations on a possible readmission agreement started in the early 2000s and the priorities of the EU mainly appear to be a readmission agreement between the EU and Turkey, readmission agreements with third countries and their implementation (with particular emphasis on the agreement between Turkey and Greece) and finally, improvement in the related legislation and capacity building of the administrative structure as given below. It can be said that they have been various ups and downs in the negotiations over the agreement as it can be seen below and as given in the APDs, NPAAAs and Progress Reports.

The Readmission aspect featured in the first APD by the Council (2001: 21) as one of the requirements, defined as “adopting and implementing the EU *acquis* and practices on migration (admission, readmission, expulsion) so as to prevent illegal migrations”. In the following APD, a readmission agreement between the EU and Turkey was defined as a tool for “fighting against illegal migration” (Council, 2003: 49); while by the APDs

²¹¹ Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status, retrieved from <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2005:326:0013:0034:EN:PDF>, (Accessed on 11.07.2012).

of 2006 and 2008 the Council urged Turkey to conclude the agreement “urgently” (Council, 2006: 43; 2008:13). In parallel to the above-mentioned APDs, Turkey was also approaching the readmission agreement as an important tool for combating “illegal migration” within the medium term priorities (NPAA, 2001: 450). As a prior action, Turkey foresaw completion of readmission agreements with bordering countries starting from the East to the West. The NPAA also mentions the draft protocols with Iran, Syria, Pakistan, Bangladesh, India and Sri Lanka; and barriers with Afghanistan and Iraq. The following NPAA in 2003 also categorized the completion of readmission agreement within medium-term priorities and updates the existing situation with the third countries (NPAA, 2003: 666).²¹² However there is no priority or related article regarding readmission agreement within the most updated NPAA in 2008.

Starting from the first progress report by the EC (1998), the readmission agreement has always been one of the priorities of the EU. In 2010, the EC welcomed the readmission agreement with Syria, signed on 10 September 2001 (Commission, 2001: 82). The following year, the EC criticized the non-effective usage of the readmission protocol between Turkey and Greece²¹³; which emphasized the need for ratification of the readmission agreement with Syria (Commission, 2002: 116). In addition the report saw the new initiatives for readmission agreements with new countries²¹⁴ as progress.

Following the ratification of the readmission agreement with Greece, the EU focused on the implication of this agreement. In 2003, the EC emphasized the difficulties for the implementation of the above-mentioned agreement. The report states that “...figures on

²¹² **Readmission agreement offered countries (2001 and 2002):** Afghanistan, Bangladesh, Bulgaria, Greece, India, Iran, Iraq, Pakistan, and Peoples Republic of China (P.R.C.), Romania, Syria, and Sri Lanka in 2001. Algeria, Belarus, Egypt, Ethiopia, Georgia, Israel, Jordan, Kazakhstan, Kyrgyzstan, Lebanon, Libya, Mongolia, Morocco, Nigeria, Russian Federation, Sudan, Tunisia, and Uzbekistan in 2002. **Concluded Agreements:** The Readmission Protocol with Greece on 8 November 2001, Kyrgyzstan on 6 May 2003.

²¹³ The protocol gives the parties 14 days to inform each other of the number of persons to be returned after the date of illegal entry. For nationals of the two countries the authorities can make use of simplified procedures.

²¹⁴ Egypt, the Russian Federation, Belarus, Georgia, Israel, Sudan, Nigeria, Ethiopia, Morocco, Tunisia, Libya, Algeria, Jordan, Lebanon, Kazakhstan, Uzbekistan, Kirghizstan and Mongolia.

the number of requests and the number of accepted requests reported by Turkish authorities differ considerably from those provided by the Greek authorities (Commission, 2003: 87) and both sides were invited to create comparable databases. Within the same report, the EC welcomed Turkey ratification of the agreement with Syria, its signing of a new agreement with Kyrgyzstan, and the negotiations with Bulgaria, Romania and Uzbekistan in 2003. The processes concerning these countries were completed in 2004.

However, concerning the return policy and in particular the readmission agreement, concluding the EU- Turkey agreement and better implementation of the existing readmission agreements such as the one between Turkey and Greece appeared as the most important priorities for the EU. In March 2004 Turkey agreed to open negotiations with the European Community concerning a readmission agreement and in May 2005, Turkey opened negotiations, which were welcomed by the EC in the Progress Report of 2005. However, Turkey accepted to resume formal negotiations blocked since December 2006, which had also created a negative impact on the process, was also reflected on in the same year's report.

In 2010, both sides finally brought out a draft text and in 2011 the consensus on the final adjustments to the draft EU-Turkey readmission agreement was reached and the negotiations have now come to an end. In an official statement issued by the Justice and Home Affairs Council on 25th February, 2011, the conclusions of negotiations on a readmission agreement were welcomed and improvement of cooperation between Turkey and the EU to tackle irregular migration was emphasized.²¹⁵ On 21st June 2012, Turkey and the EU initialled an agreement on the readmission of irregular migrants, after seven years of negotiations, which can be seen as a formal step prior to the official signing of the text by both sides. In the case of the ratification of the agreement, as was mentioned earlier, the return of Turkish nationals as well as third country nationals who have passed through Turkey will be realized.

²¹⁵ Council Conclusions on the EU-Turkey Readmission Agreement and Related Issues, Justice and Home Affairs Council 3071st Meeting, Brussels, 24 and 25 February 2011.

In the year of 2013, the agreement is still not ratified and there are still many unanswered questions concerning the costs of this agreement particularly for Turkey and its capacity to combat irregular migration. Will it be a discouraging independent variable for the potential irregular migrants' plan regarding irregular migratory moves and result in a decline in the irregular migration movements or as İçduygu (2011b: 14) argues, will it result in "burden shifting" on the part of the main destination countries towards the transit countries? These are unbalanced tools, which works in favour of the destination countries, but not transit countries.

During the field research both at macro and meso levels the role and possible consequences of the ratification of the readmission agreement were questioned.

5.3.2.5. The Re-Visited Asylum and Irregular Migration Nexus

When we analyse the progress reports concerning asylum policy; the priorities of the EU concerning asylum policy can be summarized as follows:

1. Lifting geographical limitations to the 1951 Geneva Convention;
2. Adoption of a Asylum Law and establishment of the new asylum unit;
3. Organizing in-service training for the relevant institutions in the field of asylum;
4. Guaranteeing fair, equal and consistent access for everyone to asylum procedures, to legal aid and, in particular, to UNHCR staff with a special focus on the detention centres;
5. Reducing the waiting period for asylum procedures and to eliminate disparities between cities' mechanisms for referral to the social solidarity foundation;
6. Reducing residence permit fees and also the uneven implementation of the 2010 Circular in different satellite cities;
7. Management of mass influxes;
8. Enhancing the overall capacity of the satellite-city system and to ensure a more balanced distribution of the asylum population across the country;

9. Regarding the integration dimension, supplying basic rights to the population concerned such as access to the employment market (work permit facilitation), access to education etc.;
10. Adjustment with the judgment issued by the European Court of Human Rights (ECHR) concerning detention and deportation;
11. Increasing the cooperation with the NGOs working in this field.

The most important product of the *acquis* in Turkey is the adoption of the LFIP. The law makes substantial changes in the Turkish asylum system. It is the first law, which both covers international protection and the statuses and the rights of foreigners in the country. The LFIP also marks the end of a period in which foreigners, but particularly asylum law has been regulated by secondary legislation. It stipulates and arranges entry, residence and exit of foreigners as well as the scope of international protection, which are determined as the authorities and responsibilities of the General Directorate of Migration Management under the MoI.²¹⁶ It can be argued that it takes the place of the previously discussed national legislation. Before the LFIP, the system was conducted through security forces (police) under the authority of local Departments of Foreigners, Passport, Borders and Asylum who deal with asylum applicants in every city. With regard to Irregular migration, instead of law-enforcement forces mainly civil authorities will take a leading role.

Even though the LFIP brings a significant number of improvements to the current Turkish practices and most importantly a consolidated and uniformed legislation, it does not lift the geographical limitation, which is also one of the major conditions for Turkey's full membership to the EU. This limitation can be seen as one of the driving force behind the diverging numbers of asylum applications and resettlements to third safe countries regarding the Turkish asylum system.

As pointed out in the progress reports, the main concerns of the EU appear to be the supplying of 'temporary protection', dissuading migrants from applying to the asylum

²¹⁶ Article 1

system, returning them to the first country of asylum or in case of abusing the asylum system guaranteeing return or deportation as the bases of the EU's externalization. To meet this demand and bypass geographical limitation, first, the LFIP uses "conditional refugee" terminology²¹⁷ and "subsidiary protection" is recognized for the forced migrants, who cannot obtain "refugee or conditional refugee" status, but are unable to return to their countries where they might face the death penalty, torture or inhuman or degrading treatment or punishment or where there is on-going generalised violence or armed conflict and as such cannot be sent back to the home country.²¹⁸ Secondly, different from the previous practice, international protection applications will be done through Governorships in the provinces and as the 2006 IC states, "within a reasonable time" (by Clause 4). Flexibility is still recognized and the justification for irregular entrance is required²¹⁹. In the case of the special conditions²²⁰, the LFIP also foresees administrative surveillance. However, it clearly mentions that "a person cannot be the subject of administrative surveillance because of their international protection application".²²¹ Third, according to Article 73 and 74, if the person comes from a safe first country of asylum or safe third country, where the international protection application had already been done or resulted; his/her application is determined as not-acceptable in parallel to the Dublin II regulation. Similar to other countries, these articles give the right to Turkey to avoid its responsibilities for examining the merits of an asylum claim by shuttling asylum seekers to other states where they could have received effective protection, which is generally associated with accelerated procedures²²² and usually reduces or excludes rights of appeal (Soykan, 2012: 42; Goodwin-Gill and McAdam 2007: 392). However, Article 79 uses the fast-tracked

²¹⁷ Article 62

²¹⁸ Article 4 and Article 63

²¹⁹ Article 65

²²⁰ In case of the applicant has used forged documents and her/his ID or nationality needs to be verified; to prevent her/him from entering the country in an unauthorised way; if s/he might constitute a threat to public order and security or the assessment of the grounds of her/his application is otherwise not possible (Article 68/2 (a, b, c, ç).

²²¹ Article 68 (1)

²²² Article 79

procedure against the applicants by stating that the applications of persons who used forged documents or identities, or are to be deported or are waiting in detention and who purportedly apply for asylum to delay or stop their deportation will be fast-tracked within five days; while Article 80 even reduces the right to appeal. According to the LFIP, the appeal can be done to the Evaluation Commission of International Protection in 15 days as following the notification.

The LFIP also regulates the procedures regarding “temporary protection”. Unlike the 1994 AR and the other ad-hoc and issue-based secondary regulations, the LFIP displays a solid legal ground for temporary protection in Article 91. This Article states that “temporary protection can be supplied to people, who come to our borders or cross-passing the borders and who have been forced to leave their countries, and not able to return”. Thus, it is seen as a procedure of an exceptional character during an emergency situation that involves a mass influx of displaced persons.

Concerning the call in the EU reports for an administrative agency, LFIP introduces the establishment of the General Directorate of Migration Management, with the aim of implementing the policies and strategies related to the field of migration, coordinating institutions and organizations concerned with these issues and executing all the procedures regarding entrance, exit and residence of foreigners, international protection, temporary protection, secondary protection, human trafficking under the MoI.²²³

By the adoption of the LFIP, some priorities of the EU have been fulfilled, except the geographical reservation. To evaluate the implications of this law requires time, since the enactment only happened on 11th April, 2013 and the majority of its articles will come into force in a year’s time.

Under this title, the reflections from the field research regarding the asylum and irregular migration nexus will also be displayed.

²²³ Article 103.

5.4. Main Findings from the Field Research at Macro Level

5.4.1. Brief Info about the Macro Level Part of the Field Work

As was explained within the methodology part of this study, not only the legislative changes; but also the policy implications in the field carry utmost importance. In this regard, referring to the macro level, the policy implementers were identified and semi-structured interviews were held from February 2012 until November 2012. This period was also important for the preparations of the LFIP as one of the most visible impacts of the EU's immigration and asylum policy as well as Turkey's different policy responses and the on-going conditionality between two sides.

During the determination of the relevant institutions, the major focus was on immigration and asylum policy; but with a special focus on 'irregular migration'. Within this framework, all the official correspondences were realized through the Middle East Technical University, however because of the 'security' dimension and also the high level position of the targeted representatives of the selected institutions; getting permissions for the meso level interviews as well as being able to obtain appointments was time consuming. But, at the end of the interviews, the enacted LFIP and main findings of the field research were quite similar. Since the LFIP had just come into force, the implementation process particularly the secondary law and institutional structure through the Directorate General of Migration Management should be closely followed up.

As a part of the field research, Ankara was determined as the main field and the representatives from the below given institutions were interviewed. For each institution and representative, different semi-structured questionnaires were employed; one of the applied questionnaires can be found as a sample in Appendix A.

Table 5.14. Name of the Institutions and Numbers of the Interviewed Representatives

NAME OF THE INSTITUTION	NUMBER OF RESPONDENTS
UNHCR	1
IOM	1
MoI- Asylum and Migration Bureau	1
Ministry of the EU Affairs- Political Affairs Directorate	1
Ministry of Foreign Affairs	1
EU Delegation to Turkey	3
MoI - Border Management Bureau	1
MoI - General Directorate of Security- Directorate of Foreigners, Border and Asylum	2
Association for Solidarity with Asylum Seekers (ASAM)	1
KAOS-GL Association	1
Police Academy- International Centre for Terrorism and Transnational Crime	1
Amnesty International- Refugee Coordination	1
Ministry of Interior (MoI)	3
TOTAL NUMBER OF RESPONDETS	18

It should be noted that above-named institutions play a significant role in the EU's immigration and asylum policy implications in Turkey as well as national policies in this field with a special focus on 'irregular migration'. At this stage, there is a need for justification of three institutions. The first one is the Association for Solidarity with Asylum Seekers (ASAM)²²⁴ which is the main civil society working as a partner of the UNHCR. This association has been working for asylum seekers, refugees and migrations concerning their human rights as a non-profit non-governmental organization (NGO) since 1995 with its 12 offices in 12 different provinces in Turkey. Since the nexus between asylum and irregular migration was clarified and the increasing numbers of asylum seekers and refugees is a fact for Turkey; ASAM was determined as one of the important institution. Similarly, at the international and national level, Amnesty International (AI) appears as a significant international NGO. Finally, with the significant studies that have been carried out by the Police Academy- International Centre for Terrorism and Transnational Crime; this institution and the publications have been highly beneficial.

²²⁴ For further information <http://www.sgdd.org.tr/index.php?lang=en> (Accessed on 15.07.2013).

In this research, Ankara was approached as the city of macro level, because both the EU (through the EU Delegation to Turkey²²⁵) and national decision-making institutions as well as a high-level of policy implementers are located there. Within this city, several interviews were realized with the representatives of these institutions. Samples of the semi-structured interviews' leading questions can be found in Appendix A. The rationale behind the selection of these institutions can be explained by their relationships to irregular migration; but particularly 'irregular transit migration'. For example while the General Directorate of Security- Directorate of Foreigners, Border and Asylum as a part of the MoI has an important role within the study, the Ministry of Labour and Social Security does not take place within the sample.

Because of the complex characteristic of migration, the realized interviews were mostly quite long and detailed. However, concerning 'irregular transit migration' and more specifically, the EU's policies' multi-level and multi-sited ethnographic analysis; a selective analysis, was realized by focusing on commonalities and differences regarding specific aspects. In this regard, the main focus was on the previously discussed policies and instruments concerning irregular transit migration; but particularly, 'the readmission agreement', 'border management', 'visa policy' and 'the asylum-irregular migration nexus'. However, because of the country specific (Turkey) and location specific (Edirne and Izmir; but will be examined at meso level) characteristics, the other important aspects could not be ignored, which will be reflected under the title of "Other Aspects" in this chapter. Within this framework, first the above-given four policies will be focused on and secondly, the additional aspects will be briefly reflected on.

At this stage, it should be also noted that during the field research, the LFIP was still a draft, thus the legislative and institutional structure was not quite clear. Therefore, respondents had to make many assumptions since the LFIP was not enacted and the

²²⁵ Since Turkey was declared an accession candidate by the European Council in December 1999, the relationship between Ankara and Brussels has constantly been developing. In this regard, the Delegation of the European Union to Turkey seeks to meet the needs that rise from the intense and multidimensional ties, with over 120 Turkish and European Union experts working together to carry out this mission. Further details can be retrieved from <http://www.avrupa.info.tr/en/eu-delegation/welcome.html> (Accessed on 22.07.2013).

secondary legislation of the Law as well as the institutional structure had not been completed yet. However, I would like to state that even at that stage, the findings of the field research and the final version of the LFIP were quite similar, particularly in reference to geographical limitation, definitions of the Law, administrative detention conditions, planned institutional structure etc.

In order to reflect the particular discourse that was adopted by the selected institutions, some parts of the interviews are directly quoted. Concerning the macro level, rather than a comprehensive ethnographic analysis, limitedly only semi-structured interviews were held.

5.4.2. General Evaluation of Management of Irregular Migration in the EU and Turkey: Deficiencies and Policy Recommendations

In general, it can be argued that the EU's policies on irregular migration were not evaluated as efficient and successful policies by the respondents. Similar to Turkey's former (before the LFIP) fragmented legislation, the EU's policies were determined as not uniformed and highly fragmented ones. In addition, the gap between legislation and implementations were emphasized as supported with the samples of the problematic Schengen Zone and Denmark's request to withdrawn from this area; the pervious crises in Italy and France and the recent one in Greece were mentioned. Particularly, concerning Greece, the EU is intensively criticized for not evaluating the impacts on the member states and for not taking the required measures while respecting the burden-share principle. Within this framework, a high-level diplomat from the MFA²²⁶ stated that

The efficiency of the EU policies in the field of irregular migration is quite controversial. According to the Reception Directive, the first entrance country is determined as Greece, which creates an enormous pressure on this country in relation with irregular migration. The capacity of this country does not fit with this burden and the EU could not conceive this fact yet. The EU wants to the same

²²⁶ The Head of Migration Department Deputy Directorate General of Migration, Asylum and Visa Directorate General of Consular Affairs Ministry of Foreign Affairs. This interview was conducted on 17th April, 2012 in Ankara.

thing to Turkey, which is stopping unwanted migrants before reaching them to the EU borders. This is the biggest handicap of the Dublin (refers to the Dublin II Regulation) (From interview with the high-level diplomat at the MFA, 17.04.2012, Ankara).

Concerning the general evaluation of the EU's and Turkey's policies on irregular migration, one of the important question for the respondents, as representing the key institutions and also working in this field as experts at both decision-making and operational levels; was their view on the management of irregular migration in both Turkey and the EU. Within this framework deficiencies and policy recommendations can be summarized as follows:

1. Rather than “stopping irregular migration”, “managing irregular migration” should be the target; because “illegal” migration cannot be stopped;
2. Both the humanitarian aspect; but also respect for the legislation should be paid attention to by the countries;
3. The gap between the existing legislation and implementations should be eliminated;
4. Both the EU and Turkey need a more systematic approach to irregular migration and more comprehensive and integrated approaches should be employed, rather than approaching irregular migration from a limited security-based perspective;
5. In general migration, but in particular irregular migration and asylum requires cooperation among the states, thus a cooperation that is respectful to the burden-share principle should be adopted;

In relation to the first point, both at macro and meso level, the most frequently used expressions were: “all rivers fall into the sea”, “nature will take its course” and “water flows find their bed”. Therefore concerning irregular migration, the majority of respondents stated that irregular migration cannot be stopped and all the related policies should be prepared according to this fact.

In this regard, a high-level bureaucrat²²⁷ stated that “today, migration has become a global issue. In the long run, there should be no ‘stopping or combating with migration’ concept; because it is a fact that migration cannot be stopped. The world history is the history of migration. Thus, the policies should be revisited.”

Similarly, the following quotation displays the need for different approaches regarding irregular migration policies.

It is a fact that the strict policies just push people to find new paths and methods... If you put a barrier in front of water, then it will flow somewhere else; but always find its way. Like water, you cannot close the doors and stop irregular migration. I am talking about the geography, where dramatic violence against rights has been occurred from Asia, Middle East, North and East Africa... You cannot stop migration as building walls around you or taking military measures. It has not been the case in the past and it won't be for the future. Just looked at Izmir, once the numbers were high then after the operations, it changed its path and moved to Edirne. If you stop this flow from Turkey, then it will start at Cyprus. Instead of managing the migration, struggling with migration has always been the case, which makes the case even worse (From interview with the representative of the AI²²⁸, 20.03.2012, Ankara).

In addition, the following quotation highlights that irregular migration cannot be stopped but only better management is possible.

You cannot stop irregular migration; but you can manage it. There will be always people, who want more and search for better. We are living in the age of communication. We are not talking about the same nationalism or nation states as they were in 20 years ago. They are still there, but as changing with globalism. As long as those concepts will change, people's commitments and loyalties to their home countries will be weaker. As the proverb says for people the home is not where you were born, but you find your bread. People will always in search for more. Thus, you neither stop irregular migration nor get rid of those migrants. Even though the existing policies target to combat with irregular migration, sometime they do opposite. They can create incentives for it. This is not the intention of policy makers, but unintended results of those policies. Asylum, human rights, better living conditions, right to education etc.... As soon as all these factors come together, there will always migratory movement and irregular

²²⁷ The Deputy Head of the Asylum and Migration Bureau representative and lecturer at the Faculty of Security Sciences, the Police Academy. The interview was conducted on 7th April, 2012 in Ankara.

²²⁸ The Refugee Coordinator of the Amnesty International (AI), who has worked at AI's Van office until 2008 and since then in Ankara. The interview was conducted on 20th March, 2012 in Ankara.

migration to Turkey and to Europe (From interview with a high-level officer from the MoI, 16.08.2012, Ankara).

Concerning the second point, a high-level diplomat from the EU Delegation to Turkey emphasized that:

Concerning irregular migration, the two dimensions are important. One of them the humanitarian aspect, while the second one is the fact that irregular migration is related with criminal networks and smuggling as one of the most profitable business. For those countries, on the one hand humanitarian aspect and on the other the real policy as referring to the management of people movements appear the challenges. But, the legal framework of the democratic countries should also be respected. People try to flee from political turmoil or inhuman conditions in their home countries or sometimes they migrate for improving their living conditions. But, they have to respect the legal aspects of the destination countries (From the speech of a high-level Eurocra, 17.12.2011, Istanbul).

A high-level bureaucrat²²⁹ also stated the importance of the humanitarian aspect. Representing the Border Management Bureau of the MoI, he emphasized that because of the security concerns, the international responsibilities regarding international protection and the humanitarian aspect cannot be ignored and there is a need for balance.

Irregular migration subject is quite multidimensional. On the one hand, you need to think about national interest from a security perspective and on the other there are human rights violations, who abused by smugglers under inhumane conditions. There are many of organization dealing with this issue in Europe. When you give much weight to security side, there will be dramatic inhuman results. For example we witnessed the drama of people, who were fleeing from the turmoil in Libya, Tunisia... Serious tragedies emerged. On a ship, you cannot even call it as a ship; but a boat with hundreds of people on it. Recently 64 people died at sea or we have been hearing about their death because of starvation. (From interview with a high-level bureaucrat from the MoI, 05.04.2012, Ankara).

The respondents expressed the need for a more systematic approach with a well-established normative framework; but also the abolishment of the gap between legislation and implementation as one of the major existing problems. Within this framework, concerning the lack of legislation and systematic structure in relation to

²²⁹ The Deputy Head of Border Management Bureau of the Ministry of Interior. The interview was conducted on 5th April, 2012 in Ankara.

points 3 and 4 above, the below given part from an interview represents similar responses. It should also be noted that in order to have better management for irregular migration, the need for revision of the regular migration and asylum policies was also expressed. In addition, the complexity of irregular migration as having sub-statuses such as over-stayers, irregular labour migrants was also mentioned.

The biggest problem encountered in both the regular and irregular migration is the absence of systematic structure. Also, we should mention that Turkey has not developed a vision for migration management and we do not have 3-4 year projections, which is highly needed. In addition, the legislative structure should be well-established, where international conventions and their provisions are respected. Only if you can have a solid management of regular migration, then you can combat with irregular one. It should not be forgotten that irregular migration does not only refers to migrants, who pass your borders illegally. This is only a narrow perspective, but there are over-stayers, coming to Turkey with visa and through other legal ways. In addition, there are illegal labour migrants too. Thus, irregular migration is quite comprehensive. From one status to the other is so easy; but if you effectively manage your regular migration and your borders, visa or residence permits etc.; then you will make progress also for combating with illegal migration as well (From interview with a high-level bureaucrat from the MoI, 06.04.2012, Ankara).

The gap between the EU legislation and implementation was also criticized. But at this stage an important question by the Eurocrat²³⁰ should be mentioned.

The EU supplies a legislative framework, which can be seen as the directives and regulations as well as the case law as that based on the decisions of the European Court of Justice, the European Court of Human Rights. However, there is a serious gap between the existing legislation and implementations; because the EU supplies this framework; but implementation belongs to the member states. While we criticize the EU, do we criticise the Union itself or the implementation in the member countries (From the speech of a Eurocrat, 17.12.2011, Istanbul).

Continuing, regarding the gap between the normative framework and implementation, the following quotation represents the general approach of the respondents. It should be noted that in parallel to the findings at the meso level, arbitrary interpretations and

²³⁰ The First Counsellor, Head of Section, Financial Co-operation, Institution Building & Civil Society of the EU Delegation to Turkey, Ankara. This quotation comes from his speech at the “Detention of Irregular Migrants and The role of NGOs and Lawyers” Workshop that held on 17-18 December 2011, in Istanbul as a part of The Act Together: NGOs Promoting Refugee Rights in Detention Project implemented in Turkey funded by the EU- European Instrument for Democracy and Human Rights (EIDHR) Programme.

disparities of implementations in different cities were also highlighted by the respondents.

Implementation is the biggest problem. I hope that with the new law, the implementation problems will also be changed; because, in the current situation, one police officer finds the power to interpret Turkey's immigration policy and to apply it accordingly. In a very critical province, one police officer determines everything as the Minister of Migration. For example if Uzbeks come this is the regulation, for Afghans come the rules change... You are just a policy implementer, not a policy-maker or decision-making mechanism. For the very important decision-makings, the Directorate General is the authority to decide. Maybe the biggest reform will be having a civil unit. We argued that it should not be security-oriented; but how can you talk about a policy implementation that applied by the security forces... (From interview with the representative of the AI, 20.03.2012, Ankara)

Particularly civil society institutions' representatives expressed the extra burden on their shoulders, because of the absence of well-established legislative and accordingly institutional structure. In addition, the ineffective work by the responsible institutions was criticized. The main argument appears to be having to take the role of the state or the UNHCR, since the existing system does not only abuse migrants and refugees; but also relies on the NGOs working in this field both in terms of conscientious sense and financially. Not only by the national and international level NGOs, but at the local level; it was also expressed that lack of financial support for taking part within the operational and implementation dimension creates difficulties for these organizations. In this regard, the representative of ASAM²³¹ and AI state that:

In terms of services, there is a systemless situation in Turkey. As the NGOs in this field we try to build a system within this unsystematic structure; but it takes time. Authorities such as mayors, deputy mayors should know the problems of asylum seekers and refugees in their cities. If they do not know what the problems are, then they cannot solve them. NGOs undertake the mediating role and with our limited human resources, one finds him/herself as a psychologist, sociologist, legal consultant, hospital attendant, social and cultural activity organizer, press members, reporting person etc. Even one person is better than having no one, which can someone's entire life... (From interview with the representative of ASAM, 21.02.2012, Ankara)

²³¹ The General Coordinator of Association for Solidarity with Asylum Seekers (ASAM). The interview was conducted on 21st February, 2012 in Ankara.

Neither UNHCR nor police is effective. If there is a well-established system, everything would be different and NGOs would not be undertaken that much weight. Helsinki (refers to Helsinki Citizens' Assembly) have been working for prevention of deportation and formal objection through the 39th Article. (refers to the European Court of Human Rights procedure). The main aim to have more qualified individual petition; but it is the problem of the UNHCR or the Helsinki? If you build a mechanism, you should also consider the appealing system in it. You wait from an Afghan to complete this procedure by him/herself; but within the procedure you (refers to the UNHCR) the system even more chaotic and complicated. One NGO makes the appeal; another one takes the application...(From interview with the representative of AI, 20.03.2012, Ankara)

Concerning implementation, besides of a solid normative infrastructure, also the administrative capacity was emphasized, which has always been an important part of the EU's financial assistance. Within the IPA, the first element which has the biggest proportion among the other 4 is 'capacity building'. In parallel, for better implementation, the representative of IOM²³², touched upon this dimension as follows:

Irregular migration is not only a question of one aspect, you develop legislation but it is not enough. Since it has a quite complex structure, administrative capacity should be also developed for better implementations. In this regard, we work as IOM on building administrative capacity, help governments to develop legislation, we also help migrants directly themselves to provide services to migrants, we also do research and also the fifth area of action is building capacity of different stakeholders, different bureaus of the government, NGOs. Border management unfortunately does not take place under these categories, and it does not come under development. IOM does not take part under this category. I have already mentioned globalization, free movement of capital, controls under containment of certain countries. You need to understand that increasing labour migration. On the one side Turkey is strengthening its legislation on smugglers, counter-trafficking another gap is opening up; we still need to work on labour migration. But capacity building for being able to implement the developed legislation is also needed." (From interview with the representative of IOM, 21.03.2012, Ankara)

Similarly, representing the EU Delegation to Turkey, this representative²³³ emphasises upon the importance of capacity building and the EU's supports in this field as follows:

²³² An interview was conducted with the Chief of Mission, IOM Turkey) on 16th April, 2013 in Ankara.

²³³ On 7th February 2012, this interviewed was conducted with the Sector Manager at the EU Delegation to Turkey in Ankara.

*We have been working with National Ministries, particularly with Ministry of Interior for national policies. In terms of irregular migration studies are more limited and if I am not wrong this is also the case for academic circles. **Capacity building in this field is essential and we have been cooperating for this. Legislation and institutional structure should be improved. Within this structure, Asylum and Immigration Bureau carries utmost importance. In general the contribution of the EU side can be mainly seen as financial support for the mentioned capacity building. It should be also noted that projects, twinning projects are important tools for this** (From interview with the representative of the EU, 07.02.2012, Ankara).*

The EU policies were also criticized as not having a comprehensive approach for either immigration or asylum, but particularly irregular migration. In this regard, the representative of IOM stated that there is a need for more research on the policies that address the deficiencies and implementation problems and as a result more evidence-based policies as the outcomes of this research. She added that as the IOM, they argue that there is no one country model which is perfect and applicable for all countries. In the light of this fact, she stated that IOM has been working as an external catalyst, and trying to display the multidimensional characteristics of migration. In the case of irregular migration, the multi-actors such as the facilitators and the other political, social and macro-economic driven forces were mentioned for being able to achieve more effective and comprehensive policies for irregular migration. She also emphasized that when we look at Turkey's capacity to manage irregular migration; we come across different driving forces such as the EU *acquis*, different structures that are in place etc. But she consistently mentioned the lack of comprehensive analysis. The respondent argued that Turkey has been facilitating the readmission agreement with the EU and the protocol with Greece by using it as a negotiating tool for visa exemption; but also having a liberal regime on the one hand; but on the other, Turkey has been trying to achieve better border management by also civilizing the current structure. There are lots of bits and pieces some driven by the EU *acquis* and some with the national needs in mind. But, in the end Turkey does not have a holistic point of view about what are the challenges, and how they should be addressed.

In parallel to the IOM's representative, representing the Ministry of EU Affairs, the Director of Political Affairs²³⁴ touched upon the deficiencies of the policies concerning irregular migration mainly in Turkey.

The main problem is lack of legislation, lack of personnel, lack of investment and facility alternatives as well as lack of policies. I mean the lack of integrated approach to immigration policies. For a very long time, irregular migration has been approach form a security-based perspective. However, it should not be forgotten that it has humanitarian and emotional dimensions that time to time you have to seriously consider. For the time being, all the efforts in this field are financed from the Directorate General of Security. Also the Ministry of Foreign Affairs has a budget as well as the other related institutions. But, there is a need for comprehensive and integrated approach (From interview with the representative of the Ministry of EU Affairs, 06.04.2012, Ankara).

In relation to the above-mentioned list and the 5th point, lack of cooperation was intensively emphasized. Even though under the “burden-share and financial assistance of the EU” part, this dimension will be examined in detail, the following quotation reflects also the concerns regarding lack of capacity.

*Concerning to irregular migration, the biggest problem is lack of cooperation. Source countries escape from any cooperation with Turkey as well as destination countries. **In addition, law enforcement bodies are not in a good shape, I mean there are lack of communication, lack of discontinuity between them and also lack of expulsion capacity. Since a deportation competence is quite problematic, they do not want to deal with problems after apprehension of those migrants; because after all they have to take care of them. Thus, they are hesitant regarding apprehensions.** Thus, another big problem is the capacity building. Hopefully, with the new law, everything will be working well and more systematically (From interview with a high-level bureaucrat²³⁵, Ankara).*

When the respondents were asked about their views regarding irregular migration and the EU's policies' implications; since they represent specific institutions; their answers were also issue-specific such as border management, visa policy or deportation. However, in general, one aspect was consistently repeated; that there is no “The Policy”, a perfect model or there is no single example in the whole field of migration

²³⁴ Director of the Directorate of Political Affairs of the Ministry of EU Affairs. The interview was conducted on 6th April, 2012 in Ankara.

²³⁵ Both the date of interview (because of the official records of the appointment) and this respondent's identity are not given intentionally.

that can be projected as the correct way of doing things; because every country is approaching migration from a different point of view by depending on their foreign policy interests, economic position or depending on their social interest etc. Those policies are developed in relation to economic, political and social interests as well as the concerns of the countries. At this stage as the institutional policy recommendation of the IOM, the “4 C Approach” should be mentioned as the most comprehensive recommendation presented by the representative of the IOM. The first “C” refers to “coherence” among the different aspects, stakeholders and policy areas regarding migration in general. Within this framework, the IOM recommends the governments build coherence first internally within different units; with labour, private sector, agriculture, trade and so on. The expected result from this coherence of policies is the increased impact of the migration regimes rather than one component of migration policy. The second “C” refers to cooperation among the departments, units, ministries, and between states at the multilateral level. Therefore, cooperation is also not determined as with a fixed external partner; but rather requires participation of all the stakeholders within this dynamic process that starts internally.

The IOM’s representative stated that “The EU also needs it; because there is a lack of coordination and cooperation within its own system”. The third “C” refers to “Capacity as previously discussed as a part of ‘capacity building’”. Finally, the last “C” refers to “Collective Responsibility”, which requires a broad-based approach and should involve more and more of the local population at the grassroots level and more and more men on the street as we say, and a good policy is if the man on the street can understand your policy. She also stated that

You may have the best book written on this policy, but if the man on the street does not understand, it is not good at all. Turkey cannot manage irregular migration by its own. I am saying that ‘yes’ there are still many areas to address, the whole issue of collective responsibility, shared-responsibility is what IOM has been trying to promote among states. Who is on borders, how do you manage your borders, who you remove, who you exit... all these are very important aspects, which require collective responsibility (From interview with the representative of IOM, 21.03.2012, Ankara).

As it can be seen above, collective responsibility also refers to ‘burden-share’ among the countries. In the light of the above-given responses by the respondents, it should be emphasized that there is a need for a more comprehensive approach and a more balanced integrated human rights based comprehensive approach regarding migration. There is much diversity versus cohesion, facilitation versus control, individual rights versus state rights. They have full right to who they want to dismiss or punish and this should be more balanced.

Concerning ‘balance’, the representative of the MoI- General Directorate of Security approached the issue from a different perspective by emphasizing the need for balanced policies in the field of irregular migration.

*Migration management should have both hard and soft power. It should not be too hard or soft. Being soft does not mean that to approach migrants softly; but I am talking about flexibility. In case of nay need, it should revise and change itself. The Directorate General of Security could manage to do so. Both the Passport Law and also Visa Regulations are so attached to each other as I mentioned soft-hard power. For having outcomes faster, you cannot close your borders. **Thus, there is a need for balance. You will not let everybody in; but also you will not reject everyone as well** (From interview with the representative of MoI, 16.07.2012, Ankara).*

In relation to the final findings regarding this aspect, one of the most controversial aspects regarding the implications of the EU policies in this field of immigration and asylum, but particularly irregular migration, can be seen as the ‘burden-share’ dimension.

First of all, it is criticized for the limited definition of the concept itself, which is mainly limited by the financial aid as stated below.

***Burden-share does not only refer to financial assistance; but also it should mean that being able act together and take care of the sociological and cultural aspects in cooperation. But rather, we come across with a remote control approach by the EU. To say that ‘irregular migrants in your border are your problem, not mine’ is not acceptable approach. ‘As long as they are out of my territories, I am fine’ and ‘my main concern to keep them (refers irregular migrants) outside of my borders’ cannot be seen as a constructive approach at all** (From interview with the representative of the MoI- Asylum and Migration Bureau, 06.04.2012, Ankara)*

Concerning the burden-share and within this framework financial aid, the Director of the Political Affairs Directorate within the Ministry of EU Affairs highlighted the EU's support through the IPA and the relatively big proportion of the aid regarding immigrant and asylum policy. He stated that there is no deadlock regarding burden-share; but mentioned a general dramatic drop in the pre-accession financial assistance since the 1990s. He emphasized that today; the candidate countries receive only 5-10 per cent of what Greece, Spain and Portugal received during their pre-accession period. He mentioned that until 2011 and during the last decade, there was 160 million Euros used for immigration, asylum and integrated border management. He added that

The EU has been doing her part; but the Union has to be stick to her own rules. They cannot invest money for infrastructure projects, as the candidate country you should do this; but there is no institution in Turkey. In Turkey, institutions in this field are still highly fragmented. On the one hand, Turkish Armed Forces and on the other the MoI take place. The EU's budget just for the integrated border management was 6, 5 million Euros including trainings, software programmes, equipment etc. If you want to share the burden for this, only 20 per cent equals to 1, 2 million Euros, which is higher than the financial aid from all the fields that support by the EU. But, do not forget that the EU is also in a severe economic crisis. The Commission does not even make a coffee for itself, because it could be criticized by the MSs in this crisis sphere (From interview with the representative of the Ministry of EU Affairs, 06.04.2012, Ankara).

Most of the respondents approached burden-sharing from an international cooperation point of view, which is needed particularly in the case of irregular migration; because of its complex and multi-player characteristic. In this regard, it is emphasized that there are additional difficulties for Turkey in terms of its geographical location. The Deputy Director of the Foreigners, Borders and Asylum Department of the MoI pointed to the imbalances among the countries as follows “countries that have been dealing with 3-5 thousands migrants have been bawling; but we have Iran as a case. Until know, this country has been silent in dealing with all of those Afghan refugees. Problems in Afghanistan are not the fault or results of Iran's policies; but sometimes, you have to deal with someone's fault...” (16.07.2012, Ankara)

Finally, in the framework of burden-share and in relation to the financial aspects it should be mentioned that reception and removal centres have been established with EU

support and also the twinning projects of some of the member states. Concerning this aspect, the EU representative emphasized the importance of this support but also guarantor-ship of the civil society organizations for their management in terms of avoiding violation of rights as follows:

Concerning to irregular migration, the on-going twinning projects are important, which aims to establishment of 7 reception and 2 removal centres in different provinces in Turkey, particularly the removal centres are important of cause. But we are not that much naive to think that the problem will be solved with these establishments. As much as their existence, the services and also the management of those centres carry utmost importance. The 'ex-foreigners guest houses' were the places for violence, inhuman treatment and even an intense corruption, which were reported by the civil society organization. Thus, these 9 centres are just the beginning, the role of NGOs increases. Regarding removal centres and administrative detention, the EU acquis supplies the Return Directive as the most important legal document concerning irregular migration. This directive clearly states that those centres should be open to NGOs and lawyers. Before this directive, including the UK, 7 countries had no time-limitation for administrative detention. For example, France has 32 days, Italy 40, Spain almost the same. By the directive a limitation is brought and important improvement for the procedures and conditions were realized (From the speech of the high-level Eurocrat, 17.12.2011, Istanbul).

5.4.3. Border Management and the Role of FRONTEX

Concerning 'irregular transit migration from Turkey to Europe, 'border management' carries the utmost importance in the eye of the EU. Previously, the existing EU policies and the main structure in Turkey with the demands that were coming from the EU were examined. Even though, at meso level there are important findings and even more concrete samples to be found, under this title only interviews that are categorized as a part of the macro level will be examined.

The main findings regarding 'border management' in relation to 'irregular migration' can be summarized as follows:

1. Physical and geographical difficulties as well as length and size of Turkey's external borders regarding border controls;

2. Absence of integrated border management, which also refers to divided and highly fragmented institutional mechanisms for border controls;
3. Need for urgent modernization of the borders with high technologies as well as trained professionals for the border troops (requirements for both physical and human resources for the borders);
4. Narrow ‘Security-based’ approach to border management and ignorance of the economic, social and political factors (e.g. ‘economisation’ of migration);
5. The need for appropriate measures and tools for border management instead of outdated instruments such as building ‘fences’ or ‘ditches’ at borders;
6. High level of corruption at border crossing points;
7. Special situation in Turkey regarding ‘compulsory military service’, which refers to the temporary missions of third lieutenants causing employment of untrained personnel at borders;
8. Lack of burden-share and problematic border management policies of the neighbouring countries, particularly Greece and Bulgaria;
9. Self-oriented and security-based approach of the EU policies and seeing Turkey as the “buffer-zone country” or a “dumping zone” for combating irregular migration.

As the Refugee Coordinator of AI, who has worked at one of the main entrance borders of Turkey (Van) for many years; this representative of AI provided important feedbacks regarding ‘border management’ as well as the nexus between irregular migration and the smuggling sector by referring to economisation of migration. This quotation also touches upon the 4th, 5th and 6th points above.

How can you distinguish irregular migration, border management and smuggling? For example Turkey-Iran border through Van is one of the longest land borders of Turkey. Both because of its physical and also sociological characteristics, it is highly difficult to control it... Turkey, the highest country in Europe, thus the Eastern Borders are very difficult to control, to control both entrance and also exits of course...This border is important not only for irregular migration; but also as one of the most smuggling intense border. They have been smuggling everything there, which can be converted to money ranging from cigarettes to human beings. It is impossible to control this border. In addition, controlling the law enforcement implementers appears as another difficulty, which is not possible for most of the times. We have been hearing things... you know how many times the dismissal of all of the soldiers serving in the border patrol have

been the case... It is a fact that there have been many of dismissal of those from the operations, because of they are also infected with works such as smuggling corruption, bribing... I mean, that border is like the Mexican border, where a big deal of money in the business... (From interview with the representative of AI, 20.03.2012, Ankara).

Concerning the border management in relation to the geographical and physical difficulties, it is stated that

Annual average of apprehensions is about 40-50 thousands. According to the EU authorities claims that approximately 80-100 thousand have apprehended as they were border crossing. Of course, this is their claim. However, it is a fact that illegal migration is one of the most important agenda for the negotiations between Turkey and the EU at different platforms. Now, due to Turkey's eastern borders and south-eastern land borders as well as sea borders; there is a pressure regarding illegal immigrants; but Turkey has been facing with difficulties regarding protection of the borders. Particularly, the eastern borders are very mountainous, so it's really difficult to control. There are necessary technology investments to combat with human trafficking, smuggling and illegal immigration (From interview with the representative of the Border Management Bureau, 05.04.2012, Ankara).

In terms of border control, not only the psychical difficulties, but also the extremely easy psychical conditions of the external borders were mentioned by the representative²³⁶ of the Police Academy , who has been working in this field for many years as both a police officer and then as an academician.

Transition and border crossing are extremely easy at some border crossing points. I mean, even though Istanbul-Edirne highway have been under control, there are many other alternative routes. One day, one smuggler told me that 'so let's go together and I will show the alternative routes to you'. There are so many ways that you go to the top of the mountains or hillsides... Both Greek and Turkish sides have observing towers; however, they are standing there like a symbol without having soldiers on them. There are also border headquarters; but it is a fact that there's no reason for people not to cross borders and to go to the other side. If there is also corruption in it, there is nothing to stop you. So, when I was there, I was really surprised by not seeing any obstacle for smugglers or illegal

²³⁶ The respondent was one of the researcher for "Türkiye'de Yasadışı Göç ve Göçmen Kaçakçılığı: Karakteristikler, Metotlar ve Profiller/ Illegal Immigration and Migrant Smuggling in Turkey: Characteristics, Methods and Profiles, TÜBİTAK Projesi, SOBAG 1001- 190K244, 2009-2011; which supplied significant insights for this study. As a part of this project, interviews with 54 smugglers, 75 experts working in this field and 1334 irregular migrants were realized. The project final report can be retrieved from <http://www.utsam.org/IcerikDetay.aspx?pid=383&cid=8&lang=tr> (Accessed on 22.07.2013).

migrants. I mean, I have been working in this field for many years, I was pretty surprised. So there is no physical barrier, no obstacle even geographical one, there. I crossed the border as walking; I crossed and re-crossed over and over again... (From interview with an academician from the Police Academy, 18.03.2012, Ankara).

As was highlighted by the Progress Reports and APDs by the EU, as well as being one of the most important findings of this research at macro and meso as well as local levels; fragmented authority and responsibilities regarding border management among different institutions was determined as one of the most significant deficiencies for border management. It should be noted that institutional structure became more unified with the enactment of the LFIP; but there are still some unanswered questions. The following quotation addresses the main problems of institutional structure and the need for professional human resources regarding border management. Briefly, the respondent mentions the 2nd, 3rd and 6th points in two quotations given below.

...migration and border policies of the EU have direct effects on Turkey and because of Turkey's candidate status. Like the other candidates that want to join to the EU, the works in this field, the process has already begun for Turkey... In the current situation as the Progress Reports states, border management in Turkey is divided between the institutions. Land borders are guarded by border troops of the Land Forces Command, which is under the mandate of the General Command of Gendarmerie in Southeast Anatolia; while maritime jurisdiction belongs to the Coast Guard Commands. On the other hand, entry and exit controls are the mandate of the Directorate General of Security Passport Units; while the Directorate General for Taxation and Customs Union has related duties. So when we look at the current situation, we see that border management is divided within four or five institutions. Thus, the Strategy Document of 2003 sets a destination for the establishment of the organization in ensuring compliance with the EU's border management policies and the new law bring a uniform institutional structure (From interview with the representative of the Border Management Bureau, 05.04.2012, Ankara).

In addition, one of high-level officer from the MoI highlighted his/her concerns regarding the existing institutional structure as of 16th August 2012 by stating that

I would like to express both my personal opinion, as well as the opinion of people, who has been working in this field. There is no need to have two different institutions as the General Directorate of Migration Management and Border Management...previously, the concerning task used to be done under the General Directorate of Foreigners of the MoI. Asylum, foreigners, border gates

as well as illegal immigration were under our mandate. At least it seemed that there was unification. We were not dominant in each field or we were not the boss of each field; but the coordination was under our mandate. But now, there is an intense compartmentation... (From interviews with a high-level officer²³⁷ from the MoI, Ankara).

Another high-level officer²³⁸ from the General Directorate of Security expressed his concerns about the new institutional structure that was brought in by the LFIP, where the security-oriented approach and desire of control display themselves as follows:

*The General Directorate of Migration Management says that- I am the boss of illegal migration... They say that- I will also take the money, define the policies, give residence permit, and give visa. I should say that those tasks are easy and you do not need thousands of people (refers to 3000 personnel, which will be working at the Directorate General (DG) of Migration Management). **You can develop cheaper and more effective policies with less people. The most important thing is having the required authority, which was missing in the past.** What about police or gendarmerie? ... As of today, if I see a crime on the street, I catch the perpetrator of this crime and take him to the prosecutor's office. Prosecutor will release or not. It is that much simple affair. This is my job, and I'm accustomed to this system...But with this civil unit, so called civil, there is a great uncertainty. Now whom I am going to apprehend as the law enforcement officer? **Is illegal immigration under my mandate, am I an enforcement institution, what is my authority regarding an illegal operation, is it under my jurisdiction?** ... I use my power and so does gendarmerie. But, what will happen now? Am I going to catch irregular migrants or not? And after apprehension, what I am going to do with them? Who will deport them? Today, you take a person and he/she stays with you? Who will take care of them? Is it my duty? Sometimes you keep them for 6 months, but who will keep them now? The Bureau says that I will give visa and residence permit, then who will clean the pulp? Thus, regarding border management, there will be conflict of authority. As of today, our passport police and also border police are strong; it is the case for the world. In case of trans-border crimes, they also say that we will be in charge. Who is responsible from which part? (From interview with a high-level officer from the MoI, Ankara).*

Concerning the institutional structure, it was also highlighted that not only having integrated border management institutions; but also employment of trained and professional personnel carries the utmost importance for the EU side, which has been and will also be respected by Turkey as well.

²³⁷ Both the date of interview (because of the official records of the appointment) and this respondent's identity are not given intentionally.

²³⁸ Ibid.

One of the most important aspects that the EU has been consistently emphasizing is the need for formation of the unified border management institution with professional border guards. In other words, the existence of the trained personnel appears as a sine qua non element. In Turkey, a large part of the personnel working in the border units are third lieutenants doing their compulsory military service. So, it means that you do not have a professional staff. Of course, at the beginning you supply a training course; but after one and a half years, they are going to be discharged. Then a new group comes and you repeat the same cycle. So, the EU is extremely critical to this fact, which creates border security weaknesses and requires professional staff's employment. Last year, a law came into force, which foresees the employment of contracted non-commissioned officers and third lieutenants, who will not only work for border management but also more effective struggle for fight against terrorism. Thus, professionals will be working at the border troops. Thus, our ultimate goal is not only establishment of a unified border management institutions; but also employment professional personnel that equipped as effective experts at both land and sea borders. (From interview with the representative of the Border Management Bureau, 05.04.2012, Ankara).

In relation to the required in-service training, the representative of the MFA (2012) stated that the EU twinning projects could not be used properly by stating that "...even the EU twinning project could not be used properly in this field. After implementation you see that the trained personnel as a part of this project are assigned somewhere else such as the traffic police." In parallel, another representative from the EU Delegation to Turkey²³⁹ stated that "...professional staff is lacking and sustainability is a real problem. During EU-Turkey twinning projects, there have been numerous in-service trainings for the staff but they have been appointed to other units. Thus, because of this circulation, it is really difficult to keep this trained staff."

A high-level MoI officer (2012) also mentioned two important EU funded integrated border management projects. The first project was emphasized with the positive outcomes regarding conceptualization of IBM through best practices among the EU MSs; while the second one was described with its contribution to the institutional structure, which also realized the examination of 50 border headquarters in the EU MSs as well as in Turkey for preparation of a comparative report. It is also emphasized that technological and technical equipment is needed at the border headquarters as well as the need for development of the administrative and technical capacity. At this stage

²³⁹ The respondent is the member of Justice, Freedom and Security (JFS) of the EU Delegation to Turkey. The interview was conducted on 7th February, 2012 in Ankara.

rather than this high-technology surveillance equipment, I would like to mention what one of the mukhtars²⁴⁰ from an Edirne border village said.

You talk about border management, but the conditions suck in those border headquarters. Those soldiers did not have even washing machine two years ago. This machine was bought by the villager, just imagine their condition. You do not take care of your soldiers in the middle of nowhere and aspect from them to defend your borders with almost inhuman conditions. You have fancy and modern technologies; but the ones, who use them are suffering. Also are the migrants enemies... (Mukhtar01, 12.05.2012, Edirne)

Border management requires not only a security-based approach; but also requires historical, economic and sociological analyses as well as appropriate tools. In this regard, respondents were asked about Greece's border fence at the land border with Turkey in Edirne and also their views about appropriate and more humanitarian measures regarding irregular migration. Concerning 'fences' and 'ditches' or other artificial psychical barriers, there was no consensus among the respondents.

*...the water flows find their beds. In Edirne or Izmir, the water found its way... If you close them, then it will find another way or location; which is already happening in Antalya if you pay attention...It is not possible to completely stop or close it. If it would be possible Turkey has already done this or Greece and Bulgaria. So, if you make a policy of border management, you have to pay attention to the historical roots, which has dramatic match. **In the cities of ancient Greece, we come across with fences as the sets against the enemy, to make the walls for them. Recently, like what Greece, the USA and the EU do, they give high credit to these measures, to these fences or walls. It is the same logic of 2000-3000 years ago for beholding the enemy, which totally fits today's problematic policies regarding irregular migrants. After 2000-3000 years later, these tools become the measures that states In his America's currently up to date, the work of the European Union as the most premium large walls, fences are great. Behold the logic of the enemy, is now fully installed and also the walls of irregular migrants on the sets ... After years of 2000-3000 states that states still rely on...** (From interview with the representative of AI, 20.03.2012, Ankara)*

Similarly, the Deputy Head of the Border Management Bureau (2012) also stated that "I do not believe that fence and similar measure will work for combating irregular migration. These kinds of measures are not correct. Anyway, everything needs to be

²⁴⁰ Mukhtar refers to the head of a village or mahalle (neighbourhood) in Turkey, who is selected by local elections.

done in cooperation with putting his hand under the stone.”, while some of the respondents were supporting fence or similar barriers.

*...So far, it has been a big mistake and carelessness... It is also valid for Greek side not only for Turkey. This has been the case for 14-15 years, but the EU complained about this border management weakness recently. Up to now, Greece has not taken any measure regarding the land border with Turkey, and there have been no physical barriers, which should be seen as a great mistake. **I think this fence is good, even though I have some doubts about its capabilities...ditch (referred to Greek one in Edirne) would be also a successful effort.** This is a physical obstacle and you can provide control as more comfortable. When I have first heard, I was surprised but also congratulated this initiative... **I think a ditch will be a good solution, if they can do this we can be also a little relieved** (From interview with a high-level officer²⁴¹ from the MoI, Ankara).*

Regarding border management, ‘risk analyses’ were also mentioned as one of the most important measures, which are mainly done by FRONTEX at the EU level. The EU intensively focuses on risk analysis, particularly a design of the structure of a common risk analysis for Turkey. Since, it is not possible to control the entire external border of the EU equally; the risk analysis appears as a strategic tool. In this framework, the high-level bureaucrat (2012) states that “...from which routes they come from; which border crossing points that we should concentrate; where we should have more personnel or where more technology-intensive tools should be employed? Here, we come across risk analyses in order to develop a common and effective analysis.”

In the framework of border management, FRONTEX should be focused on in detail. As it was mentioned earlier, between Turkey and the EU, a memorandum of understanding was signed regarding cooperation with FRONTEX. During the interviews, respondents were asked about both their institutional and personal evaluation concerning the role of FRONTEX regarding irregular migration, the previous and on-going joint operations at the Greece-Turkey borders and the possible impacts of the memorandum of understanding with Turkey.

²⁴¹ Both the date of interview (because of the official records of the appointment) and this respondent’s identity are not given intentionally.

In general, it can be said that respondents expressed their concerns regarding FRONTEX's statistics; because of the Risk Analysis Reports they were also used as the secondary source for this study which relies on statistics. FRONTEX was accused of not reflecting the realities and exaggerating the role of Turkey in terms of irregular migration to Europe. The following quotations are representative of this aspect.

*...This year, as the Ministry of EU Affairs, we told them to be more rigorous in the figures. Last year, we found out one mistake at the risk analysis report, which was expressed during the related head of DG (refers to Directorate General) around at the end of 2010 or beginning of 2011. **The report was claiming that 90.000 illegal immigrants were caught crossing into Greece from Turkey and they put this figure even at their web page. Then, we showed the map and explained how they mixed the figure with the ones who came from Macedonia, Kosovo or Albania and not from Turkey. Thus, only 45.000 or 55.000 can be as the number of those, who came from Turkey, the other half belongs to those countries. But you claim that they were all captured from Turkey. First, they have to check their figures** (From interview with a high-level bureaucrat from the Ministry of EU Affairs, 06.04.2012, Ankara).*

However, the lack of reliable data regarding irregular migrants is also a problem for Turkey as well as the other countries in the world. Previously, the deficiencies of the statistics in this field were discussed with the secondary existing statistics in this field. It is a fact that not only the irregular migrants, but also the statistical information for regular migrants is problematic.

***In Turkey, we do not have a reliable data. There are different and inconsistent data all over the places. If you ask to gendarmerie they will come with something and security forces will come with another. Particularly, in terms of irregular migration there is no concrete data at all. 200 thousands or 10, it does not make sense for me. For example there are irregular migrants, who apprehended by police, and there are others arrested by gendarmerie. In addition, the escapees are just estimated. Turkey does not even have statistics for the regular ones. Recently, as Amnesty International, we asked officially the number of refugees in Turkey. The Ministry gave the number as 17, but last year we were told like 43, and the official report by the Turkish Parliament argues that there are 45. 45, 43 and 17... This is not 5023 and 5046... How can you be confused with these extremely low numbers?** (From interview with the representative of AI, 20.03.2012, Ankara)*

Similarly, it is stated that there is no statistical data, which can be seen as 100 per cent accurate; but the deputy head of the Directorate of Foreigners, Border and Asylum,

argued that rather than Turkish Armed Forces statistics, the DG of Security supplies more accurate figures regarding irregular migration through apprehensions, arrests and the migrants at the removal centres.

Another important concern, which is the case for both meso and macro levels is the efficiency of FRONTEX. The majority of respondents did not see FRONTEX as a well-functioning EU institution; but an entity where small and relatively new members can show themselves and feel useful within the EU structure. The below given quotation summarizes the general position of the respondents regarding “What do you think about the capacity of FRONTEX and similar entities for prevention of irregular migration” question. As a concrete example, the decrease in Izmir and the Aegean Sea as a departure point and the increase in Edirne was used (at that time it was the case, however before the completion of the study, a meaningful increase occurred in Izmir; while the numbers of apprehension was dramatically dropping in Edirne). It should be noted that findings regarding FRONTEX appear more political at this level; while in the target cities display more operational aspects.

I think that they (FRONTEX) are not very effective, because first of all the subject mainly belongs to national level, national territories. They are also not welcomed by some of the member countries as well. You know what, one priest or metropolitan pastor preached about FRONTEX officers as expressing that they work for quite high salaries and they have been distancing Greek citizens from orthodoxy and they make the Muslims irregular migrants legal; thus FRONTEX should leave the country. This is the perception of citizens about FRONTEX. Spain claims that in the past they were ships of irregular migrants and now, the problem is solved because of FRONTEX. Also, FRONTEX itself is quite proud with its works, operations. I am not sure that this is the success of FRONTEX. In the last December, I was in Spain. On the beaches, there were Indians and Bangladeshis; actually they were living there under the reeds and as collecting money. If there are not hundreds of people drown in the sea, then they remain as invisible (From interview with a high-level bureaucrat²⁴², Ankara).

Some of the respondents pointed to efficiency, methods and human rights violations concerning FRONTEX. On the one hand the methods which have been employed by FRONTEX were criticized and on the other hand, the absence of a control mechanism

²⁴² Both the date of interview (because of the official records of the appointment) and this respondent's identity are not given intentionally.

for the FRONTEX's operations was emphasized. The claims regarding FRONTEX's human rights violations became more visible and also concrete during the field research in Edirne as will be displayed in the coming chapter.

*They build (refers to the EU and the MSs) walls around the Fortress of Europe and there is a need for border troops or guardians at those walls, which refers to FRONTEX. States would like to close their doors to migrants. The phase that we have been passing through is actually a very interesting. **These states have been forming and encaping an army and pouring money to this unit just for stopping their enemies, who are migrants. I do not say that it is totally dysfunctional; of course they kill after all. FRONTEX is proud with the decreasing number; but on the on the side we have been watching killings. Last year broke its record in terms of immigrants' deaths. 500-600 people were killed before the eyes of the whole world. If it is the success, then yes FROTEX is quite successful indeed. If the combating with irregular migration refers to this, there are many ways to do so. Not only FRONTEX; but their national armies can do the same thing. If there is a need for killing immigrants, sinking ships, making them die because of starvation; there is no need for FRONTEX. Countries have already their own coast guards, planes, helicopters and armies... But, you know what this is a humanitarian tragedy; it is a crime against humanity** (From interview with a respondent²⁴³, Ankara).*

Similarly, a high-level bureaucrat expressed his/her evaluation regarding the border management issue as follows:

*As Turkey, we should decide, where we should stand. We do not separate people as Muslim or Christian and unfortunately it is a fact that we do not take care of them; but still we do not want to see them as dying. But at the removal centres the conditions are not good and there were inhuman and sometimes violent particularly during the former foreigner guest-house period. In practice, yes this is the reality and these are the conditions that we supply for accommodation. Then international human rights organizations find rights to themselves to ask- how can you make them stay in these conditions, and yes, they are right... **At this stage you cannot say that-yes, but Italy and Greece watch them as they are drowning, that is why we have this picture in Turkey. At least we do not let them die. We do not do this not because there is no diplomacy; but you cannot blame that like that. That is why, having its own migration policy is extremely important for Turkey. Thus, even though FRONTEX claims that they have a victory or they care the burden-share, this does not reflect the reality. The EU is helpless; it cannot help even to herself** (From interview with a high-level bureaucrat²⁴⁴, Ankara).*

²⁴³ Both the date of interview (because of the official records of the appointment) and this respondent's identity are not given intentionally.

²⁴⁴ Ibid.

Respondents, who have operational experience, expressed the differences between the real capacity of FRONTEX and the existing perceptions about the institution as follows:

Sometimes, even the name of FRONTEX is enough and has a deterrent effect. But the experts of smuggling business know everything, when the border guards will come patrolling, when they change their shifts... There is no surprise and everything is so routine. FRONTEX officers work like public officers. In addition, they use extremely old speed boats. Besides its disincentive name, like Turkish Coast Guard troops, they should employ mobile land radar, night vision glasses, helicopters etc. The real impact can be obtained with them. (From interview with a high-level diplomat from the MFA, 17.04.2012, Ankara)

Similarly, the perceptions about FRONTEX were stated by another public officer as follows:

I was still working at operations, when FRONTEX was established. I know that smugglers are so afraid from FRONTEX, but the reality I mean the capacity of FRONTEX is a huge lie. If their aim is to control and change the perceptions, we can say that they are really successful with it. In Turkey, the marketing process for FRONTEX was quite effective as staying on the headlines of the big newspapers... FRONTEX's working plans do not fit to Turkey. Maybe in the long run, they can work together; but it will not be so effective. FRONTEX is a building in Warsaw with hundreds of officers there. Despite the existing perceptions about it, it is not more than this... (From interview with a public officer²⁴⁵ for the MoI, Ankara)

Concerning cooperation between Turkey and FRONTEX, since Turkey is not one of the EU members, the memorandum of understanding is defined as quite a limited protocol and mainly the representative of law enforcement bodies were critical of its impact on the national territorial borders. In addition, the technology of transfer was defined as not a real 'transfer' at all, since FRONTEX were sending dated equipment with old technologies (e.g. smaller and worn-out speed boats to the Coast Guard Commands). Within this framework, the Sector Manager from the EU Delegation to Turkey stated that

²⁴⁵ Both the date of interview (because of the official records of the appointment) and this respondent's identity are not given intentionally.

In the field of irregular migration, particularly for better management of irregular migration, “managing borders” is significant. Maybe it is the most important thing. In this regard, FRONTEX appears as an important stakeholder. In many of the countries like Turkey both transit and source, this kind of institutions are required (From interview with a Eurocrat, 07.02.2012, Ankara).

Cooperation between Turkey and FRONTEX is also evaluated by one of the officers from the MoI (interviews on 16.07.2012, Ankara) as “cooperation will be beneficial, as long as FRONTEX will be honest and not try to deceive Turkey. For international relations, it is the case. Each country takes care of its own national benefit.”

Briefly regarding FRONTEX, As the most important cooperation document, it was claimed that the memorandum of understanding between the EU and Turkey does not consist of a ‘joint operation’ and the majority of representatives from the law enforcement bodies and also the Ministry of EU Affairs and MFA stated that Turkey is not keen to take part within those operations unless it has a voice in the decision making mechanisms. However, the cooperation was also determined as a significant development.

Regarding the EU policies, in relation to Article 4, the following quotation shows the importance of an integrated approach to border management.

Border management is such a complicated and comprehensive issue. It cannot be realized by one institution, which plans and implements rather requires an integrated approach. You have to make social structure analysis as well, which requires series of investments, employment-based projects to prevent those people (refers city-dwellers, Turkish citizens and also smugglers and irregular migrants) from crime; but as supplying them alternatives. As the Border Management Bureau, we are at the preventable dimension (From interviews with the representative of the Border Management Bureau, 05.04.2012, Ankara).

In addition, the following quotation expresses the existing concerns as well as critiques regarding both the EU border management approach and its implementation in the MSs.

To EU policy does not prevent forced migration or deprivation of people; but they just try to build walls. The general logic behind the policy is that. Maybe they also cannot do a lot for this. Thus, I can say that at least their logic has its point. But from the EU side, I can say that being completely sincere appears as

*problematic. But, also it should be noted that they approach to this business, to prevent illegal migration professionally. They do not approach them as they have a soul and fragile; but rather like a subject. **They provide unbearable life for illegal immigrants. This is not self-expression; but based on their testimonies (immigrants). They apprehend, they detain, and they put them at removal centres for days. They feed them with foods that those people cannot eat or they put them in cells as their hands are tied up with plastic handcuffs. They apply a psychological violence. You will go, and if you do not go, then your life will be fading away. This is the message that they give. They detain them for 3 months, 6 months and after, they release them. Then, they apprehend again and everything starts once more time. It is always a psychological thing. If you come to Europe, then this is the case...** (From interview with a high-level officer²⁴⁶, 06.04.2012, Ankara)*

*... **The struggle against illegal immigration and border management of the EU has been increasingly becoming security-oriented. So, we would desire more humanitarian; but right now, we understand that the EU regulations in this field aim to put the EU in an iron cage and strength the external border even more. Currently it is the state of affairs. But we are identical rights in Turkey are different. As Turkey, we are affected because of irregular migration; but as differently from the EU. The EU more options, they have change to be more selective for accepting immigrants into their countries. But we are in touch with the source countries of illegal migration; because, we have borders with them. But, on their way to the EU, there are kilometres, thus for the EU it is easier** (From interview with the representative of the Asylum and Migration Bureau, 6th April, 2012, Ankara).*

5.4.4. Visa Policy

In the field of ‘visa policy’, the main concerns of the EU appear as standardization of the visa procedures and parallel implementations for both the negative and positive visa lists. Visa policy, more specifically Turkey’s demand for mutual visa exemption was also mentioned as one of the most important part of ‘conditionality’ between the EU-Turkey relations. As can be seen from Appendix A, concerning visa policy and its relation with irregular migration; the liberal visa policy of Turkey, Schengen *aquis* and its implications for irregular migration and migratory routes, the EU’s demands from Turkey were asked about to respondents.

²⁴⁶ Both the date of interview (because of the official records of the appointment) and this respondent’s identity are not given intentionally.

In respond to my question regarding Turkey's liberal visa policy and irregular migration nexus, there were two different types of answers. The first group focused on the difficulties of the adopted liberal visa policy by Turkey to combat irregular migration by approaching it critically and defining it as a "political decision"; while the second group criticized the EU more. This group criticized the EU for both asking for adjustments in its negative and positive visa list and also not giving it to Turkey, which was defined as a right for Turkey based on the existing treaties. In addition, macro-economic targets and trade priorities were used for justification of their support. At this stage, it should also be noted that in general at macro level liberal visa policy is supported; while at the city level (Izmir and Edirne), the policy implementers were more focused on negative impacts in practise.

Concerning the macro-economic policy in relation to visa policy, the following quotation summarizes the main concerns.

*For the ones, who approach the issue as officers; but not from a political perspective, it is difficult to understand and this liberal approach remains as a question mark in their heads; but there are also political and macro-economic dimensions. As Turkey we will be in harmony with the EU's visa lists; but the EU will still keep visa barriers against us... It is not acceptable. As Turkey, we have been targeting development. Today, Gaziantep, Kilis, Kahramanmaraş and many of the others have realized industrial breakthrough. In the past, Kahramanmaraş had to find foreman from Adana; but today, it has become a big industrial city its own. Gaziantep has 7 organized industrial zones. Those provinces are away ahead in terms of industry if you compare them with Ankara. What will you do, if you want to sell you products to Georgia or Belarus, then visa barriers should be removed. **The EU has already removed visa condition for Ukraine and Russia... Today, if one country does not give visa to a businessman, then he withdraws his offer and does not go there. He says that I do not have to do business with Germany.** Today, there are new markets in Africa or many other parts of the world. If you can go to Dubai, if there are other alternatives; why you push that far? (From interview with a high-level diplomat, 06.04.2012, Ankara).*

Similarly, a high-level bureaucrat²⁴⁷ mentioned the macro-economic dimension of the liberal visa policy of Turkey by stating that

²⁴⁷ Both the date of interview (because of the official records of the appointment) and this respondent's identity are not given intentionally.

*This is not a political decision; but this is to be surrendered by the Ministry of Tourism. This is the victory of the strong lobby of tourism sector. **You can explain this liberal visa policy with the pressure of the umbrella organizations of business circles that close to Turkey.** The weight of tourism and also trade sectors, in other words I make money from those circles and you suppose to implement a liberal visa policy. Money is sweeter than honey.” (From interview with a high-level bureaucrat, Ankara)*

Concerning visa exemptions and bilateral agreements against the EU’s visa lists, the most detailed explanation comes from a former police officer as follows:

*It seems inconsistent, doesn’t it? I have been working as the public officer and at this stage; we cannot say that Turkey does not want to combat with irregular migrant. It is not a correct deduction. But if we say that Turkey has been facing with difficulties to manage migration, it will be more accurate. But there are some indications and we should reconsider them. For example in 1990s, there were Iraqis, when we were letting people to come from Northern Iraq as groups. Here it is in 2005 and 2006, which refers to the period when people were coming from Moldavia, Ukraine or Russia as flows because of prostitution. But, what we done, we supplied visa exemption for these countries. During this period, many victims of human trafficking were saved and they were sent back to their home countries; but at the end we could not apply visa or we could not abolish their visa exemptions. Furthermore, in 2008, Turkey agreed with the CIS on one-month visa exemption, and then the victims of human trafficking were changed as Turkmen Uzbek Kyrgyz. Then, you question this policy. For being understand the issue, you should visit eastern and south-eastern borders in particular, or you need to be at Hakkari. Again, we cannot say that Turkey does not want to control; but it is extremely difficult. But you also have to think this out. Many people are deciding on the management of state data. For the decision-making at the highest level, numerous indicators should be taken into consideration. Thus, **when your economic inputs as well as your political expectations are higher than your security concerns, then your action changes its track. That is why, we are about to give visa exemption to Nigeria, which represents the most problematic nationality of irregular migrants, who has the highest crime rates that mostly related with drugs in Istanbul. I think, when we compare our economic targets with our security strategies, the first one is overbalanced** (From interview with a public officer²⁴⁸, Ankara).*

In parallel, the importance of trade and the EU’s discomfort concerning Turkey’s liberal visa policy is also stressed.

²⁴⁸ Both the date of interview (because of the official records of the appointment) and this respondent’s identity are not given intentionally.

*Turkey does not fit its shell and it has been intensively a growing country in the recent years. **For being able to active in the trade world, we need liberal visa policy. You cannot be active in the target areas as applying strict visa policies.** But, the EU is not happy with it. The latest risk analysis report of FRONTEX claims that Turkey's liberal visa policy does not match with the efforts for combating with irregular migration. They have been complaining about Turkey's policies. On the other hand, Turkey is so sensitive on its sovereignty and independency as each country should be. But, since Turkey is not a member of the EU, it cannot be the subjects of these limitations. **The EU says that you cannot benefit from my advantages; but you have to undertake your duties and share the burden with me. This is against to Turkey's national interests** (From interview with the representative of the Border Management Bureau, 05.04.2012, Ankara).*

During the interviews, due to the recent developments in Syria, the respondents were asked about the increasing numbers of Syrians under 'temporary protection'; and also about the mutual visa exemption between Turkey and Syria. The following quotation represents the majority of responses.

*This is a decision that taken by the politicians. We have to comply with it. If the decision is taken and if there are negative effects; then avoiding these effects is our duty. But also there are advantages. I think that maybe not for all countries; but with some of them, these kinds of visa exemptions can be beneficial as long as with a balanced implementation. Because, these visa facilitations develop human relations, mutual cultural understanding as well as economic and trade-based relations. Our problem is labour migration; but as developing their trade you also prevent migration from source countries. **For example, we applied this strategy to Syria and there has been no damage at all. We are having difficulties; because of the war now. But at the end, the worst case that they come and they work. This is economization of migration. If you bring someone from Georgia, she/he can work for 600 Turkish Lira monthly; but you have to pay two or three times more to a Turkish worker** (From interviews with a public officer²⁴⁹, Ankara).*

As can be seen above, visa policy has a close relation with the economisation of migration as well. Concerning the EU's expectations and also the requirements for Turkey in terms of visa policy, the IOMs representative stated that "Turkey's visa policy is not uniformed. When you look at the other liberal regimes, you see more comprehensive approaches; where everybody is treated the same way. Turkey does not apply a uniform policy towards all EU citizens as regards the visa obligation." (16th April, 2013, Ankara).

²⁴⁹ Both the date of interview (because of the official records of the appointment) and this respondent's identity are not given intentionally.

In the framework of both ‘border management’ and also ‘visa policy’, the Schengen *aquis* also appears as an important EU policy with its specific impact on both Turkey and the other external border countries such as Greece, Italy, Bulgaria etc. Since, by the Schengen Zone, the internal borders were abolished, the pressure on the external borders has been significantly increased. As soon as they enter a member of the Schengen Area, migrants are not faced with border controls. Thus, rather than Bulgaria, Greece appears as more important in terms of irregular transit migration from Turkey through the EU. During the interviews, one of the questions was about the decreasing irregular border crossing in Izmir and increasing numbers in Edirne. In this framework, both the role of Greek and Bulgarian immigration and asylum policies were questioned. As a consequence, the majority of the respondents emphasized the importance of the Turkish-Greek border as well as the high level of apprehended migrants at those BCPs could be explained by the Schengen Zone. In addition, the need for a policy instrument for developing trade and social relations and even regional integration was mentioned. From Turkey’s perspective, these aspects were important for the negotiation process for the readmission agreement and visa exemption.

5.4.5. Readmission Agreement and Turkey’s Return Policy

In the previous part, as the ‘return policy’ of the EU both the rationale and the existing readmission agreements were examined. In the case of Turkey, since the mutual visa exemption requested by Turkey can be seen as the pre-condition for signing the readmission agreement with the EU’s; this part also displays a concrete case for examining the ‘conditionality’ of the theoretical part.

The main findings concerning ‘readmission agreements’ particularly the existing protocol with Greece and the potential agreement with the EU can be summarized as follows:

1. The majority of the respondent stated that readmission agreements have the potential to decrease irregular migration;

2. Readmission agreements may create an unintended and unwanted ‘sending back chain’ (mainly highlighted by the civil society organization representatives as well as the UNHCR);
3. As a result of initialization of the agreement, Turkey will become a “buffer-zone” or “dumping state” for the EU and in terms of capacity, Turkey is not ready yet;
4. Instead of signing this agreement, the existing geographical reservation to the CRSR (1951) can be removed; but it should be still applied as de facto instead of signing the readmission agreement;
5. ‘Not visa facilitation’; but ‘visa exemption’ conditionality should be kept by Turkey in the case of initialization of readmission agreement;
6. Difficulties regarding implementation of the readmission agreements and particularly the protocol between Turkey and Greece were mentioned;
7. Importance of ‘burden-share’ was emphasized;
8. Readmission agreements can be evaluated as a part of expulsion and return policies. In this regard, not only the readmission agreement between the EU and Turkey; but also the need for development of the expulsion capacity of Turkey was emphasized.

Concerning the first point, a high-level Eurocrat stated that

*As you know, the readmission agreement between the EU and Turkey has been politically associated with the visa exemption condition by Turkey. But, we have no doubt that this agreement will be signed, ratified and implemented by Turkey. Within this way, the EU and Turkey cooperation in terms of migration, asylum, irregular migration and border management will be strengthened. **It should be noted that in the medium term, readmission agreements decrease irregular migration and the similar type of movements. It will be the case for Turkey, because people as well as their networks in their home countries and also smugglers will be informed that this path from Turkey to Europe is no longer open. Then, they will change their routes. But in the short run and increase for apprehensions and detentions should be expected.** Of course, we cannot speak as 100 per cent sure; but most probably the numbers will be increasing in the short run. As long as the apprehensions and detentions will increase, the role of NGOs as the guarantor or their rights and access to related human rights mechanisms will gain importance as well (From the speech of the EU Delegation representative, 17.12.2011, Istanbul).*

In parallel, the following quotations also represent the nexus between irregular migration and readmission agreements.

I think, signing readmission agreement with the EU may create an important impact on irregular migration. Because, this will affect many people who have come to Turkey as regular or irregular migrant and would like to use Turkey as a transit country on their way to other countries; because, not everybody would like to stay in Turkey. But, their choice cannot be judged since the Turkey's reception conditions are not quite welcoming. Just imagine lesbians, gays, bisexuals and trans-genders (LGBT) refugees or think about people within Kurdistan parties. Turkey is not an ideal country for them. But Turkey is one of the latest countries, which still keeps the geographical limitation... Readmission agreement is related with Turkey's general policy regarding the EU. If Turkey would like to be as a part of the EU, then she has to sign this agreement. She cannot escape from this fact (From interview with the representative of AI, 20.03.2012, Ankara).

Concerning the impact of the readmission agreement, one of the high-level bureaucrats stated that

...readmission agreement with the EU will decrease irregular migration, particularly for the ones who aim to reach the EU or USA. If they know that they will be sent back to Turkey, they will not come to Turkey then. Readmission protocol with Greece has different characteristic; because we only accept only citizens of the neighbouring countries. For example, if the person comes from Iran. Greece has been complaining about this strategy of Turkey; but frankly speaking we do not apply this protocol and we won't (From interviews with a high-level officer²⁵⁰, Ankara).

Representing the EU Delegation to Turkey, the FSJ Team member of the EU Delegation to Turkey focused on the role of the readmission agreement to combat irregular migration.

*Concerning to your question about readmission, you know that it has been almost completed. And also as you observe, it become a real bargaining tool for both sides. Maybe in the long run, the protocol between Greece and Turkey will not be needed anymore. But we need practical solutions. **Readmission agreement is important for migration management and also combating with irregular migration** (From interviews with a Eurocrat, 07.02.2012, Ankara).*

One of the respondents, a high-level officer²⁵¹ from the MoI argued that readmission agreements should be seen as a tool for combating irregular migration as long as a well-

²⁵⁰ Both the date of interview (because of the official records of the appointment) and this respondent's identity are not given intentionally.

²⁵¹ Ibid.

established cooperation between the EU and Turkey exits by approaching these agreements as dissuasive instruments for irregular migrants.

Readmission agreements are disincentive. Of course you cannot send back all the apprehended migrants at once; but if you readmit one of them, you will convince at least other ten migrants not even try to come. This is a psychological issue. Because, irregular migrants will see that there are tremendous distance between themselves and their final destination with a high possibility to be sent back. The collectiveness is extremely important among the migrants and their networks share the news right away. That is why those agreements and implementations are quite disincentive. But 'burden-share' should be the principle. Whenever they say that those migrants came from your country and you are the responsible one, then a great trouble will arise; because you overcharge and blame the other side. As it is the case for Greece, they have been accusing Turkey. They claim that irregular migrants come from Turkey; it means that you do not also protect your border properly. Do those migrants dig tunnels under the sea? You should also protect your external borders. Yours is border and mine is too. Also Turkey's external borders are much longer than Greece (From interviews with a high-level officer from the MoI, Ankara).

During the interviews, I did not come across a single respondent who supports a readmission agreement between the EU and Turkey at both macro and meso levels even though its capacity to decrease irregular migration was accepted as a fact. Two different rationales were found behind this objection, which mainly occurs with the public officers or all the policy implementers at both macro and meso level and the representative of civil society organizations. Within this framework and in relation to Point 2 above, interviews with the representatives of the international and national civil society organizations emphasized the negative impacts of readmission agreements by mentioning the chain returns. While even the flight schedules are in line with deportation schedules or vice versa, in the case of apprehension in one of the EU member states, that person will be readmitted to Turkey, then if Turkey has a readmission agreement with the source country this 'sending back' action will continue till the end unless the access to asylum procedure is guaranteed. The following statement summarized the concerns about the 'sending/pushing back' result.

*Not only regarding the possible readmission agreement between the EU and Turkey; but for readmission agreements in general; **our main concern is the creation of a possible chain for sending back as the UNHCR. If you put all the people into a plane to send back their home countries, how we will assure their***

*access to asylum system? The main justification is that you are apprehended, but if you are a real asylum seeker you could apply here, you haven't apply to the procedure and escaped. Thus, you are not a refugee and we are sending you back wherever you came from. Many of the cases were like that. Thus, before initializing the readmission agreement with the EU, there should be ground and functioning protection mechanism first. Recently, readmission agreement has become a part of bargaining process. **But as UNHCR, we state that any readmission agreement should be fair and also respectful to the existing international principles** (From interview with the UNCHR representative²⁵², 03.04.2012, Ankara).*

The below given quotation is mainly related to conditionality as well as the bargaining process regarding readmission agreement with its potential results.

As you know, we inserted conditionality; but negotiations are still on-going. There is a common text, which both sides are agreed on; but as Turkey side, we say that unless you will get the authorization from the Commission for mutual visa exemption, we will not initial this document. Here, there are series of insecurity issues come to play ranging from Cyprus issue to the other macro-policy agendas. Since 2001, we have been struggling even with raising the tension during the meetings and stating that Turkey is not a buffer zone, we are not a dumping state. What can we do at this stage; maybe we can remove the geographical limitation, even though it seems unlikely to happen. Today, the geographical reservation has lost its validity. You can withdraw but do not apply (refers do not obey the requirements), who is going to say something? If the law passes, we will be given more rights to "conditional refugees", thus Turkey will be removing this reservation de facto (From interview with a high-level bureaucrat²⁵³, Ankara).

Concerning the readmission protocol between Greece and Turkey, the difficulties in applying this protocol was mentioned. Responding to the claims by the Greek side, the Deputy Head of the Border Management Bureau stated that for readmission of someone first of all, it should be decided that this person comes from Turkey, by using the supporting documents. Thus, it is very difficult to prove the numbers of readmitted people. The respondent stated that

*For example one person came from Egypt via sea route to Greece and apprehended there. Greece can claim that this person should be readmitted to Turkey; but should Turkey be the detention camp of Europe? **For application of***

²⁵² The interview with the Foreign Affairs Coordinator and Spokesperson of the UNHCR, Turkey was conducted on 3rd April, 2012 in Ankara.

²⁵³ Both the date of interview (because of the official records of the appointment) and this respondent's identity are not given intentionally.

this protocol, the main barrier appears as identification and absence of travel or identity documents. The apprehended migrants claim that they come from Palestine; they do this on purpose; because they know that deportation or readmission to this country is difficult. They speak in Arabic and we cannot understand whether they come from Sudan or Palestine. This is a difficult procedure (From interview with a high-level bureaucrat, 05.04.2012, Ankara).

In relation to the difficulties of implementation as well as the implications for Turkey, one public officer emphasized that

*I do not think that Turkey will sign the agreement (readmission). If it will be signed, it will be only a burden on Turkey nothing else. Even if it is signed, it will not be applicable. We already have a protocol with Greece; but it has not been implemented properly. For example, if there are 100 thousands units, we only accepting 3000 units, if there are grounded and concrete proofs. If we cannot apply and agreement with a neighbouring country, I do not believe that the agreement with the EU will be applicable. I do not think it is possible in practice and even in theory it sounds ridiculous. **Readmission agreement is a part of bargaining and I do not think that it can go beyond this. The EU will say that you do not sign this agreement and cooperate with us as blaming Turkey. It has been the case for many years, hasn't it** (From interview with a public officer²⁵⁴, Ankara).*

It should also be noted that the EU offers 'visa facilitation' instead of 'visa exemption', which is not accepted by Turkey. It was emphasized by a respondent that the offer refers to visa facilitation and the EU will ask for eight documents rather than 9, which cannot be accepted by Turkey. In addition, it was highlighted that limited application in terms of location should be changed and applications should be available not only from Ankara, and Istanbul; but also from Konya, Kayseri or other cities.

The majority of respondents stated that as long as Turkey guarantees herself with readmission agreements with the other transit and source countries, they argue that this agreement will not be signed. In other words, if Turkey will not sign an agreement with Iran, Syria, Georgia and many of the other source countries, the readmission agreement between the EU and Turkey does not seem very likely. By using visa facilitation of even visa exemption, the EU has convinced some countries to sign this agreement; but what about Turkey's capacity in terms of reception and removal? In this regard the below-

²⁵⁴ Both the date of interview (because of the official records of the appointment) and this respondent's identity are not given intentionally.

given quotation from the interview with an officer from a law enforcement institution summarized the above-given concerns.

*Why should Turkey accept them? They are not targeting Turkey. Only half of them maybe; but the remaining part is yours (refers to the EU countries, mainly Greece). If you are the centre for attractiveness, why should I deal with reception of that population? We were almost signing it; but Egemen Bağış did such a great thing to put this agreement on the table for bargaining. As the law enforcement institution, we have been telling the same thing and defending same arguments; but nobody has given attention to us. **Bağış did such a great thing, because readmission agreement should be seen as the ammunition of Turkey with the existing geographical reservation. Otherwise, we could not be talking about the possibility for 'visa exemption'. If the EU could manage to deceive Turkey in 2006, we had already signed the readmission agreement with Greece and it would be such a great trouble for Turkey** (From interviews with an officer²⁵⁵ of the MoI, Ankara).*

Concerning the last point, during the field research, the respondents were asked about their views regarding better management of and a more humanitarian approach to irregular migration. As a part of the policy recommendation but also referring to the existing deficiencies, Turkey's expulsion capacity appeared as the focus of much concern and was a consistently repeated aspect by the respondents. Particularly, removal of geographical limitation and ratification of the readmission agreement with the EU are associated with this capacity. Therefore, this capacity and the respondents' concerns as well as recommendations should be examined in detail.

It can be said that this capacity is seen widely as a part of national sovereignty, which also requires financial capabilities. In addition, as related to the readmission agreement between the EU and Turkey, having readmission agreements with the other transit and source countries appears as a pre-condition of the expulsion capacity of Turkey as is the case in the EU. However, this capacity was also criticized by civil society representatives as being against the spirit of the CRSR and the reason for violations of rights. The below-given quotation represents both the recent important weaknesses; but also policy recommendations for the future.

²⁵⁵ Both the date of interview (because of the official records of the appointment) and this respondent's identity are not given intentionally.

As a state, if you cannot deport irregular migrants, after the negative result of RSD, if you cannot put his/her on a plane, then you cannot deal with irregular migration. In other words, your capacity regarding expulsion and deportation is important. But it is also related with your budget. The amount that you will spend is important; because it will also support your disincentive policies. Also since the numbers will decrease, your cost in the long run will also decrease. However, you already have stock migrants in high numbers, thus at the first stage the first investment will be high. Like establishment of removal centres. Yes at the beginning, your expenses will be high for your investment; but if you can send them back, where they come from it will be a relief... I support human rights of course; but if those people could manage to come to my country as following illegal paths and paying to smugglers and if they do not carry requirements as being a refugee, then they should be deported. For example, there are claims that those soldiers killed smugglers at border (refers to Uludere Massacre). Of course, the punishment for smuggling is not death. But those soldiers did not kill them because of smuggling; but they were protecting and defending the national borders and for being able to do this, they killed. Ok, irregular migrants have also rights, to be treated as human... But to deport them is my right as a state. You do whatever you can do; but they will keep coming. You cannot do something for this, but if you have deportation opportunity or briefly a solid return policy, it is different. You need identity and nationality determination; you need data analysis; you need to put charter flight to the source countries for this... In some cases you need to cooperate with other countries. But of course, everything will be in order; but also you need a flexible policy implementation; because smugglers are so flexible and dynamic. As much as you are flexible like them, there is a chance for success (From interview with a high-level bureaucrat, Ankara).

Another quotation regarding Turkey's expulsion capacity states the importance of the division between asylum and irregular migration by referring to the importance of international protection. In addition to this rights-based approach, also seeing forced and irregular migration as the source of concern for the economy is criticized as follows:

There should be a definite division between asylum and irregular migration. Asylum should be evaluated as a part of international protection mechanism, where any delay cannot be accepted. However, you cannot approach to irregular migrants as the driving force of the economy or you cannot integrate them into your society. You have to deport them, if it is necessary. But, you have to take the required measure to prevent irregular migration. Toleration is not good; because at the end it refers to give incentives to them. They should know that they will be deported and thus, from the very beginning they should follow the legal paths. If we encourage them or if we facilitate their actions; then, Turkey will be the last block of the road. But, if you realize effective informing about the procedure, the ones who would like to come will use legal methods or not come at all. But, as I

said before, you should separate asylum from irregular migration (From interview with a high-level officer²⁵⁶ from the MoI, Ankara).

However, it is a fact that deportation cannot be a solution in the medium and long run as one of the high-level officer²⁵⁷ states that “In the past, we have deported people to Afghanistan; even we have sent them by buses. We put money in their pockets; but all of them turned back. If they find the way, they try again and again.”

Concerning the ECHR’s decisions and the role of LFIP in relation to deportation, one respondent stated that

Concerning irregular migration two things are important. The first one is the deportation process, which is clarified by the new law. In the former legislation, we had two articles related with expulsion, but being able to understand them, you need to be an astrologer. But, the new law is quite understandable and it will supply a sufficient legal ground. Both the appeal procedures as well as operationalization of deportation are explained in details. This will also contribute to the decrease of the cases against Turkey at the European Court of Human Rights; where Turkey has already been labelled as a country with unlawful applications. For the law enforcement bodies, deportation is always a problem, who and how can be deported, who cannot be deported? (From interview with an academician from the Police Academy, 18.03.2012, Ankara).

5.4.6. Asylum and Irregular Migration Nexus

The nexus between irregular migration and asylum was already focused on within the conceptualization part, Chapter 4 and as well within this Chapter. Particularly during the field research, the close relationship between the two phenomena as well as their relationship with the existing policies in this field became even clearer with their implications. Within this part, only the macro level findings will be reflected.

The main findings regarding the nexus and the impact of the existing policies can be summarized as follows:

²⁵⁶ Both the date of interview (because of the official records of the appointment) and this respondent’s identity are not given intentionally.

²⁵⁷ Ibid.

1. At macro level, decreasing quotas for asylum seekers and refugees by the receiving countries create pressure on this population. As a consequence, as much as their resettlement chances decrease, the level of application to irregular methods to be able to reach those countries increases;
2. Turkey's geographical reservation to the CRSR (1951) is determined as a barrier for asylum seekers and refugees coming from non-European countries to apply for the asylum procedure. Until LFIP, they were referred to as "asylum seekers" and were subject to the parallel procedure of Turkey and the UNHCR for resettlement in a third safe country. By the enactment of the LFIP, they are renamed as "conditional refugees", but since the geographical reservation is still valid, some of the respondents do not foresee any meaningful change. Thus, since non-European asylum seekers cannot be accepted as refugees by Turkey and the quotas of the receiving countries have been decreasing; we come across trapped asylum seekers and refugees in Turkey, who apply to illegal method to be able to reach the receiving countries by themselves without waiting out the long asylum procedure;
3. In parallel to the geographical limitation, the majority of respondents mentioned the problems with having no legal status for non-European asylum seekers as well as the extremely fragmented statuses ranging from irregular labour migrant, asylum seeker applicant to be recognized as refugees;
4. Ineffective work by the related institutions and long waiting procedure for the completion of the former parallel procedure were emphasized;
5. Absence of reception conditions in Turkey and the existence of de jure but not de facto rights;
6. Lack of access to the asylum procedure, in particular for apprehended migrants at the removal centres;
7. Dynamic interaction between policies and the unrests in the source countries;
8. Existing violence against non-refoulement principle.

The General Coordinator of ASAM touched upon the macro policies and their effect on Turkey by also mentioning the irregular migration aspect as follows:

In total, receiving countries have announced that they will accept 6000 refugees from Turkey; but the stock migrants in Turkey are much higher than this figure. It means that the remaining part will wait and this waiting period will be quite long. For example, Afghans... Iran, now started to deport Afghans and we have information that 900 thousand Afghans have information regarding deportation. 10 per cent of the 900 thousand Afghans mean 90 thousand deportations. If only 10 per cent of this population come to Turkey, it means Turkey will face with another 90 thousands refugees. Right-based civil society organizations or NGOs working in this field cannot cope with the existing 3-5 thousands and what will happen then? We should increase the capacity. The reality is not like it is seemed from Istanbul, Ankara or Izmir (From interviews with the representative of ASAM, 21.02.2012, Ankara).

Again concerning the receiving countries' policies, the representative of the UNHCR stated that

Resettlement country does not have to accept a person only because the UNHCR recognized him/her as 'refugee'. Countries have also their migration policies and sometimes they can reject a person because his/her eyes are hazel. It is that much simple. For example, if they (refers to applicants) have participated to armed struggle in their countries, they are not accepted by the resettlement countries. Thus, their migration and asylum policies should also be taken into consideration (From interview with the UNHCR representative, 03.04.2012, Ankara).

Concerning the second point, as it was examined both at the EU and also Turkish levels, removal of the geographical reservation appears as an important dimension for the EU-Turkey relations. While it has been emphasized by the APDs and Progress Reports by the EU, the removal of this reservation appears as a commitment within the current NAP of Turkey. Particularly concerning the asylum-irregular migration relationship, this dimension was asked about to the respondents with its current implementation as well as the possible implications of its removal.

It can be said that the respondents approached this issue from two different dimensions. The first group determined geographical limitation as an advantage and a trump card for Turkey by emphasizing that before Turkey's full-membership or a well-established burden-share between the EU and Turkey, it should not be removed. On the other hand, the second group approached the geographical limitation as an important deficiency of Turkey's asylum system. In addition, regarding the LFIP, there is also a division; because one group agreed that with the new concept of 'conditional refugees', this

reservation will be removed as de facto; while the other group argues that the law does not bring a meaningful change to the existing system in relation to the reservation. As it can be seen below, also the possible implications of the reservation's removal concerning irregular migration were mentioned.

Removal of geographical reservation was one of Turkey's commitments for 2012. It will decrease the illegal migration; but right now we have 22 thousands migrants, who came from the countries, which we have been applying geographical limitation. There are 11.000 Iraqis, but we cannot find 3.000 of them. Since the system is extremely slow, even if you take them to the national asylum system there will be no change. They will stay here as asylum seeker, but now as conditional refugees. Also, there is one group which prefers to go by their efforts rather than waiting for this long procedure. If you abolish geographical limitation, everybody will come to Turkey and since the borders are like 'sieve', they will come to Turkey. Thus, only if Turkey will be a full-member of the EU, we can remove this reservation. Otherwise, Turkey cannot take support from the EU's system as much as she can and since there will be no access to European Asylum Council unless you are a member, you will be a loser. Any other scenario will not be possible or realistic. Why we will act against to Turkey's interest then? Also, there is a need for a solid asylum system in Turkey with a functioning expulsion system, before you lift this limitation. (From interview with the high-level bureaucrat from the MFA, 17.04.2012, Ankara).

If you evaluate the different variables, removal of the geographical limitation will create a huge burden on Turkey in the recent conditions. In the current situation, we have been accommodating people for 2 years, 5 years or there are people, who have been living in Turkey for 7 years. Imagine, they have been waiting for 7 years to be resettled into a third safe country. They keep their hopes. Maybe one day will be readmitted to their home countries or they will stay in Turkey. But they will be always living in a limbo. We can remove geographical reservation and supply status for those people; but Turkey does not have this capacity yet. It is not only related with Turkey's readiness as a country; but there is a need for also societal readiness. For example in Isparta (as one of the satellite cities in Turkey) there are 400-500 registered asylum seekers and refugees. In the other satellite cities, the situation is also like that. If you give them 'refugee status', it will be something like giving citizenship status. They will be able to do everything such as having property; their children will be integrated into the host society. But, we are not ready yet. There is also a dilemma... It seems like a dead end street, Turkey will not remove the geographical reservation and the EU will not take Turkey as the full-member. The EU's perspective is not only limited with this geographical limitation, there are many of the other variables; but Turkey seems like, she cannot handle to remove it yet (From interview with an academician from the Police Academy, 18.03.2012, Ankara).

Representing the opposite position, the following quotation represents the second group, which supports the necessity of the removal of the geographical limitation as follows:

*The official position of the UNHCR is like that the geographical limitation is not that much important. Also the perpetrators of the new law argue the same thing. The law prepared in the light of the EU acquis in terms of RSD procedure, rights, social aids and the other rights such as right to work or education etc. In the recent situation, the law defines 'asylum seekers' as 'conditional refugees'. If the political will decide to remove this reservation, they will just change this definition and totally will be in line with the 1967 Protocol. **This is also officially stated by the Government and it will be kept as a walnut for a precondition of the EU full membership. The main concern to the buffer zone and also the centre of attraction for refugee flows. But in terms of the Conventional rights, the negative impact of this reservation on asylum seekers and refugees cannot be ignored** (From interview with the representative of UNHCR, 03.04.2012, Ankara).*

Finally, the Deputy Head of the Asylum and Migration Bureau, stated that

*The new law brings a new terminology, 'conditional refugee' and it can be said that it finds also de facto solution for the geographical limitation. **At this stage, it should also be emphasized that even though Turkey has been keeping this reservation, it has not been sending asylum seekers as saying them 'you are not refugees' and deporting them to the place, where the inhuman conditions and human rights violations exist. It is a big contribution, even though there is no legal obligation** (From interview with the representative of the MoI, 06.04.2012, Ankara).*

However, most of the civil society representatives at both macro and meso level, emphasized the violence against the non-refoulement principle as can be seen below. The below given quotations express these highly interrelated facts clearly, which mainly refers to the 2nd, 3rd and 4th points.

*As you know, according to the 1951 Convention, you supposed to be outside of your country in Turkey and also you should be coming from Europe to be recognized as 'refugee' by Turkey. They cannot come by themselves from their home countries and they cannot make it alone for most of the cases. **There are many barriers, and without an external help, it is impossible to cross the borders.** At Turkey-Iran border crossing points, the civilian deaths are well known fact. Almost every month, one person is killed. He/she can be a civilian, villager or smuggler but killed by a gunfire coming from Turkey or Iran side. Thus, without having a mediator, it is just impossible to have an access to asylum procedure. I am not defending smugglers or justify their existence; but it is a fact. Of course there are exploitations and violence of rights since this has become a trade. They also share their migration experiences which are full of sexual harassment, incredible difficulties and death...But it is a fact that there is no access to asylum at borders and states make everything more difficult regarding asylum. In Turkey almost there is no access at the borders regarding asylum. If someone is arrested at the border, then you can forget about the application to the asylum procedure or*

there is no application opportunity at the borders. According to the legislation, I am not telling that it is impossible; but in practice it is almost impossible. Thus, people supposed to have mediators (From interview with a respondent²⁵⁸, Ankara).

In relation to the geographical limitation and also the role of UNHCR Turkey, the below-given quotation supplies a comprehensive overview:

*Concerning RSD, Turkey is larger than the other UNHCR offices in the signatory countries (refers to the CRSR). Turkey's asylum system reminds 'pool and tap problems' because of the geographical limitation. If I open the tap, people will come; but also the exit tap should be kept as open. The new law brings 'conditional refugee' terminology. With this conditionality, Turkey says that as long as you keep the exit tap as open, then I keep mine as open too... But it should not be based on a political condition; but rather it should be seen as a part of human rights. The worst case would be the case that the UNHCR will not be able to do its protection mission and asylum seekers or refugees will not be accepted by Turkey for the future. The UNHCR is a part of the parallel system; however the numbers have been increased dramatically in the last years. **For being able to respond the increasing demand, the UNHCR Turkey office has been expanded and still does so; but how much you can accelerate the procedure? RSD procedure is not suitable for such a thing. You cannot ask from the RSD expert that you used to make 2 interviews in a day but increase it up to 5; because you are dealing with human life. The registered people number has already reached to 25 thousands as the record of the all times, which exclude the ones who are protected by the temporary protection. The UNHCR is not a part of this system, I mean Syrians, but aside them the number is 25 thousands... But, we have been trying to find alternative ways. For example, we make detailed registration for some groups, which have more chance to be resettled for being able to accelerate the procedure. The have more change; because, there are receiving countries for them; but the ones who have less chance to be resettled...** (From interview with the representative of the UNHCR, 03.04.2012, Ankara)*

From a humanitarian point of view, the representative of ASAM (2012) mentioned the possibility of unlawful deportations by emphasizing the importance of the decisions of the ECHR. According to the court decisions, even if the files are closed, the subject of the trial cannot be deported. He also added that

...but there are people, who have been waiting with their closed files more than three years. Even though UNHCR does not recognize them as refugees, you cannot deport them; but the numbers of migrants who wait in this limbo for years will increase and there is a possibility to face with unlawful deportations and their increase...In Greece has approximately 60.000 waiting files. Some of them are

²⁵⁸ Both the date of interview (because of the official records of the appointment) and this respondent's identity are not given intentionally.

suspended, but they are still open... (From interview with the representative of ASAM, 21.02.2012, Ankara)

Even though the enactment of the LFIP took place on 11th April 2013; fragmented statuses and mainly the geographical reservation of Turkey for the CRSR (1951) still seem to be the main problems. There are arguments that Turkey is not ready for removing this reservation, since the stock migrants appear as a serious problem as well as the possibility of being an attractive country for asylum seekers; while some of the respondents were arguing that the LFIP will change this picture and clarify the statuses of all types of migrants. In addition, one group argued that the reservation should be removed as soon as possible in order prevent violence against asylum and refugee rights; while for some, it is against the national interests.

One of the biggest problems is not having legal status. 'Migrant' is a huge category, which includes over-stayers; because of their expired visas, irregular labour migrants coming from Moldova, Easter Europe or Russia and also there are a special group, who should not be sent back to their source countries (refers to secondary or subsidiary protection. There is also an important group, who came to Turkey as asylum seeker; but then became irregular migrants. The existing system is extremely fragmented and most of them actually do not have any legal status. According to the media, they are called as 'kaçak' (means fugitive, escapee, runner etc.), which affects everything from access to health services, housing to education (From interview with the representative of AI, 20.03.2012, Ankara).

In addition, the above-stated respondent argued that within the former legislation, the 'asylum seeking applicant' was more disadvantaged compared with the 'asylum seeker' by also stating that "by the new law, we will be calling both categories as 'conditional refugee'." Concerning the statuses, the IOM's representative adds that

Turkey is already the third largest RSD hub for the last twenty years. Over 80.000 people, Iraqis, Iranians, Afghans, have been assisted by the UNHCR and by IOM. The UNHCR has been doing RSD; while IOM has been dealing with resettlement. I am talking about 80.000 people from Turkey towards Europe. What is interesting that once they are migrated, then their status is 'migrants'; but they become easily irregular migrations too. If they work as undeclared that they will become irregular labour migrants and if they apply to the asylum procedure they will become legal again unless they will not leave the place that they supposed to reside. So in one country, we have 3-4 categories are used for one nationality. Afghans, can be a refugee, who can also be irregular migrants. Every month,

there are Afghans who are being deported, here is a deportee and also they are transits, who have been brought to Turkey by smugglers with the intention to take them to Europe. And we have been doing assisted volunteer returnees, small number are backed to Afghanistan. The country that still not stable, still not promoting and ready to absorb of the returnees of its own national (From interviews with the representative of IOM, 20.03.2012, Ankara).

The LFIP brings new regulations and a new institutional structure. As it was mentioned before even the “asylum seeker” terminology is replaced with ‘conditional refugee’ and most importantly, the parallel procedure will be greatly changed. Concerning the LFIP, the below-given quotation supplies a general overview.

Actually, ‘conditional refugee’ refers to former ‘asylum seeker as abolishing this meaningless conceptual confusion. The ‘condition’ refers to be resettled in a third safe country. Also the existing role of the UNHCR will be taken by the Law and this organization will be only given a consulting position. Thus the outsourced RSD procedure is taken from the UNHCR. From now on who will be deported, who will receive ‘refugee’ status or who will obtain visa will be decided by the General Directorate of Migration Management. If the deportation decision is taken than law enforcement bodies will implement this or if they are apprehended at the borders, they will be given to the border management. As different from the past, there will be no such things: I have no place, am I the responsible one? Or Gendarmerie will not feed irregular migrants with its soldiers’ meal. As it is the case for March Regulation 2010, we will be solving the problems through legislation. These new institutional structure was established as a consequence of long discussions (From interview with a representative from the MFA, 17.04.2012, Ankara).

In relation to the above given points 2,3,4,5 and 6, the spokesperson of the UNHCR Turkey mission stated that

*The most important problem is that people do not know what will happen at the end of their long waiting period in Turkey. Even though, they will be accepted as ‘refugee’, they do not know where they will be resettled or if they can go or not. They do not know what will happen tomorrow or what kind of future is waiting for their children. They carry both fear of rejection and possibility to be sent back. Until the positive result of RSD procedure conducted by the UNHCR, the most important thing for them is that fear of ‘being rejected’. As following their acceptance a new phase starts with new questions: when they will be resettled and which country will it be. They would like to leave Turkey as soon as possible; which is not the case for most of the time. **However, there is one thing, which is clear that they will be benefiting extremely limited rights or facilities or social services. For accommodation, they will not get support, they cannot pay their rent, they cannot bring bread to home, even though they have right to work in practice this is also not possible accept undeclared work or for some exceptions** (From interview with the representative of the UNHCR, 03.04.2012, Ankara).*

As a consequence of the existing asylum procedure and reservations, we come across irregular migration and asylum. The following quotation reflects this aspect clearly. The same quotation also touches upon the expulsion policy in Turkey and conditions at removal centres concerning access to asylum procedure.

Their fear is always there. Sometimes even though they are accepted as refugee, to be resettled into a third country takes years. For example Somalian or Afghans...Their resettlement chance is extremely low or sometimes impossible. There was a special group approximately one thousand people, who have already left Turkey through smuggling channels. According to the UNCHR, they were refugees; our office in Iraq (refers to the UNHCR office) there) accepted them as 'refugees'. However, Turkey did not put them into the parallel procedure and as much as they had loosened their hope, they have started to leave Turkey with the help of smugglers. As you can see, this is the nexus between irregular migration and asylum. By the way, we have heard bad news about them. Some of them were apprehended and as much as we could, we worked for prevention of their deportation; but some of them... Thus, since the procedure is problematic and extremely long and since the existing reception conditions are not acceptable; they have been trying to find their ways. They put their life in danger. Until the regulation in 2010, the UNHCR had limited access to the removal centres, which they were called as "guesthouse for foreigners". Also, they had difficulties to reach to us. All of them were determined as 'illegal' and they were mainly deported. But in 2010, a circular was enacted, which guaranteed their access to the UNHCR, I mean the ones who were apprehended and detained in removal centres and who would like to apply to the asylum procedure... Frankly speaking, I do not know whether it works or not in practice; but according to the Reports by Geneva the violence against non-refoulement principle has been decreased so far (From interview with the representative of the UNHCR, 03.04.2012, Ankara).

5.4.7. Other Aspects

The previously mentioned areas were determined as the main policy areas regarding irregular migration that are highly focused on by the EU as well. However, the below given areas can be seen as the significant findings of the field research, where the respondents mainly reflected both institutional and personal views regarding irregular migration in Turkey. Under these headings both the unintended result of the EU's policies and also Turkey's specific situation are shown.

5.4.7.1. Economisation of Migration and the Nexus with ‘Illicitness’

‘Economisation of migration’ concerning irregular migration appears to have three dimensions:

1. From the EU’s side, as a part of ‘remote control’, the cost of keeping unwanted immigrants outside of the EU territory and the economisation and securitisation discourse of the MSs were emphasized and criticized;
2. Irregular migration is related to smuggling and this sector appears to be an extremely profitable business. Thus, ‘economization of irregular migration’ requires special analysis. In most of the interviews, this dimension indicated the deficiencies of the narrow security-based approaches and ignorance of economic, political and social dimensions were emphasized, which became even clearer at the meso level through interviews with smugglers.

In the light of the above-given findings the connection with the arguments of the Political Economy could be given at this point. It should be stated that on the one hand, the EU would like to feed its economy with a qualified but cheaper labour force; but on the other hand, it wants to keep unwanted migrants outside its territory because of the higher costs of reception facilities. Accordingly, the normative framework is shaped and the need for discourse is created.

As can be seen from the below-given quotation, economization of migration and in particular irregular migration appears as the trade-off for human rights. In this regard, this quotation also supports the conflict between the sub-systems as the Differentiation Theory argues.

It should be emphasized that the EU’s policy were more respectful to human rights, justice, equality and freedom as based on the uniformed legal structure; but in the current situation it is not the case. Particularly, as following Tony Blair’s letter that he wrote to the Council of Europe and the Prime Minister of Greece in 2003, you see a dramatic change in the UK, Germany and many other EU members’ migration policy have been changed. For example, today a migrant, who reside in the Netherlands costs 23.725 Euro yearly to the Government. Therefore, if they

arrive to the country, the minimum living standards should be given and this is the yearly cost for this, which is guaranteed by the Reception and Procedure Directives. Thus, if those people cannot reach to your territory, then you do not have to think about those regulations, directives and human rights issues. In this regard, those countries invest to the North Africa and the other source countries. Instead of spending 23.725 Euro yearly, you can take care of 10 people for 500 Euro yearly. You can take care of them at the centre that you will establish in Libya, Algeria as not also dealing with human rights. Both the cost will be lower and your internal dynamics will not be criticized because of those migrants. According to this logic, also the social structure will be stable. Therefore Italy, Libya, Algeria, Morocco... For example Spain has an agreement with the King of Morocco, which is approximately 300 million Euros. The deal is like that Spain will keep the existing conditions for the Moroccan citizens in the E countries and in return, the crossing borders through Spain to Europe will be stopped. (From interview with the representative of ASAM, 21.02.2012, Ankara)

Similarly, other respondents also emphasized this economy-based approach by the EU and the MSs. For example the UK was mentioned as an extremely strategic country with planning for 50 years beyond. It was stated that like the EU, the UK's border management measures starts from outside of her borders and even the EU's one. It should be noted that this country is not a member of the Schengen Area and some of the member such as Denmark have also been withdrawing from the Schengen Area; because of the border management deficiencies. The UK's case carries utmost importance; because of its link with grant programmes and joint projects for NGOs, where another dimension of economization appears and the NGOs working in this field are faced with some difficulties. In this regard, the UK can be seen as one of the leading investment countries. According to the arguments' of one of the civil society organization²⁵⁹, the UK or Finland supplies grant programmes and funds for NGOs and while they are using those grants they think that they are working for the access of migrants to the right-based asylum procedures by assuming that they do good things for them.

...of course those fundamental and specific individual cases are important; but you also become a part of the Europe's remote controlling and keeping migrants outside policy. In the circle, you cannot see the whole picture and all of your efforts seem quite meaningful to you. You may be even so proud to saying that we have supported 500 people's access to asylum procedures, or people in detention

²⁵⁹ Both the date of interview (because of the official records of the appointment) and this respondent's identity are not given intentionally.

or we prevented people's deportation. For example, we can count 17-18 Greek islands and the numerous NGOs there have been dealing with people's access to asylum, their registration etc. Their funds also are given by the UK; because, according to the EU acquis, people have to apply to asylum procedure at the first European country, where they enter as first; which means Greece. Thus, this is the barrier for being able to arrive to the UK territory. The applications are registered by EURODAC; but of course there are still people, who can reach to the UK as coming from Italy or France without being apprehended. This is a risk for the UK and the cost will be higher that to keep them away (From interview with a civil society organization representative, Ankara).

Some of the civil society organization representatives (ASAM, AI, Kaos-GL²⁶⁰, 2012) also expressed the difficulties of working on individual cases and not being able to see the whole picture; while feeling like “Don Quixote”. They expressed that, NGO representatives just think about how important their mission is, and how many lives they save by also emphasizing that the European Council for Refugees and Exiles (ECRE), which can be seen as one of the most important European level organization working in the field of forced migration, receives 80 per cent of its budget by also referring to the economization of migration.

In relation to the first article, one high level bureaucrat also adds the pre-accession instruments for the candidate countries with his/her policy recommendation for making money out of irregular migrants as follows:

The EU calculates the cost for per migrant according to the life standard in Europe, which is lower than Turkey. But they did not take fixed costs into account. To cover education expenses does not only mean that you send them to school, what about accommodation cost, which require building establishment as the reception centres. Also there are running costs; the costs of your personnel's salary, for the one that you apprehended you need food stock etc. I am talking about an EU project with 140.000 Euro budgets, which was just a waste of money. Maybe, if you think about the total IPA budget, it is not that much; but still it is a descent amount. Instead of this, we can make more money out of this issue (refers to irregular migration), just imagine one million people apply for residence permit. The recent illegal labour migrants will be informed that they will be legalized, and then half of two million migrants will apply to you. If you take 125 or 150 Turkish Lira for supplying valuable paper (refers residence document) from each, then you can support 3 thousands personnel for the new General Directorate of Migration

²⁶⁰ KAOS-GL Association has been conducting specific programmes as projects regarding immigrants, asylum seekers and refugees with LGBT identity. In this regard, an interview was conducted with the Coordinator of Refugee Programme on 21st February 2012, Ankara.

Management. People want to stay in Turkey and work. It will be like a blue card and also it means that they will be registered workers as taking part within the Turkish economy. But in case of the enactment of the new law, you need to ask more than 150 TL to be able to finance conditional refugees. Basically, I am talking about making illegal migrants as the individuals, who contribute to the national economy. They will be paid from 800- 3000, they will not leave in ghettos and they will consume... (From interview with a high-level bureaucrat²⁶¹, Ankara)

Finally, the below-given quotation builds bridges between methods and economization of migration with terror related arguments.

In the past, Greece was approaching the asylum and irregular migration as the source of money. But, today they also realized that they cannot combat with irregular migration like that anymore; because, there are serious effect on the country, public order and health. Particularly, concerning to public order, terrorism have been gaining such a great deal of money out of smuggling. Today, PKK (Kurdistan Worker's Party) takes money from each illegal migrant. For example for one package of smuggled cigarette, let's say one Dollar; while for a person ranging from 50 to 100 Dollars. Today, illegal migration to Turkey or through Turkey to Europe as the transit one uses this way. Smugglers use the same method with PKK. They are really experienced and thus they are so successful and you cannot beat them. There is a need for also burden-sharing and cooperation with the other countries and particularly with Europe. You cannot make everything by yourself. Now, Greece has been recording success; because of the cooperation and as much as we understand each other, our cooperation also increases. But, the key word is not to deceive each other... (Interviews with a high-level officer²⁶² from the MoI, Ankara)

5.4.7.2. Turkey: From a Transit Country to a Country of Destination

One of the most important findings of the field research is Turkey's transformation from a transit country to a destination one, which will create a tremendous impact on both the existing policies as well as their implications. The majority of the respondents expressed that in the current situation concerning the EU-Turkey relations particularly in regard to irregular migration and asylum, Turkey's 'transit' role carries the utmost importance. However in the medium and long run, the number of immigrants, who would like to live in Turkey will increase since the country has been transforming into a centre of

²⁶¹ Both the date of interview (because of the official records of the appointment) and this respondent's identity are not given intentionally.

²⁶² Ibid.

attractiveness for the migration flows. Rather than discussing the reasons for this change, the possible implication concerning irregular migration was focused on in this study. Within this framework, the main arguments of the respondents can be categorized as it follows:

1. With the help of more protective and stricter policies, the negative impacts on Turkey should be eliminated or at least should be diminished. On the one hand strategic liberal policies should be followed; but they should be balanced with selective policies;
2. The increase of regular as well as irregular migrants will create significant sociological, economic and political outcomes. Since Turkey does not have a strong deportation capacity (conventional responsibilities, lack of readmission agreements with the source countries, lack of financial capabilities etc.), even irregular migrants cannot be deported and the period they stay in Turkey will become longer because of the increasing stock of migrants; there will be serious integration problems for Turkey. Whether the migration is irregular or regular, integration will appear as one of the important consequence as the EU has been facing ;
3. As long as the number of immigrants ranging from regular to irregular, voluntary or forced ones; it is argued that the level of well-known hospitality in Turkish society will decrease and there will be discrimination and xenophobia;
4. For Turkey, humanitarian and security-based policy approaches will be creating the main dilemma regarding the related policies.

With the following quotation, the representative of the Border Management Bureau focused on the increasing numbers as an important factor for the above-given findings.

Because of its geographical position, Turkey is a transit country as taking place on the migratory routes between Europe and Middle East. I am talking about 150 thousands irregular migrants coming from East Asia, Middle East and Africa trough Turkey to Europe. In the last 15 years, 800 thousand apprehensions (05.04.2012, Ankara).

Within this framework, by the below-given quotation it is highlighted that even though the most important factor can be seen as the geographical location, also the existing

networks in Turkey supports maintaining of irregular migration and supply survival strategies for the groups concerned as follows:

Turkey is easily accessible country as hosting networks, which refers that there are people, who knows the migratory routes, methods and strategies to settle in or to move further, to Europe. The groups, which have historical and cultural proximity with Turkey and the groups, where they can find people speaking their language can find opportunities in this country. But still, the core fact behind being a transit country can be seen as the geographical location of Turkey as bridging the core and peripheral countries, in other words the EU and the source countries (From interview with an academician from the Policy Academy, 18.03.2012, Ankara).

Now, Turkey appears as more a transit country, but it has been developing and in the coming 10 years and transforming into a destination country. Thus, Turkey will face with a serious migration problem. In the current situation, even though migration is the part of Turkey's history, the country is not affected by irregular migration as much as the EU members in terms of statistically; because it is still a transit country. But as it can be clearly visible in Istanbul, Turkey will be a country of destination country soon. In the 10 years times, the migration will be 4-5 times of today, when Turkey will face with the dilemma of preventing humanitarian aspect but also not being a centre of attractiveness. It should not be forgotten that a golden dream should not be promised or given as a message to particularly the ones, who would like to migrate because of the economic reasons. (From speech of the representative of the EU Delegation to Turkey, 17.12.2011, Istanbul).

In relation to the 3rd point, the representative of the Asylum and Migration Bureau stated that

When Turkey becomes more a destination country rather than a transit one, can we still keep our traditional hospitality? In fact, today, the destination countries appear as the 28 per cent. In case of being a receiving country like Australia, can we still be tolerant to that population? We are not quite sure about it. That is why; there is a need for comprehensive analysis regarding integration processes. Both on socio-cultural structure as well as economic one, what kind of impacts will be occurred. This type of analysis Turkey is extremely poor. Even though the mainstream approach is 'security-based' one, integration should also be considered. It is not easy to accept these populations as a society; but from their aspects, it is also not easy to adopt the host society's norms and rules. You can make people as legalized or you can keep them as illegal; but as long as they live in your country, you have to deal with their integration. You cannot just ignore them as they do not exist. Now, there is a severe economic crisis and the ones who have become unemployed will blame that population as first. Racism and xenophobia will appear as well as security and public order problems (From interview with the representative of the MoI, 06.04.2012, Ankara).

5.5. Conclusion

With this chapter first of all Turkey's changing migration patterns were examined with a particular focus on 'irregular migration' according to the adopted conceptual framework (Chapter 3). Before focusing on the implications of the EU's policies concerned, Turkey's normative and institutional structure were analysed in relation to irregular migration; but also by taking into consideration the EU's impact, where it is the case. As one of the most important findings, it should be stated that in general immigration and asylum policy and in particular policies concerning 'irregular migration' appear to be driven by external factors intensively. In this regard, the mass influxes and the EU appear as the main two external independent variables. In terms of Turkey's response, particularly regarding irregular migration, 'temporality' can be seen as the main characteristic. In relation to mass influxes, the First Gulf War (1990-1991) in Iraq and Civil War in Syria that has continued since March 2011 led to mass forced migration of many people who had to be internally displaced and/or had to pour into neighbouring countries to seek protection. In 1991, 460.000 Iraqis, most of them Kurds and Turkmens- living in Northern Iraq arrived at Turkey's border after the March 1991 uprising. On the other hand, since the beginning of the crisis in Syria, the number of Syrian refugees in Turkey has significantly gone up. Despite their differences, for both cases, Turkey approached the Iraqi and Syrian refugee situation by accepting them as 'temporary' populations. Thus, rather than a comprehensive and well-established normative and institutional structure, Turkey responded with ad-hoc and limited regulations (1994 AR and 2006 IC). In the case of irregular migration, in particular 'irregular transit migration', a similar attitude can be observed, where the populations concerned have been approached as 'temporary population', who target European countries as their final destination. Thus rather than a national policy agenda, irregular migration has been determined by an external policy issue, particularly with the EU and even as the subject of political bargaining. However, one of another important finding can be seen as Turkey's changing role from source and transit country to also being a destination country, which was partly displayed by the existing secondary data and also by the findings from the field research. Thus, it is a fact that with increasing numbers,

migrants who intent to stay in Turkey and see the country as a final destination will be the reality for the country in the medium and long term. Thus, as much as the external factors, migration will be one of the significant national agenda items. However, concerning the temporal dimension, the study reveals Turkey's on-going approach regarding irregular migration, which can be determined as seeing European countries as the main target and Turkey as only one of the transit countries. Therefore, the emphasis on 'temporality' is still the case for Turkey concerning their current approach towards irregular transit migration. However, the LFIP approaches irregular migration from a more comprehensive perspective by also including irregular labour migrants; thus secondary legislation as well as the implementation of the LFIP will be important for further evaluation of Turkey's approach and the EU's impact.

On the other hand, despite Turkey's above-given approach, since, the EU has been trying to prevent the entrance of unwanted migrants, in other words combating irregular migration; Turkey's transit role has been gaining importance in the eye of the EU as it was shown in the reports by the EC or FRONTEX. Thus, concerning the EU- Turkey relations and particularly Turkey's accession process, immigration and asylum policy stands amongst the other policies as highly controversial with its intensive conditionality and dynamism. Even though the recent deadlock regarding the accession process is not because of immigration and asylum policy or management of irregular migration; the controlling of unwanted flows and the managing of irregular migration have also become some of the very controversial areas for the accession talks (İçduygu, 2011b: 19).

From the EU's side, the slow development regarding migration management, the un-ratified readmission agreement and the maintained geographical limitation have been criticized along with supported and highly welcomed legislative and administrative in this field: while from Turkey's perspective, the difficulties and high costs of implementing the requested changes needed for migration management have been used as the counter argument. Thus, the EU's 'burden shifting' strategy has been responded to with Turkey's 'burden-share' argument. In addition, it should be noted that in this

field, both Europeanization because of Turkey's candidature and also externalization, because of Turkey's 'third-country' status have been functioning. Regarding Europeanization, as a transit country for irregular migrants who aim to reach the border of Europe; Turkey has been adopting the EU *acquis* and regarding externalization, the country has been pressurized into making readmission agreements for returning the irregular migrants. As a consequence of these bargaining and bilateral strategies, for adoption of the EU *acquis* in this field, the very first law of Turkey's history, which consolidates the highly fragmented legal structure and mostly responds to the EU's request, could be seen as a success, if its secondary law as well as implementation could also be managed properly. But, concerning externalization, the Law also reflects the fact that Turkey has selectively adopted the values and concerns of Europe, and transformed it into a truly "Turkish" approach to asylum and migration, which is not a traditional form of Europeanization. Despite the significant developments in the Law, the geographical limitation was kept and the ratification of the initialled readmission agreement is conditional to mutual visa exemption for Turkey for the EU. Thus, this policy area has become a *de facto* deadlock for the accession process.

Within this study, and also supported by the existing second hand empirical data, the importance of Turkey as a transit country concerning irregular transit migration is displayed. All the findings show that Turkey represents such an important case for examining the implications of the EU's policies in this field being both a candidate country and a non-EU country. Thus, it is possible to evaluate the Europeanization process in relation to its candidature and also externalization of the policies since Turkey is a non-EU country. Concerning the implications one of the most important concrete outcomes can be seen as the LFIP; because as was examined, this law brings together all the existing fragmented legislation by revising them according to the existing EU secondary law. In terms of irregular migration, particularly expulsion and return, external borders and human smuggling are intensively considered and reflected in the LFIP. In addition the remaining dimensions such as carrier and employer sanctions, exchange of data and again human smuggling are also supported with the complementary national legislation again in line with the EU *acquis*. The very same law

also creates a new centralized migration and border management institution. In parallel to the EU's critiques and recommendations, which are examined through the APDs, Progress Reports, and Strategy Documents; these changes are respectful to those demands by the EU to a considerably extent. However, there are two important exceptions, which were examined under the 'conditionality' between the EU and Turkey. In this regard geographical limitation, which has a significant implications for the asylum process and also irregular migration and the ratification of the readmission agreement appear as the important areas for conditionality. In addition, despite the EU insistence on the harmonized negative and positive visa list, this area appears as the unmatched third area, where Turkey do not follow the EU's demands. Even though there are different policy concerns, in particular 'irregular migration' appears as an important area for political bargaining.

In parallel to the EU's policies concerning irregular migration; but mainly by focusing on the determined policy areas and instrument for the external part of it; implications were evaluated under four main headings: 'border management', 'visa policy', the 'readmission agreement' and the 'asylum dimension'. But before focusing on these specific dimensions, it should be stated that the main critique that was found from the field research can be determined as the EU's self-centred economisation and securitisation approach, which appears far from being able to tackle the root causes; but only able to keep irregular migration away from the EU territory no matter the consequences in transit countries. It can be said that the theoretical discussions could be found in this field and the most dominant arguments regarding the core countries and their capitalist economies' penetrations into the semi-peripheral countries; the political economy of migration as well as the externalization of the EU's policies were all mentioned by the respondents. While to stop irregular migration is determined as a 'mission impossible', the main reason behind this fact is stated as the political economy dimension.

Concerning the specific policy headings or tools in relation to irregular migration; the chapter examined the historical developments and the current situation regarding the

normative and institutional structure regarding border management; but most importantly the 'implementation' dimension. From the APDs and Progress Reports, this area has been emphasized by the EU as problematic in terms of not only, regulations but also implications; where the EU has a perceivable impact on legislative and institutional structures as well as implications. However, Turkey's geographically and psychically problematic borders and its neighbouring countries, where there is serious political turmoil, human rights violations or wars appear as extra challenges for Turkey in terms of border management. In relation to the EU's implications, it has been frequently stated by the respondents that since the EU is a main destination, Turkey had to oblige in undertaking the 'transit country' role and the EU approaches Turkey as a 'buffer zone' for the unwanted population. In general; but particularly for the border management dimension, there were serious reactions to the EU; because of lack of burden-share.

Secondly for the visa policy dimension, conditionality is found as quite dominant. On the one hand particularly the law enforcement bodies' representatives expressed the difficulties in managing the liberal visa policy of Turkey; on the other hand the majority of respondents were against the EU's enforced approach in limiting Turkey's sovereignty with its negative and positive visa lists; but not recognizing visa exemption for Turkey. At macro level, it is also found that political economy is associated with Turkey's visa policy and national interests concerning the economy, where the EU's demands are highly criticized. Since the liberal visa policy is associated with trade and tourism, the respondents were highly critical of the EU's restrictions and negative visa list. However, at local level rather than political economy, the difficulties of managing the outcomes of the liberal visa policy is emphasized.

Thirdly, ratification of the readmission agreement was negatively evaluated for two reasons. First of all it was emphasized that Turkey's capacity is not sufficient to respond to the requirements of this agreement as well as the overall capacity of Turkey in terms of expulsion and return policy is evaluated as weak. In addition, it is argued that readmission agreements may result in 'chain readmissions' and since the access to asylum procedure is problematic in Turkey, this agreement will create important right

violations for migrants. Fourthly, removal of the geographical limitation is determined as one of the most important dimension of asylum, which is related to irregular migration from Turkey to Europe and it can be said that the majority of the respondents expressed their belief that Turkey is not ready to remove this limitation yet; while the civil society representatives as well as the international organizations determine this removal as the requirement of the CRSR.

If the main findings of the chapter are summarized: as one of the most important findings from the field, the EU's policies concerning irregular migration for transit countries; but with concrete implications for Turkey were evaluated as having intense concerns for economisation and securitisation in favour of the EU and its members. In addition, it is highlighted that increasing criminality and illicitness are seen also as the results of those policies in Turkey as unintended policy results. Another important finding was the describing of Turkey as more of a destination country rather than a source or transit one by the respondents; because of its growing economy and increasing attractiveness for population movements. It was stated that in the long run, not because of the EU's pressures but for national needs, migration will be one of the most important policy areas in Turkey. At this stage I would also like to emphasize that rather than irregular transit migrants, irregular labour migrants and over-stayers will be brought to the agenda; as long as the migrants stay in Turkey rather than continuing their migration journey to Europe and this population will not be seen as 'temporary' anymore. Finally, I would like to add that the EU policies have positive or negative, intended or unintended effects not only on Turkey, for a very important side of these policies: immigrants and asylum seekers. Despite the political intention of managing, preventing, and reducing irregular migration, various legislations contribute to the emergence of irregular migration and make transit countries into 'buffer-zones' as a consequence of the remote control of irregular migration. In addition, all those policies combating irregular migration need to be carefully considered in terms of not only their effectiveness in discouraging and managing irregular migration; but also in terms of their consequences regarding the respect of human rights of the irregular migrants.

CHAPTER 6

MULTI-SITED ETHNOGRAPHY OF POLICY ANALYSIS IN TWO GATEWAY CITIES (EDIRNE AND IZMIR): MESO AND MICRO LEVELS OF ANALYSES

As it was discussed in the “Methodology” section of this dissertation, to be able to conduct multi-sited ethnography of policy analysis, two important gateway cities that play a role within irregular transit migration from Turkey to Europe are determined as the selected social fields. At macro level, Turkey is approached as a ‘transit country’ concerning the ‘field; while at meso level, Edirne and Izmir are determined as the required social fields for this study.

The aim behind conducting multi-sited ethnographic research in these cities is to be able to show the implications of the EU’s policies on both immigration and asylum with a particular focus on irregular migration, as well as looking at Turkey’s policies and their impacts in practice. Rather than only examining the EU *acquis* and accordingly the changes within the national legislative and institutional structures in the target countries as realized by many of studies in this field; a comprehensive analysis is realized to define the affected actors at also meso level, which is required for ethnography of policy analysis.

This level appears as an important level in order to understand the implications of those policies, where the impacts crystallize and where also local policy implementers, migration related networks as well as irregular transit migrants operate. Besides the importance of ‘locality’ as conceived ‘social fields’; the networks in relation to irregular migration within those cities also carry the utmost importance. Those networks are categorized as “Mobility Facilitating Networks (MFNs)” and “Reception Facilitating Networks (RFNs)”, which have a role in the selected special localities in the

perpetuation of irregular transit migration. It should be stated that since migration decisions cannot be explained only as the rational choices of migrants and in the case of irregular transit migration besides macro level structures such as policies also meso level networks within the special social fields are significant. Thus in a similar way to the macro level, questions are asked at this level in regards to the interpretation and implementation of the local policy implementers, how the MFNs and RFNs make sense of and implement these policies, and how they respond to these policies.

These locations are important; because locality matters concerning migration experiences, methods of irregular migration and the actors involved. In addition, macro level policies have implications on these locations. Within the existing literature, we come across the studies of migrants in the specific cities (Danış, 2006a, 2006b; Biehl, 2012a, 2012b; İçduygu, 2012; Wissink et al., 2013). As Schiller and Çağlar (2011: 22) argue, "...because cities differ in how they participate in and are affected by these global trends, the impact of migration varies and must be addressed in relationship to specific localities", which supports the argument of the thesis at this level.

At these specific locations, there are social networks, which appear as social capital for migrants and which are also largely affected by macro-variables such as the analysed immigration and asylum policies or transnationalism and globalization. With this study it is argued in order to analyse the policy implications, three levels are needed, which is supported by the Relational Approach of Thomas Faist. Thus, as standing between the structure and agency in other words the macro level policies and individual migrants, this local and meso level is required to understand the implications of the policies concerned.

In this framework, 78 semi-structured interviews, participant observations and some volunteer work have been carried out in both Edirne and Izmir. While the previous chapter focuses on the interviews with macro level policy implementers and decision-makers, this chapter both focuses on those actors at local level as well as the key informants who are determined as the related networks' representatives.

Under this part, both the special social fields in other words the selected gateway cities and also their social networks particularly for irregular migration are examined. Briefly, this chapter refers to the meso level in terms of level of analysis, and the local/ city level in terms of geographical coverage. In this framework, besides the main independent variables, which were determined as the macro level policies in this field; the intervening variables appear as the networks relation to irregular transit migration in these special localities. In addition, this chapter includes the micro level analysis of the research. In this regard, the implications of the macro level policies on irregular transit migration are questioned. In this framework, the below given sub-questions at both meso and micro levels are focused on within this chapter.

For the meso level:

- What is the role of “gateway cities” in relation to irregular transit migration?
- What are the irregular migration related local authorities and social networks within the selected gateway cities (Edirne and Izmir)?
- What are the implications of the EU’s immigration and asylum policy concerning irregular migration that are determined within the macro level and Turkey’s related legislation and institutional structure that has been changing accordingly; on the migration related social networks and the selected gateway cities?
- What are the differences and similarities in Edirne and Izmir in terms of the policy implications;
- How the meso level relevant local actors and institutions (local policy implementers and migration related social networks) perceive, interpret and implement the concerning policies?

For the micro level:

- What is the profile of the irregular transit migrants in Edirne and Izmir?
- What are the entrance and exit methods of irregular transit migrants?
- What are the apprehension, detention and deportation experience of the irregular transit migrants?

- What are the implications of the EU's immigration and asylum policy concerning irregular migration on the personal lives and migration experience of irregular transit migrants living in Edirne and Izmir?

Within this chapter first of all the chapter-specific theoretical background will be given concerning both location and networks; followed by a discussion on the rationale for the selection of Edirne and Izmir as the gateway cities. After examining the specific role and characteristics of these cities and the social networks found in them, the main findings of this level are given. During the analysis, their close relations with the previously examined the EU *acquis* and Turkey's normative and institutional framework are considered. Finally, the micro level analysis will be displayed as following the meso level.

6.1. Rationale for Selection of Edirne and Izmir as the Gateway Cities

The study determines both Izmir and Edirne as the two gateway cities, which best represent the exit points for irregular migration from Turkey to Europe and also the multi-sited social fields to analyse the impact of the EU and Turkey's relevant policies through 'ethnography of the policy' analysis. The adopted methodology was also given in Chapter 2; thus within this part of the study empirical findings and analyses will be given. Before starting, these two gateway cities as the selected social fields should be allocated within a broader picture. As it can be seen from the below given illustration, these two cities take part on both the green and blue external borders of Turkey. It is a fact that, on these lines there are other cities, which have been facilitating irregular transit migration or operating on the Western land and sea borders as exit points, namely Kırklareli, Çanakkale, Balıkesir, Aydın and Muğla that can be seen from the given illustration.



Illustration 6.1. Green and Blue External Borders of Turkey and the Selected Cities

Source: Retrieved from http://www.abgs.gov.tr/tarama/tarama_files/24/SC24DET_ASYLUM.pdf and <http://www.durumum.com/turkiye/turkiye-haritasi-iller-t20436.html>, modified by N. Ela GÖKALP ARAS (Accessed on 12.04.2013 and 25.06.2013).

Starting from the north, Edirne represents the most important land-border with Greece as well as Bulgaria; while Kırklareli has only a land-border with Bulgaria. As it was shown in Table 5.6., concerning illegal border-crossing detections into the EU, the most important border with the highest number of border-crossings appears to be the Eastern Mediterranean Route (sea and land borders with Turkey and Greece); while the Eastern Border Route (covering the Turkey- Bulgaria border) is not representative. By reminding ourselves of those tables from the previous chapter, in comparison with the Turkish borders with Syria and Greece, the border with Bulgaria occupies third place with 1.704 apprehensions in 2012 and 470 for the first quarter of 2013; while the Syrian border appears as 15.641 in 2012 and 15.333 in the first quarter of 2013. At the Turkey-Greece border, those figures were recorded as 13.159; however it should be noted that Greece and Bulgaria represent exits; while the majority of apprehensions represent ‘entrance’ at the Turkey-Syria border.

In parallel to the above-mentioned table, the most recent FRONTEX report also supports this argument by stating that “small numbers of nationals claiming to be from Iraq, Turkey, Palestine and Syria attempted to enter Bulgaria illegally, but no significant displacement in the irregular migratory flow towards the Bulgarian-Turkish land border was observed” (FRONTEX, 2012: 18). But, it should also be noted that Bulgaria also

carries an important role, since its accession to the EU on 1st January 2007, when it was also assigned to the guard 1.647 km of the EU's external borders. As one of the EU member, Bulgaria has been expected to build an adequate capacity to perform its Treaty obligations as a reliable South –Eastern border of the Union. Despite its importance, underrepresented figures regarding Bulgaria can be explained with the Schengen Zone, which includes all the EU member states and covers more than 400 million people; except Great Britain, Ireland, Cyprus, Romania and Bulgaria. Thus, the country is not part of this system, which means irregular migrants cannot continue to their journeys without facing border-control checks. But, it does not mean that irregular migration does not exit through the Turkey-Bulgaria border. As it can be seen from Table 5.6., there were 993 apprehensions recorded in 2012 at the Turkey-Bulgaria border taking fifth place among the other BCPs.

Even though, because of the above-given reasons Edirne was preferred for the study, Kırklareli is also an important city from some aspects. Kırklareli has the ‘Gaziosmanpaşa Removal Centre’, which has been serving to support Edirne in terms of hosting irregular migrants. Thus, during the field research, interviews were conducted with irregular transit migrants, who stayed in this centre for a while; but only the removal centre in Edirne was visited. However, Kırklareli has a border only with Bulgaria and since the figures are not representative and also the findings from the field displayed that this route has potential in the medium or long run; but not in the short-run; the study excludes this city.

In support of Edirne's significance, a FRONTEX report (2012: 16) states that regarding detections of illegal border-crossing on the Eastern Mediterranean route, there was a remarkable shift from the sea border to the land border in early 2010. The report emphasizes that detections at the sea border between Greece and Turkey have declined significantly in the last two years, in contrast to the significant increase in the number of illegal border-crossings detected at the land border between Greece and Turkey. Again as Table 5.6. displayed that the Turkey- Greece land borders as top for apprehensions; while the Turkey-Syria Border represents the other top location, but in terms of main

entrance. Despite that current figures for 2013 show that the sea BCPs has been decreasing dramatically in Edirne and increasing one more time through the Aegean Sea; it should be noted that irregular migration has always been the case for Edirne and even in relatively small numbers, it still continuing and representative; but not at the daily level of 300 apprehensions any more.

On the other hand, as representing the sea-border and blue line area, Çanakkale, Balıkesir, Izmir, Aydın and Muğla appear as the most important BCPs. Among those cities, Izmir was chosen for this study as both a transit city but also as a regional transit hub. Along with the other coastal cities in the Aegean Region, Izmir has always been an important exit points and transit hubs for migratory movements from non-European countries via Turkey to Europe, where undocumented or irregular migrants get together in this city on their way to Europe. This city has been the centre of many tragedies in the Aegean Sea such as Seferihisar Accident²⁶³ of 8th December 2007, which resulted in 50 deaths of irregular transit migrants and Baradan Bay (Menderes) Accident²⁶⁴ of 6th September, 2012 that resulted in 61 deaths and 47 survivals.

In addition, Izmir has one ‘removal centre’ among the existing 12 centres in Turkey including Edirne. Also a new reception centre will be established in parallel to the Reception Directive (2003) as part of the National Programme. But, although they are not one of the “satellite cities” that was determined by the MoI, the number of residence permits given by the General Directorate of Security for these cities has been increasing. As of 20th June 2013, there were 1.107 registered asylum seekers in Izmir and 5 in Edirne.²⁶⁵ But, the numbers are much higher for irregular migration and as could be seen

²⁶³ For further information: http://tr.wikipedia.org/wiki/Aralper_centC4per_centB1k_2007_Seferihisar_gper_centC3per_centB6per_centC3per_centA7men_teknesi_faciasper_centC4per_centB1 (Accessed 05.07.2011).

²⁶⁴ For further information: http://madde14.org/index.php?title=per_centC4per_centB0HAD_-_Denizde_Kalan_Hayatlar (Accessed 09.12.2012).

²⁶⁵ Relying on Act to Information Right, this figure is retrieved from the Directorate General of Security within the Ministry of Interiors. In response to information request, on 20th June 2001 with the official respond issued 34113419-49550/71818 was received from the above-mentioned institution.

from Table 5.6., 1.704 apprehensions were recorded on the Aegean Sea by the Turkish authorities.

Izmir has been chosen as the representative of the other coastal cities next to Aegean Sea and since it has been functioning as the ‘transit hub’ of the Aegean Region and the blue-border areas, this city was selected as one of the field area. In addition, ethnography of policy analysis requires being in the field for a long time. Thus, as the researcher of this study who has been living in Izmir since 2009, this choice can also be seen as strategic. However, it should be mentioned that since the beginning of the field research in July 2011, there have been dramatic fluctuations between Edirne and Izmir. When the research started, the numbers were extremely low and irregular transit migration had been pictured in the past tense. Thus, the research area was expanded to Edirne as well, where the numbers were representative and extremely high at that time, which continued until September 2012. However, intense attention focused on Greece- Turkey land border and the completion of a 10, 5-kilometer long fence by Greece has created changes. As a consequence, during July 2011- September 2012 when Edirne part of the field research was conducted, the BCPs were approximately 300-350 per day; however, the numbers have started to decrease since mid-2012. On the other hand, as it will be discussed under the Izmir part, both the strategies and also the numbers have been changing in this transit city one more time. In addition, following the developments in Syria and received mass flows from this country, the features of Izmir and particularly in the specific area that the research is conducted in has changed one more time. All these changes are discussed in this chapter; briefly both cities represent a suitable area to analyse the dynamics of irregular migration and the impact of the relevant policies. The table below shows the nationality of those registered asylum seekers.

Table 6.1. Registered Asylum Seekers and Asylum Applicants in Edirne & Izmir According to Their Nationalities

PROVINCE OF RESIDENCE (CITY)	NATIONALITY	YEARS		TOTAL
		2012	2013	
Edirne	Iran	3		3
	Hungary		2	2
Edirne Total				5
Izmir				
	Afghanistan	476	269	755
	Algeria	32	1	33
	Bangladesh	9	2	11
	Benin	1	0	1
	Burkina Faso	2	0	2
	Cameroon	2	0	2
	China	6	0	6
	Congo	21	0	21
	The Democratic Republic of Congo	0	1	1
	Dominic	3	0	3
	Egypt	4	0	4
	Eritrea	0	1	1
	Gambia	4	0	4
	Ghana	2	0	2
	Greece	1	0	1
	Guinea Ivory Coast	6	0	6
	Iraq	25	1	26
	Iran	29	10	39
	Mali	6	3	9
	Mongolia	1	0	1
	Morocco	1	0	1
	Myanmar	1	0	1
	Nigeria	13	0	3
	Palestine	0	1	1
	Pakistan	74	4	78
	Philippines	2	0	2
	Senegal	3	1	4
	Somalia	32	1	33
	Sri Lanka	0	1	1
	Sudan	3	0	3
	Togo	1	0	1
	Tunisia	2	6	8
	Turkmenistan	0	1	0
	Uganda	0	2	2
	Yemen	1	0	1
Izmir Total				1.107

Source: The General Directorate of Security, Ministry of Interior, 20.06.2013, Document No: 34113419-49550/71818

As it can be seen above, in comparison with Edirne, Izmir has become one of the satellite cities although not formally recognized but as a de facto one. The recent figures are even higher than many of the satellite cities that are officially recognized by the MoI.

In terms of represented nationalities, Afghans take the first place, while Pakistanis, Iranians, Somalians, Iraqis and the asylum seekers and refugees from Congo follow. In this regard, as both regular and irregular migration occurs, unlike Edirne, it appears as a hub or place of residence for longer stays. Briefly, in the light of the above-given table, the difference between Edirne and Izmir becomes clearer.

It should also be mentioned that concerning irregular migration including all sub-categories such as irregular transit migrants, irregular labour migrants, over-stayers etc., Istanbul represent such a great social field to conduct ethnography of policy analysis. However, this city has become the subject of many studies, while the two selected cities remain as mainly ignored. Within the study, many of the respondents mentioned their Istanbul networks and within the sample shared their experiences in Istanbul; while the EU and national level as well as local level respondents also determined Istanbul as a main gathering city, thus it cannot be said that this city is totally excluded. Concerning Istanbul, Biehl (2012: 81) describes the main reasons for the attractiveness of Istanbul as social and economic reasons. She states that 65 per cent of international trade flows through this city and the city is also the heart of the informal economy, which accounts for a 50 per cent weighting in the entire economy. Istanbul can also be seen as the centre of tourism, entertainment and domestic labour, where foreigners mainly work in the unrecorded economy, many as irregular migrants. The control seems extremely difficult, which supplies a space for those migrants with intense transnational networks. Beside the economic advantages, it is a fact that Istanbul also supplies a diversified social sphere, where migrants can be both invisible or benefit from their network memberships. Istanbul supplies unofficial integration and informal reception facilities, while it is really difficult to talk about a comprehensive national migration and integration policy (Danış et al., 2006c). Istanbul has been hosting different migrants groups within its different neighbourhoods. As it was mentioned for both Edirne and Izmir, a special segregation can be mentioned. For example, we come across mainly Iraqis in Fatih, Şişli (Dolapdere), Kurtuluş, Osmanbey (Danış, 2006d); while Afghans, Iranians, Uzbeks are located in Zeytinburnu and Fatih (Taraghi, 2006); Western Africans in Beyoğlu and Tarlabası and Eastern Africans in Fatih Kumkapı (Özdil, 2008). Biehl (2010: 82) argues

that those neighbourhoods have not been accidentally chosen, but in a similar way to Edirne and Izmir, intentionally preferred. Those areas have also been hosting Kurds and Romans; thus, by merging with those internal migrants or disadvantaged groups, international migrant or irregular migrants can escape from marginalization and have access to survival networks for supplying accommodation, labour etc. The number of tourist can also make them less visible or less ‘different’. A similar picture can also be seen in Izmir’s Basmane neighbourhood. Because both Izmir and Istanbul carry a common characteristic, that is ‘being a transit hub’. But it can be argued that still, they have differences and Izmir has mainly functioned as a ‘transit city’ rather than a hub, since 2010.

Concerning the EU policies with a special focus on irregular migration and border regimes, border cities on the external borders of the EU have gain utmost importance. Those cities are affected by both the international and also national policies and for better implementations, dynamics in those cities should also be analysed. İçduygu (2012: 3) also argues that there is a need for international, national and local level comparisons, which are provided in this study.

6.2. Brief Representation of the Selected Gateway Cities

6.2.1. An Overview of Edirne: Size, Location, Economy and Population Movements

As it was conceptualized under Chapter 3, this study approaches Edirne (Adrianople) as a ‘transit city’, which is located in the Eastern Thrace and the North-western part of Turkey and is a border city for both Greece and Bulgaria. The city served as the capital city of the Ottoman Empire from 1365 to 1453, before Istanbul (Constantinople). Thus, with this important status, Edirne should be reviewed both in the Ottoman period and also in the Turkish Republican period.

During the Ottoman Empire, Edirne was recorded as the largest city and it was shown as the 4th or 7th largest city in Europe. Being situated on the gateway to the west, the city

is described as a very important centre of trade in the Ottoman Empire, and was Europe's fourth largest city after Paris and London with its population of 350.000 in the 17th century. However, following the "Edirne Event", which was a chain of events in 1703 in the Ottoman Empire and resulted in the dethroning of Sultan Mustafa II²⁶⁶, the city lost interest and fell out of favour with the Sultans. Following this, the city experienced an earthquake and in the middle of the century has undergone two major fires (1745 and 1751) after which the city's demographic and economic status started going downhill.²⁶⁷

The city has always been on the migratory routes and also suffered from various invasions (1829 and 1878 Russian, 1913 Bulgarian, Greek 1920-1922), which influenced the city's social and economic balance. During the 1828-1829 Ottoman-Russian wars, we come across the Muslim population emigration, when Christians in the villages were placed in the vacated areas. At the end of the 19th century, Edirne's population of Muslims was 79.000, Greeks were 77.000, Bulgarians were 32.000, Jews were 9.000 and Armenians were 5.000.²⁶⁸ In the early 20th century's the city's population was recorded as between 70- 90 thousand and following the Balkan Wars²⁶⁹, population loss in Edirne became inevitable.

Edirne was a vital fortress defending Ottoman Constantinople and Eastern Thrace during the Balkan Wars of 1912–13. It was occupied by the Bulgarians in 1913, following the Battle of Odrin. The War ended in 1913 and with the Turkish-Bulgarian Treaty a "population exchange" was realized. As a consequence, especially from Edirne and Kırklareli and around the Strandja Mountain villages, a hundred thousand Bulgarian were displaced; with Turks from Bulgaria replacing. On the other hand, during the

²⁶⁶ Yaşar Yüce and Ali Sevim (1991). *Türkiye Tarihi Cilt III*, AKDİTYKTTK Yayınları, İstanbul, pp. 247-250.

²⁶⁷ Retrieved from http://edirmeden.com/edirnem/?page_id=290# (Accessed on 24.05.2013).

²⁶⁸ Retrieved from <http://www.etso.org.tr/edirne.html> (Accessed on 24.06.2013).

²⁶⁹ Syed Tanvir Wasti (2004). "The 1912–13 Balkan Wars and the Siege of Edirne", *Middle Eastern Studies* Volume 40, Issue 4, pp. 59- 78.

Balkan War, numbers of Greeks left Edirne; but returned after WWI. The city was remained under Greek occupation between 1920 and 1922 during the post-World War I period as a consequence of the Treaty of Sevres (10 August 1920) that was signed between the Ottoman Empire and Allies at the end of World War I. However with the War of Independence and the Treaty of Lausanne²⁷⁰ (24 July 1923), today's borders were drawn up with Greece and Bulgaria. By the above-mentioned treaty, also the Anatolia Greeks in Thrace were exchanged and replaced with Turks from Greece. In the migration history of the city, this exchange displays the most important international migration.

Concerning population movement, it can be argued that the Province of Edirne has been one of the most affected provinces from the immigrations and emigration movements, invasions and wars, particularly experienced in the Balkans during the collapse of the Ottoman Empire. The significance of population movement also continued during the Republican Era. After the establishment of the Republic of Turkey in 1927, the first census was conducted and the population of the province of Edirne was identified as 158.840; while it is recorded as 184.840 in 1935 by the second census of the population.²⁷¹ During the 1921-1927 periods, 49.336 immigrants were received from Greece, which was equal to a 32.71 per cent increase in the province's population (TURKSTAT, 1996: 63). The total number of immigrants, who came from neighbouring countries, was 61.000, which was approximately 33 per cent of the entire population with 27.000 coming from Greece, 25.500 from Bulgaria, 4.000 from Yugoslavia, and more than 3.000 from Romania (Yurt Ansiklopedisi cited in Yaşar, 2011: 204). Continuously, the city experienced a substantial movement of emigration and a considerable number of people from Edirne migrated to other parts of the country during the years of World War II as well (Yaşar, 2011, 196). Following WWII, the city experienced another dramatic population change. The city population dramatically

²⁷⁰ Retrieved from <http://www.mfa.gov.tr/lausanne-peace-treaty.en.mfa> (Accessed on 24.06.2013).

²⁷¹ Retrieved from <http://www.etso.org.tr/edirne.html> (Accessed on 24.06.2013).

dropped from 251.373 (recorded in 1940 by the third census) to 198,271.²⁷² But, this drop was balanced by immigration from the Balkans, particularly from Bulgaria.

In the light of the above-given facts, it can be argued that Edirne has always been familiar with emigration and immigration flows. However, since 1975, Edirne has become a province to which people emigrate. According to the Address-Based Population Registration System (ABPRS), as of 31st December, 2012, the city population was 399.708, with 22,4 out of thousandth increase in population according to the previous year and representing 5, 3 out of thousandth per cent of Turkey's population.²⁷³ The majority of the population live in the provinces and 9 district centres²⁷⁴ (68, 2 per cent). Besides the 9 districts, the city has 28 municipalities and 255 villages within a total area of 6.098 kilometres square (km²). Particularly those districts and villages are important BCPS concerning irregular border crossings.



Illustration 6.2. Map of Edirne with Its Districts

Source: Retrieved from <http://www.turkiye-rehberi.net/edirne-haritasi.asp> (Accessed on 25.04.2013)

²⁷² Retrieved from <http://www.etso.org.tr/edirne.html> (Accessed on 24.06.2013).

²⁷³ Retrieved from http://rapor.tuik.gov.tr/reports/rwservlet?adnksdb2&ENVID=adnksdb2Env&report=wa_turkiye_il_koy_sehir.RDF&p_il=22&p_kod=2&p_yil=2012&p_dil=2&desformat=html (Accessed on 24.06.2013).

²⁷⁴ Edirne (Centre), Lalapaşa, Süleoğlu, Havsa, Keşan, Meriç, Uzunköprü, İpsala and Enez

Edirne has 5 border gates with both Greece and Bulgaria, which are building bridges between Turkey and Europe through land and railroads as displayed in the below given table. Thus, in terms of irregular transit migration, the importance of this city is not even discussable.

Table 6.2. Border Gates of Edirne

Name of the Border Gate	Border Country
İpsala	Greece
Uzunköprü	Greece
(Pazarkule)	Greece
Kapıkule	Bulgaria
Hamzabeyli	Bulgaria

Since 2000, the city has been facing different flows of ‘irregular transit migrants’, which are difficult to record and partly appear in the figures for apprehensions. Including this mainly invisible; but through apprehensions limitedly visible population, as based on the above-given historical population movements and interviews of the field research, it can be said that Edirne has always seen irregular population movements. As it was discussed within Chapter 3, this city provides a good example for ‘field’.

Before getting into the details and analysing the findings from the field, Edirne’s special geography and briefly its economy should be mentioned. Edirne has no sea borders; however there are several rivers in the city, which have been also witnessing tragedies of irregular transit migrants. Among them, the Meriç (Evros) is the biggest one, which also constitutes the border between mainly Greece and also Bulgaria. In the Turkish territory, the Meriç is 187 kilometres long. Aside from the Meriç, there are three important river distributaries (the Tunca, Arda and Ergene) which are located in Edirne. Among them, the Tunca constitutes the border with Bulgaria in 12 kilometres out of the total 56 kilometre length. The border with Bulgaria was drawn up by the Balkan Treaty 1912-1913 and approved in Lausanne, July 24. 1923. The total length of the border is 269 km. As with other borders, this border is also an artificial and politically drawn one. Edirne has an 88 km border with Bulgaria starting from the Kırklareli provincial border

continuing along with the Tunca and ending at Meriç River. These rivers also constitute the main BPCs for irregular transit migrants.

As it was mentioned in Chapter 5, the Turkey- Greece border was drawn up by the Lausanne Treaty (1923). The total length of the border is 203 km with 3 border gates. It goes along the side of the Meriç (Evros) River. However, even though most of Turkey's border with Greece runs along the river known as the Evros in Greece and the Meriç in Turkey; there is a small stretch of dry land, where the river loops east and runs for about 12 kilometres on the Turkish side, with the Greek-Turkish land border located in this loop. This specific river loops carry utmost importance, since trespassers do not have to cross a river; but land. Thus it has always been a border-crossing point. Upon the request of Greece concerning this 12, 5 km land border, FRONTEX took a role with its rapid intervention border teams in 2010. Two years later, Greece announced plans to build a 12, 5 km fence along its border with Turkey to prevent a wave of unregistered immigrants from flowing into the country, which is a very popular entry point among Europe-bound immigrants, running along the Evros River. Stretching from Kastanies to the village of Nea Vyssa, near the north-eastern town of Orestiada, the wall is designed to block a short stretch of dry land between the two states. At the beginning of 2013, Greece completed this 10.5 km, 4-meter-tall, barbed-wire fence. Even though this idea was not welcomed by the EU, when it was first announced and the EC rejected a request from Greece to help pay to build the fence along its porous border with Turkey, the fence was completed by Greece. Concerning this project, Michele Cercone, a spokeswoman for EU Home Affairs Commissioner Cecilia Malmström, stated that "Fences and walls are short-term measures that do not solve migration management issues in a structural way."²⁷⁵ Previously at the macro level, 'fence' and similar instruments were discussed.

Again in relation to irregular transit migration, 80 per cent of the province is available for agriculture and corn as well as unshelled rice fields, which supply appropriate

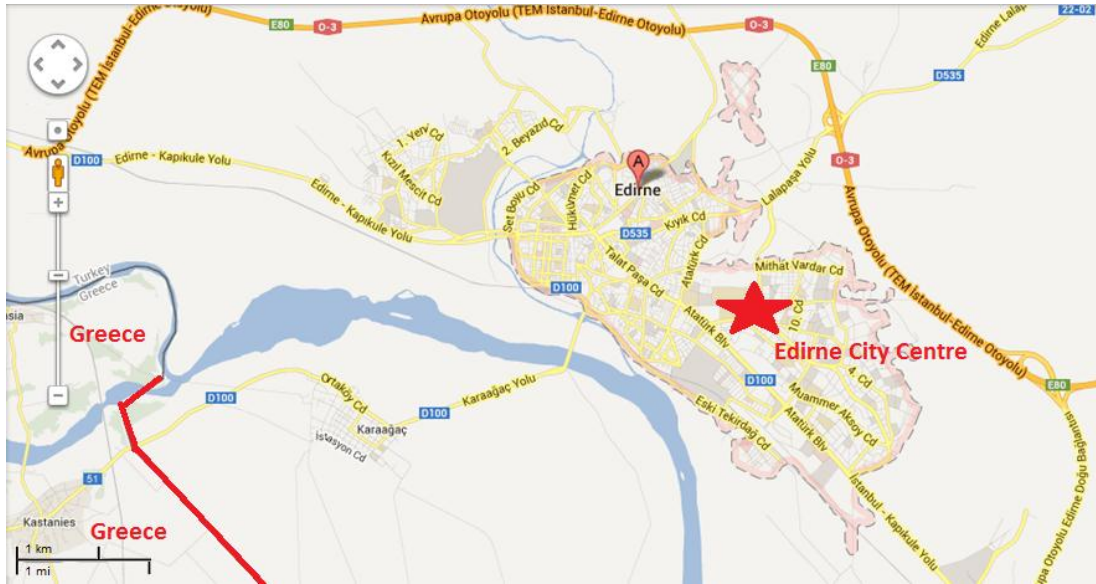
²⁷⁵ Retrieved from <http://www.bbc.co.uk/news/world-europe-12109595> (Accessed on 21.04.2013).

ground for irregular migrants and smugglers. At this stage, the Meriç, Tunca, Arda and Ergene rivers should be highlighted one more time, where the majority of BCPs occur besides Karaağaç's land borders. The rivers' mass flow rates reach their peak during March- April.

Finally, it should be noted that the economy in Edirne is concentrated in agriculture and the service sector (mainly tourism). According to the official statistics by TURKSTAT for 2012, 51 per cent of the population takes part in the economy (50 per cent in agriculture, 38 per cent in service, 9 per cent in industry and 3 per cent in construction).²⁷⁶

Since 2000, the city has been faced with different flows which are difficult to record except for apprehensions of irregular transit migrants. For this study, mainly the city centre, which is close to the Greek and Bulgarian borders and border villages carry utmost importance. The below given illustration shows the city centre and Karaağaç, where the Meriç has a loop on its Turkish side. However, for ethical reasons, the name of the border villages, where the field study was carried out will not be mentioned.

²⁷⁶Retrieved from http://www.edirne.gov.tr/ortak_icerik/edirne/PLANLAMA/2013/09-calisma_ve_sosyal_guvenlik.pdf (Accessed on 21.05.2013).



Illustrations 6.3. Edirne and Turkey-Greece-Bulgaria Borders

Source: Retrieved from <https://maps.google.com/>, modified by N. Ela GÖKALP ARAS (Accessed on 14.02.2013)

Concerning today's Edirne, one of the respondent describe 'the relationship between Edirne and migration ', as follows

In 1980s, 1990s, there were only one or two of them. Of course migration was always important for Edirne; but illegal ones and refugees are new. During this period, if some was seen or apprehended, it was a big deal; but now daily 150, 200, 300 apprehensions. It became an ordinary part of our lives (From interview with a local lawyer, 15.05.2012, Edirne).

Finally, it can be said that besides its appropriate geography, location and physical characteristics, this city has always been a place for internal and transnational migrants.

6.2.2. An Overview of Izmir: Size, Location, Economy and Population Movements

Izmir (Smyrna) is a large metropolis in the western extremity of Anatolia and the third most populous city in Turkey. Izmir's metropolitan area extends along the outlying waters of the Gulf of Izmir and inland to the north across the Gediz River's delta, to the east along an alluvial plain created by several small streams and to a slightly more rugged terrain in the south, where cultivate land take place. It can be said that Izmir Port

has not been only the building bridges between the city and the world through international trade; but also created a colourful social mobility (Serçe, 2010: 23). The Port has been destroyed several times in the city's history; however it remained as the most important export and import port during the Ottoman Empire, attracting both foreign merchants and mediators. Thus, it can be easily said that the city can be portrayed as having a vital trade life. It should also be added that coastal or seaport cities have close relations with international capitalist systems and their functions within the capitalist world system are mainly parallel to the hegemonic power's economic and also cultural and political preferences (Keyder, 2005). Thus in order to understand the dynamics of Izmir, this characteristic should also be taken into consideration, which is in line with the macro level theories as well as the Social Field Approach. Beside its port, Izmir Basmahane (Basmane) Railway station (which opened on October 25, 1866) should also be mentioned as connecting the city with the country. This historic railway station called "Basmane Gar" is Izmir's main station for the Aegean regional trains and for many years, for people who came from Anatolia, Izmir Basmane Station was the place they took their first steps in Izmir.

Concerning the demographic profile of the city, since there were no population census carried out before the 20th century, only estimations are available for this period. For example during the 19th century, the population increase was significant. It was recorded as 50.000 in 1840; while it reached 210.000 and even 350.000 just before WWI.²⁷⁷ Augustinos (cited in Serçe, 2010: 25) argues that this increase can be explained by accelerating economic growth, which was attractive for the thousands of people who came from islands and Greek Kingdom. In addition, following the Crimean War (1856), the Ottoman-Russian War (1878), the joining of Thessalia to Greece (1882) and the Ottoman-Greek War (1897), the acquisition of Crete by Greece (1908) and the Balkan War (1913); we come across mass influxes to Izmir. While the population had been increasing, the fabric of the city was also changing. Maybe the most important characteristic among them can be seen as the maintaining of a religion-ethnic division,

²⁷⁷ Kemal KARPAT, (2003) Osmanlı Nüfusu (2830- 1914) Demografik ve Sosyal Özellikleri, İstanbul, pp. 162- 193.

which had always been the case during the Ottoman Empire as well. Ulusoy (2013) describes this division in 19th century as Muslims in Kemeraltı and Armenians in Kadifekale, Mezarlıkbaşı and Keçeciler and Muslim, Jews, Armenians, Europeans and Levantines in Basmane.²⁷⁸ In parallel, Kayın (2010: 345) mentions different allocations for different nationalities and ethnic or religious groups such as Turks in Kadifekale and Değirmendağı, Jews in İkiçeşmelik, Mezarlıkbaşı and Havra Sokağı, Armenians in Basmane and Kahramanlar and Greeks in the area that remains between Alsancak and the Armenian parts. Özveren (2010: 120) highlights that Izmir became a European city rather than a Middle East one, with the migration of foreigners, who came to Izmir during their Eastern Mediterranean journey and decided to settle down there in the late 18th and early 19th Century. Özveren also argues that this population that mainly immigrated to the city because of the job opportunities doubled the population, which created an imbalance in ethnicity. Kayın (2010: 342) argues that despite its colourful population, different life styles of those different communities have always been prevented with also spatial differences. Kayın describes the city as a “bi-polar city”, where Turks and Muslims live in the upper part of the city (Kadifekale) and Latins and non-Muslims live in the lower parts (Kayın, 2007: 5). In parallel to Özveren, Tavernier (cited in Kayın, 2010: 343) mentions that there were 60.000 Turks, 15.000 Greek, 8.000 Armenians and 7.000 Jews and also small communities of French, British, Dutch and Italians in 17th century, and became even more European in the 18th and 19th centuries.

Serçe (2010: 35) states that despite its multi-religious and multi-ethnic population, as one of the results of the Balkan Wars, the creation of “Turkish nationalism” in respond to the failure of the Ottoman Empire cannot be seen as an unexpected outcome. This nationalism showed itself mainly in the economic life and functionalized through “national economy”. While the majority of merchants were foreigners, following the Balkan Wars this profile started to change. These Wars also resulted in population exchange as was also experienced in Edirne. Mainly from Macedonia and Aegean Islands, thousands of Muslims came. But just before the bilateral population exchange, ‘deportation’ was taking its place within the cities’ history. According to the periodical

²⁷⁸ Talat ULUSOY (17.05.2013), “Democrat Izmir Panel”, Gediz University, Izmir.

statistics, 150.000 Rum/ Greeks were forced to migrate to the Islands and Greece in 1914, while 50.000 were displaced inland. However, it should be noted that right after the establishment of Republic, not all Levantines and Jews left the city and some continued their occupational and trade actions; but since the pressure has been increasing along with the negative impact of the economic crisis, which is along with rising nationalism against non-Muslims and foreigners, they started to leave the city.²⁷⁹ It should be also emphasized that in the history of the city, the Great Fire is also significant. Even today, there are different claims about who was responsible for the fire²⁸⁰ and the question of “who set the fire” is still not answered. However, its results were dramatic. The Great Fire destroyed much of the port city of Izmir in September 1922 and lasted 9 days. Concerning the population profile of the city, approximately 50,000 to 400,000 Greek and Armenian refugees crammed the waterfront escaping from the fire and were forced to remain there under harsh conditions for nearly two weeks.²⁸¹ The fire completely destroyed the Greek and Armenian quarters of the city; but the Muslim and Jewish quarters escaped damage.²⁸² As a consequence, out of 42.945 houses 14.004 were burnt out and almost the half of population died.²⁸³ Within this period, Izmir was faced with muhajirs/emigrants (muhacir), fire survivors, non-Muslims, exchanged (mübadil) and refugees. The new comers were mainly re-settled in Karantina, İkinci Kordon, Alsancak, Karataş, Reşadiye, Basmane, Göztepe, Karşıyaka,

²⁷⁹ Emel GÖKSU (2003) 1929 Dünya Ekonomik Buhran Yıllarında Izmir ve Suç Coğrafyası, Izmir Büyükşehir Belediyesi Kent Kitaplığı, pp. 39.

²⁸⁰ Concerning the Great Fire of Izmir, there are various theories. It is said that either the soldiers under Nurettin Pasha, fleeing Greeks or resisting Armenians might be responsible for the fire. In fact, there are some stories that suggest that the fire started in a cathedral where armoury that belonged to resisting Armenians blew up. We would like to stress that it is not ethical to suggest statements in such a certain manner in a situation even when historians don't agree upon them. During the “Democrat Izmir Panel” at Gediz University on 17.05.2013, this issue was also discussed by the panellist. While İpek ÇALIŞLAR was mentioning the importance and the mystery of the fire, Talat ULUSOY emphasized that rather than the responsible of the fire, the dramatic results should be focused.

²⁸¹ Edward Hale BIERSTADT and Helen Davidson CREIGHTON, the Great Betrayal: Survey of the Near East Problem (1924), R. M. McBride & Company, pp. 218- 219.

²⁸² Matthew STEWART (2003). "It Was All a Pleasant Business: The Historical Context of 'On the Quai at Smyrna", *The Hemingway Review*, No. 23 (1), pp. 58–71.

²⁸³ Tülay Alim BARAN (2003). Bir Kentin Yeniden Yapılandırılması: Izmir 1923-1938, Arma Yayınları, Istanbul, pp. 41- 42, 50, 134-135.

Bornova and Buca.²⁸⁴ The population exchange resulted in not only the exchange of living places, but also occupational changes. Among the above-mentioned groups, mainly Levantines and Jews stayed.

Briefly, it can be said that the foreign trade and population movements has a close connection. Following the 1919-22 period of wars, the Great Fire in 1922, as well as the population exchange in 1923, Izmir experienced a dramatic demographical change. Following the Lausanne Treaty (1923), between 1923- 1938, more than 32.000 newcomers were re-settled in Izmir.²⁸⁵ With the help of its existing foreign trade networks as well as liberal economy policies (Kaya, 2010: 76) the city survived these crises, but following 1929's economy-based nationalism and national economy policies, the non-Muslims were affected intensively. Following WWI (1914-1918), both the Marshall Funds and foreign investment could be brought to the city and as a result by the 1950s, Izmir was welcoming another migration flows but this time mainly an internal one. The 1950- 1980 periods was not only for Izmir but also for the other cities an important period for population movement, in particular the migration from rural to urban as well as internal migration coming from the east. Rural populations were seeking new opportunities in the industrializing cities such as Izmir. But, this acceleration could not last long and by the 1970s, the structural crises of the 1970s were also creating outcomes for Izmir. This trend continued and became even more visible in the 1980s particularly coming from the Eastern Anatolia and since then, despite the population increase, the city can be portrayed with a high level of unemployment and also internal migration (Ibid.) as it can be seen from the below given figure.

²⁸⁴ Tülay Alim BARAN (2003). Bir Kentin Yeniden Yapılandırılması: Izmir 1923-1938, Arma Yayınları, İstanbul, pp. 41- 42, 50, 134-135.

²⁸⁵ Kemal ARI (1992). "Kurtuluş Savaşı Sonrasında Izmir'e Yönelik Göçler ve Etkileri", in Üç Izmir, edited by Şahin BEYGU, ,Yapı Kredi Yayınları, İstanbul, 1992, pp. 273- 282.

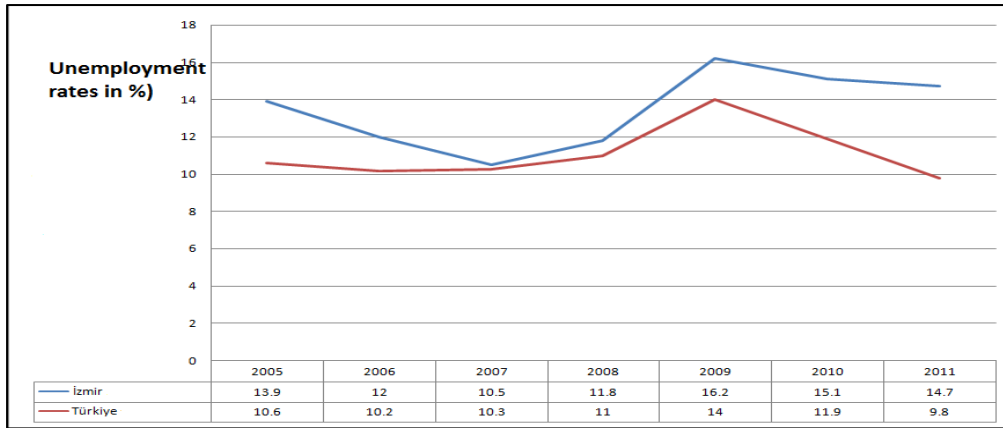


Figure 6.1: Comparison of Unemployment Rate in Izmir with Turkey

Source: Retrieved from <http://www.burhanettinnogay.com/2012/06/izmir-ilinin-issizlik-sorunu.html#!/2012/06/izmir-ilinin-issizlik-sorunu.html> (Accessed on 28.05.2013)

Concerning population movements, in the last 20 years, it is a fact that forced and also economic migration flows appears as an important dynamic for Izmir, which also has been influencing security perceptions, however rather than international migrants, irregular transit or labour migrants or refugees, the main concern appears to be Kurds. Following the 1990s, as a part of so called “forced migration”, 953.680-1.020.200 internally displayed persons (IDPs) were re-settled in Izmir mainly from the eastern and south-eastern parts of Anatolia with Kurdish ethnicity.²⁸⁶

With his significant field research, Saraçoğlu (2010: 369) displays the intolerance for ‘permanent migrants’, which have been non-Muslims, muhacirs or any other different ethnic or religious groups; but for this time as based on ethnicity, he discovers the negative reaction that comes from the city-dwellers.. Thus, as it was the case during the 1920s, we observe that Izmir’s economy has been in contraction. Also, when the middle classes are faced with migration flows, their approach become nationalistic. One of his findings is the “accusation of underserved-gain” for Turkish citizens with Kurdish ethnicity. This aspect is significantly important since this study’s field work in Edirne and Izmir also exposes that internal migration has a close connection with irregular migration and also with different ethnic or religious groups. In Edirne; while mainly

²⁸⁶ Hacettepe Üniversitesi Nüfus Etütleri Enstitüsü (2006) “Türkiye Göç ve Yerinden Edilmiş Nüfus Araştırması Raporu”, pp. 5.

“esmer vatandaşlar (Roma citizens)” and also Kurds coming from eastern part of Anatolia were blamed by the city-dwellers regarding human smuggling, similarly in Izmir, again mainly Kurds or without having ethnic difference but again internal migrants were blamed. This aspect will be mentioned in detail later on.

Briefly, it can be said that Izmir has been associated with the words of “trade, coal, port, Mediterranean” and as it is seen above, it has always been on the migratory routes as the city of “incoming and outgoing” populations (Kayın, 2010: 359). Thus, it has never been a homogeneous city in terms of population in the same way as Edirne. Again, similar to Edirne, different ethnic and also socio-economic groups have always preferred different living spaces with their diversified living styles. In its history, because of international trade and having an important port, Izmir has always been opened to the outside. Regarding the city’s economy, briefly it can be said that until 2000, we come across a dual sector-based economy, which is based on agriculture and international trade because of the impact of the Port. The below given map shows the city with its closeness to the Greek islands.

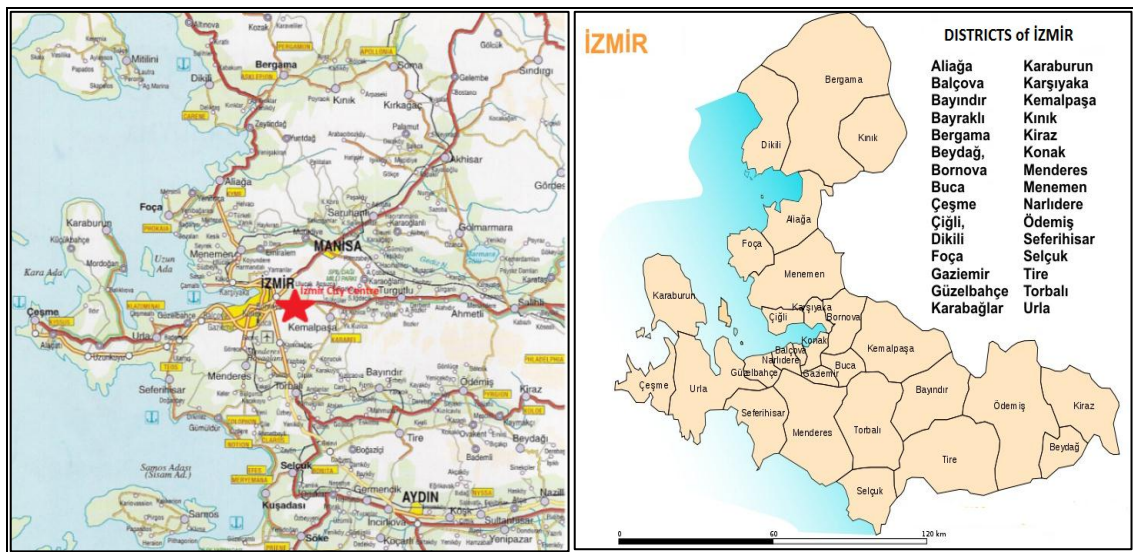


Illustration 6.4. Map of Izmir with Its Districts

Source: Retrieved from <http://www.google.com.tr/imgres?sa=X&biw=1441&bih=587&tbm=isch&tbnid=Wm-EYf93JjkGOM:&imgrefurl>, modified by N. Ela GÖKALP ARAS (Accessed on 02.03.2012) and retrieved from <http://www.neredennereye.com/harita/a3/> (Accessed on 16.12.012)

As the third largest city, Izmir has 30 districts, 91 municipalities, 620 villages that are located within 12.012 square kilometres; and has a population of 4.005.459 including the city centre, towns and villages with a 5,3 per cent increase according to the Address-Based Population Registration System (ABPRS) as of 31st December, 2012. The below give figure also displays the city with its districts. Among them, some districts are more important than the others in terms of their roles for irregular transit migration.

For Edirne, it was mentioned that the field study was mainly conducted in the city centre and 14 border villages, which will not be displayed because of security and ethical reasons. On the other hand, for Izmir, the field research was conducted in the city centre as well as at particular districts' BPCs, which carry utmost importance for irregular migration. At this stage it should be noted that, for this study, the Basmane neighbourhood carries utmost importance, since the majority of irregular migrants, asylum seekers and asylums have been coming and living in this area. After the 1800s, Basmane appears as a neighbourhood; where there were textile and printed cotton (basma) factories and workshops thus it is called as "Basmahane (the place, where cotton printing is done). During the last years of the Ottoman Empire and the first years of the Republic, the area was preferred by wealthy families. Along with the development of trade and industry came the increasing need for accommodation, Basmane turned into a neighbourhood of hotels. In 1936, the Izmir International Fair and Culture Park was opened increasing the importance of hotels. However, because of an important turning point in the process of socio-economic development with the phenomenon of rural-urban migration has function of hotels here has also changed. The field research in Izmir was conducted mainly in this neighbourhood. Briefly, it can be said that after hosting different communities ranging from Armenians to Greeks in the 17th- 19th centuries as was mentioned above and the new comers from the population exchange were re-settled in Basmane during the 1920s. In 1950-1980 periods, Basmane was welcoming the internal migrants from the eastern part of Anatolia. During this period, the existing population preferred to settle down in the coastal neighbourhoods or level areas, and the places that emptied were filled with the above-mentioned population, particularly the

triangle of Kadifekale, Basmane and İkiçeşmelik. Basmane is also important with its railway station.

Reflecting the past of Basmane one of the respondents described Basmane as follows:

Izmir and particularly Basmane has always been open to outside. It has been taking migration. In the past, this train station was extremely active. There have been trains from Anatolia. Railways workers were buying properties around here to be settled down after retirement. Basmane has always been the place, where outsiders first visit and stay. Thus, Somalians were like ‘vaka-i hayriye’ (refers to blessing or good event) for Basmane. Maybe their colours were different; they get used to it (From interview with a shopkeeper, 11.10.2011, Izmir).

The profile of the Basmane hotels and the change there in can be described as

*Basmane has always been a place for poor. Our clients are waiters, workers... Some of them come from villages, some of them had a fight with his wife and come, and some of them instead of stay in a house give 250 Liras to the hotel; because some of them earn 700 liras monthly. Of course in the past, this place was for rich people. There were good hotels for the visitors of the International Fair; artists, singers, traders... **Not anymore, now it is the place for poor and refugees** (From interview with a hotel owner, 29.12.2011, Izmir).*

It should also be noted that similar to Edirne, Izmir has always been important in terms of foreign trade, international transportation webs and even for being on the migratory routes. But, again similar to Edirne, this city also could not be one of the global cities and has always been in the shadow of Istanbul. The city could not be organized in terms of centralized administration; but with a flexible and result-oriented migration population, it has ability to functions as a melting pot as well (Özeveren, 2010: 131). Mübeccel Kıray also describes Izmir as a city, which cannot be organized.²⁸⁷ However, during the 20th century, it was also the city of emigration and losing it qualified youth population. The above-given illustration shows the city and its location in relation to the Aegean Sea and the Greek islands. As it can be seen there, some districts are extremely close to the Greek Islands. From north to south, in the light of the apprehensions as well as findings of the field research, important districts in terms of irregular transit migration

²⁸⁷ Mübeccel KIRAY (1972) Örgütlemeyen Kent: Izmir, Bağlam Yayınları, Izmir.

can be seen as Dikili, Karaburun, Çeşme, Urla, Seferihisar, Menderes and Selçuk. Since many of the tragedies have been witnessed publicly, I do not see any harm in naming these special districts.

The below given quotations reflects the changes for Basmane in the last five year and specifically reflects its relation with different types of migration flows.

Basmane is the cheapest area for finding hotels. You can be in the middle of the city, but also you can hide. The next road of the main road is another world. You can be criminal, you can be poor, you can be Somalian but you can hide here like a shelter. Beggars, refugees, gypsies... They go all over the places during the day and turn back to Basmane. Also, there are others, who come from Southern and Eastern Anatolia, Kurds, and Arabs. Malatya, Konya, Mardin and Diyarbakır, Urfa...The history of Basmane was glorious but now it is the place for 'düşmüş insan (refers to fallen people, who have been in a better living conditions in the past) (From interview with a hotel owner, 24.09.2011, Izmir).

6.3. Irregular Migration Related Networks in Edirne and Izmir: Mapping

Besides being important locations, Izmir and Edirne supply irregular migration related social networks, which are essential for irregular migration. In the absence of formal reception conditions, those networks both facilitate irregular transit migration and also supply survival sources and strategies for migrants. In parallel to the Institutional Theory, those networks mainly appear as institutions.

As was discussed in the 'methodology' part those networks at the local level are categorized as 'Mobility Facilitating Networks- MFN' and 'Reception Mobility Networks- RFNs' different from Faist (1997) conceptualization as "sending" and "receiving" networks. At the local level, particularly illegal intermediaries are categorized as 'Mobilisation Facilitator Networks- MFNs' referring to Faist's "sending networks". In this regard, both in Edirne and Izmir, 8 smugglers were interviewed in order to understand the impact of the policies concerned. For example, civil society organizations, hotels, internet cafes, mosques etc. appear as the representative organisations of the "receiving networks" of Faist's suggestion, which are re-named in

this study as ‘Reception Facilitating Networks- RFNs’. It should be stated that there are transitions between those categories. For example as the MFNs, smugglers supply reception conditions for irregular transit migrants, such as accommodation, food, health services, communication facilities etc. Based on the findings in the selected cities, it was seen that smugglers supplies all the above-mentioned facilities for irregular migrants as their clients. It can be seen as a full package, which covers accommodation, food, the supply of health service in the case of any emergency along with transportation as a part of “RFNs” in terms of function. On the other hand, some of the RFNs supply sending facilities. For example as the representative institution of this category, hotel owners work with smugglers or they undertake the smuggling function as well. Or some civil society organizations, particularly in case of asylum applications, undertake the sending role for resettlement in the third safe countries. Since many of them have been accused of working with smugglers in collaboration, the ‘asylum’ dimension should be insistently re-emphasized. However as was previously explained under the ‘asylum and irregular migration’ nexus; asylum seekers and refugees can fall into the irregular status or because of problems within the asylum system, they may apply to irregular ways. The role of geographical limitation appears as one of the driving forces at least for non-European asylum seekers to reach a country, where refugee status can be obtained. In addition at the local level policy implementers, local government and the law enforcement forces also appear as important actors and those local actors’ interpretations and implementations are important for being able to understand the impact of the policies concerned. Thus, in addition to Faist’s categorization, ‘local authorities’ are also added.

In the light of the previously discussed conceptualization, the meso level networks in relation to irregular migration are renamed and re-determined as follows: Mobility Facilitating Networks (MFNs, refers to Faist’s “sending networks”) and Reception Facilitating Networks (RFNs, refers to Faist’s “sending networks”). These networks support continuation of irregular transit migration through transit countries to the destination countries. In some cases, receiving networks can undertake this function as well, particularly in case of the asylum and irregular migration nexus. In the case of

irregular migration, unless there is a connection with asylum application these networks appear as mainly informal and illegal. In the absence of reception conditions, these networks undertake services in terms of access to legal systems, accommodation, health, employments (mainly in the informal sectors), communication etc.

The evaluation of those networks is significantly important for this research. First of all, irregular migration cannot be explained as the outcome of the rational choice of migrant; but also the macro and meso level factors such as the role of MFNs and RFNs play a part. Therefore, in order to reveal the policy implications there is a need to examine the implications on those networks along with agencies, in other words, irregular transit migration. Also, to be able to reach irregular transit migrants, those networks were extremely important in both Edirne and Izmir. In addition, they support the findings at micro level. In addition to those networks, the local authorities (governmental and also law enforcement bodies) appear as the local policy implementers at the provincial (urban) level. As was discussed earlier, they function as blocking mobilisation through the expulsion/ deporting of irregular migrants back to their home countries; but in some cases, particularly in case of asylum application they also undertake the 'receiving role'. Following the macro level respondents, those institutions and their representatives carry the utmost importance. It should also be emphasized that besides the above-mentioned functions, those networks also have a significant function for this research to supply access to irregular migrants. Because of its conceptualization it was difficult to reach irregular transit migrants in Edirne and Izmir. They are extremely temporary; while they would like to be invisible because of their 'irregular' position. Thus, only with the help of the local networks, could I manage to reach the respondent migrants for this research. The finding will be reflected by the micro level analysis of this study.

During the field research, due to its effect on irregular (transit) migration, socio-institutional structure was examined in relation to the analysed EU and Turkish policies, but also with a specific focus on local interpretation and implementation of those policies.

In both Edirne and Izmir, despite the existence of strict policies irregular transit migration appears as an important phenomenon. Besides the migrants, the evaluation of those policies can only be done through the evaluation of the implementers of those policies and also the MFNs and RFNs in the target cities. Expectations of the EU from Turkey in terms of irregular migration policies were examined and a general framework has been determined. As mentioned before, because of the non-member status, externalization dimension steps in and for the transit countries, ‘border management’, ‘visa policy’ and ‘readmission’ appear as the main focus in particular for irregular transit migration. On the other hand as it was discussed, the specific conditions in Turkey, particularly the nexus between asylum and irregular migration is determined as the additional focus. In this framework, semi-structured interviews were conducted with the relevant local level institutions representing both the local authorities and also the above-mentioned networks. For the interviews, the balanced representation of Edirne and Izmir could be realized with small differences in terms of institutions.

Regarding these differences, first of all, there are physical differences among them. For example, it was not possible to have a similar institution like the Coast Guard Aegean Sea Region Command in Edirne. However, the most important difference between these two cities is functional. In this regard, Izmir can be seen as the regional hub as well as a transit city for irregular migration. It cannot be argued that this city is a “global city” or a “transit hub” like Istanbul; however, the duration of stay and living conditions are more suitable for irregular migrants. That is why the facilities regarding health, education, accommodation and other needs could be traced and the relevant institutions, organizations, actors and city-dwellers have been aware of the existence of these populations. Particularly around the Basmane neighbourhood, many of civil society organizations have been working as RFNs. Even though their main target group is not asylum seekers, refugees or migrants; because of the needs they include these population in their activities. In addition, as was mentioned earlier, Izmir is a de facto satellite city with 1.107 registered asylum seekers and asylum applicants. Thus, at official level, the city appears as both a ‘transit’ and also ‘residence’ city. On the other hand, Edirne functions as a real transit city and not a gathering hub. Because of its closeness to

Istanbul²⁸⁸, MFNS as well as migrants use this city as the exit point of their journey in Turkey. Thus, the city is fed mainly by Istanbul. As a consequence, we are faced with socio-institutional differences. For example, since in Edirne despite the high numbers, the population is mainly invisible in the city centre there was only one civil society institution, which was opened as a branch of the Izmir based one. Because, irregular transit migrants are visible only at the border villages rather than in the city centre, the number of civil society organizations are quite low; while the respondents from border villages is significantly high for this study.

Finally, differences depending on the institutions or receiving and sending networks' willingness to cooperate were important for determining the respondents. For example in Edirne, unlike Izmir, none of the health institutions could be visited because of their busy schedules or unwillingness to spend time or lack of cooperation regarding the research. The official letters for interviews had been sent in advance; however particularly in Izmir at the first stage responses were negative but following additional requests through other channels or personal phone calls, some of them could be realized.

As a consequence it can be said that despite the differences, the majority of the institutions, organization and actors representing local authorities, MFNs and RFNs could be interviewed. As the macro level interviews have been conducted with 18 representatives in total, at meso level 40 in Edirne and 38 in Izmir, in total 78 representatives were interviewed. The below given two tables display the represented institutions and number of respondents as categorized according to the type of networks.

²⁸⁸ Istanbul-Edirne distance is only 237 kilometres.

Table. 6.3. Meso Level Networks in Relation with Irregular Migration for Edirne

TYPE OF NETWORKS	REPRESENTATIVE ORGANISATIONS	#
Local Policy Implementers	• Edirne Governorship (Deputy Mayor Level)	2
	• Provincial Security Directorate- Edirne Smuggling and Organized Crimes Department	3
	• Provincial Security Directorate- Edirne Foreigners' Department	1
	• Provincial Security Directorate- Edirne Removal Centre	1
	• Provincial Gendarmerie Command- Edirne Smuggling and Organized Crimes Command	6
	• Social Assistance and Solidarity Foundation- Edirne Centre District ²⁸⁹	1
Mobility Facilitating Networks (MFNs)	• Smugglers	3
Reception Facilitating Networks (RFN)	• Edirne Bar Association	1
	• Local Newspapers	2
	• Edirne Search and Rescue Association (EDAK)	3
	• Muhktars of villages (10 border-villages and 1 Neighbourhood Mukhtar)	11
	• Edirne Hotels in the city centre	2
	• Edirne City Council	1
	• Local Lawyers	2
	• Association for Solidarity with Refugees- Mülteci-Der Edirne Branch	1
TOTAL		40

Concerning the above-given table, it should be noted that among the “Local Policy Implementers”, Social Assistance and Solidarity Foundation- Edirne Centre District should be considered as a part of RFNs.

Regarding Edirne it should be stated that rather than city centre, irregular migrants appears in rural areas and mainly border villages. There is no accommodation process in Edirne rather than that they come from Istanbul by buses, trains or private cars in particular van type cars. Without staying, in general with the help of smugglers, they try to cross the border right away. That is why unlike Izmir, the RFNs are extremely low. Since irregular transit migrants are not visible the centre of Edirne and in the centres of the districts, awareness about them and their problems was quite low as well. Concerning MFNs, local smugglers with Istanbul connection were interviewed.

²⁸⁹ This institution should also be evaluated under “receiving networks”.

In parallel to Edirne, irregular transit migration related institutions and networks' representatives were interviewed in Izmir. It should be stated that unlike Edirne, Izmir supplies an intense network of informal reception facilities; because this city is not only a transit city, but also a gathering hub at regional level. Despite the dramatic drop in terms of numbers, in the last two years, Izmir also appears as a de facto satellite city with 1.107 registered asylum seekers. That is why both formal and informal RCNs numbers are quite high in terms of interviews. Also it should be added that that even though they were allocated under the “local policy implementer” category, specifically the Ministry of Family and Social Policies Provincial Directorate, the Ministry of National Education Provincial Directorate, the Ministry of Health Izmir Provincial Directorate, the Social Assistance and Solidarity Foundation- Konak District Governorship and Konak Municipality-Basmane Neighbourhood Centre should also be evaluated under RFNs category.

Concerning mobility facilitators, there were 5 interviews in total in Izmir. Among them the interview with the UNHCR representative should be evaluated in relation to asylum. With this legal representative, the UNHCR was represented at local level. The main function of their existence can be seen as to prevent unlawful deportations, to facilitate regional access to asylum procedure and to supply legal consultancy to migrants. In this regard, since this process has the ability to supply legalization and resettlement in third countries in terms of a positive RSD process, the local legal representation of the UHNCR was categorized under MFNs.

Table 6.4. Meso Level Networks in Relation with Irregular Migration for Izmir

TYPE OF NETWORKS	REPRESENTATIVE ORGANISATIONS	#
Local Policy Implementers	• Izmir Governorship (Deputy Mayor Level)	1
	• Provincial Security Directorate – Izmir Smuggling and Organized Crimes Department	3
	• Provincial Security Directorate– Izmir Foreigners’ Department	1
	• Provincial Security Directorate- Izmir Removal Centre	1
	• Provincial Gendarmerie Command- Izmir Smuggling and Organized Crimes Command	2
	• The Coast Guard Aegean Sea Region Command	2
	• Ministry of Family and Social Policies Provincial Directorate	1
	• Ministry of National Education Provincial Directorate	1
	• Ministry of Health Izmir Provincial Directorate	1
	• Social Assistance and Solidarity Foundation- Konak District Governorship	1
	• Konak Municipality- Basmane Neighbourhood Centre	2
Mobility Facilitating Networks (MFNs)	• <i>Asylum Seekers& Refugees</i> : UNCHR (Aegean Regional Legal Representative);	1
	• Smugglers	5
Reception Facilitating Networks (RFN)	• Local Doctors	2
	• Muhktars of Basmane Neighbourhood (Former and Recent Muhktars)	2
	• Association for Solidarity with Refugees (Mülteci-Der)	2
	• The Association of Human Rights and Solidarity with Oppressed People- Mazlum-Der	1
	• İnsan-Der Association	1
	• Deniz Feneri Association Aegean Regional Office	1
	• Hatuniye Mosque	1
	• Hotels in Basmane	4
• Internet Cafes& Call Centres	2	
TOTAL		38

Regarding the field research in these two cities, in Izmir, more participant observation and in-depth interviews could be realized so contributing to the quality of the ethnographic dimension. In this city; hotels, Basmane Neighbourhood Centre, cafes and internet saloons, shopkeepers, neighbourhood residents in Basmane were also visited regularly. Because of the establishment of trust issue, as the researcher I had to spend quite a long time undertaking the primary research in Izmir starting from July 2011 and ending in March 2013. In Izmir, some of the institutions could be visited more than ones, for example the Removal Centre. During the field research, at Izmir Removal Centre one official²⁹⁰ (09.07.2010) and one informal visit²⁹¹ (06.08.2012) were realized.

²⁹⁰ As a part of international delegation with the permission of both the Ministry of Foreign Affairs and Ministry of Interior.

6.3.1. Mobility Facilitating Networks in Edirne and Izmir

In Edirne and Izmir, in terms of Mobility Facilitating Networks (MFNs) there were important similarities but also differences. The main reasons for these differences can be seen as their geographical characteristics, closeness to the main hub (Istanbul) and having different types of borders. Thus, as it was discussed within the theoretical dimension of “social field”, the question of ‘is functionality specific to that geographical scale’ is responded affirmatively by also confirming that different functions affect city-scaling. Because of the above-given factors, Izmir appears as both transit city and a gathering hub; while Edirne is only a transit city. This difference has an important consequence on the MFNs; because in relation to the border crossing requirements actors, methods and strategies change. In Edirne, RFNs are weaker, since they mainly exist in Istanbul, which can be seen as the main hub and the RFNs source for Edirne. On the other hand, Izmir appears as a regional gathering hub by having some direct routes coming to this city such as from Hatay, Mersin and Antalya. But, for both cities Istanbul appears as an important “global” and “gateway city”.

In Edirne, smugglers have a strong connection with Istanbul as well as Greece and Bulgaria. According to the respondents and also in both the formal and informal findings of the study, rather than Bulgaria, Greece is preferred as the main route. In addition, in relation to the Istanbul-Edirne connection, mainly one driver bring migrants to Edirne, as close as to the border as possible and sometimes accompanied by an escort. This path is also same in Izmir. However, from that point instead of a sea border, there are two options, namely the ‘land border’ between Greece and Bulgaria or the ‘Meriç River’. In general the transportation vehicles are also equipped with inflatable boats for river crossings. In this structure, Edirne supplies ‘öncü’ and ‘kanalcı’. The first one refers to an ‘escort’ as it is used in Izmir. However ‘kanalcı’ refers to a person who shows the BCPs to and accompanies the migrants to the very last point. In the case of Izmir this person is referred to as ‘captain’. In Edirne and Izmir, ‘kanalcı’ and ‘captain’ were mainly migrants in general, to avoid being accused of organized crime. Thus, if they are

²⁹¹ As an independent research and the PhD. Candidate at the Middle East Technical University.

arrested, this person also assumes the ‘migrant’ role rather than a member of the smuggling organization. In this case, the worse scenario for this person is to be deported.

In Edirne, smugglers can be local people, mainly border villagers; but also other migrants coming from Southern or South-eastern Anatolia as based on the claims of respondents. It can be seen as ‘others as insiders and others as outsiders’. In both cities, “esmer vatandaşlar (refers to Roman People)”, “çingeneler (gypsies)”, “kurds” or “doğudan gelen vatandaşlar (citizens coming from Eastern Anatolia) were used to define those internal ‘others’. According to the interviews, also as the locals in Edirne, the majority of smugglers are “esmer vatandaşlar” referring to Roma people in this city. Similarly, internal migrants have also been accused of being smugglers in Izmir. However for both cities these smugglers have been determined as the “small fishes of smuggling sector”.

In general ‘esmer vatandaşlar’ (refers Roma people) do this. It is a piece of cake for them. There are corn field, where the corns reach 5 meters. In Edirne not the villagers but ‘esmer vatandaşlar’ do smuggling. You can find all kind of dirtiness from them (From interview with a mukhtar of a border village²⁹², 17.05.2012, Edirne).

In the past, they were using subcontractors from our villages; but not anymore. Those villagers used to help them for small amounts. But now, they use another migrants, who know the route very well and in case of apprehension, they can also say that they are migrants but not smugglers to increase the sanction; because according to the law, it is organized crime (From and interview with an officer from the law enforcement forces²⁹³, 14.05.2012, Edirne).

²⁹² During the field study in Edirne, 10 border villages and also one neighbourhood villages were visited. It could be stated that they are in extremely close contact with the other side. In some of those villages I was welcomed, accompanied and I would like to state that I am still in contact with some of the mukhtars. However in some villages, I have difficulty in conducting the interviews; because according to the other mukhtars’ claims mukhtar of those villages or the villagers were engaged in the smuggling business. In addition, because of the previous researchers; but mainly national and international media organizations, there were some unwanted results. Thus, they were quite hesitant during the interviews. Because of security-based and ethnical concerns, the names of villages will not be mentioned.

²⁹³ Provincial Security Directorate –Edirne Smuggling and Organized Crimes Department is one of the most important institutions regarding irregular migration. In the case of apprehensions, if there are Turkish citizens within the groups related with smuggling, the jurisdiction belongs to this unit. In the case of foreign citizens and migrants apprehensions, Provincial Security Directorate–Edirne Foreigners’ Department takes the responsibility. In Edirne including all the districts this unit is responsible for operations against irregular migration. However in the rural area the Gendarmerie’s jurisdiction starts.

Here, gendarmerie and soldiers do not like each other. For both sides in general there are soldiers from Eastern or South-eastern Anatolia and they are Kurds mainly. After doing their military service, they become a part of the business (From interview with a mukhtar of a border village, 24.07.2012, Edirne).

Representing the RFNs in Edirne (3) and Izmir (5), in total 8 smugglers were interviewed. Two of them have been and are still working as captains in Izmir. The other three smugglers from this city have started a smuggling sector through their hotels. On the other hand, two smugglers in Edirne use the land borders and with their connections in Istanbul, they work on the Greek side; while the third one has been working on the Bulgarian border. Their ages ranged from 30 to 55 and all of them were male. In Izmir, I have been informed about a woman, who has been seen as the most guaranteed smuggler (guaranteed delivery to the final destination) in the sector. However, since she has been using private houses, I could not secure access to this informant, who also uses different private houses in different locations in Izmir rather than hotels.

During the field research, having access to smugglers was the most problematic part along with irregular transit migrants. To be able to reach them, I had to rely on the RFNs and spend a long time in the field. In this way, I could convince people that I would not reveal their identities and build 'trust'. After completion of the field research, two of them were apprehended and sentenced to 4 and 5 months respectively.

It should be noted that for both cities the MFNs were highly fragmented; because of the above-mentioned different phases of the border crossings. Thus, not only smugglers constitute the MFNs category. In this regard, also private class soldiers, law enforcement officers as well as Greece and Bulgarian officers and soldiers were accused of being part of the MFNs.

There are soldiers, who come from South-eastern or Eastern Anatolia. During their compulsory military service they learn everything, all the paths and ways like the palm of their hands. Then, they become 'kanalci' (refers the person who, travel with the migrants to the very last point and before the crossing show the way). If they love their country, they would not do this. Sometimes, from villages they have networks. We have to be very careful. After their military service, they come here again as the seasonal workers. For example

they work as shepherds. We should monitor them carefully; when they twisted you should to what you should do (From interview with a mukhtar of a border village, 22.07.2012, Edirne).

Well police was saying that if you give my share, then I will not see you. Do you really thing that they could live and leave without being visible? Not only smugglers, hotel owners, internet cafes; but also policemen have become rich because of them. Those poor people even have paid their fee by their lives (From interview with a smuggler, 14.09.2012, Izmir).

Concerning the focus of this study, it can also be argued that they have the knowledge about the policies in some cases even more than law enforcement bodies and when responding to the policy or regulation changes, they respond very quickly. Thus, they can be seen as the interpreter of the policies for migrants. For example, in Izmir the RFNs have changed their vehicles, instead of small boat, they have been using luxury motor yachts or sailing yachts. This fact was confirmed not only through the interviews with smugglers and law enforcement bodies' representatives; but also by the unfortunate human tragedies such as the Seferihisar Accident of 8th December 2007, which resulted in 50 deaths of irregular transit migrants and the Baradan Bay (Menderes) Accident of 6th September, 2012 that resulted in 63 deaths (36 children) and 47 survivors.

They do not use small boats anymore. They have also changed some of their routes. In the past, they used to use Müsellim Geçidi; but not anymore. Again between Ayvalık and Lesbos (Midilli), they used to use inflatable boats, but no more. Now, boats for ten people are quite common. They can be motorized yacht or sailing one; but always with cabin (From interview with a soldier from the law enforcement forces²⁹⁴, 16.07.2012, Izmir).

In parallel to the changes they also change their routes, their profiles and networks. For example the majority of the smugglers have expressed that they do not prefer to work with Syrians, because of the close monitoring by the intelligence service in both Turkey and Syria concerning the 'terror connection'.

Routes are now goes directly to Italy. I cannot be bothered with Greece; I take my yacht from Istanbul. It is 3 million Dollars but I rent it of course. In five days, I reach my final destination; but of course you cannot go there in the middle of winter. Everything has the best time. Well, my VIP clients are

²⁹⁴ The Coast Guard Aegean Sea Region Command

delivered in the middle of Europe, Italy. 15.000 Euro for each, this is my price. I cannot deal with sheep (refers migrants) like in Edirne. Now FRONTEX is also there, they can hunt you like a fly (From interview with a smuggler, 31.05.2012, Izmir).

Well, there is big problems and economic crisis in Greece. My clients prefer to go Italy instead. But small sheep dealers cannot take place in this market; because only your fuel oil from Istanbul to Italy is 25- 30.000 Liras. You need to rent a luxury boat with captain, deck man. Sometimes big renting companies are in the business, the owners are the organizers sometimes they just rent. In the last year there is again mobilisation, particularly from Syria; but this is risky. I am not interested in; there is a terror connection in it (From interview with a smuggler, 14.05.2012, Izmir).

6.3.2. Reception Facilitating Networks in Edirne and Izmir

The selected two cities supply meso level networks, which are essential for irregular migration. In the absence of formal reception conditions, those networks supply survival sources and strategies for migrants. It should be stated that in Edirne I could not reach many of RFNs, since this city mainly functions as a ‘transit city’; while Izmir can be seen as quite rich in terms of RFNs.

In Edirne, transit migrants were outside the city and it was really ‘invisible’ to the city-dweller; but visible in border villages, and to law enforcement forces or research and rescue groups. However, according to the respondents, particularly during 2007-2010, they were extremely visible and a part of city life in Izmir (Basmane), since during this period, their legal status was not taken into consideration and according to the respondents’ law enforcement forces were silent. Formal and informal, also profit and non-profit actors have been taking the role of RFNs, ranging from civil society organizations to a Mosque in the heart of Basmane.

We have been supplying food, ones a day. Also there is free toilet here. They can come, they can spend time here. It does not matter from which religion they come from. Everything started with seeing them as eating bread with coke, if they were lucky of course to find those as well. Still we supply ones a day hot meal for everyone (From interview with a Muslim religious leader in Hatuniye Mosque, 01.04.2012, Izmir).

During the field visit, the fundamental needs of the migrants were determined as accommodation, food and health services. Despite the fact that they stay in Izmir longer than Edirne, access to education and other services was not available. However, longer stayers were given jobs at hotels, restaurants, and in the construction sector etc., mainly around the same neighbourhood where they stay.

As was mentioned earlier, after the illicitness of the movement, it became more underground and invisible in Izmir. Thus for both decreasing the costs and also to avoid their visibility, smugglers have also taken the RFNs role on.

When I was in the business, I was supplying everything. It was like a five stars hotel, all included. My house was like a hotel. The basement was for men, the first floor for the single women and mothers with their children. We were giving 3 times meals, hot water for bath and in case of any health problem their medicines. But you know, they were extremely dirty and the biggest problem was mangy. I do not remember how many beds that we had to burn. If you use olive oil for your hairs then the result is mangy (From interview with a smuggler, 11.02.2012, Izmir).

In the absence of reception conditions, support for them used to come from everywhere.

As we helping to migrants, their legal statuses are not important for us. Time to time they had to go to Ankara for the UNHCR, and then we supplied tickets, sometimes in cash and in kind aids. Recently we have supplied furniture for an Afghan family in Basmane. Sometimes they cannot pay their rent, last week we supplies financial support for a refugee family (From interview with a civil society representative²⁹⁵, 14.04.2012, Izmir)

Regarding the RFNs, it should be stated that because of the significantly high number of migrants, asylum seekers and refugees in Izmir in 2007 and 2008, the members of the different civil society organizations, individuals or even private firms worked in

²⁹⁵ Deniz Feneri Association Aegean Regional Office appears as one of the important RFNs in Izmir. This association is still active in Izmir and supplies in-kind and in cash contribution to the migrants regardless of their legal status. As a consequence of some accusations and court decisions against this organization, the representative told that helping to irregular migrants creates problems since documentation is problematic without legal documents, IDs or foreigners numbers. However, informally because of the close location to Basmane, the organization is still actively functioning as one of the RFNs. For further information: <http://www.denizfeneri.org.tr/bagisci.aspx>

collaboration and established a platform and the establishment of the Association for Solidarity with Refugees- Mülteci-Der was because of these populations in Izmir.

Finally, the field research revealed that there are important changes and constraints on RFNs related to the policies concerned. With the pressure on Turkey at macro level, the measures at the local level have been increasing. Thus, as much as on the MFNs, there are visible impacts on the RFNs as well. Since the division between 'irregular and regular' and the statuses of the migrants have become more important, mainly the formal RFNs were affected negatively. At this stage it should be noted that the 'foreigner number' application carries importance.

***In the past, they have been accepted by the hospital with a kind of made up statuses. Networks, personal relations have been used; but now because of the foreigner number, everything is more difficult.** As soon as they enter from the border, the state should give a kind of protection. Isn't it necessary according to the international law, isn't it a right? Now, we have to do some illegal things to be able to help them. They do not have foreigners number; but they are still humans and they are in need for urgent help. **Thus, sometimes we use our health certificates and try to find loop-holes** (From interview with officer from Municipality Corporation, 03.03.2013, Izmir).*

***We do not care about their legal status.** One day, they bring their child with high-fever; but since the parents are afraid; they do not come with you to hospital. They are afraid that we will apprehend them and deport. We are like a state or police for them until we gain their trust. They do not have any documents on them, and how can we register them. If the problem is small, then it is fine. For medicine, we use our health insurance. But if there is a need for an operation, then we are in trouble. Doctor also asks what can he/she do? Because it is not on the agenda of the country at all. In terms of their statuses, almost all of them were and still are illegal. We do not call them as illegal or 'kaçak' but for all, in Basmane we call them as 'refugee'. Because since we are also public officers, they can blame us as helping illegal people. But now, the system works better and we face with difficulties to find the holes in it to help migrants here. Their numbers have been increasing again (From interview with a public officer, 16.04.2012, Izmir).*

By representing the formal RFNs, Social Assistance and Solidarity Foundations in the cities appear as important institutions.

As the Foundation, we supply them their transfer expenses; because in general they are found or apprehended in the districts of Edirne not in the centre. Also

we supply clothing; but for being able to help them we need their foreigner's number. We have to record everything to the online system; but it is only possible with T.C. ID Number for Turkish citizens and Foreigners Number for migrants, refugees. In the past, it was possible but not anymore. However, we still help them sometimes. For the Foundation, their legal status is not important for us. We see and approach them as human beings. There is no exclusion for 'kaçak' too. For being able to help them, we should ask about their passports or ID; but in general they do not have. Also they should have their residence permit. Only with their foreigners' number, they can get health service from the hospitals (From interview with the officer of Social Assistance and Solidarity Foundation- Edirne Centre District, 30.04.2012, Edirne).

In the light of the field research, it was seen that both RFNs and MFNs have been strongly affected by the macro level restrictive policies of the EU, in neighbouring countries mainly Greece and Turkey.

6.4. Main Findings from the Field Research: Meso Level

Within this part, the EU's policies on irregular migration and its implications are analysed in the two selected gateway cities. As was discussed in the 'Methodology' chapter, semi-structured interviews and participant observations have been employed in Edirne and Izmir. In total 78 interviews were held with the representatives of local authorities and local policy implementers including law enforcement forces as well as the "Mobility Facilitating Networks" and "Reception Facilitating Networks" in Edirne and Izmir.

For the field research at the meso level, the main aim was to understand what the implications are of the relevant EU's policies in Edirne and Izmir are and how do the relevant actors and institutions interpret and implement the policies concerned. This extended ethnographic case study was conducted between August 2011 and March 2013. The main purpose was to understand how policy implementers and the related networks at the local level made sense of and implemented the focused policies.

In the light of the main research question and as the adopted strategy for the previous chapters, first of all the EU's policies on irregular migration for transit countries and their impacts on the local level and meso level will be examined.

6.4.1. General Evaluation of Management of Irregular Migration in the EU and Turkey: Deficiencies and Policy Recommendations Described by the Respondents

At the local level unlike the macro level, the impact of the EU's policies concerning irregular migration and the role of FRONTEX as well as Greece and Bulgaria's policies as the EU member countries; are significantly visible. Based on the field research, the general evaluation of the EU policies on irregular migration at this level can be summarized as follows:

1. In parallel to the macro level, the EU's remote control approach and as a consequence, the possibility of being a "buffer zone" country or the "watchdog of the EU" was emphasized;
2. Main destinations for migrants were determined as Greece and the EU countries; but not Turkey. That is why, it was highlighted that Turkey has been doing more than enough; and the EU should take more responsibility;
3. Some responses focused on accusations against Greece and the EU by claiming that their restrictive policies on irregular migration create unintended results for irregular migrants and refugees by increasing risk for both their lives and for smugglers, thus also increasing the price for migrants. In additions creating serious human rights violations for migrants;
4. The EU was blamed for the main reason for illicitness in the focused gateway cities;
5. The changes in the EU policies and its members in terms of border management and the increasing role of FRONTEX were determined as one of the driving forces for the changing figures and methods in both cities;
6. Respondents were separated into two groups; one mainly blaming the EU and also other receiving countries for the existing situation in the source countries and one not blaming them but suggesting those countries invest more to remove the pushing factors rather than investing in restrictive policies for irregular migration;

7. Concerning burden-share, the EU has been accused of not taking enough responsibility or of not supporting Turkey sufficiently in combating irregular migration. In this regard the burden-share dimension was highly criticized;
8. The EU and specifically Greece were blamed for not controlling their borders sufficiently well;
9. The EU was accused of exaggerating the apprehension figures and showing all the irregular transit migrants as coming from Turkey even if they had come from other transit countries;
10. The EU has been criticized for its own human rights violations and baseless critiques regarding implementations and human rights violations in Turkey.

In both cities, apprehensions at BCPs were one of the important issues and particularly the enforcement bodies were reacting to the accusations coming from both the EU and Greek side. With one of the local lawyers²⁹⁶ in Edirne stated that “The EU pushes Edirne too far. The Union decided that its external borders start here and put Turkey as the watchman on the tower.” The local government representatives were also supporting this view.

Do you think that those migrant only enter to Europe through Turkey? They come all over the places, from Greece, France, Italy, and Spain. Don't they? Then, the EU should catch and apprehend them; but it can't. The EU lies; but Edirne apprehended approximately 23.000 migrants, who wanted cross the border. The EU should also research, how many illegal migrants that they caught? Then we can talk about burden, of course it is burden on me (refers to Edirne). The EU should support Edirne with its funds. There should be a fair burden-share. This cannot be solved by establishing a fence, that is why they (refers to the EU) did not support Greece. They (refers to the EU) claim that 80 per cent of irregular migrants come from Turkey, and then they have to prove it. I ask to the EU then, why you did not catch them my friend? (From interviews with a local government bureaucrat²⁹⁷, 17.05.2012, Edirne)

Migrants used to ask for help from European fishery boats, now the fishermen save their fishes rather than human beings. Since Europe cannot deport all of

²⁹⁶ This interview was realized on 15.03.2012 in Edirne.

²⁹⁷ The Deputy Mayor in Edirne Governship, who is responsible from borders and the law enforcement institution in this province.

them, they would like to use Turkey or Greece as dumping place. On our side apprehensions are higher than Greece. We just make their life easier. We take care of the burden and the EU creates this pressure on us (From interview with an officer from the law enforcement forces²⁹⁸, 06.07.2012, Izmir).

At it can be seen from the two above-given quotations, the main emphasis is on the direction of the EU and its members and the role of Turkey as a transit country; where Edirne is determined as a transit city. In a similar quotation regarding the EU policy on irregular migration, the EU's expulsion policy was criticized as follows:

The EU policy in this field is totally aims to escape from the burden, responsibility and risk. You cannot define it differently. If they catch 'kaçak göçmen²⁹⁹', then they deport them right away. It is a fact. For example, if the EU face with Somalians, if apprehends them, it will not take them to Somalia, then the EU will say to Turkey that 'take them and solve this problem'. This is totally political; the EU would like to secure itself. I do not think that the EU concerns for neither those victims nor Turkey (From interviews with a civil society representative, 14.04.2012, Izmir).

Concerning the EU's monitoring and evaluation process, there was a reaction against the EU, particularly in relation to the technical or official delegation visits to the removal centres.

Sometimes they come and they visit as a kind of auditing. In fact, let me say that I am against this a lot. We are not a colony (müstemleke) country. Thus, they cannot do this, but of course there are international agreements or conventions. Maybe it is a modern method; but still, it is wrong to me. So as representing the EU three delegates came recently and they wanted to see the removal centre. It is none of your business my brother?!?! I visited Greece and Pagani Centre there on the island. It was awful. It was really unbelievable, inhumane. That is why; they should see that island in Greece or the other centres in Europe. They, they will appreciate Turkey more (From interviews with a local government bureaucrat³⁰⁰, 16.05.2012, Edirne).

²⁹⁸ Provincial Security Directorate- Izmir Removal Centre.

²⁹⁹ "Kaçak göçmen" and sometimes only "kaçak" have been highly used for respondents. In Turkish it refers to "escapee, fugitive"; however in the context of this research they refers to mainly irregular transit migrants. This explanation will not be repeated for the other quotations, since the meaning is the same for all.

³⁰⁰ The Deputy Mayor in Edirne Governship, who is responsible the Social Aid And Solidarity Promotion Fund in this province.

Since the conditions in removal centres in both Edirne and Izmir is important concerning the EU's requests from Turkey, they will be examined separately. In relation to the EU policies, the following two statements appear with their policy recommendations.

*Border management, to defend and control the borders is not a solution. Nobody leaves her/his country, husband and wives, friends, relatives and escape without having a good reason. **You can control your borders as much as you can; but you have to prevent those who escape or flee from their countries. The EU supplies money; but rather it should invest its money for changing this situation in those countries.** Where they (refers forced migrants) can go? They do not have peace; there have been on-going wars, starvation, and famine. What they will do, they will search for the ways to escape. **The EU should take them and make them qualified workers as supplying training programmes to them. The EU should integrate them into the society** (From interview with an officer from the law enforcement forces³⁰¹, 16.08.2012, Izmir).*

***The real problem is the situation in the source countries and you cannot solve it by EU policies. Despite the existing restrictive measures, they will still come from Myanmar... The reason is the policies in these source countries as well as the living conditions there. You cannot stop them with security measures, visa policies.** Last year in Seferihisar 4 migrants were died and we could manage to find the perpetrator after a year later. Then, you know the human tragedy in Seferihisar in 2008. I concern, when I watch my child; while he plays on the streets and I run after him; but a migrant takes his three children and tries to cross sea, when it is 4-6 or 5-7 (refers to negative weather conditions at sea). **You cannot stop this person with restrictive immigration policies, visa policies or security measures at borders. Iranian soldiers shoot at the border, but despite this fact migrants try to cross this border still** (From interview with an officer from law enforcement forces³⁰², 06.07.2012, Izmir).*

During the field research, the 'irregular migration, terror and security' connection was also emphasized.

³⁰¹ Provincial Security Directorate – Izmir Smuggling and Organized Crimes Department is one of the most important institutions regarding irregular migration. In the case of apprehensions, if there are Turkish citizens within the groups related to smuggling, the jurisdiction belongs to this unit. In case of foreign citizens and migrants apprehensions, Provincial Security Directorate– Izmir Foreigners' Department takes the responsibility. In Izmir including all the districts this unit is responsible for operations against irregular migration. However in the rural areas the Gendarmerie's jurisdiction starts.

³⁰² Provincial Gendarmerie Command- Izmir Smuggling and Organized Crimes Command has jurisdiction for combating the irregular migration that is related to smuggling in the rural areas, where the security forces' responsibility area finishes.

There is also an important connection with terror. If the EU would like to really combat with illegal migration, it should revise the list of terrorist organizations' list one more time. Those terror organizations both bring human and drugs as smuggling them (From an interview with an officer from the law enforcement forces³⁰³, 14.05.2012, Edirne).

The EU was also criticized for the negative results of its policies. For many of the civil society representatives, these unintended results were criticized from the human rights perspective as the creator of the human smuggling business; while the following statement questions the honesty of the EU policies in this field. Briefly, the EU policies were criticized for creating the illegal sectors and for the negative impacts on the selected cities. At this stage it should be emphasized that there was highly mixed conceptualization particularly in regards to the distinction between 'asylum seekers and refugees' and 'irregular migrants'. Most of the times irregular migrants, particularly transit ones, refugees and asylum seekers have been used interchangeably.

If you open your doors, there will be no need for smugglers, which means that you will be not pushing people to make dark and inhuman bargain for even risking their lives. Then they will not invest their money to smugglers. Once you open the door slightly to illegality, you never know where it will stop. That is why immigration, asylum and border management policies should be prepared as keeping those facts in mind. Of course all the countries and the EU would like to protect their territories, it is their sovereignty right; but it should not result with smuggling and illegality (From interview with a civil society³⁰⁴ representative, 15.02.2012, Izmir).

The EU is totally freaked out and obsessed with migrants. It has recognized its mistake but it is too late. The human rights issue is a big lie in Europe. It does not matter what the EU says, if it could do, the EU will deport all of them right away. But, they lost against the rules that they have created. They were claiming that Turkey violated human right and we had accepted those

³⁰³ Provincial Gendarmerie Command- Edirne Smuggling and Organized Crimes Command has jurisdiction for combating the irregular migration that is related to smuggling in the rural areas, where the security forces' responsibility area finishes.

³⁰⁴ Association for Solidarity with Refugees (Mülteci-Der) is based in Izmir and has a branch in Edirne. This organization was found in 2008 f to respond to the needs and guarantee the migrants' access to asylum procedures when the numbers were significantly high in Izmir. This association does not only work for refugees; but also for all forced migrants. Though this association many networks with both the RFNs and also migrants could be realized. Mülteci-Der has also connections with Kayiki and similar platforms in Greece as well as the Coordination of Refugee Rights, which is an umbrella platform of the rights-based civil society organizations working in the field of forced migration. For further information: <http://www.multeci.org.tr/>

refugees. Now, they ask to themselves that what we have done!. But it is too late now. In Europe, prostitutes come from Eastern European countries, while drug dealers come from Africa. I will take them to Europe (From interview with a smuggler³⁰⁵, 02.022012, Izmir).

Again concerning the EU policies, the security-oriented approach was criticized. Even the representatives of the law enforcement bodies, particularly military forces and gendarmerie stated that despite their “illegal” situation, irregular migrants are not enemies and the humanitarian aspect should not be forgotten.

You cannot stop illegal migration. This movement is so mixed with the other movements and you have to look at its roots to solve it. The root is in Africa and you have to invest your money to Africa. The EU calculates the cost and since it seems more feasible they invest their money to preventing measures; but are it really efficient at the end? They should invest this amount in Africa to Myanmar, then and Afghanistan. Migrants pass your borders, then what you will do? Run after them? They are not enemies. You have to approach to this issue from economic point of view and also humanity. They travel with their children; they lose them into the sea. It means that they have enough reason to leave their countries (From interview with an officer from law enforcement forces³⁰⁶, 02.05.2012, Edirne).

In relation to the burden-share and financial aid, the EU’s support was evaluated as inefficient, which can be seen from the below given statement.

*First you have to solve the problems in the source countries. This is all about exploitation and imbalanced power relations; thus you cannot find any honesty in it. You have to end the on-going wars. **The EU and the UN have crocodile tears as claiming that they support and help those countries there. These migrants and refugees are the unintended outcome of their policies. Before they come to you country, you have to solve the problems there.** One day, one high level woman came as representing the EU. She mentioned the EU projects with very high budgets; but with those projects you cannot help people. I explained the needs of the field, but she smiled and took only some notes. **The EU’s order is something different and it will not change. It is cruel and not humanitarian** (From interview with a civil society³⁰⁷ representative,*

³⁰⁵ In Edirne (3) and Izmir (5) in total, I could manage to conduct interviews with 8 smugglers.

³⁰⁶ Provincial Gendarmerie Command- Edirne Smuggling and Organized Crimes Command

³⁰⁷ İnsan-Der Association is one of the significant associations that has been working in Izmir. Even though the association can be defined as quite conservative, without having any segregation among the migrants in terms of their religion, they have supplied mainly in kind support. During the crowded period of Basmane, on a daily basis, İnsan-Der supplied food support. To ensure fair distribution, they prepared migrants files and also ID cards with photographs. In addition, in the case of an emergency,

14.03.2012, Izmir).

Concerning the EU dimension, one of the most important aspects was ‘burden-share’, which has been conceived by the respondents as mainly the financial support regarding combatting irregular migration. Regardless of its content, in general the EU support was found to be inadequate by the majority of respondents.

We face with fixed and running costs. The EU says that ‘I do not want them, they should stay in your country; but everything should be in line with human rights’. The EU did not even cover 10 per cent of our costs. Maybe for accommodation, it was supported the establishment of the reception and removal centres are supported by the EU; but they have running costs like food etc. Even the paper works costs could not be covered by the EU support (From interview with an officer from the law enforcement forces³⁰⁸, 17.07.2012, Izmir).

We have inefficient capacity. As you can see, there are more than 150 apprehended migrants are waiting outside. Another 100 will come today. Where we will accommodate until we will deliver them to security? First accommodation, then food. We have asked additional budget from the General Command of Gendarmerie. Even though, we do not accept them as refugee or we do not give citizenship as Turkey, we take care of them. If you cannot keep them in their countries, they will come back again. Apprehensions and deportations are not solutions. But actually, we are dealing with the EU’s problem not Turkey’s one. The EU should allocate decent amount of funds for this and maybe they should be legalized. They are not coming to Turkey, their final destination is Europe and the existing situation is far beyond of our capacity (From and interview with an officer from the law enforcement forces³⁰⁹, 14.05.2012, Edirne).

Finally, from the readmission agreement to FRONTEX, one of the most important and comprehensive quotations is given below.

accommodation, support for access to health services and clothing were and are still supplied by this association. Their record system is highly detailed and better than many of the official institutions. On their cards, besides their photographs, their names, their nationalities and also their addresses, which are mainly hotel names, are included. According to the interview, this association have been visited several times by the UNHCR representatives. For further information: <http://www.insander.com/>

³⁰⁸ Provincial Gendarmerie Command- Izmir Smuggling and Organized Crimes Command

³⁰⁹ Provincial Gendarmerie Command- Edirne Smuggling and Organized Crimes Command

Border management and migrants are the problems of the EU more than Turkey. That is why; the EU supports Turkey for establishment of reception and removal centres and training of personnel. As Turkey, we just block the flow of migrant, which goes to France, Italy... You know, there is FRONTEX; but I am a police. They do not say that we will support you, but they only demand from us to apprehend them. I do not care; their aim is come to your country not mine. If you can catch them, do it then and if you send them back do so. Now, the EU asks for readmission agreement. This year we apprehended 20.000 in Edirne, why should I catch more? If there is a serious human rights violation, if there are pregnant women, a disable person, I will intervene of course; but if they are young, male in a good health condition, they can go. Why should I catch them? After all, they will go to Greece (From interview with an officer from the law enforcement forces³¹⁰, 02.05.2012, Edirne)

It should be noted because of the changing policies in the EU regarding border management and the increased role of FRONTEX; the route coming from North Africa to the border countries such as Italy and France has changed. In addition to the Middle East Countries and the Asian ones, the route has been added to the migratory routes, which pass through Turkey. In this regard, the role of Istanbul and concerning this research the role of Edirne and Izmir has also changed. At the local level, the sensibility of the local and meso level is quite high. Without even completing the field research, I could manage to observe important changes in Edirne and Izmir regarding irregular transit migration in relation to the EU and also neighbouring countries' policies. Thus, it cannot be argued that the EU's policies are the only determinant for the transit roles of Edirne and Izmir or the main gathering hub, Istanbul; however these policies have important implications in these cities.

6.4.2. Border Management and the Role of FRONTEX

As one of the important dimensions in relation the externalization of the EU's immigration and asylum policy concerning irregular migration, 'border management' and the role of FRONTEX have been intensively visible in both cities. Before focusing on the findings, in the light of the previously given information regarding Edirne and Izmir; it should be noted that the differences in their location and border characteristics are significantly important. The main impact of these differences also has a direct impact

³¹⁰ Provincial Security Directorate –Edirne Smuggling and Organized Crimes Department

on the local MFNs, the cost of passing the border, the profile of the migrants and the methods.

When the field research started in August 2011; the number of irregular migrants was quite low; with the figures in Edirne being based on apprehensions. I could not manage to come across a family, who has been living in Turkey for more than five years; but Basmane was mainly empty. The stories about the irregular transit migrants there were in the past tense and everybody was advising me to go and conduct research in Edirne. After spending a couple of months in Basmane I came across with a more underground structure diffused throughout the city. By March 2012, I had also started my research in Edirne, when the daily apprehensions were approximately 300. However before even completing the field research, numbers were decreasing in Edirne; since then a visible increase can be observed in Izmir. When I conducted my last interview in Izmir, the area concerned was colourful with migrants. Even though it will be shown later on, I would like to state that the impact of FRONTEX and the EU border management policies as well as the relevant policies of Greece were one of the important external factors and frequently emphasized by the respondents in both cities. In addition, operations that were conducted by the law enforcement forces were highlighted as another important factor in this change. However at the local level many of the respondents explained this change with the raising prices for border crossing; which the smugglers were explaining as the result of rising costs; but the main reasons can be stated as the increasing risks of being caught.

Also I would like to state that unfortunately, I have seen that this numbers is not on paper but visible, touchable at the borders in Edirne and Izmir. During the field study, in Edirne, I managed to observe one search and rescue operation³¹¹ for irregular transit migrants who were stuck on one of the small islands of the River Meriç; but unfortunately only dead bodies of 3 adult male migrants could be found. Since there were no ID cards on them, to find out their nationalities will take time for the authorities and if they are lucky, their bodies will be claimed by their relatives or they will be

³¹¹ Since I was not officially allowed to join this operation, no further details can be supplied.

buried in the cemetery of the nameless along with many others. The second operation was in one of the border villages, where a couple from Congo had been found. I was informed by one of the mukhtars and with the permission of gendarmerie; I managed to enter the operation field. They were found in the poultry house of a village by the owner of the house. They were so silent and taken by the officers of the Smuggling and Organized Crimes Command of Gendarmerie Command- Edirne. The owner lady was trying to explain that neither she nor her family was related to them by emphasizing that they have nothing to do with smuggling; while she was also showing the small area where those migrants spent the night. There was one empty pack of chips and a water bottle remaining from them. In addition, in Izmir I managed to see the operation field of the second biggest sea accident on 6th September 2012, which resulted in 61 deaths and 47 survivors from the irregular migrants. Thus, I was lucky to be able to be there as a researcher; but also unlucky as being the witness to three of the many thousands of tragedies. In all of the three cases there was desperation, fear and death.

Before focusing on the EU's and Turkey's policies on irregular migration and their implications in these two cities; some of the important differences in terms of border management should be mentioned.

First of all, in Edirne; because of the existence of a land border; which is next to cultivated fields and the living areas (border villages) in most of the places; the public is more engaged and affected by border management and the policies concerned. Similarly in Izmir, city-dwellers, who live in the Basmane neighbourhood and frequently use coastal routes for irregular migration, have been intensively associated with irregular transit migrants. It should be noted that confrontations are important for both sides.

Sometimes, we are afraid too; because while you are plowing your field one of a sudden, 30 black people jump in front of you. This is also shocking for us. Imagine, in the morning you go to your field and come across with strangers. Those people are not harmful, we have no problem with them; but sometimes we are also accused for being in the smuggling business. It is also another fear (From interview with a mukhtar of a border village, 17.05.2013, Edirne).

We have to even carry a corpse. As mukhtars, we have extra official duties you know. But, to carry a corpse is something different and tough. It leaves a mark behind of it and effects deeply. In the past, I could not even go to cemetery; but now, I can easily go there. To deal with corps has become an ordinary task and sometimes I feel like I work at a directorate of cemetery. They become carrion in water... (From interview with a mukhtar of a border village, 15.05.2013, Edirne)

Secondly, because of the existence of the Aegean between Greece and Turkey, Izmir hosts different institutions such as the Coast Guard Aegean Sea Region Command. Similarly, because of the existence of the River Meriç; but absence of the sea, we come across the Edirne Research and Rescue Association (EDAK) and because of the land border, the Turkish Armed Forces and border headquarters in Edirne. Thus, in terms of border management, there are different institutions. Particularly regarding border management, the absence of integrated border management as well as the problems regarding jurisdiction areas, communication and operational differences was frequently emphasized by the respondents. These have been also pointed out by the EU as was mentioned at the macro level. In addition, as it was also stated at the macro level, the absence of professional personnel and working with temporary soldiers were defined as important problems. Regarding border management one of the demands of the EU for Turkey is to become a part of integrated border management and the findings in the field also confirmed the need for this demand and in the medium period, the General Directorate of Border management which will be established according to the LFIP should be studied. As it can be seen below, both the fragmented structure and particularly working with untrained soldiers appears as important critiques at the meso level, which were also mentioned at the macro level.

The most important problem is the area of jurisdiction between Gendarmerie and Security Forces. Gendarmerie has chronic problems and the work with young soldiers. Particularly they have low control capacity in rural and actually, they are also aware of this fact. Even though there are some non-commissioned officers, the majority of them are private first class soldiers. This is related with public order also and gendarmerie should develop itself for border management. The most intense order crossing points are not under the jurisdiction of security forces (refers to police). Thus, concerning to Edirne the biggest task belongs to gendarmerie and also border headquarters (refers to Turkish Armed Forces' border headquarters, where allocated at 1st degree military zone). They work with soldiers, who have been there for 15 months.

They do not know what they should do. They act with the fear of what if something happen to me (From interview with an officer from the law enforcement forces³¹², Edirne).

...But for the border management, there will be again civilized unit, not soldier at all. Private first class soldiers (refers to 'er') do their compulsory military service for 12-15 months. There should be professionals as trained. They will be paid and professional, working only in this field. You give also trainings but after one year, they will be gone (From interview with an officer from the law enforcement forces³¹³, 06.07.2012, Izmir).

It should also be noted that in Edirne the reaction to the other law enforcement forces in different cities was quite intense. From local authorities to the law enforcement bodies, the majority of respondents blamed particularly entrance borders for lack of controls as much as the EU. In this framework, the lack of facilities and personnel was mentioned in both Edirne and Izmir.

They pass all the provinces until they reach Edirne. Ok, we do not blame those people as coming to Turkey. But why the other provinces before Edirne do not intervene? Edirne has always been dealing with it; but why Ağrı or Sivas do not whatever they have to do or Ankara? However, until Edirne nobody intervene or touch them. In those provinces, there are also foreigners' branches of security and also removal centres, which are also supported for their fixed costs. But, to deal with migrants is a long procedure. You will apprehend them and under your detention, you will try to complete identity determination. There is no subsistence allowance, thus they (Refers to other law enforcement bodies in different cities) will try to not to intervene (From interview with an officer from the law enforcement forces³¹⁴, Edirne).

Thirdly, in Edirne and Izmir the physical and geographical difficulties were emphasized in terms of border control. In fact, different from the South-eastern and Eastern borders of Anatolia, the sea and land borders have special characteristics in Edirne and Izmir, which make them difficult to control; but also supplies facilities for border crossings. The below given photographs display the border between Greece and Turkey in Edirne. On the left, the land border, where a 10, 5 metres fence was built by Greece, can be seen.

³¹² Provincial Security Directorate- Edirne Smuggling and Organized Crimes Department

³¹³ Provincial Security Directorate- Izmir Removal Centre

³¹⁴ Provincial Security Directorate- Edirne Foreigners' Department

This picture was taken during the field study at the zero point and after the above-mentioned close contact with FRONTEX³¹⁵. On the right side one of the closes point to the Greek side can be seen, where the River Meriç constitutes the natural border. Similarly, as was shown in Illustration 6.5., Izmir is very close to the Greek islands.

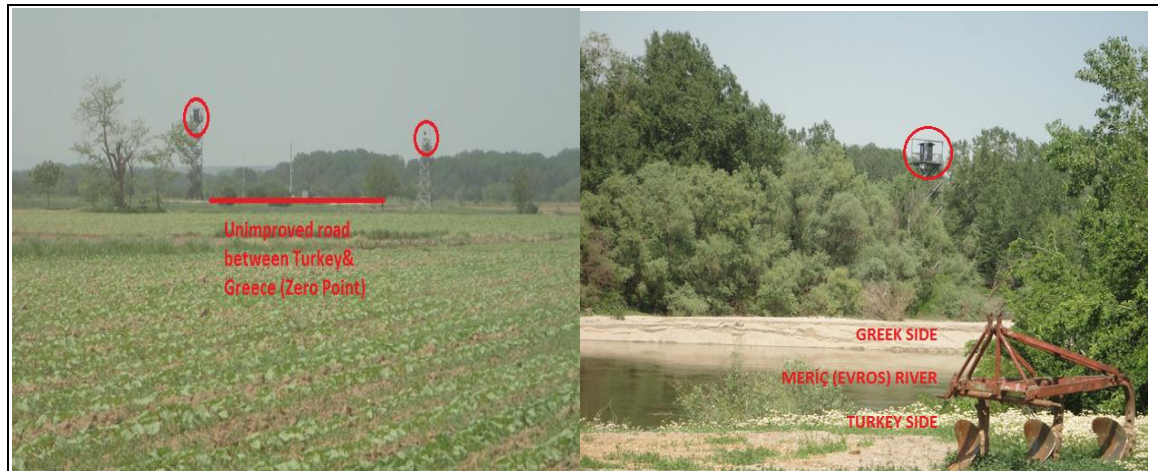


Illustration 6.5. Land Borders and Border Crossing Points between Turkey and Greece in Edirne

Source: This picture is taken by the researcher, N. Ela GÖKALP ARAS on 12.05.2012, Edirne.

Concerning the EU policies, the findings in terms of ‘border management’ can be summarized as follows:

1. The Schengen *acquis* has a direct impact in the selected cities, mainly in Edirne;
2. At local level, as much as the EU’s policies, also its members’, Greek and Bulgarian border management as well as immigration and asylum policies gain importance;
3. The EU’s narrow ‘security-based’ and ‘remote control’ approach regarding border management and irregular migration were criticized and many of the tragedies have been seen as the consequences of these approaches;

³¹⁵ At this location there are rice plants and they were just replanted. While we were approaching to the ‘zero point’ of the border, I was accompanied by some local authorities’ personnel and all of a sudden we heard warnings from loudhailers and saw the patrolling SUV of FRONTEX.

4. Some of the border management tools such as ‘ the fence of Greece’ were criticized;
5. Lack of burden-share and problematic border management policies of the neighbouring countries, particularly Greece and Bulgaria were emphasized with their negative impacts;
6. In terms of statistical changes in Izmir and Edirne; the EU, FRONTEX and Greece have been emphasized as one of the driving factors;
7. FRONTEX operations have significant consequences for both cities; however in terms of evaluation of its impact, there is no consensus between the respondents, in particular between the law enforcement bodies and smugglers.

In relation to the first point, the below given quotations show the impacts of the Schengen *acquis* in Edirne along with the special characteristics of the Bulgarian border. This fact creates differences between the border villages of Edirne. This finding also highlights the impacts of the visa policy of the EU in Edirne. This fact can be seen as one of the important implications of the EU policies at local and meso levels.

Bulgarian border is not a well-protected one. In terms of border control, Greece is more successful; but Bulgaria is not a part of Schengen. After Bulgaria they have to pass the border mountains and they have to pass one more border too. Thus, they do not prefer. Also Bulgarian border is tougher in terms of its nature; but sometimes it brings advantageous to smugglers and migrants (From interviews with an officer from the law enforcement forces³¹⁶, 23.05.2012, Edirne).

Bulgaria is different. There is not part of Schengen that is why it is not quite preferred route. This route is also more difficult than the Greek side; but your ranking for risk changes all the time. Sometimes flood is acceptable if you compare it with soldiers (From interview with a civil society representative³¹⁷, 17.03.2012, Edirne).

³¹⁶ Provincial Security Directorate–Edirne Foreigners’ Department

³¹⁷ Edirne Search and Rescue Association (EDAK) is a civil society organization, which was established in 1999 and has been taking an active role in natural and hazardous areas. In terms of migration, their roles is to search and rescue in the River Meriç. Unfortunately, it has been found out that there are many tragedies happening in Edirne. Since irregular transit migrants try to cross the river with poor quality inflatable plastic boats in high numbers, which is over the capacity of the boats and many of them cannot swim, they die in this river. In some cases when the gendarmerie cannot intervene, EDAK’s diver

Concerning the second finding, as it was mentioned earlier; particularly the neighbouring EU members' implementations have significant consequences at borders. This dimension is important for Turkey, the selected two cities but most importantly for the migrants. Particularly the Greek policy to 'push back' irregular migrants should be approached by associating it with the EU dimension as well.

It is a fact that as the one of the most important external border for blocking irregular migrants, Greece has been taking enormous measures. In 2012, Greece completed the 10, 5 metres fence at the land border and employed almost 2.000 border troops. But as was also claimed by the report of Amnesty International (2013: 6), besides the increased surveillance and the construction of a fence; there have been 'push back' operations, which have been confirmed by the respondents in Edirne and Izmir at local and meso levels. Some of the below given quotations are quite impressive concerning the 'push back' and 'unlawful' implementation by Greece.

Greek side has been trying to deport illegal migrants to Turkey. Sometimes they apprehend 50 migrants in a truck or sometimes in the river. Then they push back them through the River Meriç to Turkey side. Thus, those numbers are not reflected to the statistics (From interview with an officer from the law enforcement forces³¹⁸, 23.05.2012, Edirne).

Since there is the Aegean Sea between Turkey and Greece, rather than a river; we do not have close contact with Greek side; but Greece does not want them; but the EU has been accusing them for not to control borders and letting them coming to the EU. Thus, they just push back. They damage their boats and push them to Turkey side. But there is also a humanitarian side (From interview with a soldier from the law enforcement forces³¹⁹, 16.07.2012, Izmir).

In addition to the 'push back' strategy of Greece also unlawful and bad treatment has been emphasized at the local level.

members take on the role voluntarily with the collaboration of the Civil Defense in Edirne. For further information: <http://edak.org/>

³¹⁸ Provincial Gendarmerie Command- Edirne Smuggling and Organized Crimes Command

³¹⁹ The Coast Guard Aegean Sea Region Command

Between Turkey and Greece, there is a two-decare minefield, which should not be there at all. Sometimes you hear a blast; but Greek side does not go there right away. We can watch them on the top of the Science High School as coming in the morning; collecting the decomposed corps and putting them bin bags. They also renew the mine, even though it is forbidden according to the international laws and conventions. Thus, there is no need for id research... (From interview with a journalist of regional representation³²⁰, 14.04.2012, Edirne).

At local level, there have been a couple of initiatives to inform the Greek side through the consulates; however according to the claims, their requests have been ignored.

*I used to hear stories about the behaviour of Greece through its officers. Migrants were telling that they have been pushed back to the sea or to the River, Greek soldiers have beat them badly, and made their dogs to bite them. I was thinking that it should be an exaggeration; but we were seeing the damage on their bodies. **One day, I was turning back from Athens and I saw one car was parking on the side of the road, then I saw two polices and 4 migrants. They were just beating them with a stick; but you cannot beat a human or an animal like that. I was alone, and I could not do anything. Another time, I recorded and went to Greece Consulates right away, but nothing happened. Until reaching to Athens, your life in danger but after Athens you are safe and your life is seen as halal** (From interview with a journalist of regional representation³²¹, 14.04.2012, Edirne).*

Greek side treats them badly; they are always beaten or injured. They cry, all adult men cry... They are afraid, they are wet, hungry. Our villagers do not treat them badly. They (refers to migrants) just try to save their lives as escaping from their countries; but they face with another torture here (refers to Greece). We do not blame them (refers migrants); but the one who have loosened their humanity (From interview with a border village mukhtar, 19.07.2012, Edirne)

In addition to the ‘push back’ strategy, also some of the measures that have been taken by Greece were criticized similarly by macro level policy implementers. It should be noted that at the time that the interview were conducted, the fence had not been completed yet.

³²⁰ NTV Edirne Branch

³²¹ Ibid.

Greece has been planning to establish a fence at the land border and there is also a ditch plan. These are unfriendly and unappealing solutions and as the city-dwellers of Edirne we were offended. Even if you rebuild the Great Wall of China, they will come and try again; because, those people nothing to lose rather than their lives. Also, they are not alone in this movement; there is an organization behind of it. There should be comprehensive policies, rather than building fences or accusing Turkey. How Turkey can stop these flows? Only the EU and the other destination countries can stop it as producing more constructive, realistic and effective policies.” (From interview with a local lawyer, 15.03.2012, Edirne)

I do not think that FRONTEX was affective to be able to change the traffic there. Rather than FRONTEX, I think Greek Coast Guards’ inhuman behaviours were more affective. In the Greek islands, detention centres were full and the asylum system collapsed (From interview with the UNHCR Aegean Region Legal Representative, 13.02.2012, Izmir).

Regarding the narrow-based and security oriented approach of the EU, the expression of “they are not enemy but migrants” have been used by both the villagers and also the law enforcement bodies’ representatives: “Combating illegal migrants is not the duty of Turkish Armed Forces. An army is not formed to combat migrants at all. For an army, the ones who confronts is always your enemy, the ones who come from your back are always your friend. Thus, migrants are not our enemies.” (From an interview with an officer from the law enforcement forces, 02.05.2012, Edirne).

As a part of border management, the impact of FRONTEX was questioned at the local level as well. Previously, FRONTEX was examined at macro level; but mainly as a political subject. Quite a limited number of institutions such as the Ministry of Foreign Affairs or the Ministry of EU Affairs can supply comprehensive information. However, at local level, particularly in Edirne, FRONTEX is a highly visible institution with its officers, patrol cars and helicopters. The existence of FRONTEX so close to the private cultivated lands is found disturbing for some of the field owners and villagers in Edirne. Particularly the thermal controls are not welcomed by some respondents and there were intense complains for being treated like criminal on their own land. However, the level of knowledge and close contact or cooperation was much lower in Izmir in comparison to Edirne.

In general, most of the respondents determined FRONTEX as one of the driving force regarding the decrease of numbers in the Aegean Sea and also in Edirne.

Since 2008, there has been a decrease regarding apprehension numbers in Izmir; because of Seferihisar tragedy. 56 or 57 undocumented migrants were found and some of them were eaten by fishes. They rest at cemetery of nameless in Bayraklı. Since then coast guard commands, gendarmerie, police forces and FRONTEX have been working in collaboration. Particularly the EU through FRONTEX has been quite active, thus the route moved to Edirne (From interview with an officer from the law enforcement forces³²², 06.07.2012, Izmir).

The Fortress of EU has been rising higher and higher since 2009, and then guardians of FRONTEX were transferred to the borders of this fortress to defend. At the edge of the borders, Greece's capacity was limited to protect the borders, and since migrants do not stay in Greece but would like to continue into the Europe, the EU had to support this country as it is the case of Libya. The ones who come via sea have been push-backed. Thus, all these measure push people to alternative ways. Izmir can be seen as the outcome of these policies. While border crossings via Spain and Italy have been nearly totally stopped since 2009, people started to use Turkey. The ones who come from Afghanistan, Pakistan, Bangladesh, Iran and Iraq as the countries of Turkey's eastern and southern sides, have been trying to reach Europe as using Turkey, then the Northern African countries added up too. Izmir has always been a gathering hub for the ones coming from those countries. If you close one door, the other one is open, thus Izmir was the hole particularly in 2008-2010 period (From interview with a civil society³²³ representative, 15.02.2012, Izmir).

We are not in touch with FRONTEX; but they are quite active and also successful at the Aegean Sea. If Izmir's figures have been dropped, then FRONTEX can be seen as one of the important actors for this result. Now, the numbers have been increasing in Edirne, from 600 to 1.800 officers and from 3 to 20 boats. We will see if they will reach the same level of success (From interview with an officer from the law enforcement forces³²⁴, 04.07.2012, Izmir).

³²² Provincial Security Directorate- Izmir Removal Centre

³²³ Mülteci-Der

³²⁴ Provincial Security Directorate- Izmir Removal Centre

Another important finding regarding FRONTEX is the accusation against this institution for the unlawful implementations and human rights violations that even resulted in a life lost. In this regard, the need for a monitoring and evaluation mechanism for this institution was emphasized. During the field research in Edirne, concerning FRONTEX, there was one specific accusation regarding a death of a migrant by a FRONTEX officer, which has been repeated by my respondents.

Who monitor FRONTEX, while it has been monitoring illegal migrants? Last year, one migrant were shot by a FRONTEX officer and as following they launched investigation. Even though, FRONTEX rejected all accusations... Who control FRONTEX or auditing this institution? Do they really obey the ethical rules or rights of migrants? Who knows... (From interview with a local lawyer, 23.05.2012, Edirne)

*The officers of FRONTEX are the ones, who were exported or exile from their institutions, problematic or with low level of social adaptation. Also, in Greece, the majority of military service is paid; thus both FRONTEX and Greek officers and soldiers are problematic. They have their own crime records. They are drug addicted. We know exactly these facts. When they see 10 migrants, they beat them. **Recently they shot one migrants. As far as I know the investigation is still continuing.** In Orestiada, they have office (refers FRONTEX) ...I could manage to enter their office with an official permission, I took pictures etc. They use herons, which refers to unmanned air vehicles, particularly on River. **They do not look like ordinary European officers; but they are a team of psychopaths. They approach to migrants like enemies** (From interview with a journalist of regional representation³²⁵, 14.04.2012, Edirne).*

Since FRONTEX has been working at the sea and land border of Greece, in relation with FRONTEX, Greece's border management has also been evaluated by the respondents. Mainly apprehensions, access to asylum procedure, unlawful treatment and human rights violations were emphasized.

Now, FRONTEX has been on due and it has been apprehending migrants. If those apprehended ones have the access to a fair and well-functioning asylum procedure, then we can say see FRONTEX as useful. But, at the borders, FRONTEX do not intervene. They just catch irregular migrants and deliver to the Greece authorities, where the mentioned asylum system is highly

³²⁵ NTV

problematic (From interview with a civil society representative³²⁶, 15.02.2012, Izmir)

At this stage, the evaluation of some of the smugglers should also be displayed. However, it should be noted despite that all the respondents without exception evaluated FRONTEX as an inefficient institution; the conflict of interest should not be ignored.

*We have been in business; we have been working like an atom ant!!! We have been building our networks and contacts. **Yes for the ones, who are not that much experienced, FRONTEX is like a monster; but for me it is a big colourful balloon. They have their toys, SUVs, helicopters even; who cares? I mean it is a big business and highly profitable, how can you stop it? Also we know when a FRONTEX officer even pees, just imagine...** And do not forget there is always someone who pays better (From an interview with a smuggler, 09.02.2012, Izmir).*

*Well, if they block, then they depart from Egypt, if you stop Egypt, then from Israel. For example, if I rented a million Dollars yacht for 3.000 Euro daily. I have 30 VIP clients, and I am taking 15.000 Euro, which make 450.000 Euro at the end. **If I give 50.000 Euro to you, are you going to stop me, FRONTEX?** (From an interview with a smuggler, 19.09.2012, Izmir)*

As was examined at the macro level, some of the respondents mentioned the extremely dynamic structure of smuggling networks, similarly the below given quotations re-confirms this fact in relation to FRONTEX and the smuggling sector.

Yes, they (refers to FRONTEX) are affective but only at land border. We have already given that part, since it has been so visible and stigmatized. There are plenty of places, routes and people in it (From an interview with a smuggler, 11.06.2012, Edirne)

We have been cooperating with FRONTEX, particularly for technical issues. From FRONTEX, recently we have received 4 boats. They are bigger than Zodiacs, Sagets. But, their boats are not good at all. Concerning effectiveness, yes they speak with numbers; but they also apprehend a man, who just passing by. They have been replacing Greece's numbers also under their part. We apprehend 50 per cent, and FRONTEX claims that the other 50 is apprehended by them, not Greece. Smugglers are even faster than us and with FRONTEX's boats it is just impossible to catch them. How can you catch them those 5 boats of FRONTEX? FRONTEX is an institution, where Estonia, Latvia feel good and important in it. They would like to say that they also contribute to the EU. What a contribution with plastic boats... But, for an

³²⁶ Mülteci-Der

effective operation, you should get information from Turkey side, we should say that they were just departed from that point, and then they will welcome them as goalkeepers. Also, Ankara has not idea about what is going on (From interview with an officer from the law enforcement forces³²⁷, 06.07.2012, Izmir).

Among the above-mentioned findings, the most important ones can be seen as their role in changing the routes and in this regard re-determining the actors and roles of RFNs and MFNs, unlawful implementations and human rights violations. It should also be stated that as much as the risk increase at the borders (in terms of to being caught), prices (for smugglers costs) and risks increase for both MFNs in particular smugglers and irregular transit migrants. Concerning irregular migrants, this risk can, sometimes, ultimately be death.

6.4.3. Visa Policy

One of the important focuses of the EU's policies concerning irregular migration was the harmonization with negative and positive country lists. Concerning visa policy, at the EU level the most criticized policy is the liberal visa policy of Turkey. While at the macro level, the economic aspects were highlighted, at the local level mainly the negative impacts of this policy were focused on by the respondents.

Not only border management is a problem. We are also a democratic country, and people come as tourist. Because of the liberal visa policy, they come from Syria, Iraq, and Iran without visa but passports and they say that they would like to visit Selimiye Mosque. They wait for the most appropriate time and they cross the borders. At this stage we try to stop them. This is like a shrink jacket. You welcome from one side and you try to send back from other (From interview with a local government bureaucrat³²⁸, 29.04.2012, Edirne).

As law enforcement bodies, we have been facing with problems with the liberal visa policy. People can enter Turkey easily. Almost 90 per cent of the countries can get visa at borders for 30 years. This situation creates burden on us. People come, they are contact with each other through internet, then in Istanbul somehow their passports disappear and they become irregular transit migrants

³²⁷ The Coast Guard Aegean Sea Region Command

³²⁸ The Deputy Mayor in Edirne Governship, who is responsible from borders and the law enforcement institution in this province.

as waiting the right time to go to Europe (From interview with a police officer, 07.07.2012, Izmir).

In addition, concerning the visa policy, the Schengen *aquis* causes significant impacts in Edirne as it was discussed previously. It should be noted that in this position Bulgaria also undertakes the role of being a transit country. Despite this fact, one smuggler stated that he has been working on these routes for three years and it has advantages for him as follows:

*Everybody tries Greek side now, and you have seen what happened. There is a competition and you should be sharp in the dog-eat-dog world. I have seen the new opportunities. Yes, it is true that Bulgarian soldiers are so strict and even your life in danger. But, everybody has a price. You have to wait for the correct shift and you need to find your contact. My duty is to make them cross this border and there are other connections in Bulgaria. If the border is difficult for you, I mean for our sheep (refers to irregular transit migrants as their clients), it means that it is difficult to control for them too (refers to border troops in Bulgaria). You should do something different, I guess they call it as being innovative or entrepreneur, am I right? Last winter was so harsh, all the trees were broken and it was a real mess in the forests. Soldiers from our side and their side (Bulgaria) were not there, but we were... **This is my reason for choosing Bulgaria. They are not part of Schengen Agreement, thus they have to pass the mountainous area from Bulgaria then Greece; but there is no other way, after new controls on Greek side...I do not lie to them, my part is to deliver them safely** (From interview with Smuggler, 03.07.2012, Edirne).*

6.4.4. Evaluation of the Readmission Agreements

As it was examined at the macro level, one of the most important tools for combating “illegal” migration for the EU is determined as the readmission agreements with the transit and source countries. The current situation, expectations from the EU side and Turkey’s mutual visa exemption request has already been examined with reflections from the field study findings at macro level. At the local level both the potential implications of the draft readmission agreement with the EU and also the existing readmission protocol with Greece were examined. The local level supplied the opportunity to see the implications of the on-going agreement.

In parallel to the macro level, the ratification of the agreement between the EU and Turkey was opposed mainly because of lack of capacity in Turkey and the difficulties of the implementation, which were exemplified by the readmission protocol with Greece. Indeed, the implications with Greece can be approached as a pilot implementation of the EU-Turkey readmission agreement. Thus, the local level supplies an important laboratory for evaluation.

*Well, the EU means borderless area. They would like to protect their external border more, since there are no internal borders. You cannot go there as your hands in your pocket. Not, everyone is welcomed. You should be rich or at least educated. But, **they would like to dump the unwanted ones to Turkey. In case of readmission agreement, it will be a really heavy burden on Turkey. We cannot take it now** (From the interview with a local, lawyer, 15.03.2012, Edirne).*

There are some methods that used not to be sent back. For example, even that person came from Tunisia; he says that he came from Myanmar. Since they do not have any id on them, it is highly difficult to prove. After this, you send him to temporary reception centres. Can Turkey handle this in case of signing the readmission agreement with the EU? (From interviews with a local government bureaucrat³²⁹, 16.05.2012, Edirne)

Some of the respondents supplied important concrete examples regarding implementation difficulties. According to the existing protocol with Greece, this country only readmits irregular migrants, if they come from Turkey's neighbouring countries and if there are presumptions (karine) and discretionary proofs (takdiri deliller) available to show that this person came from Turkey. However, since irregular migrants do not carry their travel document or ID cards most of the time, the process starts with finding out the 'nationality'. In many cases, migrants use different countries, where deportation is not possible or takes time. Besides the above-mentioned difficulties, Greece's initiatives for readmitting unwanted migrant with this protocol were stated in the below given quotation:

³²⁹ The Deputy Mayor in Edirne Governship, who is responsible the Social Aid And Solidarity Promotion Fund in this province.

Greece would like to readmit 20.000 migrants; but Turkey accepts only 1.500; but in total 600-700 was readmitted. Readmission protocol negotiations have been done in Edirne and Turkey request concrete proves that show that those migrants entered to Greece as coming from Turkey. But, in some cases Greece would like to readmit some of them, who came from Africa by ships directly to Greece (From interview with an officer from the law enforcement forces³³⁰, 04.07.2012, Izmir)

Previously when the ‘push back’ strategy of Greece was evaluated in relation to the readmission protocol one of the officer from the law enforcement forces stated that “Greece has been applying the readmission protocol as de facto. They were pushing back migrants at the Aegean Sea by damaging their boats and also it is the case for Edirne. Isn’t it a kind of de facto readmission policy?” (From the interview with a soldier from the Coast Guard Command, Izmir)

Representatives of the civil society organizations in both Edirne and Izmir justified their opposition to the possible ‘sending back chain’ as an important threat to access to the asylum system. At this stage it should be remembered that according to the EU *acquis*, asylum application (Dublin Regulation), the principle is that only one Member State is responsible for examining an asylum application. In this way, it aims to avoid asylum seekers from being sent from one country to another and also to prevent abuse of the system by the submission of several applications for asylum by one person. However this regulation creates a big burden on Greece. On the one hand the new comers enter the territory as was reflected by the statistics supported FRONTEX; on the other hand, migrants who were sent back from the other EU MSs have been articulated in Greece. According to the claims of the recent report by the Amnesty International (2013) and many of the other reports supported by the civil society organizations, migrants are deported without being able to make their applications to the asylum procedure. Thus it should be noted with the ratification readmission agreement with the EU; Turkey will take the role of Greece. Thus, the EU borders will be pushed even further from its members’ external borders.

³³⁰ Provincial Security Directorate- Izmir Removal Centre

Readmission agreements are not humanitarian agreements. States just pass the responsibility to another one. In this framework, the EU tries the same thing for Turkey. These agreements will create 'chain readmissions'. In Greece, the acceptance rate is only 1-2 per cent as a part of asylum procedure. It means that quite limited population can apply asylum procedure in Greece. As Mülteci-Der, we have been interviewing with the ones who were readmitted by Greece to Turkey and even they could not apply the procedure there despite of their hard affords. According to the procedure, the ones, who have asylum application or the ones who are under international protection, even the application is enough could not be readmitted. Then they will be automatically readmitted from one country to another (From interview with a civil society representative³³¹, 15.02.2012, Izmir)

It should also be noted that according to the Dublin Regulation, only the ones who have not applied to the asylum procedure or not received international protection, can be readmitted. Thus, as many of the respondents from the civil society stated and unfortunately during the interviews with law enforcement bodies' representatives it was confirmed that in practice, those migrants were accused of not being honest in their asylum applications, since they did not use this opportunity before they were apprehended. Besides the lack of capacity in Turkey or the stated danger of 'being a buffer zone', concerning Turkey, this finding from the field appears as an important aspect. Thus, the biggest danger for the migrants is deportation without being able to apply to the asylum procedure. One of the civil society organizations³³² defines this situation as "It means that migrants will be approached as ping pong balls. Also there are unethical offers to Turkey, such as; if the country will sign this agreement the EU will help Turkey to sign readmission agreements with some of the source countries."

Similarly, the below given quotation appears as an important evaluation:

Turkey will not sign this agreement with the EU; because Turkey will be the 'waiting room' for them then. Most probably, they will not be given opportunity to apply the asylum procedure. They will be accused that if they will be real asylum seekers, they could have applied when they were in European countries. It will be the upside down interpretation of the third safe country concept. Now, this is the biggest problem in Edirne right now. Since the numbers getting higher, they will be sending to Izmir, Aydın and Muğla. But,

³³¹ This interview was conducted on 15.02.2012 with the representative of Mülteci-Der.

³³² Ibid.

when they arrive to Izmir, their deportation procedure starts right away. But, if they try to apply to asylum procedure in Izmir, Muğla or Aydın, they are told that ‘but, you could have applied, when you were in Edirne’. Therefore, under this chaos, people are deported not being able to apply to asylum procedure. In case of readmission agreement, the same thing will happen. Turkey has been waiting for signing this readmission agreement, not only being able to get more things from the EU regarding visa policy; but also it has been trying to complete readmission agreements with the neighbouring and the source countries for being able to smaller waiting room. Otherwise, Turkey will not sign this agreement (From interview with the UNHCR Aegean Region Legal Representative, 13.02.2012, Izmir)

Finally, the below given statement also displays the ‘in between’ situation and concerns at local level. Only one statement touches upon the reactions to Greece regarding the existing protocol, difficulties in the deportation of the potential readmitted migrants; but also humanitarian concerns for them and finally the visa exemption bargain of Turkey as follows:

If Turkey signs this agreement, it will accept the trouble. At the end, we have to accept all the apprehended ones in Greece too. They will insist that all those illegal migrants come from Turkey. There is no interpreter and only two lines statement will be written: I came from Turkey. Regardless the reality, everybody will be sent to Turkey then. Also, after accepting what will happen? There are many countries, which do not care their citizens. You go their embassies or consulates, but who cares. Majority of those countries are from African Continent, Middle Eastern countries or Asian. After apprehension without having readmission agreements with those countries, how you will deport them? Are you going to put them on the plane, this is not an affordable cost. Then take them and throw them from Iran or submit them to mafia... What are you going to do with them as Turkey? Those migrants are already victims. The EU promises visa facilitation. They will decrease the number of required documents, maybe they will not ask for money, they will supply longer visa periods for retired etc. There many bits and pieces; but at the end there will be still visa requirement. It is the price for those migrants? (From interview with a local journalist³³³, 14.05.2012, Edirne).

³³³ Hudut Newspaper, Edirne.

6.4.5. Asylum and Irregular Migration Nexus

There is a strong nexus between asylum and irregular migration. As follows, the EU's demands concerning asylum in relation to irregular migration was examined. During the field study those dimensions were taken into consideration and the questions were prepared accordingly. In this regard, one of the important questions was in connection to lifting the geographical limitation to the 1951 Geneva Convention. Even though this dimension is not part of the EU's policy; but related to the UN system, removal of geographical reservation' appears as one of the important issue between the EU and Turkey. This dimension is related to the asylum system and appears as one of Turkey's commitment within the NAP. However, this limitation was kept by the LFIP as it was mentioned previously. In this regard it can be said that the respondents emphasized the capacity problems of Turkey and this requirement in a similar way to the macro level.

It will be a total disaster like the case of Syria now. Right now, there are 25.000 refugees or asylum seekers in Turkey. One of a sudden imagine we accept 500.000 Somalian or Afghans. 500.000 Afghans come from there. It will be an unbearable burden and it will create fatal results. In case of removal of geographical limitation, as Turkey we should take the responsibility of them. Social, economic consequences will occur (From interview with an officer from the law enforcement forces³³⁴, 23.05.2012, Edirne).

Similarly the below given respond also supports keeping this reservation and as it was emphasized at macro level, the capacity of deportation is determined as a pre-condition for removal of this reservation. In this regard, the concerns regarding access to asylum and requirements for lawful deportation appear as the important questions.

We cannot remove geographical limitation. For example in the past, we used to deport Afghans once a week. But, today Turkey cannot deport them anymore, they have become asylum seekers. In the past, to Afghanistan both THY (Turkish Airlines) and Afghan Air go; but Afghan Air has cancelled this flights. Now, we have only THY flights or 2-3 times a week. The plane used to be full with deported passengers, but now the half of it is empty. Even today we cannot deal with the burden, how can we remove this reservation? (From

³³⁴ Provincial Gendarmerie Command- Edirne Smuggling and Organized Crimes Command

interview with an officer from the law enforcement forces³³⁵, 04.07.2012, Izmir)

Another concern of the EU was the Adoption of an Asylum Law and the establishment of the new asylum unit. The Law on Foreigners and International Protection (11.04.2013) foresees the establishment of the General Directorate of Border Management as covering the ‘asylum’ dimension by responding to the request of the EU and the commitments by Turkey through the NAPs. However, it should be noted that there are many questions regarding the institutional structure of this new institution. In addition at the local level many representatives were not informed about the Law, which was a draft one during the field research.

Another important dimension regarding asylum is the training of the related personnel. At the local level, it was stated that despite the twinning projects that were supported by the EU and also the UNHCR, the law enforcement forces who had undertaken the training offered by this projects have been assigned different positions such as ‘traffic police’. However, during the field stud in Edirne and Izmir, many of the respondents mentioned that they had participated in the EU financed training programmes or taken role within the twinning projects.

In relation to asylum procedure, it should be stated that one of the main concerns of the EU is the management of mass influxes in relation to the conjunction of irregular migration and asylum. In this regard, the most recent development has created tragic results for the millions of people in Syria and affected Turkey and as such should be mentioned for its relationship with irregular transit migration. As of 12.08.2013, the number of Syrians under temporary protection was 433.971.³³⁶ In a similar way to the externalization of the EU immigration and asylum policy, the EU has been approaching this as a distant actor. The EU has been faced with refugee crisis in its neighbourhood in the past; but in comparison with the previous mass influxes, only a small proportion of

³³⁵ Provincial Security Directorate- Izmir Removal Centre

³³⁶ UNHCR (2013), retrieved from <http://data.unhcr.org/syrianrefugees/country.php?id=224> (Accessed 30.03.2013).

Syrian refugees have been admitted into Europe so far. The fear could be visible from the reports of different EU members regarding the apprehensions of the Syrians. During the field research in Izmir, the numbers have been increasing rapidly and the majority of those migrants seem to be Syrians under temporary protection. Some of them travel with their travel documents, since there has been mutual visa exemption existed between Turkey and Syria. The ones, who have better economic conditions, stay in houses around Izmir, while the remaining Syrians are in cheap hotels.

Within the ‘visa policy’ dimension the negative approach to the liberal visa policy have been touched upon by the respondents.

...because of the liberal visa policy for Syrians, Iranians, Iraqis and Arabs... The ones who flee from the internal wars at their home countries come to Istanbul, where human smuggling is a serious job with smugglers but also polices gendarmerie (From interview with a journalist of regional representation³³⁷, 14.04.2012, Edirne).

In order to show the importance of the external policies with their impacts on the cities, the Syrian case supplies important aspects. The below given quotations represent some of the important findings in Edirne and Izmir.

In Izmir there is a centre for 200 people. If the number is higher than this, they start to release them. There will be special centres will be established; but at the end the capacity will be 2-3 thousands. But, unless the wars in their countries are stopped, you cannot solve this problem. It will be really harmful for Turkey. Like Syrians, even though they are under ‘temporary protection’, they are really big problem. If we remove the reservations (refers to geographical reservation) Turkey, it will be a real burden. Can Turkey accept Syrians as refugees, where they will live? (From interview with an officer from the law enforcement forces³³⁸, 06.07.2012, Izmir)

As it was stated, there is also a strong connection with the smuggling business. Among the given quotations, the first one belongs to an interview with a smuggler; who has been in the business for many years, but after his imprisonment for years in Greece then

³³⁷ NTV Edirne Branch

³³⁸ Provincial Security Directorate- Izmir Smuggling and Organized Crimes Department

in Turkey, he claimed that he is now out of this sector. Thus, this quotation refers to the years of 2008-2010.

My clients were mainly from Syria. Their entrance point was Mardin, Nusaybin and you know in Basmane there are many people from these places. Some of them were coming from Silopi, Hakkari and Iran of course without document; but there is no need for documents, we find the way (From an interview with a smuggler, 21.01.2013, Izmir).

On the other hand the below given statements reflect the current situation in Izmir.

There is a visible increase recently at the Aegean Sea. For example with the last operation that we made it with Marco Polo Ship, we apprehended 18 boys, 20 girls, 69 male and 20 female. In general they were families; but there are some singles too. Syrians, their numbers have been increasing. Sometimes Syrians, they go with 5-6 person VIP boats. We do not know if the boats are back or not (From interview with an officer from the law enforcement forces³³⁹, 06.07.2012, Izmir).

Their profile change, sometimes Afghans are higher and sometimes Somalians. There are Nigerians, Senegalese as well. Also from Sudan, there are a lot of people in Basmane; but recently Syrians. They are everywhere. If they are reach they stay in houses, but if they are not Basmane (From interview with officer from Municipality Corporation³⁴⁰, 18.03.2013, Izmir).

Concerning asylum and irregular migration, the EU also argues that even in case of ‘illegality’, there should be fair, equal and consistent access for everyone to asylum procedures; however as it has been displayed so far this dimension is problematic at all levels of the study. The most important problem appears to be after apprehension, even though they are in need of international protection, they are faced with difficulties in having access to the asylum system and also unlawful deportations. The previously

³³⁹ The Coast Guard Aegean Sea Region Command

³⁴⁰ Konak Municipality- Basmane Neighbourhood Centre should be seen as one of the important institution among the RFNs in Izmir. Regardless of their legal status, they have been and are still supporting migrants. It should be noted that following Mülteci-Der, the second most important network supporting this research was this Centre. Since they are located in the heart of Basmane, the ‘trust’ problem could be overcome and access to smugglers, hotels, irregular transit migrants and many of the other institutions and actors could be realized. Recently, because of the increasing importance of the legal statuses of the Migrants, during the interviews the workers of this centre have mentioned the difficulties, in particular concerning access to health services.

given statements showed this fact clearly. In addition to this, one of the significant concerns of the EU is conditions in the detention centres, which are named as “Removal Centres”. To support these centres, the EU has been funding twinning projects³⁴¹ as was mentioned as a part of the EU’s technical assistance. As a part of these projects, one of the reception centres will be established in Izmir and there is important research being carried out concerning the perceptions of these centres in the target cities by SGDD (2012).³⁴² However, two removal centres will be established in Ankara and Edirne by the twinning-project. Within those projects the EU also emphasizes the importance of adjustment to the judgment issued by the ECHR concerning detention and deportation. As it was shown in Chapter 4 and 5, the detention conditions in Turkey have always been an important dimension as it was stated frequently by the Progress Reports by the EU, and in return was taken into consideration by Turkey within the NAPs. Concerning detention conditions, by the enactment of the LFIP, the visible impact of the EU has already been discussed and particularly both administrative detention and deportation conditions were revised and reorganized in the Law. However in the past it was justified by Article 4 of the Passport Law (Law No. 5683 of 1950) and Article 23 of the Law on the Sojourn and Movement of Aliens (Law No. 5687 of 1950), which were not clear about the grounds for confining non-citizens in administrative detention. In addition, because administrative detention is not recognized as such by Turkish authorities or under Turkish Law, there is no review of detention decisions. Concerning this situation, we come across important reports³⁴³ and the ECHR’s decisions³⁴⁴ revealed the clear

³⁴¹ “Support to Turkey’s Capacity in Combating Illegal Migration and Establishment of Removal Centres for Illegal Migrants” Project and “Establishment of a Reception, Screening and Accommodation System (Centres) for Asylum Seekers and Refugees” Project.

³⁴² SGDD (2012). Askıdaki Yaşamlar ve Algıdaki Yaşamlar Projesi Araştırma Raporu, retrieved from http://www.sgdd.org.tr/images/dokumanlar/Arastirma_Raporu_Turkce.pdf, Accessed on 02.07.2012).

³⁴³ Report by Helsinki Citizens’ Assembly, “Unwelcome Guests: The Detention of Refugees in Turkey’s Foreigners’ Guesthouses”, retrieved from <http://www.hyd.org.tr/?pid=610> (Accessed on 21.03.2012) and Report by Thomas Hammarberg (Commissioner for Human Rights of the Council of Europe), following his visit to Turkey on 28 June-3 July 2009 states that “Irregular entry, stay, or attempt to depart results in apprehension and detention ... in a so called ‘foreigners guesthouse,’ based on an administrative ruling from the Ministry of the Interior which means that no court order is necessary and no judicial review exists” (2009: 14), retrived from <https://wcd.coe.int/ViewDoc.jsp?id=1511197> (Accessed on 21.03.2012).

³⁴⁴ Abdolkhani and Karimnia v. Turkey, paras. 125-127; Z.N.S. v. Turkey, paras. 54-57.

situation. Thus, it can be argued that both the related part within the LFIP and also improvements in the selected cities in terms of detention conditions and removal centres can be seen as a result of the EU impact.

In Edirne and Izmir, even though the removal centres were not established with the support of the EU, the impact of the EU has been quite visible and intensively felt. During my first visit to the removal centre in Edirne, the centre was newly completed; but not functioning. However regarding the previous centre, called “Tunca Barracks” and also one of the police headquarter used as a removal centre; respondents supplied important information.

*Edirne has always been the place; but I have been working here for a quite short time almost three months. As following apprehensions, if they do not have request for asylum procedure, we take them here (refers the removal centre). **It was previously Tunca Barracks and was not in a good condition; but we have renewed it without any EU money; but with our national budget. The centre is extremely modern and supplies the EU standards or even better. I have visited detention centres in Greece and Italy, you should have seen them. Recently some of the migrants burnt their beds; because of the conditions here. They are provided everything and this reaction is not acceptable. It is a pity that we had to throw 10-12 beds away (From interview with an officer from the law enforcement forces³⁴⁵, Edirne).***

People were staying at headquarters' basements, corridors etc. People were sleeping as 3-4 together. They were 60-70 people staying in one place. At that time we had access; but after one report I guess, our access was forbidden. The numbers have been increasing but the facilities were not enough. Then Tunca Barracks was prepared, the conditions were relatively better and we had access. One day there was a big fire, it became the turning point. After Tunca Barracks, they established new removal centre, it looks like 5 stars hotel. Only swimming pool is missing (From interview with a local lawyer, 17.05.2012, Edirne).

During the second part of my field research, the Centre was opened and functioning at full capacity (650 persons). It is a highly modern and comprehensive centre, which is located next to the touristic areas³⁴⁶ of Edirne. During my visit, I was not given

³⁴⁵ Provincial Security Directorate–Edirne Removal Centre

³⁴⁶ Historical Kırpınar Wrestling Area, Sultan İç Beyazıt Külliyesi (Islamic-Ottoman social Complex) and Health Museum.

permission to speak with the migrants; but only one officer and the Director of the centre.

Similarly, I managed to visit the Removal Centre in Izmir two times. For the first time, I was a delegate of an official delegation, thus I could visit all the parts of the centre. With the hanged clothes and playing kids in the yard, at first s it was like a house; but with grab railing on its windows also like a prison. Similar to Edirne, the average duration for staying was stated as 10- 12 days at the centre; however because of bureaucratic problems, this duration can be longer. At that time, there were 46 adult men, 5 women and 8 children. Mothers were staying with their kids in the dormitory for women and they has opportunity to go out to the yard; while the men were separated and had limited time to go to the yard. Four of women (Russian) were irregular labour migrants working as sex-workers and 1 woman was Syrian waiting for deportation. The men's nationalities were various; but since it was not the first time for many of them, they were speaking like friend and making jokes with the officers. The capacity of the centre is stated as 250 persons with 40 personnel. The delegation was informed that there were 3 hot meal services, migrants were provided with health check and services, personnel was trained in the asylum and deportation procedures, half day permission for women and children to go out (not outside the centre but open air) but not for men, they can have visitors but nut only after getting permission, there is no record of escapes so far. Regarding 'visitors', the officers highlighted those migrants' lawyers and the UNHCR representatives have access to the centre; but they also mentioned their discomfort during the civil societies visits.

It should be noted that while the officers were showing us around the centre and giving information about the facilities and the followed procedures, they were extremely proud. The rooms have bunk beds for 20 migrants with toilets and public phones on the corridor. All the required phones numbers were posted around the phone.³⁴⁷ Also one sickroom and one private room for the interviews were shown. During the second visit, I

³⁴⁷ Phone number of UNHCR, Mülteci-Der, Bank Account Details etc.

was informed that TV facilities and air conditioners were added to all the rooms. In addition, I saw a playground for children similar to but smaller than the ones in Edirne.

During the total 4 visits to the removal centres in Edirne and Izmir, it should be noted that almost all the officers mentioned the “services in EU standards” and emphasized their oppositions to the accusations by the EU concerning unlawful treatment and deportations. At this stage regarding the deportation and detention, I would like to reflect some parts from the interviews.

In Edirne, since the migrants were coming from Istanbul without staying or contacting the RFNs in this city, they are also mainly invisible during the deportation process. They are mainly transferred from the districts to the removal centre. For example in Edirne, the Bar Association representative stated that they do not have access to migrants and since the migrants are only informed a couple of days or hours before their deportation, they have no chance to change or intervene in the process if there is an unlawful implementation.

...but concerning irregular migrants, their cases do not come to us. In some cases from the detention centre, they could manage to reach our colleagues; but many of them have no idea about their rights. In the middle of night, there is a denouncement coming from gendarmerie. You see that also villagers come with them. But then we have no access to them and also they cannot reach to us (From interview with the Edirne Bar Association representative, 02.05.2012, Edirne).

Concerning the process, one interpreter, who has been working as the official interpreter for the interviews with asylum applicants emphasized the asylum and irregular migration nexus as follows:

*You just push people to be illegal also our asylum system sucks. I have been taken 140 migrants' statements a day. **And after they are apprehended, they cannot apply to asylum procedure.** As soon as they enter to Turkey, they should say that they came through illegal ways but they would like to apply the procedure. At this stage, Turkey should take the application; but if they are apprehended, at the removal centres they do not really access to the asylum procedure. **After apprehension their asylum application are not taken by the officers. Their (refers officers) justification is that they could have applied***

before they arrested, if they would be real asylum seekers (From interview with a sub-contracted interpreter, 11.12.2012, Izmir).

At the removal centres they have to stay as separated. There is no family unification. Only mothers can stay with their children; but men are separated. In general as the lawyer I have no access, neither as lawyer nor as the UNHCR representative. Until their deportation, they do not given any information about the procedure. It is a kind of intimidation policy. They are just told that 'sign this, sign that'. Then they are deported at the end. Sometimes, they are asked to supply their flight tickets as asking from their families (From interview with the UNHCR Aegean Region Legal Representative, 13.02.2012, Izmir).

As a part of the unintended results of the restrictive policies and in relation to the asylum and irregular migration nexus, the most problematic implications can be seen as the access to asylum procedures both in Edirne and Izmir. As it was expressed at the macro level, apprehended irregular migrants at the BPCs are faced with difficulties in accessing asylum procedures; because there is prejudice that if they were real asylum seekers, they could have applied to the asylum procedure as soon as they had arrived in Turkey. However, as they were examined previously, the geographical reservation, the long waiting procedures for resettlements, reception and expulsion conditions in Turkey, as well as the smuggling sector webs, push this population to also apply irregular ways, which should not be ignored as is mentioned below.

*Right now, there are 55 migrants here and 49 of them applied for asylum. In this case, we make a pre-interview with them; but if they are illegal migrants there is another procedure. In 10 days, their procedures should be completed. For example, 49 applicants' 10-day period will be finished by Friday. **But the problem starts here. For example 49 migrants know that they will leave by Friday. For those 49, parallel procedure started and they will wait for being resettled by the UNHCR to third safe country. They have to reside in the satellite cities; but since they will not do and majority of them go to Istanbul, then we record them as 'semt-i meçhul' (escapee). The problem is the ones that you cannot deport. We will supply the document that says that they have to leave Turkey in two months, unless they leave the country, we have to renew the document in case of every apprehension limitlessly (From interview with an officer from the law enforcement forces³⁴⁸, 04.07.2012, Izmir).***

³⁴⁸ Provincial Security Directorate- Izmir Removal Centre

At the macro level, the respondents emphasized the importance of Turkey's deportation capacity both to combat "illegal migration" and also as one of the pre-condition for acceptance of ratification of the readmission agreement with Turkey. At the meso level, problems regarding deportation were stated. One of the biggest problems is determined as the problematic source countries for deportation. Particularly before crossing the border, migrants have destroyed their passports or their passports have already been taken by the smugglers. That is why in the case of apprehension they say that they come from Burma (Myanmar), Somalia and similar countries, which do not have consulates or embassy in Turkey. The LFIP brings changes as was examined within Chapter 5; however it will not be effective until 2014.

According to the Law issued 5683 and 23rd Article, you have to show a place to them. But you cannot deport them without having their passports or travel documents. You take those irregular transit migrants in an address in Izmir. You cannot deport them in 2 months; but they are informed that they have to leave the country within this period; but, for example in case of Burma. Country is a Buddhist one; they do not use technology at all (From interview with an officer from the law enforcement forces³⁴⁹, 04.07.2012, Izmir).

Also, again as at the macro level, the capacity of deportation and financial power have been mentioned.

If you cannot find any passport or travel documents on them, you have to get in touch with their country's consulates and some of them quite problematic countries. But the problems do not end. Another problem is their travel expenses. Some of them cannot afford travel expenses. Thus, we have to deal with this problem as using the official budget. For example, Somalians, they do not buy their tickets, it costs 2.500- 2.800 Turkish Liras. But we have interesting cases as well, ones we had a migrant and we contacted with his consulates and they asked for 100 Dollars for arranging the temporary travel document from us (From interview with an officer from the law enforcement forces³⁵⁰, Edirne).

³⁴⁹ Provincial Security Directorate- Izmir Removal Centre

³⁵⁰ Provincial Security Directorate-Edirne Removal Centre

6.4.6. Emergence of Unintended Results of the Policies Concerned

The previously mentioned areas were determined as the main policy areas regarding irregular migration, which are focused on by the EU and imposed on Turkey. However, the below given areas can be seen as the unintended result of the policies concerned and also some significant findings of the field research, which were consistently emphasized by the respondents. Under this title, first the significant unintended results, and then the selected significant other findings of the field research will be given.

It can be briefly said that the main logic and aim behind the EU's immigration and asylum policy concerning irregular migration policies is to prevent the unwanted migrants' entrance to the EU's territories. In this regard, starting from its members, the EU has been foreseeing some measures, where particularly, the border countries such as Italy, Spain and Greece carry utmost importance in relation to Turkey. It is a fact that in terms of numbers, operations and measures concerning Italy and Spain to decrease the number of irregular migrants coming from North Africa have been successful. They do not abolish the pushing factors; but change the routes for the population concerned. In this regard, at the macro level, we come across quite relevant unintended results for this research. Because as it was stated by the respondents, the above-mentioned route also uses Turkey as a transit country. The existing turmoil, uneasiness, wars and severe human rights violations in the source countries as well as the economic crises have not been getting better; thus the migrants coming from the neighbouring countries were added to the above-given route's users. At this stage it should be also said that the role of Greece and Bulgaria as the neighbouring countries to Turkey have also been changing. In relation to the increasing and changing routes, the roles of the two selected gateway cities have been changing too; while the numbers of irregular migrants have been increasing along with the other external factors. While the route changes, methods and actors also change accordingly; by responding to the special characteristics of the location of migration as is the case for the selected gateway cities. For example; because of the existence of the Aegean Sea, prices are higher in Izmir than in Edirne.

Now, Edirne is the star of the business; but before Izmir was like that. In Edirne the average is 300-400 Dollars; but here 1.200- 1.600 Dollars; because of the additional costs such as escort, boat etc. They can work for 11 months; while we can only 3-4 months (From interview with as smuggler, 09.01.2012, Edirne).

In return, the EU and its members have been applying new measures to be able to respond to the increasing numbers and changing routes regarding irregular migration; which has been creating additional unintended results. As it was discussed in the macro level theoretical framework, it is argued that the above-mentioned restrictive policies contribute to the creation of new sectors, particularly in the case of irregular migration such as ‘smuggling’. As it could be observed during the field research, those policies create enterprising agents, contractors, and other middlemen etc. in the selected cities. Because of the creation of this highly profitable sector, an even increased ‘illicitness’ can be seen as another unintended result. Thus, the expansion and diffusion of ‘illegality’ could be observed in Edirne and Izmir.

If you open your doors, there will be no need for smugglers, which means that you will be not pushing people to make dark and inhuman bargain for even risking their lives. Then they will not invest their money to smugglers. Once you open the door slightly to illegality, you never know where it will stop. That is why immigration, asylum and border management policies should be prepared as keeping those facts in mind. Of course all the countries and the EU would like to protect their territory, it is their sovereignty right; but it should not result with smuggling and illegality (From interview with a civil society representative³⁵¹, 15.02.2012, Izmir).

There is an organized crime group behind them. They supply money through smuggling and also terror is supported with it. It expands like a cancer. There take young boys, who have no relation with these dirty and illegal things. But it is hot money. How do they say ‘no’ to 3.000 Dollars? These poor youngsters cannot reject it? But, at the end they give 50-60 Liras to those people, all the money goes to the organizers. There are seasonal workers in Edirne; but instead of working for me at my field for 50 Liras for a day, they guide 10-20 migrants. They earn the same amount for 1 hour instead of working whole day. If you find this opportunity, you will not work at the proper job again. Some villages are inside of this business; recently there was a fight among them. The source is Istanbul; but in Edirne, the cancer is everywhere (From interview with a border village mukhtar, 20.05.2012, Edirne).

³⁵¹ Mülteci-Der

The business is highly profitable and even sanctions for smuggling remain inefficient to stop this movement. In this regard, while the possible financial benefits from this sector was emphasized, the need for legislative changes regarding the Turkish Penal Code has also been emphasized by the law enforcement bodies as well as some members of the RFNs in both cities. Thus, it can be said that these policies have created not only a new sector; but also a highly profitable one. The below given quotations are taken from the interviews in both Edirne and Izmir.

Price is high and the business is highly profitable. People can save their lives if they do 5-10 operations. If they are arrested, then in 2-3 month time they will be released. 3 months is nothing if you compare the financial benefit. If they can earn 40-50 thousands, they accept to stay in prison for 2-3 months. For earning that much money, I have to work for a year. I kindly ask from you to write also this problem. There is a need for disincentive legislation, penal code. As researchers, you will be helping to us to be heard (From and interview with a border village mukhtar, 21.05.2012, Edirne).

As one of the important key respondents, smugglers' evaluation regarding the smuggling business is also important. Even though, some of them highlighted that they did not benefit from the money that they have earned from this business and they explained the negative things that happened to them with their role within 'smuggling' superstitiously; the majority of the respondents highlighted their significant financial earnings from this business. One more time the role of FRONTEX as well as the Turkish Penal Code can be seen in the below given quotations.

Neither FRONTEX, nor psychopath Greek soldiers or the Penal Code did not work of course. If there is money in it, you cannot solve the problem with law. If I carry 100 migrants today, I will earn 700.000 Euro. It takes only 3 or maximum 5 days for me. Who catch me, a police officer who works for maximum 5.000 Turkish Liras? You cannot change this system; it is a great deal of money. What Benjamin said, 'money buys everyone including me'. It is that much simple. If there is money, it will spoil you, me and everyone. Than all the measures will be meaningless. Everybody has a price (From interview with a smuggler, 07.12.2011, Izmir).

My darling, you cannot stop luxury yachts, ships or VIP. With a yacht, you can take 5 clients; but with 5000 ton ship, you can take 1000 migrants. The journey is 5 days, and at the end, you can buy a ship for yourself with the money that you earn. After 5 days, you can be retired. If there is money in it, how can you stop it? You were asking FRONTEX, do I look like as being affected by

FRONTEX? (From interview with a smuggler, 18.03.2012, Izmir).

I have seen benefited from it. I have oil stations, hotels in Bodrum. I have one flat in Istanbul, which is 800-850.000 Liras. Sometimes, you do not even know how you deal with this amount of money. You can be drug addicted, you can spend your money on women or gamble; but you will like it at the end. You should be really stupid not to enjoy the advantage of it. But at the end it is good money (From interview with a smuggler, 01.03.2012, Izmir).

It was highly good business and we are back on business. As you can see maybe not like the past (refers to 2007-2010), we are fully booked again. The business is good; because they were staying in your hotel and you can still earn money after your clients check out; because we are working as a travel agency, all included. I had a boy from Palestine. Now he lives in Istanbul and become a rich man. He is still working in this sector; but, I quit after being prisoned for 9 months; but our days has come back recently (From interview with a smuggler, 14.01.2012, Izmir).

In addition, as much as the risk increases, prices for migrants increase; because the routes become more dangerous and smugglers ask more money to cross the border. Also, the possibility of being caught for smugglers creates an impact on their behaviours towards migrants by affecting the mobility and reception conditions that are supplied by smugglers.

In the past, they were staying at the cheap hotels at Basmane Neighbourhood: but not anymore. Of course they still stay there; but now also at houses. Migrants cannot go out, and their needs were supported by the smugglers. They supply water, bread and the other necessary needs. Until their transfer, they stay there. Sometimes, they use containers and sometimes, instead of houses they use depots. Just imagine, they have only one window at the top, they can hardly breathe, there is not toilet in it. In general they give water and biscuits and sometimes even they do not. The movement have become crueller. We cannot see them anymore and some smugglers do whatever they want. They lock them; they throw them from the boats if they see a danger. In the last case (refers Baradan Bay tragedy), women and children were locked on the boat... (From interview with an officer from the law enforcement forces³⁵², 06.07.2012, Izmir)

In the field, along with FRONTEX, the Greek Penal Code has been determined as one of the important external factors affecting irregular transit migration as follows: “The Turkish Penal Code is not enough. For example Greece has changed the law, now the

³⁵² Provincial Security Directorate- Izmir Smuggling and Organized Crimes Department

sentence is 30 years for each migrant. There are sanctions for 500- 550 years. These kinds of sanctions are disincentive.” (From interview with an officer from law enforcement forces³⁵³, 06.07.2012, Izmir). In similar to the EU’s restrictive policies and their effects on the field, the positive correlation between the sanction, risks and price were mentioned.

In Greece, sanctions are heavier than Turkey and thus the action becomes more risky and the price increases for migrants. But it is also disincentive. In Greece, there are also Turks who have been sentenced because of smuggling. But, those are just the little fishes but not the head of organizations. Greek legislation changed and Turkey’s side was hampered (From interview with a civil society representative³⁵⁴, 15.02.2012, Izmir).

Despite the negative impacts, there are also unintended positive impacts on the local economy as reflected in the below given quotations. The below given quotations reflect the economic recovery and liveliness in particularly Basmane as a consequence of the irregular transit migration. It should be stated that under the political economy dimension as was discussed within theoretical chapter (3), the findings prove the connection with the policies concerned and the economies of the targeted gateway cities.

Migrants were so important for the local economy. They were staying at hotels. For the owners, it does not matter who rents the room. Also internet cafes, market in Basmane. They were selling lifejackets there. But using this route is more expensive rather than using Edirne both in terms of risk and cost not preferable. In similar, also it was decreases in Greece as far as we could get information from our colleagues and activities there (From interview with a civil society representative³⁵⁵, 15.02.2012, Izmir).

Shopkeepers, hotel owners and everybody was happy with them. It was a good business after all. They earned too and now they are not happy. It was strange time. Just imagine one black man as walk on the Basmane streets with a small inflatable plastic boat. I used to see which car he is getting in with whom; but what can you do. Everybody was in the business or let’s say everybody was earning his share. (From interview with officer from Municipality Corporation, 03.03.2013, Izmir).

³⁵³ The Coast Guard Aegean Sea Region Command

³⁵⁴ Mülteci-Der

³⁵⁵ Ibid.

This population (refers migrants) has created a kind of new eco-system in Basmane. This neighbourhood has always been the place for workers, internal migrants etc. Maybe as the continuation of the past, it has become a gathering point for migrants, refugees and asylum seekers. This migration movement has created both social and economic changes here. The small shopkeepers were earning, hotels were earning and of course smugglers. It became a profitable business and created its own economy. For a while, the law enforcement bodies and state have just ignored them. While in 2008-2010, the numbers reached to their peak and because of the tragedies, Basmane became visible (From interview with the Basmane mukhtar, 14.03.2012, Izmir).

6.5. Micro Level of Analysis

6.5.1. General Profile of the Respondents

The micro level of analysis appears as the last and also the complementary part of this study. Even though the main focus of the study is on both macro and meso levels analyses; to be able to analyse the EU's policies concerned and their implications on one of the most important policy receivers- irregular transit migrants- the micro level could not be excluded. Despite its limitations, this level supplied supporting findings for the other two levels as well as some significant implications of the policies concerned, even with a small sample. It should not be forgotten that this research is designed as a qualitative research, which aims to understand the behaviour of a specific group of people in their social environment; more specifically, irregular transit migrants in the selected gateway cities in a transit country, Turkey. Moreover, this research is founded on the assumption that knowledge about the world is not given by observable senses, but by the human interpretations of it. Thus, to understand the migrants' behaviour in a certain social environment, one must not only investigate the existing external realities such as the macro level policies or characteristics of the targeted environment; but also how people give meaning to them, perceive, interpret and experience.

Under this part of the study, in total 11 interviews were conducted with the irregular transit migrants, who were defined as the migrants who have the intention to continue their migration to Europe by using Turkey as a transit country; but also the subject of irregular exits and entries (being as with irregular status in Turkey). In this regard, irregular labour migrants, who would like to stay and work in Turkey (for example, a Georgian woman who works as domestic labour but in an undeclared way) are excluded in order to reveal the true implications as much as possible, since the EU's policies on irregular migration for the transit and source countries focuses on the population, which define their target as Europe. Thus, this highly simple; but highly exclusive determination narrows down the sample considerably. However, it increases the representation capacity of the carefully selected sample for this research and narrows down the universe. Concerning the conducted field research in Edirne and Izmir, the most important difference appears at the micro level. Despite several visits and in total staying in Edirne for more than a month at different times from March 2012 to September 2012; because of the transit city characteristics of the city, I could not conduct interviews with the irregular transit migrants in this city. As was mentioned under the 'border management' part in this chapter, I could manage to join two operations; however since the first one had already resulted in the unfortunate death of the migrants and for the second one, I was not allowed to do an interview; even though I came across irregular transit migrants, I could not conduct interviews. In addition, during my visit to the Edirne Removal centre, despite the fact the centre was full of irregular migrants; I was not allowed to speak to them. Despite the above-mentioned limitations regarding Edirne, I could manage to conduct interviews with many of the migrants, who had tried to pass the border from Edirne; but who had been apprehended and afterwards transferred to the Izmir Removal Centre because of lack of capacity in the Edirne Removal Centre or without apprehension, they had come to Izmir for another attempt from this city. I had no access to the Izmir Removal Centre similar to Edirne; thus, I reached the migrants who had applied to the asylum procedure and as a result had been given residence permits for Izmir or for one of the satellite cities in Turkey (before they re-settled in these cities). Therefore, it can be said that even though those interviews could not be realized in Edirne, they are representative of that city as well.

Unlike Edirne, since the city hosts 1.107 registered asylum seekers and asylum applicants and many irregular migrants, I could manage to complete 11 interviews with irregular transit migrants in Izmir. In this city, the conditions are more appropriate to conduct interviews, since migrants stay in a specific location in the city. The semi-structured questionnaire for the micro level of analysis can be seen in Appendix C.

Even though the number of interviews that were conducted in Izmir were more the reflected ones within this part, first of all most of the interviews could not be completed because of the some urgent needs of migrants or because of the language barriers. Since I had to work with interpreters, I could only manage to conduct interviews with Arabic and Persian speaking migrants as well as without interpreter the ones who could speak in English. Secondly, during the interviews, it was learned that some of them had entered Turkey through legal methods and applied to the asylum procedure, without having any 'illicitness' as well as intention to continue to their journey further to European countries. At least it was their statement. For example, one family who had been living in Izmir for more than five years, entered illegally, could not continue their journey even though it was their first plan and then applied to the asylum procedure; but rather than Burdur (their residence permit was obtained in this city) they have been living in Izmir (that is why they appear as irregular since they do not go two times a week to the Foreigners' office to sign, which they should do in Burdur) was not included to this study because after having their second child in Izmir, they do not want to continue their journey out of Turkey; but rather because of their children they are looking for opportunities to be accepted as Turkish citizens. Even though, the procedure has been explained to them and they have been informed about the impossibility of this, they would like to stay in Izmir and continue their live there. Therefore, the interview with this family was not included in this study, since the study mainly focuses on 'irregular transit migrants'; but those interviews, which are not included within this study, will be used as invaluable data for further studies. In this regard, as it has been previously mentioned, Turkey appears as also a destination and the final stop for some of the migrants.

In relation to the general profile of the migrants, I have also collected important information at meso level. As it can be seen from Appendix B, one of the leading questions for the respondents was about the profile of the irregular migrants during the field research in Edirne and Izmir. With this question, the aim is to understand the changing migration patterns and to reveal if the nationality is representative or not. As can be seen below, supporting the empirical official data regarding apprehensions, the majority of the irregular transit migrants appear as Somalians, Afghans, Iranians, and Iraqis; while Mynamarese (Burma) were also mentioned frequently.

In general to Edirne, they come from Palestine; but they are not the real Palestinians. Among them there are also Israelis. Then, you can see Somalians, the ones from Myanmar also Iranians, Azeri for a while but not anymore. In general young men, women are quite rare. But Palestinians are women in general (From interview with a border village mukhtar, 21.05.2012, Edirne).

Somalians and other Africans; but we cannot understand the difference for most of the times, if they are not black. Also it does not matter which country that tell you. They do not tell the truth. In general, Somalians, Pakistanis, Palestinians, Myanmarese. In general from African countries, they are black, all black. They do not tell the truth; because if they say that they are Iranians, Iraqis or Palestinians, they will be deported. Thus, Burma is so trendy now, because it does not have consulates in Turkey. We ask about the capital of Burma to them. However, at the end you do not know the language, what can you ask more? (From interview with an officer from the law enforcement forces³⁵⁶, Edirne).

Somalians. 65-70 per cent of them were Somalians, also at the second row Palestinians. I say Somalians but they were all coming from African countries. Since they were all black and look like each other like the expression 'Chinese', we were all calling them 'mülteciler' or 'Somalians'. Of course there were others such as the ones coming from Ruanda. Now, we see Syrians (From interview with a hotel, owner, 22.03.2013, Izmir).

Almost for 2 years, the numbers has been decreasing in Izmir; but before there were Arabs, blacks, Somalians, Ethiopians, Algeria, Morocco, Tunisia... You could not find an empty room at hotels. The majority of them were male, 20-40. But also you could see 50-60 years old people, even disabled ones. But in general 20-30 and young men. (From interview with a sub-contracted interpreter, 11.12.2012, Izmir).

³⁵⁶ Provincial Security Directorate –Edirne Smuggling and Organized Crimes Department

*If they are white, they say that they are **Palestinians**. If they are black, **Sudan, Ethiopia, Somalia**. But Senegalese are actually **Nigerian**; while **Palestinians are Egyptians**. We cannot talk about a stable trend, they change so fast. I mean for a while African, then now Syrians. Also Sudanese, they are really poor and suffered a lot (From interview with officer from Municipality Corporation³⁵⁷, 18.03.2013, Izmir).*

More recently Syrians were mentioned as one of the considerably increasing nationalities among migrants in both Edirne and Izmir, which can be seen from Table 5.5.; however, it should also be stated despite migrants' statements regarding their nationality or the country that they came from, the reality can be different. As was also mentioned in Chapter 5, to avoid deportation, some countries are preferred which do not have consulates, embassies or any representation in Turkey.

*... **there are Syrians**. Both Turkish Intelligence Agency and we conduct operation for them. **They come with their passports, their entrance is legal and it is quite difficult to follow them. If they are 15-20 of them all together, it is easy but otherwise difficult to distinguish them** (From interview with an officer from the law enforcement forces³⁵⁸, 06.07.2012, Izmir).*

*First of all men came, in general the pioneer ones are males and then, women followed them. The majority of the North African ones were women. **Afghans and Syrians followed. Syrians came with their passports, they are tourists for us. The majority of the Baradan Bay accident, who died were Syrians. In the past, Afghan, Iraqis, Iranians and now Syrians. Right now, I have 31 Afghans at my hotel and 6 Syrians. They are 'kaçak', they do not have documents; but who cares? We are back to business. I look only to what I earn** (From interview with a hotel owner, 23.03.2013, Izmir).*

*...**Syrians have been increasing considerably. In the last three operations, the majority were Syrians; but it was Afghans, Palestinians in the past. They get rid of their passports. In general they are like the ones, who were born in 1970, 80, 90s. The numbers of men and women are equal. In general, they are young people. During the last operation, we apprehended 60 people, 28 of them were children. Also, last year 150 migrants and again 78 of them were children** (From interview with a soldier from the law enforcement forces³⁵⁹, 16.07.2012, Izmir).*

³⁵⁷ Konak Municipality- Basmane District Centre

³⁵⁸ Provincial Security Directorate- Izmir Smuggling and Organized Crimes Department

³⁵⁹ The Coast Guard Aegean Sea Region Command

It should also be noted that between Edirne and Izmir, there are no meaningful differences in terms of their nationality, gender or age. The majority of them are described as young men; however with some exceptions as follows: “**They were both women and men and even children.** But since women do not go outside, you think that they are all men.” (From interviews with a civil society³⁶⁰ representative, 14.04.2012, Izmir)

*They are in general 18-20-30-35-45 year old migrants, Palestinians... If you look at them you can easily understand that they are foreigners. They have back-packs; they are **Somalians, Palestinians, Burmese, Ethiopians...** (From an interview with a border village mukhtar, 09.05.2012, Edirne).*

*From Palestine, Pakistan, Afghanistan, also Burma. In general they are young like starting from 15-16 to 30 years old. Even though they come from all age group, there are babies and elderly people as well; but majority of them like 15-30 years old. They should be young; because they cannot survive. **There are also women, they come even with their babies;** but it is like one out of third. (From interview with an officer from the law enforcement forces³⁶¹, Edirne).*

*Somalians, Eritrea, Sudan, Ethiopia. They were all Africans and Arabs. There were 1.500- 2.000 people at the same time in Basmane; but our capacity was 500. **In general 18-40 years old; but not only men. There were families with children.** We had one ‘Ali’ baby, we still remember him (From interview with a civil society³⁶² representative, 14.03. 2012, Izmir).*

Finally, it is stated that their nationalities have been changing according to developments in the source countries; but also particularly the increasing numbers of the Africans; in particular North Africans were explained by the EU’s policies and also Spain and Italy’s irregular migration policy measurements.

*In general, sheeps (refers to migrants) are Iraqis. As the sheep dealers, we like them the most. They can easily invisible and mixed with Turks, since they are white. **But the highest demand is from Africans, blacks. I do not work with them, I prefers Iraqis. The majority of blacks come from Gibraltar Bay and 80 per cent of them are caught. Since Spain, Algeria, Morocco and Tunisia have been working together and also Italy. Those sheeps and also sheep dealers***

³⁶⁰ Deniz Feneri Association Aegean Regional Office

³⁶¹ Provincial Security Directorate –Edirne Smuggling and Organized Crimes Department

³⁶² İnsan-Der Association

have been facing difficulties and try their chance from Turkey. Turkey is a buffer, without Turkey they cannot use any other way. They come from India, Pakistan and how they continue to Europe then? (From interview with a smuggler, 14.03.2013, Izmir).

It depends to the situation of their country of origin. For a while Iraqis were high, and then Georgians came. For example during the internal war period in Somalia, the majority of them were Somalians. If the armed conflict between Israel and Palestine, then Palestinians come. Again Iraqis and now Syrians (From interview with a local lawyer, 09.09.2012, Edirne).

In parallel to the official empirical data at macro level, the information that was received from the MFNs and RFNs at meso level; the irregular migrants display a similar profile at the micro level. Table 6.5. provides information about the informants' age, nationality, gender and brief information about their the method and location of their apprehension. It should be re-stated that all of those interviews were held in Izmir; however the majority of the respondents were apprehended in Edirne and transferred to Izmir.

As can be seen from the below given table, all of my respondents were male, even though three of my respondents were with their families including their wives and children. However, representing the families, because of their wish as well as the language barrier, interviews were conducted with male respondents. Their age ranged from 23- 49 with 33 as the average. Four of them were from Afghanistan, three of them from Palestine (but two of them had been living in Syria as refugees), one of them from Syria, one of them from Pakistan, one of them from Somalia and one of them from Iraq. The respondent from Somalia was with three other young male respondents; one of the Palestinian respondents from Syria was with his wife, sister and her husband; two respondents from Afghanistan were with their wives and in total five children. With the Somalian and Pakistani respondents, the interview was conducted in English. With the Afghan respondents interviews were conducted in Persian (with an interpreter); while Arabic was used for the Syrian, Palestinian and Iraqi respondents (with an interpreter). Three interviews were held in their private houses and the remaining were held at hotels (in lobbies or in their private rooms) or at public places such as coffee houses. As it can be seen from Appendix C, even though many questions were asked to those

respondents; for this dissertation mainly the policy implications are focused on.

In terms of education; one of them was literate without schooling; while four of them were primary school graduates, four of them secondary school graduates and two of them were university graduates. In terms of employment in the source or transit countries, three of them appeared as 'unemployed'. Despite their economic problems, all of them came to Turkey or attempted to cross the border or plan to cross the border with the help of smugglers, which will be analysed in detail. Thus, they have paid or will pay a certain amount of money to those mediators.

Even though, it will be analysed in detail, it should be stated that all the respondents mentioned "Europe" as their final destination. The majority of them were trying to go to Greece; while some of them mentioned specific country names such as Germany, the Netherlands and Canada. It can be said that none of them made a case for Bulgaria. In addition to Turkey, also Iran was mentioned as a 'transit country', particularly by the Afghan and Pakistani respondents. It can be said that the below given respondents' profile appears quite parallel to the findings at macro and meso levels as well as the existing official empirical data. It should also be noted that the interviews we conducted at different times. The location and dates of interviews are also given in the following table.

Table 6.5. Profile of the Respondents at Micro Level

Respondent Code	Gender	Age	Nationality	Education	Occupation in the Home Country	Marital Status and Family
M01	Male	40	Afghanistan	Secondary School	Hammersmith (wrought iron maker)	Married and he was with his wife and two children
(M01) Entrance-Exit, Apprehension, Deportation: Irregular Entrance- Irregular Exit (to and from Turkey), Apprehended in Edirne, transferred to Izmir, applied to asylum procedure. He and his family were previously deported and it was their second attempt. <i>(Interview Date: 11.04.2012, Izmir-conducted in Persian with an interpreter)</i>						
M02	Male	28	Afghanistan	Primary School	Unemployed	Single
(M02) Entrance-Exit, Apprehension, Deportation: Irregular Entrance- Irregular Exit, Apprehended in Edirne, transferred to Izmir, applied to asylum procedure; but only for not being deported. He was planning to try again from Izmir. <i>(Interview Date: 17.04.2012, Izmir-conducted in Persian with an interpreter)</i>						
M03	Male	49	Afghanistan	University	Public Officer	Married with three children
(M03) Entrance-Exit, Apprehension, Deportation: Irregular Entrance- Irregular Exit, Apprehended in Edirne while he was turning back from Greece (because of the weather conditions they could not continue but turned back to Turkey), transferred to Izmir, applied to asylum procedure, residing in Izmir until resettled to a third safe country. <i>(Interview Date: 14.03.2012, Izmir- conducted in Persian with an interpreter)</i>						
M04	Male	39	Afghanistan	Primary School	Soldier	Married with two children
(M04) Entrance-Exit, Apprehension, Deportation: Irregular Entrance- Irregular Exit, Apprehended in Edirne, transferred to Izmir, applied to asylum procedure <i>(Interview Date: 22.11.201, Izmir-conducted in Persian with an interpreter)</i>						
M05	Male	30	Iraq	Literate	Unemployed	N/A
(M05) Entrance-Exit, Apprehension, Deportation: Legal Entrance- Irregular Exit, Apprehended in Edirne, deported 2 years ago, this is this 2 nd attempt <i>(Interview Date: 27.09.2011, Izmir- conducted in Arabic with an interpreter)</i>						
M06	Male	23	Pakistan	Primary School	Stock-breeder	Married without child. His wife is still in Pakistan
(M06) Entrance-Exit, Apprehension, Deportation: Irregular Entrance- Irregular Exit, Apprehended in Edirne and deported, this is his second try and waiting for second chance from Izmir <i>(Interview Date: 11.04.2012, Izmir- conducted in English with the help of another Pakistani, who speaks in English)</i>						

Table 6.5. (Continued)

Respondent Code	Gender	Age	Nationality	Education	Occupation in the Home Country	Marital Status and Family
M07	Male	34	Palestine	Secondary School	Police officer	Single, no partner or child
(M07) Entrance-Exit, Apprehension, Deportation: Legal Entrance- Irregular Exit, Apprehended by in Greece and deported, illegally re-entered to Turkey, there is no apprehension in Turkey, 2 additional attempts from Edirne and because of their failures waiting for his chance for the 2 nd attempt (<i>Interview Date: 09.02.2012, Izmir- conducted in Arabic with an interpreter</i>)						
M08	Male	30	Palestine (Departure is from Syria)	Primary School	Unemployed	Married with one child, he was with his family and also his sister with their children
(M08) Entrance-Exit, Apprehension, Deportation: Legal Entrance- Irregular Exit, No apprehension, they were in Edirne planning to go to Greece through the Aegean Sea. They are refugees in Syria coming from Palestine. (<i>Interview Date: 04.03.2013, Izmir- conducted in Arabic with an interpreter</i>)						
M09	Male	27	Palestine (Departure is from Syria)	Secondary School	Carpenter	Single
(M09) Irregular Entrance- Irregular Exit: Apprehended in Greece and unlawfully deported back to Turkey, waiting for deciding for his second attempt (<i>Interview Date: 24.02.2012, Izmir- conducted in Arabic with an interpreter</i>)						
M10	Male	24	Somalia	University	Math Teacher	Married without children, left his wife in Somalia. He was with three other young male Somalians during the interview
(M10) Entrance-Exit, Apprehension, Deportation: Irregular Entrance- Irregular Exit, Apprehended in Edirne; but actually he was turning back to Turkey from Greece, transferred to Izmir, applied to asylum procedure (<i>Interview Date: 09.03.2013, Izmir- conducted in English</i>)						
M11	Male	39	Syria	Secondary School	Presser	Single
(M11) Entrance-Exit, Apprehension, Deportation: Legal Entrance- Irregular Exit, Apprehended in Izmir and released, instead of going to Hatay as he was asked, he stayed in Izmir for another attempt. (<i>Interview Date: 17.08.2012, Izmir- conducted in Arabic with an interpreter</i>)						

6.5.2. Entrance to and Exit from Turkey: Border Management and Visa Policy Dimensions

Before focusing on the entrance to, staying in and exit from Turkey aspects, I would like to reflect the migratory routes of the respondents by the below-given illustration. As it can be seen below, despite the different departing points, all the respondents were planning to go to Greece as the next step after departing from Edirne or Izmir.



Illustration 6.6. Migration Routes of the Respondents

Entrance to Turkey

In light of the interviews with the irregular transit migrants, the majority of them had entered Turkey at different times; but mainly from the Southern or South-eastern borders irregularly. The ones who came from distance countries such as Pakistan, Afghanistan or Somalia had to cross different borders; however concerning Turkey, Hatay and Van

appear as the main entrance points for the majority of them. Even though all of them followed land routes, the only exception appears as M07, who first went to Egypt from Palestine and then with a valid passport and visa came to Istanbul by plane.

Aside from the physical difficulties of the borders, particularly in Van, all the migrants had been guided by smugglers and crossed the borders and entered Turkey. Again depending on the selected routes, the number of smugglers changed. For example the respondent from Afghanistan mentioned approximately 11-12 different people, who acted as MFNs for them.

In addition, it should also be noted that many of them mentioned their previous attempts to cross the border. In the case of apprehension and deportation, they more or less followed the same paths with mainly different smugglers being more experienced.

We were approximately 200 people; but only one smuggler with us. Everybody was helping each other except him. If one of us died there, he could not be even bothered. My wife was 4 month pregnant while we were coming to Turkey. Smugglers lied to us, since she was pregnant; they told us that we will not be walking. In total for my family, I paid 17.000 Dollars. But, they lied to us, we had to walk 3-4 hours and since I had a bypass operation, the other migrants were helping me (M03, 14.03.2012, Izmir).

We stayed in Iran. First Nimriz, Zayi and then Tehran. For the first time we paid 24.000 Dollars for 2 adults and 2 children and they were charged more than the other since she was pregnant. After spending 3 months in Tehran as mostly inside as a prisoner, we crossed the border from Iran after 12 hours walking. The smuggler with us; but then two other men took us to a house. For the second time we used another smuggler. This time we walked only 3-4 hours for coming to Turkey. But price was higher, we paid 36.000 Dollars. But, since we could not go to Greece, we paid only half of it (it is paid by their relatives in Afghanistan). Now our smuggler was in prison and we are told that after he will be released we can take the remaining part from him (M01, 11.04.2012, Izmir).

I entered from Syria; but came from Somalia. From Somalia I went to Yemen, Saudi Arabia. Yemen took 2 days by car, I was in a truck and one Somalian was driving. My uncle paid my fee, the said that I should go there and then take my two brothers here. After two days of boat from to Yemen, but himmmmm. Actually, I cannot be sure about the days, because we are locked in a dark. We were eating less to not to go to toilet, chocolate ad juice. In Basasa (I could not understand the name of this city clearly) I was in another boat for 3 days. It was cheap I paid only 50 Dollars for it. I stayed 10 days in Yemen, 5 days in Saudi Arabia. Then I

went to Syria. In Syria, I paid 1000 Dollar to a smuggler and he gave me a white ID (this ID is given by the Turkish Security Forces to the asylum applicants.) He was trying to find an ID, which has a similar photo to you. Then by car and also walking we entered to Turkey. It was dark. We stayed in a house and the following day, he gave a bus tickets to Istanbul (M10³⁶³, 09.03.2013, Izmir).

The respondents from Syria, Palestine and Iraq stated that their entrance was legal with legal travel documents or visas that they had obtained at the border. In this regard, in terms of the negative and positive list that has been imposed by the EU; we came across differences among the respondents regarding entrance to Turkey. If they can enter legally, the price that they pay appears lower and also the number of smugglers that they contact decreases. Thus, borders appear as ‘cash registers’ and having travel documents or visa for the concerning countries look like a discount vouchers. But most importantly, the number of borders has a positive correlation with the level of the risk that they are faced with. Even though it is very difficult to evaluate the impact of the negative and positive visa list that is proposed by the EU in response to Turkey’s liberal visa policy; at least for this sample the above-given dedication is possible.

Concerning entrance, aside from the physical difficulties, respondents did not mention any other difficulties. Since they were all guided by their smugglers most of the times; they stated that they do not know even where they were or to where they were going. But as it was stated at macro and meso levels, it can be said that border management measures have been inefficient at least for the case of those respondents.

³⁶³ This respondent applied to the asylum procedure and re-settled in the United States. I have been in contact with him since then. On the other hand, the other three Somalians could not stay in Izmir without financial support. Even though they had asked to be sent to Isparta, where the Somalians area majority, they were obliged to stay in Izmir. According to my respondent, they went to Istanbul to find money and try again. Through social media tools, we have been in touch with this respondent and he mentioned that since he had seen the conditions in Greece, the others should not try again and listen to him. However, it should be stated that he was one of the lucky one to be able to be re-settled in a third country. His case also reflects the strong connection between asylum and irregular migration. Even though the reasons of the respondents for leaving their home countries are not mentioned within this study; all of them have their own reasons to claim asylum rights. He is one of them, who could prove these reasons to the UNHCR. During their stay in Izmir, they were also in touch with Mülteci-Der and they were supplied with information and interpreting support; while they are visiting the Foreigners’ Office in Izmir to be transferred to Isparta.

Staying in and Exit from Turkey

The majority of respondents have tried to exit from Turkey through Edirne and the ones who cannot make it or are apprehended; re-try Izmir and the sea border. However, there were also respondents, who have not try Edirne; but only Izmir. Since the research was conducted at the exit points, the two gateway cities rather than entrance cities; regarding 'exit' the data appears more comprehensive.

The majority of respondents stated that following their entrance at Van or Hatay, they were taken to Istanbul by theirs smugglers or by following the given instructions, they went to Istanbul by themselves. Among the respondents, only one migrant mentioned that from Egypt, he came to Istanbul by a regular scheduled flight. In general after spending maximum one or two nights or even without staying, they depart from the city of entrance to Istanbul by private cars or buses, supporting the findings of the meso level. The place of residence and the living conditions depend on their contract and their economic competences. Some of them are even locked in during their waiting process until the border crossing.

While we were in Tehran, we were all locked. Smugglers were bringing foods and the other needs. From Van, we went to Istanbul by a car, but a closed one. We could not see outside. They took us to a house, only I was able to go outside; but not my wife and children. They were locking singles to their rooms, but my family were like hostages. They knew that I cannot go or I cannot denounce them. But most importantly, I cannot make mistake and be careful at outside. Also, Afghans are not black; I could go out and bring foods and staff for my family (M04, 14.03.2012, Izmir).

The respondents, who followed the Istanbul and then Edirne route for crossing to Greece, stated that they did not stayed in Edirne; but only in Istanbul. Since all of them had been making use of the service of smugglers, their reception conditions were supplied by MFNs. Even the ones, who did not come to Turkey with the help of smugglers, mainly in Istanbul (for Edirne) and Izmir, find smugglers before the border crossing. Unlike Edirne they were staying for a while in hotels or in private houses that mainly belonged to smugglers in Izmir. However, during their stay, they were also benefiting from some supports from the RFNs.

After my brother passed to Greece, I have to wait for my turn. My money is almost run out and I am waiting for one friend to bring me money. Now from Mosque, once a day I take food. Also, there are other Palestinians here and sometimes I eat with them. They help; but until when... My friend should come soon. My brother has sent money from Germany with Western Union; but that time I had a passport. The smuggler took mine and without ID, I cannot go there again and withdraw money (M11, 17.08.2012, Izmir).

The respondents from Afghanistan had already applied to the asylum procedure after being apprehended in Edirne and transferred to Izmir. Except for one single young respondent, the three families first stayed in hotels for a while, and then with the help of RFNs, they moved to their houses. In addition, the Palestinian family (refugees in Syria) and a single Palestinian respondent (at the house of the interpreter) were staying in private houses in Izmir.

Concerning their exits, it is seen that many of the respondents have tried more than once and even in the case of deportation, they have returned following the same route. Particularly the ones, who tried before supplied a comparison opportunity of their different experiences. Among the respondents: M01, M05, M06, M07, M09, M10 and M11 have been apprehended and all of them have been waiting for their second attempt. Also some of them were even apprehended during their second try and are waiting for the third attempt. While M01 and M06 were deported by Turkey and returned; M05, M07 and M10 were deported by Greece. Their detention and deportation process will be mentioned later on. However, before this aspect, their exit experiences will be reflected on concerning the border management from both sides.

I arrived to Istanbul on 15th February this year (2012) and stayed with Afghans, Indians and Bangladeshis. As 15 of us, we bought bus tickets for Edirne and from the bus station in Edirne; we were picked with the smuggler. He took us with a minibus and after 15 minutes driving, we arrived to somewhere. In a barn, we made ready two inflatable boats and waited for 3-4 hours. One of them (refers to boats) were already burst and only one boat could manage to cross the river. We could not turn back to take them; I do not know what happened to them. After landing, Greek police came. Smuggler was not with us on the boat. He said that just cross the river, the other side is Greece. They were two men, one of them was Turk and the other was, I guess Azeri (M07, 02.09.2012, Izmir).

The agreement was for 8 of us. They took us from Istanbul and brought to Edirne. In a forest, we waited. The driver showed us the way and described everything; but left us. We waited; but it was too dark. We stayed at the forest for whole night. But then, we went to soldiers (refers to Gendarmerie at Turkey side) and resigned ourselves to them. It was our plan B; because smugglers were told us, we should tell them that we are from Burma. But when they (refers to gendarmeries) hear Burma, they became angry. We could not understand why? Don't you like those people (refers to Burmese)? (M06, 11.04.2012, Izmir)

We were in a boat. There were children, women. We were too much for that boat. Coast guard captured us on the Aegean. When they caught us, they tied their boat to our boat. They took our statement on the boat. They took my passport and used handcuff for the captain. They gave biscuits and fruit juice to the children. They were taking our statements. They distinguished and separated Turks among us including captain. There was an interpreter. They took our fingerprints. On the land, when we arrive there were media around us. They took photographs. They took Turks somewhere else and we were transferred to the Foreigners' Office. Syrians, Palestine and Afghans; we were also separated. Police was let the Afghans free; but they did not tell me what they will do with me (M11, 11.08.2012, Izmir).

We had to leave the country and one month ago, we left Afghanistan (Hilmet). Through Iran, with the help of smugglers, we entered to Turkey from Van. Three weeks ago, we arrived to Turkey; but while we were going to Edirne, to the border, we had a car accident. We were 20 people in it, it was night; but the car was fast and the road was I guess not stabilized one. Three people died there, we were all over the place. While he was driving, we stopped several times and picked up other people, even we could not close the car door. I guess from Istanbul it took 3 hours and. We were that much jammed. We could manage to survive from the accident and I took my wife and children. In the middle of nowhere we walked. We asked for help from villagers; but they did not help and said that we should go. We wanted to call the smuggler; but on the way, people that we asked for using their phones did not let us. I guess some of them called police. Then one tractor came and one old man took us to his vehicle. He took us to a village; they gave us clothes, food. He took us to a small market and my daughter was almost dying. She was so cold, because also the weather was so cold. She is just 2 years old. While, we were in the village, gendarmerie came and arrested us. They took us to hospital, they took our photographs. We were in a panic and we did not check the others. Then the others from our car were brought to the hospital. One pregnant woman's ribs were broken. Then they took us to the removal centre (M04, 22.11.2011, Izmir).

It should be emphasized that not all the respondents were apprehended while they were going to Greece; but returning from Greece. For example after staying in Greece for a while and not being able to make the asylum application, M10 was apprehended at the border; when he was actually returning to Turkey.

In Greece, they gave me a document to leave the country. Then I decided to turn back to Turkey, when I was turning, gendarmerie was caught me. There were also other people and Somalians with me. I was mixed with the ones, who were actually going to Greece. I met with those guys there (refers the other three young male Somalians with him). I am math teacher and I can speak English. Since I know the reality (refers to the conditions in Greece) I explained everything to them. Soldiers took us to Edirne prison. It was much better than Greece. I convinced my friend to apply asylum there. Since there was no place for us, we transferred to Izmir. We made our application, but they took us to this hotel. We cannot afford 5 Liras every day. We want to go to Isparta Sister, where the Somalians live. Sister they do not let us go, can you tell them (M09, 09.03.2013, Izmir).

6.5.3. Role of MFNs, RFNs and the Transnational Networks

In terms of the networks, first of all it should be said that since the majority of the respondents have applied the service of smugglers, this MFNs has also under taken the role of RFNs. However their transnational networks still appears as also quite valid. In the sending country and receiving countries, they mentioned their contacts. Many of them have relatives in the destination countries and those networks were sending money to the movers by Western Union. However, according to the Somalian and Palestinian respondents, they also received money from the new comers or the ones who already resided in Turkey. As it was examined at meso level; during their stay they have been benefiting from some support by the local RFNs, foods from the Mosque, accommodation facilities by the pioneers etc.

*My best friend helped me to find that smuggler in Pakistan; because I had to run (he mentioned 'vendetta' as the reason for leaving his country). I am married without child and I left my wife to another friend in different city. My mother and my aunt will take care of her. After a little bit time passed, the others will forget about me and my wife. Then maybe my wife can come too. We sold our goats and my mother's gold for collecting the money; but I could not manage for the first time. This time, I should not be caught. I have no chance. I stay in this hotel and we are waiting for the transfer. I will be paying 3.000 Dollars this time; but it is guaranteed. **At Greece I have one friend; but I have to reach to Germany, where my uncle lives.** Then, I will take my wife too (M06, 11.04.2012, Izmir).*

Now, I will try again. Last year Edirne was easier; but this year I am told that there are more soldiers there. I will try again from Izmir; but this time we will be going there not with small boats. The big boat will be coming from Istanbul and when it arrives, it will pick us from a point, where the smuggler will take us there.

Since my brother could manage to send more money from Germany, I could pay for a safer and more guaranteed way. This is my last chance (M11, 17.08.2012, Izmir)

Concerning the reception facilities, respondents mentioned in-kind and in cash support from the Basmane Neighbourhood Centre, Mazlum-Der, İnsan-Der, the Hatuniye Mosque, Deniz Feneri besides their smugglers help. In addition to these local networks and also transnational networks in the destination and sending countries, they also mentioned some of the other migrants coming from the same country as pioneers.

We are not alone here. There are also other families living in Gaziemir now. As soon as we receive the call from the smuggler, we will be going. We do not see each other a lot for not being spotted. But they helped as a lot. We could not stay at those dirty hotels and also we cannot afford them. Now we pay 450 Liras to this house, but you cannot stay at hotels as a family (M08, 04.03.2013, Izmir).

I have been working for 3 months for 900 Liras monthly. I found this job with the help of Municipality workers. Also, we have 2 children, they go to school. But at the first stage the primary school director refused to register our children; but when we went to Foreigners' Office to sign, we explained this situation. The police called the school and then, they accepted our children to school. Now we have foreigners' number and the brown ID. But for health we pay our expenses. There was an association too. They helped us; they visited us (12.03.2013, Izmir).

Turkey is much better than Greece. Smuggler, they only think about money. They lie to us, they deceive us, and they take our money. There is nothing in Europe. I do not want to go there; but I cannot leave in Turkey either and I cannot turn back. Supports in Europe is better; but not Greece. Greece is a hell. I will try again; I have to reach to France. My elder brother is there. He found a contact and this time I will try from the sea (M07, Male, 34, 21.02.2013, Izmir).

We stayed in a hotel in Izmir; but it was expensive and so bad. With the help of ... (give the name of an officer from the Basmane District Centre), we could move to this house. We will be going to Ankara for UNHCR. They will be sending us to Germany or the Netherlands. Maybe Canada, we have some relatives in Canada too. We took some furniture from municipality and one association. They gave furniture, clothes, stove, and fridge. Also people helped us and still (M03, 14.04.2012, Izmir)

6.5.4. Apprehension, Detention and Deportation Conditions

Among the respondents, the majority of them were apprehended or deported by Turkey or by Greece, except the Palestinian family, who came from Syria and had been living in Syria with their refugee status. Thus, important insights could be obtained from their experiences regarding apprehension, detention as well as the deportation processes. In general, between Turkey and Greece, respondents were making comparison even without being asked and defining conditions in Greece as worse than Turkey.

One of the respondents (M01) had been apprehended by Turkey two times and the first one resulted in deportation. Concerning the treatment and the procedure, he stated that the first time, they were apprehended and after staying in Edirne Removal Centre (the old one); they were transferred to Adana Removal Centre. The most important aspects is even though they stated that they would like to apply to the asylum procedure, they were not allowed and deported to Afghanistan.

It was 1, 5 years ago and my wife was seven months pregnant. We told them that we want to be asylum; but they did not listen. There was an interpreter in Adana and he made us sign some documents in Turkish. He was also Afghan; but he gave us a big harm. Then, we deported. My wife should not be on that plane, it was full of us (refers to other detainees). As soon as we arrived, she lost her baby at the airport. They told us that they will make us free after going to Ankara. They took us to the Afghan Embassy in Ankara; but they gave travel documents from there to the police for deporting us (M01, 11.04.2012, Izmir)

Concerning the detention conditions, he described the conditions as better in Adana, where there were beds, hot water and enough food for everyone. For their second experience, they were apprehended in Edirne. For their second experience, their asylum applications were not rejected; but accepted at the Izmir Removal Centre. They were asked to sign some documents; but from the previous experience, they were afraid and refused. Thus, they found a lawyer and gave 1.000 dollars to her. That lawyer told them since their first finger prints were found out their case would be difficult and they need her help. However, at the end of the procedure, police officers told them that it was their right and that lawyer was not necessary and they should not have given money for legal

assistance. Then, it can be said that there was a mistreatment by a legal representative; but it is also important that their payment competences were quite impressive after paying 24.000 dollars to the smugglers. At this stage, it should also be stated that they agreed prices with the smugglers range from 300 dollars to 12.000 dollars for each person. However, since each stage is separately charged, the total amount also changes. It should be emphasized that even though they agree on a package in their home countries, in the case of any problems they can be reimbursed a certain amount of their money according to their agreements. Also regarding RFNs, it can be said that majority of them were mixed with Turks and in general they are left themselves during the crossing borders.

Finally, concerning the above-mentioned respondent and his family, it should also be noted that despite the 2010 Regulation for residence fee, they had to paid 172 liras for a residence permit and they have to renew it every 6 months for each member of the family.

In relation to the detention conditions, one Syrian respondent described the living conditions regarding the Izmir removal centre, where he was taken after his apprehension by the Coast Guards in the Aegean Sea as follows:

...But after 18 days (refers to the days that he spent at the Izmir Removal Centre), I asked to them. They told me that my documents were in Ankara. One day, one person called from human right association with an interpreter, and they explained my rights. I explained that a soldier took my passport on the boat. They wanted to send me back; but wanted to be a refugee. Then, they gave a paper, I applied with it. They said that it will take 10 days; but in 7 days they came and told me that in 15 days I have to go to Hatay. I do not want to go to Hatay. I want to go to Europe. The conditions were good (refers to removal centre). Two times meal, hot water... We were also giving our orders from market but with our money. Sometimes we were asking for hot water for drinking tea or coffee but they (refers to officers) were pissing of with this request. They were saying 'no water, no hot water'. They were locking us during nights. In my room, I was with Sudanese, Somalian, Burmese and Pakistani. One day, Sudanese did hunger strike for 3 days; because they wanted to stay together, and polices put them in a same room then. Polices shout; but there was no beating. It was not clean; but there was a vacuum-cleaner and we were helping for cleaning. In our room, there was a toilet, and bathroom. Also TV. But I stayed there for 19 days and I could go out only 2 times. There was an air-condition; but it was too hot in July.

No toilet paper but if you want you can buy from the market. Sometimes a doctor was coming; but he does not give medicine. We were given bet sheets, out beds were bunk beds and there was a table in all rooms. Women were separated, I have never seen them. Maybe I should have tried also Edirne. My brother sends money from Germany, Western Union. Now, I will try again. I cannot go back to Syria or cannot stay here. Why I will go to Hatay, to be taken to camps, they are prisons and I cannot turn to Syria (M11, 17.08.2012, Izmir).

(Regarding Edirne Removal Centre) They gave some papers, we signed them. There was no interpreter. My boy was born there. We stayed there for 2 months. They wanted to send us back and offered flight tickets; but we refused. One day 2-3 people runaway. That is why they (refers to police officers) were all angry. But in general, they were good to us and my son was born there. They were also taking me to a doctor; because of the bypass. In there, we were really crowded. Some of us were sent to different cities. After 2 months, they told us that we can go to Izmir. They took 20 Liras from us for Izmir (M11, 17.08.2012, Izmir).

Besides the detention conditions and deportation processes in Turkey, the respondents, who have been apprehended, detained or deported by Greece, supplied information as well. It can be said that these findings support the findings at the meso level and some of the respondents mentioned that their next attempt will be from Italy or from Greece they will continue their journey, since they think or from experience that asylum procedure is problematic in this county.

First they apprehended me and then gave me a paper to leave the country in a month time. They took us to Iskenderpol (refers to another city but the name could not be understood clearly) and we were asked to give 71 Euro to them (refers to police officers for their transfer). For finding a way to go to France (his brother lives there), I went to Athens and Omnia and did not leave the country. Then police arrested me in Omnia again. I stayed in a prison for a month, there was torture there. We were given pig meat even they knew that we are Muslim, they were beaten us. We were obliged to buy foods that we can eat; but we paid 3-4 times more for everything. They (refers to police officers) were taking commission. After one month, I was taken to the court, one Greek lawyer helped him. We were 9 people, the other were Syrians. They were allowed to go to open-air only for 10 minutes. After the court, I was released. I tried to apply asylum procedure; but it was not possible. From church, I was getting food, but they did not want to give food to Muslims. I turned back to Turkey from Edirne without being noticed and from Edirne by bus, I went to Istanbul. For the bus tickets, the seller asked two times more and when I refused to pay this amount, he treated me as calling the police. Then, I said that I will also tell him what happened, and then I bought the ticket for normal prices. I was carrying my money as typed to my body. Since, Edirne was difficult, I came to Izmir (M07, 02.09.2012)

There were not a police, probably Greek soldiers because they had rifles. They put us in a prison; they were beating us and swearing. Not the ones that they caught us; but the police was horrible. There was an interpreter for Arabic; but he did not help us. I was telling that I come from Iraq; but he was insisting that I come from Egypt or Palestine. I could not sleep, all the beetles bitten me. I made hunger strike and said that I want to go to Iraq. Then, they gave me a document for leaving the country in a month time. Now, I do not want to try Greece again. Someone told me that there are smugglers here, who go to Italy. I will find them; I cannot have this experience again. It was worse than Iraq (M05, 25.09.2011, Izmir).

We agreed for 500 Dollars; but he (refers to smuggler) supposed to take me to Athens. He did not; but only made us cross the river. We were 30 people, waited in the forest. It was too cold, it was in November. He left us there. I was with Palestinians and Somalians. We walked for 5 hours. Then, we saw a white car with a policeman. He was wearing dark blue uniform and Greek things written on this uniform. They took us to prison and they were calling us as 'dogs'. They were given food; but every time it was short for 5-6 people. If we ask for more food, they were telling that if they want they will not give any food at all. Horrible, horrible. We were like dogs. Sometimes, we had visitors from different countries. They were coming for this centre. But when they were there, police was good to us. There was a doctor; but he was not giving medicine. We were 350-400 in total; but not everybody had bed. No hot water. There was also discrimination between Muslims and Christians. I tried to apply asylum. I can speak in English and it was good for me; but they did not let me. There is no right there, no migrant can live there (M10, 09.03.2013, Izmir).

At the meso level, many of the respondent from the local authorities and also from the RFNs mentioned Greece's unlawful deportation and also problematic detention conditions. The following quotation both refers to unlawful push backs by Greece and also the inhuman living conditions in the detention centres.

When I arrested in Greece, my days in prison was difficult. I stayed there for 27 days and at the end, they told me that I should not be there at all; because I am Palestinian. Palestinian; but living I Syria. The other Palestinians were sent back 2-3 days; but not me. Syria gives us something like an ID; I had it too; but the smuggler took it from me. They sent me back to Turkey and Edirne was like a heaven. In Greece (refers to detention centre), there was not even a place to move. They were beating us all the times. Also language was a problem. One they one Iraqi friend became angry and shouted to them (refers to officers). They were almost killing him. I was so careful. We had a small window, where the sunshine was coming; but they were not letting us to go outside. When I was turning from Edirne, we were 4 people. The others were Afghans and Pakistani. We did not know that they will be sending back us to Turkey. We stopped somewhere and they let us go; but they were also firing their guns. We sent back but not officially, they release us there and we re-entered to Turkey. I was afraid, because Syria lets us to leave there; but we do not have UN recognition. If I

arrested again, Turkey will sent me to Syria, then they will put me in a prison for 5 years or longer. Without my ID, I cannot turn back to Syria; because I left the country with illegal ways. They (refers to Greek soldiers) deported us to Turkey; but Turkey does not know. They just wanted to get rid of us. I am so confused. I am familiar with the asylum; because I was refugee in Syria. But in Greece and Turkey, I am so confused. What should I do? But I know that they cannot give us back to Turkey; because only neighbouring countries citizens can be given back to Turkey. That is why they made us free at forest (M09, 24.02.2012)

Special Concluding Part for the Micro Level

In the light of the above given information, it can be said that despite the reasons that they had to leave their countries, they were the ones who could leave their home countries leaving many of the others behind. As can be seen all of the respondents had to apply to smugglers and they were charged different prices. All of them defined 'Europe' or some of the other European countries as their main target; which were France, the Netherlands, Germany and Canada. The ones, who have been arrested and detained, mentioned problematic and unlawful treatment in Greece. The majority of them have transnational networks and in most of the case their smugglers have taken the RFNs role besides being MFNs. Some of them were deceived by the smugglers but one respondent also mentioned a fraud case by a Turkish lawyer. In general they do not have enough knowledge about the relevant policies. Their smugglers or some RFNs such as civil society organizations supply information about the possibilities, risks or their rights.

In the light of the previous chapters and mainly the EU's policies concerning irregular migration: it can be said that migration usually takes place within quite transnational and also fragmented movements. Since they were guided by their smugglers, as long as they are lucky to find a gap in the border management, they continue their journeys. In Edirne and Izmir almost all of them mentioned that to the very last point, smugglers came with them but while they are crossing the borders, they are alone. Again concerning the EU's demand for visa policies, in particular the negative list; it is seen that the ones who have travel documents and the right to enter Turkey without a visa could manage to make deals with smugglers in Turkey, particularly in Istanbul. With this sample as it was mentioned earlier, it is not possible to evaluate the impacts; however at least for the

respondents of this research these measures do not appear as preventing measures; but only increase the prices and the risk for them.

As the third important aspect of the EU's policies, readmission agreements could not be evaluated with this sample. However, one of the biggest fears appears to be being deported because of the reasons for leaving their home country in the first place and also the thought of having to start everything all over again, which is highly costly for them. Some of the respondents mentioned unlawful deportation by Turkey and Greece and only one respondent mentioned the 'readmission agreement' between Turkey and Greece (M09).

Concerning the asylum procedure, in Turkey and also Greece, some unlawful applications were mentioned. In Greece the asylum procedure seems more problematic; while in Turkey also despite demands for asylum applications, there are some cases of deportation. Since all the migrants mentioned their destination as other countries; but not Turkey, in case of removal of the geographical limitation I have serious doubt at least for these respondents about applying to Turkey as asylum seekers. In addition regarding the destination conditions, the ones who were apprehended and taken to the detention or removal centres in Turkey did not mention inhuman treatment; while it seems it was the case for them during their administrative detention period in Greece.

Finally, it should be noted that even though in terms of revealing the policy implications, both the macro and meso levels were more beneficial; the real receiver of those policies could not be excluded from this dissertation. Most importantly, with their existence I could re-test my theoretical framework and also the findings at the other levels. It was seen that as a consequence of the interaction with the institutions and actors, which also translate the policy implications for them, migrants evaluate opportunity costs, risk perceptions and risk-coping strategies. Information about risks and access to that information appears as one of the most important parts of social capital for migrants. It is a fact that even though people are aware of the risks they might face by strategizing migration goals, available social and material resources, aspirations for advancement

and the perception of informational resources affect their willingness to accept these risks. However, it is also seen that rather than their rational choice, their migration journey is mainly determined by the external factors. But still, since despite the restrictive policies and also high risk and cost for irregular transit migration, it maintains itself and some of them can reach their destinations or live in the transit countries for many years without having formal reception conditions. Thus, as the adopted theoretical framework for this level (Social Network and Structuration Theory) also argues, both individual and societal forces are influential on the constitution of migration.

6.6. Conclusion

One of the main pre-assumptions of this dissertation that the implications of the EU's immigration and asylum policy, particularly irregular migration policy; cannot be analysed without examining the three relational levels as parallel to the adopted Relational Approach: macro, meso and micro. In particular, without the existence of the meso level, there will be a gap between macro level structures and micro level agencies. To support this argument, two gateway cities were determined as playing a significant role for the irregular migration from Turkey to Europe. At the meso level, it was also argued that not only the policy implementers at this level; but irregular migration related networks were also affected by those policies. Those networks are important drivers of particularly irregular migration, which cannot be solely realized as a consequence of the migrants' rational choice. Thus, they should be seen as the meso level intervening variables in relation to the macro and micro levels; in other words the bridge between the structure and agency.

Concerning the meso level analysis, the "transnational social fields" and "social networks" theoretical approaches were used. At this stage, it should be stated that in terms of the "transnational social fields" approach, an empirical case of the two gateway cities was brought, which had been missing within the existing literature. In addition, regarding the social network theory, the existing "sending and "receiving networks" conceptualization was criticized by arguing that not only sending and receiving

countries; but also transit countries should be seen as a part of the broader migration system, where those networks take place simultaneously. However, it has been also seen that in supporting the Relational Approach, there are significant relationships between the macro level theories that were employed in this study, which are the World System Theory and the Political Economy Theory. Following the macro level theoretical argument, which sees Turkey as the semi-peripheral country; with the EU as the 'core'; these two cities cannot be seen as physical or geographical units; where the migrants live in and pass through; but special locations, where the unequal power relations at the macro level display themselves at the meso level within the relations of production. Based on this theoretical framework and the findings of the ethnography of policy analysis, one of the most important outcomes can be seen as a commodification of migrants within the cities, where they can be seen as the continuity of the semi-peripheral countries with the similar functions. While these policies create new sectors, particularly in the case of irregular migration such as 'smuggling'; migrants appear as the commodities of these new markets. In this regard, there is a continuing exploitation of the core on the semi-peripheral and peripheral countries, as a part of this chain the cities and finally irregular migrants; who appears as both the cheap labour and also the newly created smuggling sector's commodities. The above-given can be seen as the building bridges between theory and the empirical findings from the field.

In the light of the analysis at this level, significant findings have been found regarding the implications of the EU's policies on irregular migration supporting the specific argument of this dissertation. Those implications could be observed both at city level as well as on the local policy implementers as well as the MFNs and RFNs. In terms of implications there are differences and similarities found between the two selected cities as a consequence of the multi-sited ethnography. More importantly 'border management', 'visa policy', 'readmission agreements' and 'asylum in relation to irregular migration' were focused on following on from the macro level. Under each heading important findings from the field were given previously. However, the analysis at this level also revealed that there are unintended results in the selected cities. The most important ones can be seen as the supporting smuggling business and creating

serious human rights violations; because the level of restrictive policies increase the prices and risks for irregular transit migrants because of the smuggling connection. Thus, those policies do not only protect the external borders of the EU but also have important resulting impacts on the migrants in the gateway cities through the focused organizations and actors.

Within this chapter also perceptions and interpretation of those meso level actors were examined to reveal the implications of the policies concerned. In general, the findings were similar to the macro level as it can be argued that the focus is still on Turkey's transit country role. Thus, since migrants are seen as the problems of the EU, the burden that is loaded onto Turkey was criticized. But more importantly, the existing policies were determined as inefficient to deal with irregular migration. The same summary can be made at this level as well: 'Irregular migration cannot be stopped, because water flows always find their beds. Therefore, the main reasons should be tackled instead of creating more tragedies for those people'.

CONCLUSION

In the recent years, migratory movements have been imposing dramatic changes on the existing national and international policies in this field. Among the different types of migratory movements, 'irregular migration' and in particular, 'irregular transit migration' from transit countries to the destination countries has attracted ever-increasing and considerable attention since the 1990s. For defining the 'transit' part of this movement, rather than intention of the migrants; mainly the direction of this mobility is more determinant for the policy-makers in the destination countries. According to the existing 'guesstimations', the number of irregular migrants who reside in the EU and its member states as one of the main destinations, ranges from between 1,9 million to 3,8 million. In order to manage this population by also avoiding the new comers, to control its external borders and to respond to the shortcomings of the existing policies in the Member States, the EU has been implementing different policies and policy instruments regarding irregular migration, where "externalization" appears as the main characteristic in the case of transit countries. Besides 'externalization, also 'delocalization' is adopted as a strategy for controlling irregular migration and is supported by securitization and economisation discourse. In this framework, the EU uses the external dimension of its immigrant policy as a mode of governance and adopts different policy instruments and the predominant use of external tailor-made measures for each country for operationalization. While the EU imposes different measures to each third country; the consequences and the reactions also appears as quite diverse within those countries. As a sending, receiving and most importantly transit country; Turkey supplies a significant settlement to analyse the impacts of the externalities of the EU's policy in irregular migration.

By focusing on the EU's policies concerning irregular migration, this study questions the implications of these policies in Turkey by representing the macro level, in the gateway cities (Edirne and Izmir) and the migration related networks, which are

determined as ‘Mobility Facilitating Networks- MFNs’ and ‘Reception Facilitating Networks- RFNs’ at the local and meso levels and finally at micro level, implications for irregular transit migrants. Behind the preference of this ‘multi-level’ approach, the Relational Approach takes place, which respects both ‘structure’ and the ‘agency’. Neither migrants as individual agencies nor the relevant political framework as the macro-structures are ignored and are associated with each other through the meso level with this approach. In addition, the study argues that to be able to understand the implications of the relevant EU policies, to analyse only the macro or micro level separately without the presence of meso level is not acceptable. I would like to state that as one of the young researcher, since obtaining my undergraduate degree in International Relations and continuing my academic career within the Sociology discipline; this relation has always been important to me and the policies’ impact has always been a concern for me. In this regard, as a part of this study; to be able to conduct a research, which combines all the levels of analysis within a field that appears as highly interdisciplinary becomes my biggest satisfaction. I believe that supranational, international or national; all the policies have an impact on their societies and people, where they really become meaningful. However, at this stage I would also like to state that the suggestion of Thomas Faist for conducting multi-level studies in the field of migration appears easier at theoretical discussions; but significantly difficult to conduct. But as soon as all the levels of analysis’ relations become visible and it is revealed that the findings complement and support each other at all level; as the researcher I could be out of the woods.

This study focuses on the EU’s policies on irregular migration; but not only by considering the EU’s interest in Turkey but also based on the fact that the EU dimension has been one of the most important determinants of Turkey’s policies in this field of migration along with the mass influxes. Starting from the macro level, the study first focused on the EU’s immigration and asylum policy concerning irregular migration and the externalization dimension, which distinguish the existing policies into two groups. The first one is for the MSs, which have also been analysed as a part of this study. But since the existing the studies in this field focus on the mainly EU’s immigration and

asylum policies in general; this study aims to search out the ‘irregular migration’ specific aspects. It should also be stated that the existing studies concerning ‘irregular migration’ are also understudied.

As a consequence of the above-mentioned internal analysis of the concerning policies, it is revealed that despite the fact that irregular migration is one of the central issue in political debates at both national and EU level, there is still a great deal of misinformation and misunderstanding regarding the profile and proportions of this group. These policies have been implemented being far from ‘knowledge based’; but rather conducted with ‘securitisation and economisation concerns’ and the tailor-made discourse. Since the EU acquired, in 1999, shared competences in the field of ‘visa, migration and asylum’ a control-based approach based on criminalisation, expulsion and readmission has prevailed and has underpinned EU policies on irregular migration. In addition, despite these intense concerns, there is no consensus on the common definitions such as ‘irregular migration’. This highly acute angled approach also appears as highly problematic for the construction of a ‘comprehensive’ common EU policy on immigration and the fundamental socio-economic rights of irregular migrants are enshrined only in the EU Charter³⁶⁴ and in other regional and international human rights instruments. Even though as it was discussed within the Chapter 4, not only combating irregular migration; but also being respectful to the human rights of the migrants have been emphasized with the Commission reports and programmes such as the Stockholm Programme and many independent research projects have highlighted the serious unintended negative impacts on the vulnerable groups; the EU continues to make use of negative terminology that links undocumented migration with illegality, criminality and (in)security. This official discourse justifies repressive immigration measures and attempts to perpetuate the invisibility and marginalisation of undocumented migrants. It can be argued that the study reveals and solidly reflects the above-given implications in a transit country, within gateway cities.

³⁶⁴ Charter of Fundamental Rights of the European Union (2000/C364/01), retrieved from http://www.europarl.europa.eu/charter/pdf/text_en.pdf (Accessed on 02.03.2013)

However, before reflecting the findings regarding the implications; the reasons behind those restrictive policies as well as their functions were researched at theoretical level. The Differentiation Theory as well as the World System Theory with the Political Economy Theory were employed at this level. By focusing on the ‘irregular dimension’, the roots of the securitisation and economisation discourse were focused on. The EU and irregular migration policies are examined as restrictive policies; but also selective ones, which aim to control the flows of refugees, asylum seekers or irregular migrants through such measures as border management, visa policies or even military action. As Massey (2009) argues, during the periods of economic distress, those policies become even more aggressive and exclusive. It should not be forgotten that also the volume of these flows appears as the independent variables for restrictive immigration policies.

Most importantly, the adopted theoretical approaches argue that the above-mentioned restrictive policies also contribute to the creation of new sectors, particularly in case of irregular migration such as ‘smuggling’, which is also proved within this study in the light of the findings of the three levels. The EU has been collectively constituting a protective wall (Fortress of Europe) against so called ‘illegal and transit migration’; but with small doors that allow for specific flows. One of the doors appears as the entrance for certain types of labour migrants; with another one for asylum-seekers. In this picture, as representing the semi-peripheral countries, transit countries such as Turkey undertake the role of ‘buffer zone’ for the EU by representing the core. This takes us to the ‘external dimension’ of the EU’s policies concerning irregular migration within the European Integration theories with the ‘externalization aspect’, which mainly argues that from the migration policies perspective, externalisation of asylum and immigration policy has been employed with the overall aim of expanding the migration control carried out domestically and at the EU borders and preventing unwanted migration from reaching the EU territory. Since Turkey is also one of the candidate countries, both Europeanization and Externalization beyond Europe were taken into consideration within this study. In this regard, the existing policy instruments for the non-EU countries were examined; but most importantly through the APDs and Progress Reports for Turkey, the special policies and programmes were determined as the ‘border

management', 'visa policy', 'readmission agreement' and 'irregular migration related part of the asylum policy'. At this stage, the nexus between asylum and irregular migration was also examined and in the light of the field research displayed in practice as supporting the existing theoretical studies regarding this relationship. Thus, as given in the 'introduction', this nexus is also approached as one of the arguments of the study, which was also confirmed by the findings.

Concerning those policies, it should be stated that rather than the implications in the transit countries and on irregular transit migrants, the main driving motivation is to stop irregular transit migration to Europe, which has been stated with many of the primary and secondary law documents for the member and candidate countries; but the non-EU countries also show their reaction. In this regard, as a part of 'externalization', one of the most important arguments of the theoretical approach by Lavanex and Uçarer (2004) is also confirmed with this study. It is a fact that these reactions for the adaptation of the EU's policies through externalities occur when the third countries feel the need to change its policies due to negative effects such as rising numbers of asylum seekers, irregular migrants; because of strict border controls, thus external impact is responded to with conditionality. Within these regard, Turkey resists being a buffer-zone and creates 'conditionality' as a response to protect her interests. This dimension is clarified by Turkey's respond to the Law on Foreigners and International Protection, which on the one hand displays the important implications of the EU's policies on irregular migration; but on the other hand, since the geographical limitation (in relation with the nexus between the asylum and irregular migration) was kept by the LFIP and also the readmission agreement demand of the EU is responded to with the 'mutual visa exemption' demand; conditionality. At this stage it should be noted that the study examined the implications in Turkey by analysing the previous and in the light of the LFIP the new normative structure as well as the institutional one with a specific focus on irregular migration.

Briefly concerning this level findings, it can be said that from the EU's side, the slow development regarding migration management, un-ratified readmission agreements and

maintained geographical limitation have been criticized along with supported and highly welcomed legislative and administrative changes in this field: while from Turkey's perspective, difficulties in and the high costs of implementing the requested changes needed for migration management have been used as the counter arguments. Thus, the EU's 'burden shifting' strategy has been responded to with Turkey's 'burden-share' argument.

This level is also supported with an ethnographic policy analysis to understand how the relevant actors and institutions interpret and implement the policies concerned. This extended ethnographic case study was conducted between August 2011 and March 2013. In this regard, at the macro level 18 semi-structured interviews were conducted as well as applying various related official documents ranging from the EU *acquis* to the national level circulars and official reports such as the Progress reports to statistics on this field. The main purpose was to understand how the policy implementers made sense of and implemented the focused policies. At this level, the findings reveal how policy implementers respond to these policies. This final part of the macro level study carries utmost importance; because, the existing studies within the literature do not supply reflections from this size of sample and mainly compare only the normative and institutional structure between the EU and Turkey ignoring the role of agency, the implementation dimension of those policies and the integrity of the implications.

By focusing on the determined policy instruments by the EU concerning irregular migration, the findings from the interviews affirm that the EU has a perceivable impact on legislative and institutional structures as well as implications. However, Turkey's geographically and psychically problematic borders and the neighbour countries, where there is serious political turmoil, human rights violations or wars appear as extra challenges for Turkey in terms of border management. In relation to the EU's implications, it has been frequently stated by the respondents that since the EU is a main destination, Turkey had to oblige to undertake the 'transit country' role and the EU approaches Turkey as a 'buffer zone' for the unwanted population. In general; but particularly for the border management dimension, there were serious reactions to the

EU; because of the lack of burden-share. Secondly for the visa policy dimension, conditionality is found to be quite dominant. On the one hand particularly the law enforcement bodies' representatives expressed the difficulties in managing the liberal visa policy of Turkey; on the other hand the majority of respondents were against the EU's enforcing approach for limiting Turkey's sovereignty with negative and positive visa lists; but not recognizing visa exemption for Turkey. Thirdly, ratification of the readmission agreement was negatively evaluated for two reasons. First of all it was emphasized that Turkey's capacity is not efficient to respond to the requirements of this agreement. In addition, it is argued that readmission agreements may result in 'chain readmissions' and since the access to the asylum procedure is problematic in Turkey, this agreement will create important right violations for migrants. Fourthly, removal of the geographical limitation is determined as one of the most important dimension of asylum, which is related to irregular migration from Turkey to Europe and it can be said that majority of the respondents expressed that Turkey is not ready to remove this limitation yet; while the civil society representatives as well as the international organizations determine this removal as the requirement of the CRSR.

As one of the important findings from the field, the EU's policies concerning irregular migration for transit countries but with concrete implications for Turkey were evaluated as having intense concerns for the economisation and securitisation in favour of the EU and its members. In addition, it is highlighted that increasing criminality and illicitness are also seen as results of those policies in Turkey. Another important finding was that Turkey is described as more of a destination country rather than a source or transit one; because of its growing economy and increasing attractiveness for the population movements. It was stated that in the long run, not because of the EU's pressures; but for national needs, migration will be one of the most important policy areas in Turkey. At this stage I also would like to emphasize that rather than irregular transit migrants, irregular labour migrants and over-stayers will be brought up to the agenda; as long as the migrants stay in Turkey rather than continuing their migration journey to Europe this population will not be seen as 'temporary' anymore. Finally, I would like to add that the EU policies have the positive or negative, intended or unintended effects not only in

Turkey; but also on immigrants and asylum seekers as the very important receivers of these policies. Concerning this dimension, despite the political intention of managing, preventing, and reducing irregular migration, various legislations contribute to the emergence of irregular migration and make transit countries as ‘buffer-zones’ as a consequence of remote controls of irregular migration. In addition, all those policies combating irregular migration need to be carefully considered in terms of not only their effectiveness in discouraging and managing irregular migration; but also their consequences regarding the respect of the human rights of the irregular migrants.

At the meso level, two gateway cities were determined as playing significant role for the irregular migration from Turkey to Europe. At the meso level, it was also argued that not only the policy implementers at this level; but irregular migration related networks were also affected by those policies. Those networks are important drivers of irregular migration, which cannot be solely realized as a consequence of the migrants’ rational choice. Thus, they should be seen as the meso level intervening in the relationship between the macro and micro levels; in other words the bridge between the structure and agency.

Concerning the meso level analysis, the “transnational social fields” and “social networks” theoretical approaches were used. At this stage, it should be stated that in terms of the “transnational social fields” approach, an empirical case of the two gateway cities was brought, which had been missing within the existing literature. In addition, regarding the social network theory, the existing “sending and “receiving networks” conceptualization were criticized as arguing that not only sending and receiving countries; but also transit countries should be seen as a part of the broader migration system, where those networks take place even simultaneously. However, it has been also seen that supporting the Relational Approach, there are significant relationships between the macro level theories that are employed within this study, which are the World System Theory and Political Economy Theory. Following the macro level theoretical argument, which sees Turkey as one of the semi-peripheral country; while the EU is seen as the ‘core’; and these two cities cannot be seen as physical or geographical units;

where the migrants live in and pass through; but special locations where the unequal power relationships at the macro level displays themselves at the meso level within the relationship of production. Based on this theoretical framework and the findings of the ethnography of policy analysis, one of the most important outcomes can be seen as a commodification of migrants within the cities, where they can be seen as the continuity of the semi-peripheral countries with similar functions. While these policies create new sectors, particularly in case of irregular migration such as ‘smuggling’; migrants appears as the commodities of these new markets. In this regard, there is a continuing exploitation by the core on the semi-peripheral and peripheral countries, as a part of this chain the cities and finally irregular migrants; who appears as both the cheap labour and also the newly created smuggling sector’s commodities. The above-given can be seen as the building bridges between theory and the empirical findings from the field.

In the light of the analysis at this level, significant findings have been found regarding the implications of the EU’s policies on irregular migration as supporting the specific argument of this dissertation. Those implications could be observed both at city level as well as on the local policy implementers as well as the MFNs and RFNs. In terms of implications there are differences and similarities found between the selected two cities as a consequence of the multi-sited ethnography. More importantly ‘border management’, ‘visa policy’, ‘readmission agreements’ and ‘asylum in relation with irregular migration’ were focused on following the macro level analysis. Under each heading important findings from the field were given previously. However, the analysis at this level also revealed that there are unintended results in the selected cities. The most important ones can be seen as the supporting smuggling business and creating serious human rights violations; because as the level of restrictive policies increase the prices and risks for irregular transit migrants increase because of the smuggling connection. Thus, those policies do not only protect the external borders of the EU but also have important resulting impacts on the migrants in the gateway cities through the focused organizations and actors.

In parallel to macro level, also perceptions and interpretation of the meso level networks, institutions and actors were examined to revealing the implications of the policies concerned. In general, the findings were similar to the macro level as it can be argued that the focus is still on Turkey's transit country role. Thus, since migrants are seen as the problems of the EU, the burden that is loaded on Turkey was criticized. But more importantly, the existing policies were determined as inefficient to deal with irregular migration. The same summary can be made at this level as well: 'Irregular migration cannot be stopped, because water flows always find their beds. Therefore, the main reasons should be tackled instead of creating more tragedies for those people'.

Finally, concerning the micro level analysis, it can be said that despite the reasons that they have to leave their countries, they were the ones who could leave their home countries leaving many of the others behind. As it can be seen, all of them had to apply to smugglers and were charged different prices. All the respondents determined 'Europe' as their main destination also confirming the EU's concerns about this population. The ones who had been arrested and detained mentioned problematic and unlawful treatment in this country. The majority of them have transnational networks and in most cases their smugglers have taken on the role of RFNs besides being the MFNs. Some of them were deceived by the smugglers. In general they do not have enough knowledge about the policies. Their smugglers or some RFNs such as civil society organizations supply information about the possibilities, risks or their rights.

Migrants take their place within quite transnational and also fragmented movements. Since they were guided by their smugglers, as long as they were lucky enough to find a gap in the border management, they continued their journeys. In Edirne and Izmir almost all of them mentioned that to the very last point, smugglers came with them; but while they were crossing the borders, they were alone. Again concerning the EU's demand for visa policies in particular the negative list; it is seen that the ones who have travel documents and the right to enter Turkey without a visa could manage to make deals with smugglers in Turkey, particularly in Istanbul. Within this sample as i mentioned earlier, it is not possible to evaluate the impacts; however at least for the respondents of this

research these measures do not appear to be preventing measures; but only increases the prices and the risk for them.

As the third important aspect of the EU's policies, readmission agreements could not be evaluated with this sample. However, one of the biggest fears appears to be being deported because of the reasons to leave their home country in the first place, and also the thought of having started everything all over again, which is highly costly for them. Some of the respondents mentioned unlawful deportation by Turkey and Greece but only one respondent mentioned 'readmission agreement' between Turkey and Greece.

Concerning the asylum procedure, in Turkey and also in Greece, some unlawful applications were mentioned. In Greece the asylum procedure seems more problematic; while in Turkey also despite the demand for asylum application, there were some cases of deportation. Since all the migrants mentioned their destination as other countries; but not Turkey, in the case of the removal of the geographical limitation I have serious doubts at least for these respondents about applying to Turkey as asylum seekers. In addition, regarding the destination conditions, the ones who were apprehended and taken to the detention or removal centres in Turkey did not mention inhuman treatment; while it seems it was the case for them during their administrative detention period in Greece.

Finally it should be noted that even though in terms of revealing the policy implications, both the macro and meso levels were more beneficial; the real receiver of these policies could not be excluded from this dissertation. Most importantly, with their existence I could re-test my theoretical framework and also the findings at the other levels. It was seen that as a consequence of the interaction with the institutions and actors, which also translated the policy implications for them, migrants evaluate opportunity costs, risk perceptions and risk-coping strategies. Information about risks and access to that information appears as one of the important part of the social capital of the migrant. It is a fact that even though people are aware of the risks they might face by strategizing migration goals, available social and material resources, aspirations for advancement

and the perception of informational resources affect their willingness to accept these risks. However, it is also seen that rather than their rational choice, their migration journey is mainly determined by external factors. But still, despite the restrictive policies and also high risks and costs for irregular transit migration it maintain itself and some of them can reach their destinations or live in the transit countries for many years without having formal reception conditions. Thus, as the adopted theoretical framework for this level (Social Network and Structuration Theory) also argues, both individual and societal forces are influential on the constitution of migration.

By covering all the levels and the above-mentioned dimensions, this dissertation displayed the implications of the EU's policies on irregular migration. It is seen that even though the EU's policy interventions have contributed to a decline in irregular migration which cannot be seen to be as much as is desired, much-desired, they also create new hotspots and routes for illegal entry to the EU's vast external borders. Combating irregular migration in the coming years is likely to remain challenging. As European economies recover from the recession and more jobs become available, flows may increase. Additionally, the shifting regional routes and the responses to these such as the intensifying clandestine entry through Greece's land border with Turkey may have a collateral effect on the calm but vast Eastern border. The spike in irregular migration from North Africa during the Arab Spring has also shown that developments beyond Europe's borders can quickly lead to changes in migration patterns. The reactive nature of irregular flows on border management operations and return policies suggest that continued and large-scale investments are likely to be needed for the foreseeable future, both on the EU's external border and within each Member State. Most importantly, as the unintended results, while delocalizing the irregular migration routes, the burden on the new locations such as new transit hubs and cities have been increasing. While those policies decrease the unwanted population entry to some extent, they also create new sectors such as 'smuggling' causing more illicitness. Finally, by increasing the prices and risks for migrants, they bring unintended outcomes such as severe human rights violations.

In relation to the future prospects, this study reveals that until Turkey improves her capacity, two important demands of the EU will not be responded to: removal of the geographical reservation to the CRSR and ratification of the readmission agreement with Turkey. The supporting findings for this claim have already been given within the study. Finally, it should be stated that migration in general and irregular migration in particular, will be one of the most important policy agenda items for Turkey independent from the EU; because in the light of the research's findings maybe not in the medium term but in the long run, Turkey will be one of the more important destination countries. Thus, maybe today, 'transit migration' appears as an important dimension, which also refers to the 'temporality' of migration; however as long as they come but instead of continuing their journeys, they decide to stay, they will create significant implications in Turkey as well. Thus, the need for further studies and multilevel policy analyses concerning different aspects of migration will also be increased.

REFERENCES

- ABADAN-ÜNAT, N. (2006). Bitmeyen Göç: Konuk İşçilikten Yurttaşlığa, Istanbul Bilgi University Publication, 2nd Edition, Istanbul.
- AJZEN, I., & MADDEN, T. (1986). “Prediction of Goal-Directed Behaviour: Attitudes, Intentions, and Perceived Behavioural Control, *Journal of Experimental Social Psychology*, No. 22, pp. 453- 474.
- ALUND, A., AND SCHIRERUP, C. (1986). Will They Still be Dancing? Integration and Ethnic Transformation Among Yugoslav Immigrants in Scandinavia, Almqvist & Wiksell International in Stockholm, Sweden.
- AMNESTY INTERNATIONAL (2013). Frontier Europe: Human Rights Abuses on Greece’s Border with Turkey, retrieved from <http://reliefweb.int/report/greece/frontier-europe-human-rights-abuses-greeceper centE2per cent80per cent99s-border-turkey> (Accessed on 09.08.2013)
- AMSELLE, J. L. (2002). “Globalization and the Future of Anthropology”, *African Affairs*, Vol. 101, pp. 213- 229.
- APPADURAI, A. (1991). “Global Ethno-spaces: Notes and Queries for A Transnational Anthropology”, in *Recapturing Anthropology* edited by R. Fox, Santa Fe, NM: School of American Research Press.
- AUBARELL, G., ZAPATA-BARRERO, R. and ARAGALL X. (2009), “New Directions of National Immigration Policies: The Development of the External Dimension and Its Relationship with the Euro-Mediterranean Process”. EuroMeSCO paper, retrieved from www.upf.edu/gritim. (Accessed 15.03.2013)
- BACHE, I, GEORGE, S. and BULMER (2012). Politics in the European Union, 3rd Edition, Oxford, pp. 227.
- BAĞIŞ, E. (2012). Visa restrictions are shutting Turkey out of the EU, *The Guardian*, retrieved from <http://www.guardian.co.uk/commentisfree/2012/jul/14/visa-restrictions-turkey-eu> (Accessed on 17.08.2012).

BALDWIN- EDWARDS, M. (2006). "Migration between Greece and Turkey: from the 'Exchange of Populations' to the Non-recognition of Borders", *South-East Europe Review*, pp. 115- 122.

BASCH, L., GLICK- SCHILLER, N. AND BLANC, C. (2004). Nations Unbound: Transnational Projects, Postcolonial Predicaments, and De-territorialized Nation-States, Langhorne, PA: Gordon and Breach.

BAUER, M., KNILL, C. and PITSCHER, D. (2007). "Differential Europeanization in Eastern Europe: The Impact of Diverse EU Regulatory Governance Patterns", *Journal of European Integration*, No. 29(4), pp. 405- 423.

BAUER, T., (Et al.) (2002). "Herd Effects or Migration Networks? The Location Choice of Mexican Immigrants in the U.S.", Institute for the Study of Labour, IZA Discussion Paper (No. 551), retrieved from <http://ftp.iza.org/dp551.pdf> (Accessed on 04.09.2012).

BAYRAKTAR, D. (2010). "Europeanization of Migration and the Effects on Non-State Actors: The Turkish Case", retrieved from <http://www.lse.ac.uk/europeanInstitute/research/ContemporaryTurkishStudies/DB2011.pdf> (Accessed on 12.01.2012)

BENTON-SHORT, L., PRICE, M. AND FRIEDMAN, S. (2005). "Debate Globalization from Below: The Ranking of Global Immigrant Cities", *International Journal of Urban and Regional Research*, Vol. 29, pp. 945-959.

BLACK, R. (2003). "Breaking the Convention: researching the 'illegal' migration of refugees to Europe", *Antipode*, pp. 34-54.

BIEHL, K. (2012a). "New Diversities in Istanbul: Setting a Research Agenda for Studying Migration and the City", SSIIM Paper Series Vol. 10, October 2012, retrieved from <http://www.unescochair-iuav.it/wp-content/uploads/2010/02/SSIIM-PS-n10-KB.pdf> (Accessed on 03.04.2013)

BIEHL, K. (2012b). "Örnek Vaka Analizi: İstanbul", in *Kentler ve Göç: Türkiye, İtalya, İspanya*, edited by Ahmet İÇDUYGU, İstanbul Bilgi Üniversitesi Yayınları, İstanbul.

BIEHL, K. (2008). "Governing Through Uncertainty: 'Refugeeness' in Turkey", Unpublished Thesis, Boğaziçi University, Istanbul.

BIGO, D. and GUILD, E. (Eds.) (2005). Controlling Frontiers: Free Movement into and within Europe, Ashgate.

BIGO, D. (2001). "Internal and External Security(ies): The Mobius Ribbon", in Identities, Borders and Orders: Rethinking International Relations Theory edited by M. Albert, D. Jacobson and Y. Lapid, University of Minnesota Press, pp. 91-136 .

BILLET, C. (2012). "EC Readmission Agreements: A Prime Instrument of the External Dimension of the EU's Fight against Irregular Immigration. An Assessment after Ten Years of Practice", *European Journal of Migration and Law*, No. 12 (2010), pp. 45- 79.

BORJAS, G. J. (1989). "Economic Theory and International Migration", *International Migration Review*, Special Anniversary Issue, pp. 23- 41.

BOSWELL, C. (2003). "The External Dimension of EU Immigration and Asylum Policy", *International Affairs*, No. 79/ 3, pp. 619- 38.

BOUBAKRI, H. (2004). "Transit Migration between Tunisia, Libya and Sub-Saharan Africa: Study Based on Greater Tunis", paper presented at the Regional Conference on Migrants in Transit Countries: Sharing Responsibility for Management and Protection, September 30-October 1, 2004, in Istanbul, Turkey.

BOURDIEU, P. (1989). "Social Space and Symbolic Power", *Sociological Theory*, Vol. 7, No. 1. (Spring, 1989), pp. 14- 25.

BOURDIEU, P. and WACQUANT, L. J. D. (1992). An Invitation to Reflexive Sociology, Chicago: University of Chicago Press.

BOURDIEU, P. (1986). "The Forms of Capital", in Handbook of Theory and Research for the Sociology of Education edited by J.G. RICHARDSON, New York: Greenwood, pp. 241- 258.

BOURDIEU, P. (1984). Distinction: A Social Critique of the Judgement of Taste, London: Routledge.

BOURDIEU, P. (1977/ orig. 1972). Outline of A Theory Of Practice, Cambridge: Cambridge University Press.

BRENNER, N. (2011). “The Urban Question and the Scale Question: Some Conceptual Clarifications”, in *Locating Migration* edited by N. GLICK-SCHILLER and A. ÇAĞLAR, Cornell University Press, pp. 23- 42.

BRENNER, N. (2000). “The Urban Question as a Scale Question: Reflections on Henri Lefebvre, Urban Theory and the Politics of Scale”, *International Journal of Urban and Regional Research*, Vol. 24.2, pp. 361- 378.

BRETTELL, C. (2003). Anthropology and Migration: Essays on Transnationalism, Ethnicity, and Identity, Walnut Creek, Calif: Altamira Press.

BRETTELL, C. B. (2000). “Theorizing Migration in Anthropology: The Social Construction of Networks, Identities, Communities, and Globalscapes”, in Migration Theory: Talking Across Disciplines edited by C. B. BRETTELL and J. F. HOLLIFIELD, Routledge, New York, pp. 97- 135.

BRAUDEL, F. (1972). “History and the Social Sciences” in Economy and Society in Early Modern Europe: Essays from Annales edited by Peter BURKE, New York: Harper, pp. 11- 42.

BULMER, S. and RADAELLI, C. (2004). “The Europeanization of National Policy?”, *Queen’s Papers on Europeanization*, No. 1/2004.

BULMER, S. and BURCH, M. (2001). “The Europeanization of Central Government: the UK and Germany in historical Institutional Perspective”, in The Rules of Integration: Institutional Approaches to the Study of Europe edited by Gerald SCHNEIDER and Mark ASPINWALL, Manchester: Manchester University Press, pp. 73- 98.

CARRERA, S. and GUILD, E. (2010). Assessing EU Policy on Irregular Immigration under the Stockholm Programme, edited by Sergio CARRERA and Massimo MERLINO, Centre for European Policy Studies Publication on Liberty and Security in Europe Publications, Brussels.

CASTELLS, M. (1972, 1977 Eds.). The Urban Question. MIT Press, Cambridge, Mass.

CASTLES, S. (2010a). “Beyond Methodological Nationalism: Researching Transnational Spaces, Cross-Border Diffusion, and Transnational Histories”, paper presented International Conference, Bielefeld University (Germany), 22-23 April 2010.

CASTLES, S. (2010b). “Understanding Global Migration: A Social Transformation Perspective”, *Journal of Ethnic and Migration Studies*, No. 36(10), pp. 565- 1586.

CASTLES S. (2007). “The Migration-Asylum Nexus and Regional Approaches”, in New Regionalism and Asylum Seekers, Challenges Ahead edited by S. KNEEBONE & F. Rawlings-SANAE, London: Berghahn Books.

CASTLES, S. (2003), “Towards a Sociology of Forced Migration and Social Transformation”, *Sociology*, Vol. 37, No. 1, p. 13-34.

CASTLES, S. (2002). “Migration and Community Formation under Conditions of Globalization”, *International Migration Review*, No. 36(4), pp. 1143- 1168.

CASTLES, S. and MILLER, M. (2003/ 2008). Göçler Çağı: Modern Dünyada Uluslararası Göç Hareketleri, Istanbul Bilgi Üniversitesi Yayınları, Istanbul.

CHISWICK, B. R. (2000). “Are Immigrants Favourably Self-Selected? An Economic Analysis”, in Migration Theory: Talking across Disciplines edited by B. BRETTEL and J. F. HOLLIFIELD, Routledge, New York& London.

CHOLEWINSKI, R. (2005), Study on Obstacles to Effective Access of Irregular Migrants to Minimum Social Rights, Council of Europe Publishing, Strasbourg Cedex, retrieved from <http://mighealth.net/eu/images/e/ec/Chol.pdf> (Accessed on 04.04.2012).

CVAJNER, M. and SCIORTINO, G. (2010). “Theorizing Irregular Migration: The Control of Spatial Mobility in Differentiated Societies”, *European Journal of Social Theory*, No. 13, pp. 389- 404.

CLANDESTINO (2009). Undocumented Migration: Counting the Uncountable. Data and Trends Across Europe Project, Final Report, 23 November 2009, retrieved from <http://clandestino.eliamep.gr/> (Accessed on 22.12.2012).

COLEMAN, J. S. (1990). Foundations of Social Theory, Belknap Press of Harvard Univ. Press: Cambridge.

COLEMAN, J. S. (1988). "Social Capital in the Creation of Human Capital", *American Journal of Sociology*, Vol. 94, pp. 95- 120.

COLLYER, M. & HAAS, H. (2008). "Developing Dynamic Categorization of Transit Migration", (Irregular) Transit Migration in Europe: Theory, Politics, Research Methodology and Ethics Conference Paper, 18-20 April 2008, Istanbul.

COLLINSON, S. (2009). "The Political Economy of Migration Processes: An Agenda for Migration Research and Analysis", International Migration Institute Working Paper, No. 12, University of Oxford.

COUNCIL of EUROPE (2010). Report on Readmission Agreements: A Mechanism for Returning Irregular Migrants, Report Committee on Migration, Refugees and Population Rapporteur: Ms Tineke STRIK, Doc. 12168 16 March 2010, pp. 2.

COUNCIL OF EUROPE, (2004), "Proceedings of the Regional Conference on Migration "Migrants in the Transit Countries: Sharing Responsibilities in Management and Protection", Istanbul, 30 September – 1st October 2004

CRISP, J. (2005). "Policy Challenges of The New Diasporas: Migrant Networks and Their Impact on Asylum Flows and Regimes", Policy Research Unit Series, WPTC-99-05.

ÇİÇEKLİ, B. (2006). "Impact of the EU Membership Process on the Development of the Turkish Immigration Law Regime", in Migration, Diasporas and Legal Systems in Europe edited by Prakash SHAH and Werner MENSKI, Routledge Cavendish, New York.

DANIŞ, D. (2006a). "Integration in Limbo: Iraqi, Afghan, Maghrebi and Iranian Migrants in Istanbul), Migration Research Programme at Koç University (MiReKoç) Research Projects, retrieved from http://home.ku.edu.tr/~mirekoc/reports/2005_2006_didem_danis.pdf. (Accessed on 07.07.2012).

DANIŞ, D. (2006b). "Waiting on the Purgatory: Religious Networks of Iraqi Christian Transit Migrants in Istanbul", European University Institute Robert Schuman Centre for Advanced Studies Mediterranean Programme Series Publication, RSCAS No. 2006/25, retrieved from <http://cadmus.eui.eu/handle/1814/6228?show=full> (Accessed on 07.07.2012).

DANIŞ, D. (2006c). "Iraqis in Istanbul: Segmented Incorporation", in Integration in Limbo: İraqi, Afghan and Maghrebi Migrants in Istanbul edited by Didem DANIŞ et al., Koç University Report, Istanbul.

DANIŞ, D., PEROUSE, J. and TARAGHI, C. (2006d). Integration in Limbo: İraqi, Afghan and Maghrebi Migrants in Istanbul, Koç University Report, Istanbul.

DAS, V. (2004). "The Signature of the State: The Paradox of Illegibility", in in Anthropology in the Margins of the State edited by V. DAS and D. POOLE, School of American Research Press, Santa Fe.

DAS, V. And POOLE, D. (2004). "States and Its Margins", in Anthropology in the Margins of the State edited by V. DAS and D. POOLE, School of American Research Press, Santa Fe.

DAS, V. and POOLE, D. (1991, Eds.). Anthropology in the Margins of the State, School of American Research Press, and James Curry, Santa Fe and Oxford.

DEBENEDETTI, S. (2006). "Externalisation of European Asylum and Migration Policies", Florence School on Euro-Mediterranean Migration and Development, Robert Schuman Centre for Advanced Studies, pp. 1- 2.

DE HAAS, (2009). "Migration Systems Formation and Decline. A Theoretical Inquiry into the Self-Perpetuating and Self-Undermining Dynamics of Migration Processes", International Migration Institute Working Paper, No. 19, University of Oxford.

DE HAAS, H. (2008). "Migration and Development: A Theoretical Perspective", International Migration Institute Working Paper, No.9, University of Oxford.

DIEZ, T., STETTER, S. and ALBERT, M. (2006). "The European Union and Border Conflicts: The Transformative Power of Integration", *International Organization*, No. 60(3), pp. 563- 593.

DIMULESCU, V. (2011). Migrants at the Gates: the External Dimension of the EU's Migration Policy in the South Mediterranean, *Interdisciplinary Political Studies* No: 1(2), pp. 161-165.

DOUKOURE, O. and OGER, H. (2007). "The EC External Migration Policy: The Case of the MENA Countries, Cooperation Project on the Social Integration of Immigrants, Migration and the Movement of Persons, European University Institute, Robert Schuman Centre for Advanced Studies, pp. 2.

DUSTDAR-SINCLAIR, T. (2002). "Sons for the Return Home. A Human Capabilities Approach to Migration", Paper presented at the 3rd Biennial Conference of the Aotearoa New Zealand International Development Studies Network (DevNet) from 5-7 December 2002: *Contesting Development: Pathways to Better Practice*.

DUVELL, F. (2008). "Transit Migration in Europe", Presentation of "First Conference on Irregular Migration" on 18-19 June 2008, Tripoli, retrieved from http://www.cespi.it/PDF/Libia-Dper_centC3per_centBCvell.pdf (Accessed on 07.06.2012).

DUVELL, F. (2006a). Illegal Immigration in Europe, Palgrave Macmillan, the UK.

DUVELL, F. (2006b). "Crossing the Fringes of Europe: Transit Migration in the EU's Neighbourhood", COMPAS Working Paper, No. 33, University of Oxford.

DUVELL, F. (2006c). "Irregular Migration: A Global, Historical and Economic Perspective", in Irregular Migration in Europe, Beyond Control? edited by Frank DUVELL, Basingkok: Palgrave, pp. 14- 39.

ELRICK, T. (2009). *Transnational Networks of Eastern European Labour Migrants*, Unpublished PhD. Dissertation University of Freien Berlin, retrieved from www.diss.fu-berlin.de/diss/servlets/.../FUDISSL.../Elrick_Doktorarbeit.pdf. (Accessed on 02.03.2013)

ERALP, A. (2009), "The Role of Temporality and Interaction in the Turkey-EU Relationship", *New Perspectives on Turkey*, No. 40, pp. 149-170.

EUMAGINE (2010). *Turkey Country and Research Areas Report, Final Version, 2010-09-28*, pp. 75, retrieved from http://www.eumagine.org/outputs/PP5per_cent20-

[20Turkeyper cent20Countryper cent20andper cent20Researchper cent20Areasper cent20Reportper cent20-per cent20Final.pdf](#) (Accessed on 16.03.2013)

EUROPEAN COMMISSION (1998- 2012). Turkey Progress Reports, retrieved from http://ec.europa.eu/enlargement/pdf/key_documents/2012/package/tr_rapport_2012_en.pdf (Accessed on 01.02.2013).

EUROPEAN MIGRATION NETWORK (2012), Practical Measures to Reduce Irregular Migration Project Final Report, supported by the European Commission, retrieved from http://extranjeros.empleo.gob.es/es/RedEuropeaMigraciones/Estudios_monograficos/E_MN_Synthesis_Report_Irregular_Migration_October_2012.pdf (Accessed on 04.01.2013).

FAIST, T. (2000). The Volume and Dynamics of International Migration and Transnational Social Spaces. Oxford: Oxford University Press, ISBN: 0 19 829726 2.

FAIST, T. (1997). "Migration in Contemporary Europe: European Integration, Economic Liberalization, and Protection", in European Integration in Social and Historical Perspective edited by Jytte KLAUSEN and Louise TILLY, Rowman & Littlefield.

FAIST, T. (1997). "The Crucial Meso-Level", in International Migration, Immobility and Development edited by T. HAMMAR et al., Berg Press, the Great Britain.

FEATHERSTONE, K. and RADAELLI, (2003). The Politics of Europeanization, Oxford University Press.

FITZGERALD, D. (2006). "Towards a Theoretical Ethnography of Migration", *Qualitative Sociology*, DOI: 10.1007/s1 1133-005-9005-6.

FOUCAULT, M. (1972). The Archaeology of Knowledge, translated by A.M. Sheridan Smith, New York: Pantheon Books, 1972.

FRIEDMANN, J. (1986). "The World City Hypothesis", *Development and Change*, Vol. 17, pp. 69–83.

FRIEDMAN, J. (2004). "Globalization", in A Companion to the Anthropology of Politics edited by David NUGENT and Joan VINCENT, Malden, MA: Blackwell Publishing, pp. 179-197

FRONTEX (2013). Annual Risk Analysis Report, Risk Analysis Unit FRONTEX Reference Number: 5202, OPOCE Catalogue number: TT-AC-13-001-EN-C ISBN 978-92-95033-70-2 ISSN 1977-4451 DOI 10.2819/30496, Warsaw.

FRONTEX (2012). Annual Risk Analysis Report, Risk Analysis Unit FRONTEX Reference Number: 5202, OPOCE Catalogue number: TT-AC-12-001-EN-C ISBN 978-92-95033-47-4 ISSN 1977-4451 DOI 10.2819/23386, Warsaw.

GEDDES, A. (2003). The Politics of Migration and Immigration in Europe, London: Sage Publications.

GEDDES, A. (2009). Migration as Foreign Policy? The External Dimension of EU Action on Migration and Asylum, SIEPS Report, No. 2009 (2).

GIDDENS, A. (1979). Central Problems in Social Theory: Action, Structure, and Contradiction in Social Analysis, Berkeley: University of California Press,

GIDDENS, A. (1984). The Constitution of Society Introduction of the Theory of Structuration, Berkeley: California University Press.

GLICK-SCHILLER, N. and ÇAĞLAR, A. (2011). Locating Migration, Cornell University Press, Ithaca and London.

GLICK-SCHILLER, N., ÇAĞLAR, A. (2007). "Migrant Incorporation and City Scale: Towards A Theory of Locality in Migration Studies", Willy Brandt Series of Working Papers in International Migration and Ethnic Relations, No. 2/07, Malmö University Press, Sweden.

GLICK- SCHILLER, N., ÇAĞLAR, A. and GULDBRANDSEN, T. C. (2006). "Beyond the Ethnic Lens: Locality, Globality, and Born-Again Incorporation", *American Ethnologist*, Vol. 33, No.4, pp. 612- 633.

GLICK SCHILLER, N. (2004). "Transnationality", in A Companion to the Anthropology of Politics edited by David NUGENT and Joan Vincent, MALDEN, MA: Blackwell Publishing.

GLORIUS, B. and FRIEDRICH, K. (2006). "Transnational Social Spaces of Polish Migrants in Leipzig (Germany)", *Migracijske I Etnicke Teme*, No. 22 (2006)1-2, pp. 163- 180, retrieved from <http://hrcak.srce.hr/file/8139> (Accessed on 02.08.2013).

GOODWIN-GILL, G. S. AND MCADAM, J. (2007). The Refugee in International Law, 3rd Edition, Oxford, Oxford University Press.

GOLD, S. J. (2005). "Migrant Networks: A Summary and Critique of Relational Approaches to International Migration", in The Blackwell Companion to Social Inequalities edited by M. ROMERO and E. MARGOLIS, Malden MA, Blackwell, pp. 257- 285.

GORDENKER, L. (1987). Political Refugees, Political Persecution, International Relations; Refugees and International Cooperation, Columbia University Press (New York), ISBN 0231066244.

GÖKALP-ARAS, E. and ŞAHİN-MENCÜTEK, Z. (forthcoming). "Externalization of the EU's Policy on Irregular Migration: the Case of Turkey", in the EU and Turkey: Challenges and Opportunities edited by Annette FREYBERG-INAN, Palgrave Macmillan.

GUILD, E., CARRERA, S. and BALZACQ, T. (2008). "The Changing Dynamics of Security in an Enlarged European Union", CEPS Challenge Papers, No.12.

HAAKE, C. J., KRIEGER, T. and MINTER, S. (2010). "External Border Enforcement, Public Goods and Burden Sharing Mechanisms in the EU", in Shaping the Normative Contours of the European Union: A Migration-Border Framework edited by Ricard ZAPATA-BARRERO, CIDOB Editions: Barcelona, pp. 57-79.

HALL, P. A. (1984). The World Cities, Weidenfeld& Nicolson, London.

HAGEN-ZANKER, J. (2008). “Why Do People Migrate? A Review of the Theoretical Literature”, Maastricht Graduate School of Governance Publications, Working Paper MGSOG/2008/WP002.

HANIFAN, L. J. (1916). “The Rural School Community Centre”, *Annals of the American Academy of Political and Social Science*, Vol. 67, pp. 130- 138.

HARVEY, D. (1989). The Urban Experience. Johns Hopkins Press, Baltimore.

HARVEY, D. (1982). Limits to Capital, Chicago: University of Chicago Press.

HOWELL, K. E. (2004). “Developing Conceptualisations of Europeanization: Synthesising Methodological Approaches”, Queen’s Papers on Europeanization, No. 3/2004, retrieved from <http://www.qub.ac.uk/schools/SchoolofPoliticsInternationalStudiesandPhilosophy/FileStore/EuropeanisationFiles/Filetoupload,38403,en.pdf> (Accessed on 26.05.2013).

HU, X. and SALAZAR, M. A. (2005). “Dynamic Change of Migrant Networks: How Migrant Networks Change under Changing Environment?”, paper presented at Summer Institute on International Migration UC, June 2005.

ILLIES, M. (2009). “Irregular Immigration Policy in the European Community: Action at all Stages of the Irregular Migration Flow (WP)”, Europe Working Paper, No. 38/2009.

INTER-PARLIAMENTARY UNION, (2005), Migration and Development, Geneva: IPU.

IOM (2008). Migration in Turkey: A Country Profile, retrieved from http://www.turkey.iom.int/documents/migration_profile_turkey.pdf (Accessed on 24.03.2013)

IOM (2004), Glossary, retrieved from http://publications.iom.int/bookstore/free/IML_1_EN.pdf (Accessed on 02.03.2011)

IOM, (2003), Irregular Migration in Turkey, Working Paper, No: 12.

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

İÇDUYGU, A. and KARAÇAY, A. B. (2012). “Demography and Migration in Transition: Reflections on EU-Turkey Relations”, in Turkey, Migration and the EU: Potentials, Challenges and Opportunities edited by S. PAÇACI ELİTOK and T. STRAUBHAAR, Hamburg University Press, Hamburg, Germany, pp. 19- 39.

İÇDUYGU, A. (Eds.) (2012). Kentler ve Göç, İstanbul Bilgi Üniversitesi Yayınları, İstanbul.

İÇDUYGU, A. (2011a), The Irregular Migration Corridor between the EU and Turkey: Is it Possible to Block it with a Readmission Agreement?,_Research Report Case Study EU-US Immigration Systems, No. 2011/14.

İÇDUYGU, A. (2011b), “Europe, Turkey, and International Migration: An Uneasy Negotiation”, Paper presented at the Migration Working Group, European University Institute (EUI), Florence, retrieved from <http://www.eui.eu/Documents/RSCAS/Research/MWG/201011/01-26-Icduygu.pdf> (Accessed on 24.03.2013)

İÇDUYGU, A. (2010). “Türkiye’de Göçün Siyasal Arka Planı: Küreselleşen Dünyada Ulus-devleti İnşaa Etmek ve Korumak”, in Türkiye’de Uluslararası Göç edited by B. PUSCH and T. WILKOSZEWSKI, Kitap Yayınevi, İnsan ve Toplum Dizisi, İstanbul, Turkey.

İÇDUYGU, A. AND SERT, D. (2010). “Irregular Migration at Two Borders: The Turkish- EU and Mexican-U.S. Cases”, Immigration Paper Series 2010, The German Marshall Fund Paper Series, retrieved from http://www.gmfus.org/wp-content/blogs.dir/1/files_mf/galleries/ct_publication_attachments/GMF7514_IM_Icduygu_and_Sert_Paper0505.pdf (Accessed on 16.04.2013).

İÇDUYGU, A. AND YÜKSEKER, D. (2010). “Rethinking Transit Migration in Turkey: Reality and Re-Presentation in The Creation of a Migratory Phenomenon”, *Population, Space and Place Special Issue: Critical Approaches to Transit Migration*, Vol. 18, Issue 4, pp. 441- 456.

İÇDUYGU, A. (2009). “International Migration and Human Development in Turkey”, Geneva: United Nations Development Programme, Human Development Research Paper, No. 2009/52.

İÇDUYGU, A. (2008). Rethinking Irregular Migration in Turkey: Some Demoeconomic Reflections, CARIM Analytic and Synthetic Notes, No. 2008/72, retrieved from http://cadmus.eui.eu/bitstream/handle/1814/10117/CARIM_ASpercent26N_2008_72.pdf?sequence=1 (Accessed on 31.03.2013)

İÇDUYGU, A. (2006a). “The Labour Dimensions of Irregular Migration in Turkey”, *Mediterranean Quarterly*, No. 5, pp. 88- 99.

İÇDUYGU, A. (2006b). The Labour Dimensions of Irregular Migration in Turkey, CARIM Research Reports 05, European University Institute, Florence.

İÇDUYGU, A. (2005). Transit Migration in Turkey: Trends, Patterns and Issues, European University Institute Research Reports No. 2005/4.

İÇDUYGU, A. (2003). Irregular Migration in Turkey, Geneva: International Organization for Migration.

İÇDUYGU A. and YÜKSEKER, D. (2000). “Rethinking the Transit Migration in Turkey: Reality and Re-presentation in the Creation of a Migratory Phenomenon”, Conference Paper –IMISCOE Conference ‘(Irregular) Transit Migration in the European Space: Theory, Politics, and Research Methodology’, Koç University, Istanbul, April 18-19.

İÇDUYGU, A. AND KEYMAN, F. (2000). “Globalization, Security and Migration: The Case of Turkey”, *Global Governance*, July-Sept 2000, Vol. 6, Issue 3, pp. 383.

İK V (2010). Türkiye-AB Geri Kabul Anlaşması Müzakerelerinde Son Durum ve AB Sınır Gücünün Türk-Yunan Sınırında Konuşlandırılması, retrieved from [http://www.ikv.org.tr/images/upload/data/files/geri_kabul_ve_frontex_ikv_deg_26\(1\).pdf](http://www.ikv.org.tr/images/upload/data/files/geri_kabul_ve_frontex_ikv_deg_26(1).pdf) (Accessed on 01.03.2013)

JANDL, M. (2007). “The Estimation of Illegal Migration in Europe”, *Migration Studies*, No. 153, 141- 155.

JOHNSON, D. (2009). "Ethnography of Language Policy", *Language Policy*. Vol. 8, pp. 139- 159.

KALE, B. (2005). The Impact of Europeanization on Domestic Policy Structures: Asylum and Refugee Policies in Turkey's Accession Process to the European Union", Ph.D. Thesis Submitted to the Graduate School of Social Sciences, The Middle East Technical University, Ankara, Turkey.

KARDULIAS, P. N. and HALL, T. D. (2005). "A World-Systems View of Human Migration Past and Present: Providing a General Model for Understanding the Movement of People", *Forum on Public Policy: A Journal of the Oxford Round Table*, No. 2005(31), p. 1- 33, retrieved from <http://www.forumonpublicpolicy.com/archivesum07/kardulias.pdf> (Accessed on 04.11.2012).

KAYA, A. (2009). Islam, Migration and Integration, London: Palgrave McMillan.

KAYA, İ (2008). "CLANDESTINO Country Report Turkey: Undocumented Migration Counting the Uncountable- Data and Trends across Europe", Final version, retrieved from http://clandestino.eliamep.gr/wp-content/uploads/2009/10/clandestino_report_turkey_final_.pdf (Accessed on 24.03.2013)

KAYIN, E. (2010). "Mekansal ve Sosyo-Ekonomik Ayrıksılıklar Geriliminde İzmir: Küresel-Yerel Fenomenler", in *Değişen İzmir'i Anlamak* edited by D. YILDIRIM and E. HASPOLAT, Phoenix, Ankara, pp. 337- 361.

KAYIN, E. (2007). Kent ve Mimarlık: İzmir, Mimarlar Odası İzmir Şubesi Yayınları, İzmir.

KEYDER, Ç. (2005). Social Exclusion in Istanbul, *International Journal of Urban and Regional Research*, Vol. 29 (1), pp. 124- 134.

KIMBALL, A. (2007). "The Transit State: A Comparative Analysis of Mexican and Moroccan Immigration Policies" Working Paper, No. 150. The Centre for Comparative Immigration Studies, University of California, San Diego, U.S.

KING, R. (2012). "Theories and Typologies of Migration: An Overview and A Primer", Willy Brandt Series of Working Papers in International Migration and Ethnic Relations, No. 3/12, retrieved from http://www.mah.se/upload/Forskningscentrum/MIM/WB/WBper_cent203.12.pdf (Accessed on 22.06.2013).

KİRİŞÇİ, K. (2012). "Turkey's New Draft Law on Asylum: What to Make of It?", in Turkey, Migration and the EU: Potentials, Challenges and Opportunities edited by Seçil PACACI-ELITOK and Thomas STRAUBHAAR, Hamburg University Press, Hamburg State Germany, pp.63- 83.

KİRİŞÇİ, K. (2009). Harmonization of Migration Policy and Turkey's Security Challenges, Centre for Economics and Foreign Policy Studies (EDAM) Discussion Paper Series, 2009/ 01, retrieved from http://www.edam.org.tr/eng/document/GMFper_cent20Policyper_cent20Papers-Kirisci.pdf (Accessed on 24.03.2013)

KİRİŞÇİ, K. (2007a). The Limits of Conditionality and Europeanization: Turkey's Dilemmas in Adopting the EU Acquis on Asylum, EUSA Tenth Biennial International Conference (Montreal), Boğaziçi University, Istanbul

KİRİŞÇİ, K. (2007b). Border-Management and EU-Turkey Relations: Convergence or Deadlock, Florence: European University Institute.

KİRİŞÇİ, K. (2004). "Turkey's Pre-Accession and Immigration Issues", in Turkish Family, Health and Planning Foundation, Population Challenges, International Migration, and Reproductive Health in Turkey and the European Union: Issues and Policy Implications, Istanbul: TAP Publication, pp. 193- 202.

KİRİŞÇİ, K. (2003). "The Question of Asylum and Illegal Migration in European Union-Turkish Relations", *Turkish Studies*, No. 4(1), pp. 79- 106.

KOSER-AKCAPAR, Ş. (2009). "Re-Thinking Migrants' Networks and Social Capital: A Case Study of Iranians in Turkey", *International Migration*, Vol. 48 (2) 2010 ISSN 0020-7985, pp. 161- 196.

KOSHER, K. (2005). "Irregular Migration, State Security and Human Security", the Global Commission on International Migration Reports, retrieved from <http://www.gcim.org/attachements/TP5.pdf> (Accessed on 02.10.2011).

KNILL, C. and LEHMKUHL, D. (2002). "Europeanizing Domestic Regulatory Policies", *European Journal of Political Research*, No. 41(2), pp. 255-80.

KOTHARI, U. (2002). "Migration and Chronic Poverty", Working Paper, No. 16, Manchester: Institute for Development Policy and Management.

KOVACHEVA, V. and VOGEL, D. (2009). "The Size of the Irregular Foreign Resident Population in the European Union in 2002, 2005 and 2008: A Dynamic Aggregate Country Estimate", Working Paper No. 4/2009, Database on Irregular Migration, Hamburg Institute of International Economics, Hamburg, pp. 9, retrieved from <http://irregular-migration.hwwi.net/> (Accessed on 17.02.2013).

KÖKTAŞ, A. (2011). "Sınır Güvenlik Birimi Kurma Çalışmaları", Stratejik Düşünce Enstitüsü (SDE)/ Institute of Stratejik Thinking Publications, Ankara.

KRASNER, S. (1999). *Sovereignty: Organized Hypocrisy*, Princeton NJ: Princeton University Press.

KUBIK, J. (2009). "Ethnography of Politics: Foundation, Applications, Prospects", in *Political Ethnography* edited by Edward SCHATZ, University of Chicago Press, Chicago.

LADRECH, R. (1994). "Europeanization of Domestic Politics and Institutions: The Case of France", *Journal of Common Market Studies*, No. 32/1, pp. 69- 87.

LAVENEX, S. (2006). "Shifting up and out. The Foreign Policy of European Immigration Control", *West European Politics*, No. 29 (2), pp. 329- 350.

LAVENEX, S. and UÇARER, E. (2004). "The External Dimension of Europeanization: The Case of Immigration", *Cooperation and Conflict*, No. 39: 417, pp. 417- 443, retrieved from <http://cac.sagepub.com/content/39/4/417> (Accessed on 07.07.2012).

LAVENEX, S. (2002). "EU Enlargement and the Challenge of Policy Transfer: The Case of Refugee Policy", *Journal of Ethnic and Migration Studies*, Vol. 28, No: 4, pp. 701- 721.

LEVITT, P. AND GLICK- SCHILLER, N. (2004). "Transnational Perspectives on Migration: Conceptualization Simultaneity, *International Migration Review*, Vol. 24, pp. 47-59.

L'ODOWD, L. (2001). "Analysing Europe's Borders", *IBRU Boundary and Security Bulletin*, Summer 2001, pp. 67- 79.

MANNEART, C. (2003). "Irregular Migration and Asylum in Turkey, *New Issues in Refugee Research*, IOM Working Paper, No. 89.

MARCONI, G. (2007). "Transit Cities in Transit Countries: Steering the Consequences of US and EU Closed Doors Policies", retrieved from http://www.pol.ed.ac.uk/data/assets/word_doc/0014/20183/Giobanna.doc (Accessed on 02.10.2011).

MARCUS, G. E. (1995). "Ethnography in/of the World System: The Emergence of Multi-Sited Ethnography", *Annual Review of Anthropology*, Vol. 24, pp. 95- 117.

MARX, K. (1992/ orig. 1867). Capital: A Critique of Political Economy, Frederick Engels (eds.), translated from the third German Edition by Samuel Moore and Edward Aveling, Vol.1, International Publishers, New York.

MASSEY, D. (2009). "The Political Economy of Migration in an Era of Globalization", in International Migration and Human Rights: The Global Repercussions of US Policy edited by Samuel MARTINEZ, Berkeley: University of California Press, pp. 25- 43.

MASSEY, D. (1999). "Why Does Immigration Occur? A Theoretical Synthesis", in The Handbook of International Migration edited by Charles HIRSCHMAN, The Russell Sage Foundation.

MASSEY, D. S., et al. (1998). Worlds in Motion: Understanding International Migration at the End of the Millennium, Clarendon Press: Oxford, New York.

MASSEY, D. S., et al. (1993). "Theories of International Migration: Review and Appraisal", *Population and Development Review*, No. 19(3), pp. 431- 466.

MERLINO, M. and PARKIN, J. (2011). Irregular Migration in Europe: EU policies and the Fundamental Rights Gap, Centre for European Policy Studies (CEPS) Report, retrieved from http://migration.etuc.org/en/tomate_en.htm/ (Accessed on 28.02.2013).

MEYERSON, E. (1994). "Human Capital, Social Capital and Compensation: The Relative Contribution of Social Contacts to Managers' Incomes", *Acta Sociologica*, No. 37(4), p. 383-399.

MOLINA, J. L., PETERMAN, S. and HERZ, A. (2012). "Defining and Measuring Transnational Fields", MMG Working Paper, No. 12-16, ISSN 2192-2357.

MORAWSKA, E. (2007). "International Migration: Its Various Mechanisms and Different Theories that Try to Explain It", Willy Brandt Series of Working Papers in International Migration and Ethnic Relations, Malmö University Publications, Malmö, No. 1/07, pp. 1-31, retrieved from http://dspace.mah.se/bitstream/handle/2043/5224/WB1per_cent2007per_cent20inlaga_1.pdf?sequence=1 (Accessed on 01.02.2012).

MOREHOUSE, C. and BLOMFEILD, M. (2011). Irregular Migration in Europe, Migration Policy Institute, Washington, DC: Migration Policy Institute, pp. 10.

MORGADES, S. (2010). The Externalisation of the Asylum Function in the European Union, GIRITIM Working Paper Series, No. 4/2010.

NIEMANN, A. and SCHMIDTHAUSSLER N., (2012). "The Logic of EU Policy-Making on (Irregular) Migration: Securitisation or Risk?", Paper presented at the UACES Conference: Exchanging Ideas on Europe 2012: Old Borders– New Frontiers, 3-5 September 2012, Passau, Germany.

ORSAM (2012). Global Migration and Development of Migration Policies of Turkey and European Union, Report No: 123, 22 June 2012.

ÖZDİL, K. (2008). "Türkiye'deki Çalışma Hayatının Bir Parçası Olarak Yabancı Çalışanlar", *Çalışma ve Toplum*, No. 2007/3, pp. 14, DİSK Birleşik Metal, İstanbul.

ÖZVEREN, E. (2010). "Dünden Bugüne İzmir için Artı ve Eksileriyle 'Küresel Kentleşme Süreci', in *Değişen İzmir'i Anlamak* edited by D. YILDIRIM and E. HASPOLAT, Phoenix, Ankara, pp. 107- 135.

PAPADOPULOS, A. (2007). "Editorial: Migration and Human Security in the Balkans", *Migration Letters*, Vol. 4, No. 2, pp. 95- 100

PAPADOPOULOU, A. (2005). "Exploring the Asylum-Migration Nexus: A Case Study of Transit Migrants in Europe", *Global Migration Perspectives*, No: 23, Geneva: Global Commission on International Migration, retrieved from http://www.gcim.org/gmp/Globalper_cent20Migrationper_cent20Perspectivesper_cent20Noper_cent2023.pdf 02.10.2011).

PAPADOPOULOU-KOURKOULA, A. (2008). Transit Migration: The Missing Link Between Emigration and Settlement, New York: Palgrave Macmillan.

PEERS, S. (2007). EU Justice and Home Affairs Law, Oxford: University Press.

PEREZ, A. (2010). "The Externalization of Migration Control in Spain and Its Impact on Moroccan and Ecuadorian Migration", in Shaping the Normative Contours of the European Union: A Migration-Border Framework edited by Ricard ZAPATA-BARRERO, CIDOB Editions: Barcelona, pp.97-119.

PETKOVA, L. (2012). "EU's Readmission Agreement and Visa Liberalization Talks with Turkey: Backing Up Turkey's Protracted Way to the EU", *Global Political Trends Centre (GPoT)*, No. 33.

PIORE, M. J., (1979). Birds of Passage: Migrant Labour and Industrial Societies, Cambridge University Press, Cambridge.

PORTES, A. (1999). "Immigration Theory for A New Century: Some Problems and Opportunities", in Handbook of International Migration: The American Experience, edited by C. HIRSCHMAN et al., the Russell Sage Foundation, New York.

PORTES, A. (1998). "Social Capital: Its Origins and Applications in Modern Sociology", *Annual Review of Sociology*, No. 24(1), pp. 1-24.

PRIES, L. (2001) "The Approach of Transnational Social Spaces: Responding to New Configurations of the Social and the Spatial", in New Transnational Social Spaces edited by L. PRIES, London: Routledge.

RADAELLI, C. (2006). “Europeanization: Solution or Problem?”, in Palgrave Advances in European Union Studies edited by Michelle CINI and Angela K. BOURNE, A., Houndmills and New York: Palgrave Macmillan.

RADAELLI, C. M. (2000). “Whither Europeanization? Concept Stretching and Substantive Change”, *European Integration online Papers (EIoP)*, Vol. 4, No. 8, retrieved from <http://eiop.or.at/eiop/texte/2000-008a.htm> (Accessed on 04.06.2012).

RICHMOND, A. H. (1994). Global Apartheid, Oxford University Press, Oxford.

RIGO, E., (2005). “Citizenship at Europe’s Borders: Some Reflections on the Post-colonial Condition of Europe in the Context of EU Enlargement”, *Citizenship Studies*, Vol. 9, pp. 3- 22.

RIJPMAN, J. and CREMONA, M. (2007). “The Extra-Territorialisation of EU Migration Policies and the Rule of Law”, *EUI Working Papers*, Robert Schuman Centre for Advanced Studies, pp. 1-24.

SARAÇOĞLU, C. (2010). “İzmir’de Göçmen Düşmanlığının Etnikleşmesi: Mekan, Sınıf ve Kentsel Yaşam”, in Değişen İzmir’i Anlamak edited by D. YILDIRIM and E. HASPOLAT, Phoenix, Ankara, pp. 361- 403.

SASSEN, S. (2007). A Sociology of Globalization, New York: W.W Norton.

SASSEN, S. (2002). Global Networks, Linked Cities, Routledge, New York.

SASSEN, S. (1999). Guests and Aliens. The New Press, New York.

SASSEN, S. (1998). Globalization and its Discontents: Essays on the Mobility of People and Money, New York: The New Press.

SASSEN, S. (1991). The Global City, Princeton: Princeton University Press.

SASSEN, S. (1988). The Mobility of Labour and Capital, New York: Cambridge University Press.

SCHAPENDONK, J. (2008). “Stuck between the Desert and the Sea: The Immobility of Sub-Saharan African ‘Transit Migrants’ in Morocco”, METU& KORA Papers, retrieved from http://www.kora.metu.edu.tr/glomig/GLOMIG_Conference_Proceedings_Book.pdf (Accessed on 07.06.2013)

SCHEPER-HUGHES, N. (2010). “Parts Unknown Undercover Ethnography of the Organs- Trafficking Underworld”, *Ethnography*, No. 5(1), pp. 29- 73.

SCHATZ, E. (2009). Political Ethnography, The University of Chicago Press, Chicago.

SCHIMMELFENNIG, F. (2012). “Europeanization beyond Europe”, *Living Reviews in European Governance*, Vol. 7, No. 1, pp. 5- 24.

SCHIMMELFENNIG, F. (2009). “Europeanization Beyond Europe”, *Living Reviews in European Governance*, No. 4(3), pp. 1813– 1856.

SCHIMMELFENNIG, F. and SEDELMEIER, U. (2004). “Governance by Conditionality: The Europeanization of Central and Eastern Europe”, *Journal of European Public Policy*, No. 11(4), pp. 661- 79.

SCOTT, J. (1998). Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed, New Heave, Conn: Yale University Press.

SEN, A. (1981). Poverty and Famines: an Essay on Entitlement and Deprivation, Oxford University Press, Oxford.

SERÇE, E. (2010). “II. Meşrutiyet Döneminde İzmir”, in Değişen İzmir’i Anlamak edited by D. YILDIRIM and E. HASPOLAT, Phoenix, Ankara, pp. 23- 42.

SIISIAINEN, M. (2000). “Two Concepts of Social Capital: Bourdieu vs. Putnam”, Paper presented at ISTR Fourth International Conference "The Third Sector: For What and for Whom?", Trinity College, Dublin, Ireland, July 5-8, 2000.

SOYKAN, C. (2012). “The New Draft Law on Foreigners and International Protection in Turkey”, *Oxford Monitor of Forced Migration*, Vol. 2, Number 2, pp. 38- 47.

SOYKAN, C. (2010). "The Impact of Common European Union Immigration Policy on Turkey" *Ethnologia Balkanica*, No. 14 (2010), pp. 207- 225.

SOYKAN, C. (2010). "The Migration-Asylum Nexus in Turkey", *Enquire*, Issue 5, pp. 1-21.

SU, E. (2008). Turkey's Asylum Dilemma and Process of EU Harmonization, MSc. Thesis Submitted to the Graduate School of Social Sciences, The Middle East Technical University, Ankara, Turkey.

ŞAHİN-MENCÜTEK, Z. (2012). "Immigration Control in Transit States: The Case of Turkey", *European Journal of Economic and Political Studies*, No: 5(1), pp. 137-163.

TARAGHI, C. (2006). "Afghans in Istanbul: A Cross between 'Permanence' and 'Transition'", in Integration in Limbo: İraqi, Afghan and Maghrebi Migrants in Istanbul edited by Didem DANIŞ et al., Koç University Report, Istanbul.

THE COUNCIL (03.03.2005). The Hague Programme: Strengthening Freedom, Security and Justice in the European Union, *Official Journal of the European Union*, No. 2005/C 53/1.

TOLAY, J. (2012). "Turkey's 'Critical Europeanization': Evidence from Turkey's Immigration Policies", in Migration and the EU: Potentials, Challenges and Opportunities edited by Seçil PAÇACI ELITOK and Thomas STRAUBHAAR, Hamburg University Press: Hamburg, pp. 39- 61.

TRIANDAFYLLIDOU, A. (2010). "Irregular Migration in 21st Century Europe" in Irregular Migration in Europe edited by Anna TRIANDAFYLLIDOU, Aldershot: Ashgate, pp. 1- 22.

TSIANOS, V. & HESS, S. & KARAKAYALI, S. (2009). "Transnational Migration: Theory and Method of an Ethnographic Analysis of Border Regimes", University of Sussex Centre for Migration Research Publications, Working Paper No. 55.

TURKSTAT (DİE), (1996). Osmanlı İmparatorluğu'nun ve Türkiye'nin Nüfusu 1500-1927", Tarihi İstatistikler Dizisi, Cilt:2, DİE Yay. No:1877, Ankara.

TURNER, J. (1997). The Institutional Order, New York: Longman.

TURTON, D. (2003). "Conceptualising Forced Migration", RSC Working Paper, No. 12, University of Oxford, [retrieved from http://www.rsc.ox.ac.uk/PDFs/workingpaper12.pdf](http://www.rsc.ox.ac.uk/PDFs/workingpaper12.pdf) (Accessed on 04.04.2010)

UNECE, (1993). International Migration Bulletin, No.3.

UNITED NATIONS (2009). Trends in International Migration Stock: The 2008 Revision, (United Nations database, POP/DB/MIG/Stock/Rev.2008), retrieved from http://www.un.org/esa/population/migration/UN_MigStock_2008.pdf (Accessed on 05.02.2011)

UNHCR (2013). Asylum Trends 2012 Levels and Trends in Industrialized Countries, pp. 8, retrieved from <http://www.unhcr.org/5149b81e9.html> (Accessed on 07.06.2013)

UNHCR (2009). 2009 Global Trends: Refugees, Asylum-seekers, Returnees, Internally Displaced and Stateless Persons, retrieved from at <http://www.unhcr.org/4c11f0be9.html> (Accessed 20.10.2011).

UNHCR (2003). "Irregular Migration and Asylum in Turkey", New Issues in Refugee Research Working Paper, No. 89, retrieved from <http://www.unhcr.org/3ebf5c054.html> (Accessed on 24.03.013)

WALLERSTEIN, I. (2004). World-Systems Analysis: An Introduction, Durham, NC: Duke University Press.

WALLERSTEIN, I. (2000). The Essential Wallerstein, The New York Press. New York.

WALLERSTEIN, I. (1979). The Capitalist World Economy, Cambridge: Cambridge University Press.

WALLERSTEIN, I. (1974). The Modern World System I: Capitalist Agriculture and the Origins of the European World-Economy in the Sixteenth Century, New York: Academic Press.

WISSINK M., DUVELL, F. & VAN EERDEWIJK, A. (2013). "Dynamic Migration Intentions and the Impact of Socio-Institutional Environments: A Transit Migration Hub in Turkey", *Journal of Ethnic and Migration Studies*, DOI:10.1080/1369183X.2013.778026.

WOLFF, S. (2010). "EU Integrated Border Management Beyond Lisbon: Contrasting Policies and Practices", in Shaping the Normative Contours of the European Union: A Migration-Border Framework edited by Richard ZAPATA-BARRERO, Barcelona: CIDOB Editions, pp. 23- 37.

VAN HEAR, N. (1998). New Diasporas, UCL Press, London.

VASTA, E. (2004). "Informal Employment and Immigrant Networks: A Review Paper", Centre on Migration, Policy and Society Working Paper No. 2, University of Oxford.

VINK, M. (2002). "What is Europeanization? and Other Questions on a New Research Agenda", Paper Presented at the Second YEN Research Meeting on Europeanization, University of Bocconi, Milan.

VUKASINOVIC, J. (2011). "Illegal Migration in Turkey- EU Relations: An Issue of Political Bargaining or Political Cooperation?", *Journal on European Perspectives of the Western Balkans* Vol. 3, No. 2 (5), pp. 147-166.

YAŞAR, O. (2011). "Edirne İlinin Nüfus Hareketleri Bakımından İncelenmesi ve Son Dönemde Göçlere Katılanların Sosyo-Ekonomik Nitelikleri", *Doğu Coğrafya Dergisi*, No. 21, pp. 195- 219.

YILDIRIM, D. and HASPOLAT, E. (Eds.) (2010). Değişen İzmir'i Anlamak, Phoenix, Ankara.

YURTDIŞI TÜRKLER VE AKRABA TOPLULUKLAR BAŞKANLIĞI (2011), Avrupa'da Yaşayan Türkler, pp. 3, retrieved from http://www.ytb.gov.tr/images/genel/yayinlar/kitaplar/Avrupada_Yasayan_Turkler_Anketi.pdf (Accessed on 2.03.2013)

ZAPATA- BARRERO, R. (2011). Shaping the Normative Contours of the European Union: a Migration-Border Framework, Barcelona.

APPENDICES

APPENDIX A: SEMI- STRUCTURED INTERVIEW- LEADING QUESTIONS SAMPLE FOR MACRO LEVEL

Sets #11/ International Migration Organization

Date:

Place:

Information about the Respondent:

Special Notes:

Questions:

- IOM is one of the pioneer institutions, which contribute conceptualization of “transit migration” and conduct important researches on “irregular migration”. Promoting “legal migration”, “management of migration”, and “combating with irregular migration” appears as important priorities in Turkey; however instead of “irregular migration”, “human trafficking” has been more focused or visible. Is it a correct deduction, can you give brief information about IOM’s policy in terms of irregular migration in Turkey?
- How do you evaluate Turkey’s capacity to manage irregular migration?
- What are the existing deficiencies or challenges?
- How do you evaluate the existing Turkish asylum and immigration policy and border management regime to combat with irregular migration?
- Senior the former Regional Advisor for Sub-Saharan Africa, IOM, which carries utmost importance for irregular transit migration as a region, which actors and factors can be determined as the key ones for reproduction irregular migration?
- Do you think that as transnational social fields- where many of the migration related networks interact, play an important role for reproduction of irregular migration?
- In case of lifting the “geographical reservation” to the 1951 Geneva Convention to Turkey, what do you think about the possible impacts on the irregular migration? (as a part of this question, also can you evaluate the relation between long waiting period for RSD, lack of reception conditions with irregular migration?) In this framework, would you evaluate the “parallel procedure” in Turkey with the UNHCR? (access to asylum procedure, RSD/ Ref. Status Det., asylum& irregular migrants nexus...)
- In Turkey, the accession process for the EU appears as a significant driving force for combating irregular migration. How do you evaluate the capacity of Turkey to adopt the EU *acquis* in the field of asylum and immigration?
- What do you think about the critiques regarding the EU’s approach for making Turkey as a buffer-zone?/ There are lots of critiques regarding the External Dimension of the EU’s Approach to Irregular Immigration, which becomes visible by the readmission agreements in the context of human right concerns (risk of chain refoulement) as well as creating buffer-zones for the unwanted migrant. Can you evaluate these concerns and critiques?

- How do you evaluate the possibility of the readmission agreement between Turkey and the EU with its possible impacts on the irregular migration?
- How do you evaluate Turkey's liberal visa policy in relation with irregular migration?
- Do you think that the recent statistics regarding apprehensions or deportations reflect the realities?
- How do you evaluate the readmission protocol between Turkey and Greece?
- How do you evaluate the role of FRONTEX to combat with irregular immigration and the possible impacts of "cooperation protocol with Turkey"?
- What do you think about the 12,5 kilometre fence on the Greek-Turkey land-border? This initiation and the similar implementations such as in the US-Mexican border, Spain or Italy have capacity to combat with irregular migration?
- What about the New Draft Law in the field of immigration and asylum? What kind of impacts can be expected regarding irregular migration? Recently all answers regarding the existing problems address this law, what are the possible impacts according to your opinions?
- According to your view, what are the possible solutions to manage irregular migration in Turkey?
- What kind of models or suggestions do you offer for more humanitarian approaches for the concerning groups (mainly irregular transit migrants)?
- Within IOM or in Turkey, do you suggest any person or any institution to interview with for my research?
- Would you like to add something?
- In case of further question, can I re-contact with you?

Thank you for your cooperation...

**APPENDIX B: SEMI- STRUCTURED INTERVIEW- LEADING QUESTIONS
SAMPLE FOR MESO LEVEL**

**Sets #47/ Provincial Security Directorate Izmir Foreigners' Department and
Izmir Removal Centre**

Date:

Place:

Information about the Respondent:

Special Notes:

Questions:

- Can you give information about the Foreigners' Department and also the Removal Centre?
- Do you have cooperation with the other law enforcement institutions in Izmir? Can you give information about this cooperation in terms of irregular migration?
- In case of asylum, refugee and irregular migration what kind of procedure do you follow?
- What kind of problems can you describe for working with those groups? What are the sources for these problems (such as lack of normative framework, lack of information of the service providers, lack of resources, lack of personnel etc.)
- Have you taken (or your personnel) any in-service training for working with these groups?
- In terms of irregular migrants, can you talk about their profile? (Nationality, age, gender etc.) What are the common characteristics of these groups?
- Do they share their migration journeys and experience with you?
- Can you tell about the procedure as following their apprehension?
- What kind of services and facilities you supply at the Removal Centre?
- In general, how long do they stay at the Centre?
- Can you talk about the methods that they use in general?
- Which actors can you describe for irregular migration?
- Recently, the numbers of irregular transit migrants have been decreasing in Izmir. With which factors can you explain this situation and also the increases in Edirne?
- Do you observe changes of migrants' profile?
- Can you give information about the recent profile in both Izmir and also at the Removal Centre? The numbers, nationalities etc.
- Why did they come to Izmir in the first stage and why they have changed their routes?
- How do you describe Izmir? As a transit city or a gathering hub?
- Why do they prefer specifically Basmane Neighbourhood? Is another place in Izmir like that?

- In the last months, there have been an increase again. How do you evaluate this increase?
- How do you evaluate the existing legislative and institutional framework regarding irregular migration in Turkey?
- What do you think about the Draft Law? Have you seen the draft or have you been consulted during the preparations?
- How do you evaluate the EU's integrated border management?
- What are the biggest problems and what do you suggest for better management of irregular migration?
- How do you evaluate the impacts of the irregular migrants, refugees, asylums on Izmir?
- Do you cooperate with the institutional organizations such as UNHCR, IOM or do you have any cooperation with the EU?
- How do you evaluate the EU's policies in immigration and asylum with a particular focus on irregular migration?
- How do you evaluate FRONTEX in terms of combating the irregular migration and protection of the external borders of the EU?
- With FRONTEX, recently a memorandum of understanding has been signed. How do you evaluate the cooperation between Turkey and FRONTEX?
- How do you evaluate 12, 5 metres fence of Greece?
- In Izmir, how do you evaluate the implementation of the readmission protocol between Turkey and Greece?
- What do you think about the readmission agreement between the EU and Turkey?
- Have readmission agreements the capacity to combat with irregular migration?
- What do you think about the removal of geographical reservation?
- Do you think that the existing data for irregular migrants reflect the reality?
- What do you think about Turkey's liberal visa policy?
- There is one twinning project with the EU concerning the Removal Centres?
- Would you like to add something?
- In case of further question, can I re-contact with you?

Thank you for your cooperation...

APPENDIX C: SEMI- STRUCTURED INTERVIEW- LEADING QUESTIONS SAMPLE FOR MICRO LEVEL

Date:

Place:

Special Notes:

Questions:

Demographic Information

- Gender:
- How old are you?
- Where is your place of birth:
- What is your first language?
- What is your marital status:
- (If married) What is the nationality of your partner?
- Do you have children (if any ages):
- The most recent received/ completed is education?
- Did you work in your country?
- (If yes) What is your profession?
- Which country do you come from?
- Which country is your 'country of origin'?
- Are you currently working? Or have you been worked in Turkey?

Arrival in Turkey

- When did you come to Turkey?
- Until Turkey, which country/ countries you have been passes/stayed? (Can you provide more detailed information the city or the country and, if possible?)
- When did you leave your country?
- How did you come to Turkey? Using the ways in which you come?
- Did you receive support arriving in Turkey? If so, which organizations, people support you?
- Did you pay money for your journey, or come to Turkey? If yes, how much, in what way and to whom did you pay?
- What have you experienced during your journey? Can you tell briefly about your journey?
- Can you tell briefly, why did you leave your country?
- Have you been in the other cities in Turkey? If yes, which ones?

Main Destination

- Have you tried to pass to another country from Turkey? (Bulgaria, Greece, Italy etc.) If "yes", can you tell briefly about your journey?

- Did you receive support for crossing other countries from Turkey? If “yes” from whom and how?
- Do you plan to go to another country?
- What was your first plan and how it has been changed so far?
- Have you been arrested? If “yes” can you tell about the procedures and conditions briefly?
- Have you ever been detained in Turkey or any other country? If “yes” can you tell about your experience briefly? (Living conditions, behaviour of the officers, the place of detention etc.)
- How long have you been detained?
- How you been deported by Turkey or any other country?

Living in Turkey

Accommodation

- Can you talk about your first experience in Turkey? Where did you sleep in your first night in Turkey?
- How did you solve your accommodation need during the first weeks after your arrival? Where did you stay?
- Currently where do you stay in Izmir/ Edirne) (Hotel, private house etc.)
- How many people that you live with?
- How long have you been in Edirne/Izmir?
- Can you tell about your accommodation conditions?
- How did you find this place?
- (If it is a private house) Where did you get your furniture etc.?
- How do you supply your needs such as electricity, water, food, heating and so on.?

Health

- Have you or your family members had any health problems since you arrive to Turkey?
- In case of health problems, where and whom you receive support?
- If you have applied for health services how did you pay your expenses?

Financial Aid, Access to Labour Market

- How do you earn your life? Do you work or do you have income?
- Did you have money with you when you arrive?
- Are you working in any kind of income generating work? Do you have any other member in your family, who work?
- What is your reason for not working? What kind of difficulties did you have? Could you tell us your experience?
- Do you receive financial support from somewhere or someone in Turkey or outside Turkey?
- How you reach this financial support?

- In Turkey, from any person and/ or organization did you receive financial support? If “yes”, how much, when and for how long can you give information? Do you continue to receive financial support? (NGOs, municipalities, governorship, UNHCR etc.)

Legal Status and Support

- Did you apply for asylum in Turkey or any another country? If “no” why?
- When and how you made your application?
- Have you applied to UNHCR as well?
- Can you tell about your application experience? Have you face with any difficulty?
- Have you received support regarding your application? I “yes” from whom and how?
- Do you receive support from formal or non-formal institutions? If “yes” from whom and which kind of support you receive?
- What is the biggest challenge that you have been faced during your migration journey?
- What is the biggest challenge that you have been faced in Turkey and in city?

Opinions on the Future and Current Policies

- Do you think to return your home country one day?
- While leaving your country, were you planning to come to Turkey?
- Do you plan to continue to your journey? (Do you plan to migrate another country?)
- Turkey is aiming to go to another country, do you?
- Do you think that the European countries provide better conditions in terms of human rights, facilities etc.?
- Is there anything else you would like to add?

Thank you for your cooperation...

APPENDIX D: ADDITIONAL TABLES AND FIGURES

TABLES

Table 1: Muslim and Non-Muslim Populations (1914- 2005) (in thousands)

Year	1914	1927	1945	1965	1990	2005
Muslims	12.941	13.290	18.511	31.139	56.860	71.997
Greeks	1.549	110	104	76	8	3
Armenians	1.204	77	60	64	67	50
Jews	128	82	77	38	29	27
Others	176	71	38	74	50	45
Total	15.998	13.630	18.790	31.391	57.014	72.122
Percentage of Non-Muslims	19,1	2,5	1,5	0,8	0,3	0,2

Source: EUMAGINE (2010), Turkey Country and Research Areas Report, Final Version, 2010-09-28, p.p. 75, retrieved from <http://www.eumagine.org/outputs/PP5%20-20Turkey%20Country%20and%20Research%20Areas%20Report%20-%20Final.pdf> (Accessed on 16.03.2013)

Table 2: Population of Turks in the European Countries

Countries/ Years	1973	1984	1995	2003	2006	2011
Germany	615.827	1.552.328	1.965.577	2.053.600	2.052.000	2.502.000
France	33.892	144.790	254.000	311.356	423.421	541.000
The Netherlands	30.091	154.201	252.450	352.000	364.333	384.000
Austria	30.527	75.000	150.000	134.229	113.365	112.150
Belgium	14.029	63.587	90.425	70.701	39.664	160.000
The UK	2.011	28.480	65.000	79.000	80.000	79.000
Denmark	6.250	17.240	34.700	35.232	54.859	55.000
Norway	-	3.086	5.577	10.000	15.356	15.000
Sweden	5.061	20.900	36.001	38.844	63.580	39.000
Switzerland	19.710	48.485	76.662	79.476	73.681	120.000
Italy	-	-	-	10.000	14.124	25.000
Spain	-	-	-	-	-	6.000
Finland	-	-	-	3.325	7.000	7.000
Liechtenstein	-	-	-	809	-	809
Luxembourg	-	-	-	210	--	210
Total	777.727	2.108.097	2.930.392	3.179.782	3.301.383	3.965.150

Source: YURTDIŐI TÜRKLER VE AKRABA TOPLULUKLAR BAŐKANLIĐI (2011), *Avrupa'da Yaşayan Türkler*, pp.3, retrieved from http://www.ytb.gov.tr/images/genel/yayinlar/kitaplar/Avrupada_Yasayan_Turkler_Anketi.pdf (Accessed on 2.03.2013)

Table 3: According to Age, Gender and Source Country Asylum Seekers and Refugees in Turkey (As of 31.02.2013)

Country	5-11		12-17		18-59		60+		Total
	Female	Male	Female	Male	Female	Male	Female	Male	
Afghanistan	721	857	632	1.132	1.972	2.650	65	90	8.855
Iraq	234	302	200	268	2.111	3.108	104	103	6.730
Iran	949	1.047	646	812	3.386	4.649	284	333	13.365
Somali	145	156	103	145	717	1.064	18	11	2.643
Others	156	159	161	194	606	625	13	6	2.088
Total W&M	2.205	2.530	1.742	2.551	8.792	12.086	484	543	
General Total	4.732		4.293		20.878		1.027		33.681

Source: UNHCR (2013), According to Age, Gender and Source Country Asylum Seekers and Refugees in Turkey, retrieved from [http://www.unhcr.org.tr/uploads/root/istatistik_ocak_tr\(5\).pdf](http://www.unhcr.org.tr/uploads/root/istatistik_ocak_tr(5).pdf) (Accessed on 18.03.2013)

Table 4: Number of Residence Permits by Nationality, Main Countries of Origin for Turkey (2000-2009)

Nationality	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	Total
Bulgaria	61,658	58,705	54,924	48,205	44,870	53,698	51,683	56,757	26,209	12,433	469,142
Azerbaijan	10,564	10,044	9,935	9,502	10,508	10,477	12,278	14,842	15,947	17,123	121,220
Germany	5,339	5,436	5,944	6,309	7,136	8,425	9,795	10,446	9,909	10,169	78,908
United Kingdom	3,281	3,192	3,219	3,788	4,777	6,444	7,849	8,648	8,318	8,506	58,022
Russian Federation	6,871	6,235	6,454	6,134	6,326	6,444	7,784	9,638	11,362	12,941	80,189
Iraq	5,506	5,482	4,904	4,471	4,645	6,133	6,959	9,039	8,961	7,119	63,219
USA	6,446	5,546	5,777	5,795	5,630	6,119	6,598	7,149	5,992	5,356	60,408
Iran	6,117	6,567	5,909	5,256	5,738	6,014	6,129	6,212	5,382	5,253	58,577
Greece	7,308	6,578	6,524	6,565	6,630	5,902	6,329	6,641	5,445	4,908	62,830
Serbia and Montenegro (2)	4,408	4,036	4,075	4,179	4,433	4,519	4,734	4,984	1,626	839	37,833
Afghanistan	3,464	3,373	3,733	3,883	3,993	3,564	5,655	5,829	6,583	6,937	47,014
Moldova	889	855	890	1,055	1,637	3,065	5,547	6,635	3,414	3,422	27,409

Source: Ministry of the Interior.
 (1) The table includes statistics on all types of residence permits issued by the Ministry.
 (2) Separate entities as of 2006.

Source: IOM (2009), Migration, Employment and Labour Market Integration Policies in the European Union, pp. 308, retrieved from <http://www.labourmigration.eu/research/report/13-migration-employment-and-the-outcomes-of-labour-market-integration-policies-in-the-european-union> (Accessed on 30.03.2013)

FIGURES

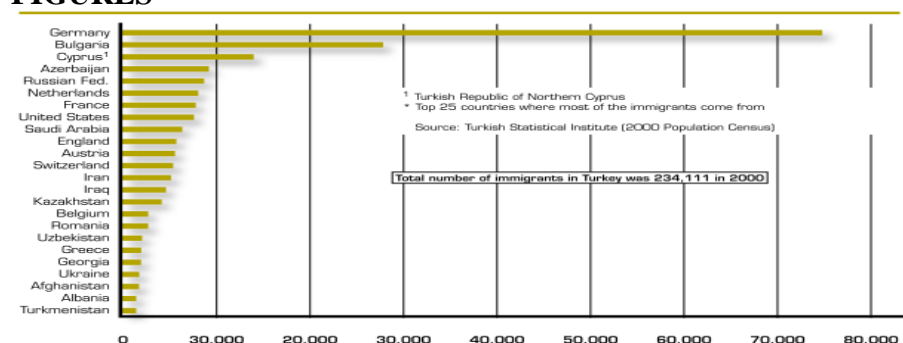


Figure 1: Immigrants in Turkey by Country of Origin (2000)

Source: CIDOB (2011), International Year Book 2011: Country Profile of Turkey, retrieved from http://www.cidob.org/en/publicaciones/anuarios/anuario_internacional_cidob/anuario_internacional_cidob_2011_turquia_perfil_de_pais (Accessed on 01.02.2013)

APPENDIX E: CURRICULUM VITAE

1. **FAMILY NAME:** Gökalp Aras

2. **FIRST NAME:** N. Ela

3. **DATE OF BIRTH:** 26.05.1978

4. **COMMUNICATION ADDRESSES:** Gediz University, Faculty of Economic and Administrative Sciences, Department of International Relations, Seyrek- Menemen 35665, Izmir, Turkey
Tel: +90.232.3550000 (ext. 2246),
+90.530.6900647 (mobile)
ela.aras@gediz.edu.tr, elagokalp@gmail.com

5. **NATIONALITY:** Turkish

6. **CIVIL STATUS:** Married

7. **EDUCATION:**

Jan. 2006- Sept. 2013

DOCTOR OF PHILOSOPHY (PhD.), Middle East Technical University, Ankara, Turkey (Social Sciences Institute, Sociology, Doctorate Dissertation: “*A Multi-Level and Multi-Sited Analysis of the European Union’s Immigration and Asylum Policy Concerning Irregular Migration and Its Implications for Turkey: Edirne and Izmir As Two Major Gateway Cities*”).

Jan. 2011- April 2011

VISITING ACADEMICS, Institute for Research on Migration Ethnicity and Society (REMESO), Lipköping University, Lipköping, Sweden.

Sept. 2002- Dec. 2005

MASTER OF SCIENCE (M.Sc.), Middle East Technical University, Ankara, Turkey (Social Sciences Institute, Sociology, Thesis: “*Critical Overview of the European Union Gender Equality Policies and Their Implications for Turkey*”).

Sept. 2001- June 2002

Middle East Technical University, Compulsory Scientific Preparation, Ankara, Turkey.

Sept. 2000- June 2001

SPECIAL STUDENT, Department of Politics, International Relations M.A. Programme, Birkbeck College, University of London, London, the United Kingdom.

Sept. 1996- July 2000

BACHELOR OF ART (B.A.), International Relations Department, Faculty of Political Science, Ankara University, Ankara, Turkey.

Sept. 1995- June 1996

English Preparatory School, English Preparatory School of Ankara University, Ankara, Turkey.

Certificates

TURKEY

3-4 April 2012

Nvivo10: The Qualitative Data Analysis & Research Software Certificate, Anı Yayıncılık Eğitim ve Danışmanlık, Ankara, Turkey.

TURKEY

2- 3 Nov. 2011

“Small and Medium Enterprises Development Organization (KOSGEB) Financial Aids and Project Preparation” Certificate, Izmir Chamber of Trade, Izmir, Turkey.

TURKEY

25- 28 November 2010

“Project Management Professional (PMP)” Certification Test Preparation Course, Business Management Consultants, Istanbul, Turkey.

FINLAND- 5-8 Oct.

2006

Lifelong Learning and European Learning Partnerships Workshops”, Helsinki, Finland.

TURKEY- 27 Sept.- 01

Oct. 2004

“Advanced Project Management, Campaign and Civil Society” Training by Civil Society Development Programme (CSDP/STGP) of the Delegation of the European Commission to Turkey, Ankara, Turkey.

LEBANON

13-23rd Sept 2004

“NGOs Management Programme: NGOs, Civil Society and the Challenges of Participation& Governance in the MENA Region” by the Notre Dame University (NDU), Lebanon and the Swedish International Development Agency (SIDA), Beirut, Lebanon.

TURKEY- 10-13th Jan.

2004

Civil Society Development Programme (CSDP/STGP) Project Cycle Management (PCM), which is conducted by The European Commission Civil society Development Programme, Ankara, Turkey.

8. JOB EXPERIENCE:

May 2012- Present

LECTURER and DIRECTOR, Gediz University Department of International Relations, Seyrek- Menemen 35665 Izmir, Turkey.

Functions and duties: *Besides academic duties at the Faculty of Economics and Administrative Sciences, the Director of the Project Development and Coordination Office and Bologna Process Coordinator of the University.*

Courses Thought:

- *International Organisation (INRE204, Dept. of International Relations)*
- *European Integration (INRE305, Dept. of International Relations)*
- *Human Rights in International Society (INRE431, Dept. of International Relations)*
- *Research and Project Management (ESOS404, Dept. of International Relations)*
- *Migration and Industrialisation (SBKY338, Dept. of Political Science and Public Administration)*
- *Project Management (ISLG404, Dept. of Business Management)*

- Sept. 2010- Sept. 2011** **EUROPEAN UNION EXPERT**, Yaşar University European Union Research Centre, Üniversite Cad. Selçuk Yaşar Kampusü No. 35- 37 Ağaçlı Yol, Bornova, PK. 35100, Izmir, Turkey.
- 22 Feb. 2010- Sept. 2010** **PART- TIME LECTURER**, Faculty of Economic and Administrative Sciences, Business Administration Department, Üniversite Caddesi Selçuk Yaşar Kampusü No. 35- 37 Ağaçlı Yol, Bornova, PK. 35100, Izmir, Turkey.
Courses Thought:
- *Project Design (UFND060, All Departments as compulsory course)*
- 15 Jan.- 12 Feb. 2010** **TRAINER**, Izmir Development Agency, Şehit Fethi Bey Caddesi No: 49/1 Birlik Plaza Kat:3 35210 Gümrük- Izmir, Turkey.
- 11 August 2009- 10 March 2010** **PROJECT COORDINATOR**, Republic of Turkey Izmir Governorship European Union and Foreign Affairs Coordination Centre, Hükümet Konağı, Konak Meydanı, P.K. 35350 Konak- Izmir, Turkey.
- July 2005- August 2009** **PROGRAMME MANAGER (EU GRANT PROGRAMMEs& PROJECTs)**, HYDRA International Project and Consulting CO., Uğur Mumcu Caddesi, No: 41/4, P.K: 06700, GOP- Ankara, Turkey.
- Oct. 2007- August 2009** **DEPUTY HEAD AND FOREIGN AFFAIRS DIRECTOR**, National Representation of European Business Competence License- EBC*L, Uğur Mumcu Cad. No: 41/4, 06700, GOP- Ankara, Turkey.
- Dec. 2003- Feb. 2005** **PROJECTs COORDINATOR**, Flying Broom National Women's Network NGO, Büyükelçi Sokak, No: 20/4, P.K: 06700, Kavaklıdere- Ankara, Turkey.
- Oct.- Dec. 2003** **INTERN**, The Secretariat General For The European Affairs, Eskişehir Highroad, 9th kilometres, 06800 Ankara, Turkey.
- February- May 2002** **PROJECT ADVISOR and PROJECT INTERPRETER**, "Monitoring and Evaluation" Project, Turkish Statistical Institute (TUIK) and UNICEF, Ankara, Turkey.
- June- August 1999** **INTERN**, Turkish Radio and Television (TRT) Department of Foreign News, TRT Oran Campus, Ankara, Turkey.

PROJECTS (FIELD EXPERIENCES IN EU AND NON-EU MEMBER COUNTRIES):

<i>COUNTRY AND DATE:</i>	<i>NAME AND BRIEF DESCRIPTION OF THE PROJECT</i>
IZMIR, TURKEY Sept. 2013- Sept. 2014	PROJECT COORDINATOR , “Glocal Understanding of Forced Migration” Project funded by the European Union (EU).
IZMIR, TURKEY June 2013- June 2014	PROJECT COORDINATOR , “Renewable Energy Production by 500 kW Solar-Wind Combined Hybrid Technologies” Project funded by Izmir Development Agency (IZKA).
IZMIR, TURKEY Jan. 2012- Feb. 2013	FIELD RESEARCHER and TRAINER , “Civil Act for Refugee Rights Emancipation- CARE” Project funded by the EU.
IZMIR, TURKEY July 2011- April 2012	PROJECT CONSULTANT , “Act Together: NGOs Promoting Refugee Rights in Detention” Project funded by the EU.
IZMIR, TURKEY July 2011- Sept. 2011	PROJECT CONSULTANT , “Sarıncık Soap Atelier” Project funded by the Izmir Development Agency (IZKA).
IZMIR, TURKEY August 2009- March 2010	PROJECT COORDINATOR , “Project Rich Izmir” Project, funded by Izmir Development Agency (IZKA).
GREECE, TURKEY July 2008- Sept. 2009	PROJECT CONSULTANT , “Solution Time for Employment Problem- STEP” Project, funded by the EU.
ROMANIA, TURKEY Dec. 2007- Oct. 2009	PROJECT EXPERT , “Pace for Employment and Assurance for Respectful Life- PEARL” Project, funded by the EU.
ITALY, GERMANY, TURKEY, LITHUANIA, AUSTRIA Aug. 2006- August 2008	FIELD RESEARCHER and PROJECT ADVISOR , “Influence on Personal Access to Education for People with Migrant Background- PASS” Project, funded by the EU.
DENMARK, GERMANY, TURKEY Aug. 2005- July 2006	PROJECT COORDINATOR , “Transnational Education for Adult Migrants- TEAM” Project, funded by the EU.
TURKEY (Ankara) July 2005- June 2006	PROJECT ASSISTANT , “Public Health Activation Through Survey and Education- PHASE” Project, funded by the EU.
TURKEY (Diyarbakır, Mardin) Feb.- May 2003	PROJECT CONSULTANT and PROJECT REGIONAL COORDINATOR , “Early Childhood Development and Education Project in Twelve Provinces” Project, UNICEF-Middle East Technical University (METU).

TURKEY (Ankara)
Feb- March 2003

PROJECT REGIONAL COORDINATOR and RESEARCHER, “Database System for Women's Organizations in Turkey Project” funded by British Council.

TURKEY (Black Sea and Central Anatolia Regions- 9 Provinces)
Feb- May 2002

PROJECT ASSISTANT, “Iodized Salt Usage in Turkey Project”, funded by UNICEF and conducted by the Middle East Technical University.

TURKEY (Bolu, Diüzce)
Dec 2001- Jan 2002

PROJECT REGIONAL COORDINATOR; “Beneficiary Assessment for Social Solidarity Fund Project”, funded by the World Bank and conducted by the Middle East Technical University.

9. KEY QUALIFICATIONS

- Over 12 years of experience **organizational planning**, consultancy, internal administrative procedures and **coordination and management** of foreign funded projects, particularly under the European Union financial aid.
- Good knowledge of principles and processes involved in **project cycle management (PCM)**, project monitoring methods and techniques.
- Knowledge of the **International Grants** particularly **EU Grants** and the **Instruments for Pre-Accession Assistance- IPA** (2007- 2013).
- Knowledge of the **European Union Policies** (particularly, European Employment and Social Policy, Migration and Integration Policy, Gender Equality Policy, and Education and Youth Policy), institutions, enlargement issues and the EU principles and good knowledge of international regimes and gender equality, particularly the United Nations and the EU gender equality policies and mechanisms.
- Knowledge of the **Turkey’s EU Accession Process**
- Knowledge of **Bologna Process**.
- **Work of educator and expertise** in implementation, mainly for EU funded projects.
- Knowledge and experience in **EU Grant Programmes and Procurement Processes**.
- Monitoring, evaluation and reporting processes knowledge and experience in EU funded projects
- Experience of **international project management**.
- **Strong communication and negotiating skills** in both Turkish and English (experience with Delegation of the European Union o Turkey, Central Finance and Contract Unit (CFCU), government, local authorities, project beneficiaries)
- Ability to work under pressure, to submit time committed tasks, to work in international culturally diverse spheres.

10. LANGUAGE SKILLS (1 - basic; 5 - excellent)

Language	Reading	Speaking	Writing
Turkish (mother tongue)	5	5	5
English	5	5	5

11. COMPUTER KNOWLEDGE

- Office Programmes (Microsoft Word, Microsoft Excel, Microsoft PowerPoint, Windows 95/98/2000/XP, Internet applications etc.)
- SPSS (Statistical Package for Social Sciences)
- NVIVO and ATLAS.TI (The Qualitative Data Analysis & Research Software Programmes)

12. OTHERS:

Scholarships

SWEDEN

28 January- 29 April
2011

TURKEY- the UNITED KINGDOM

2010- 2011

EGYPT

7-11 April 2006

The UNITED STATES 5-28th Jan 2005

LEBANON

13-23rd Sept 2004

Awards

TURKEY- 2008

Scholarship by Institute for Research on Migration Ethnicity and Society (REMESO), Lipköping University, Sweden.

Jean Monnet Scholarship (2010-2011 Academic Year Programme), European Commission and Turkey and Acceptance from Oxford University, the UK.

Scholarship for participation and giving trainings at International Seminar, entitled “The Absence of the Arab and Egyptian Women’s Movement from International Influence: Problems and Consequences”, Cairo/Egypt- Africa, 8 April 2006 by the Royal Embassy of Netherlands.

Scholarship for “From Global to Local” Programme for the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) held in New York, given by International Women’s Rights Action Watch (IWRAP) Asia Pacific Organization (the programme is funded by the United Nations Development Fund for Women (UNIFEM) – New York and the United Nations Population Fund-UNFPA)

“NGOs Management Programme: NGOs, Civil Society and the Challenges of Participation & Governance in the MENA Region” by the Notre Dame University (NDU), Lebanon and the Swedish International Development Agency (SIDA)

Best Project Award by the Centre of Education and Youth Programmes (Turkish National Agency) as the Project Coordinator of Influence on Personal Access to Education for People with Migrant Background- PASS Project, Antalya.

SPAIN- 2006

Grundtvig 2006 Award by the European Association for The Education for Adults (EAEA) as the Project Coordinator of Transnational Education for Adult Migrants- TEAM Project, Aviles.

TURKEY- 2006

Best Project Award by the Centre of Education and Youth Programmes (Turkish National Agency) as the Project Coordinator of Transnational Education for Adult Migrants- TEAM Project, Ankara.

13. PUBLICATIONS:

GÖKALP-ARAS, N. E. and ŞAHİN-MENCÜTEK, Z. (forthcoming), “Externalization of the EU’s Policy on Irregular Migration: the Case of Turkey”, in EU and Turkey: Challenges and Opportunities edited by Annette FREYBERG-INAN, Palgrave.

GÖKALP-ARAS, N. E. (forthcoming), “Administrative Detention of Migrants in the EU Aquis and Practices in Turkey”, under evaluation.

GÖKALP, N. E. (2009). “Citizenship, European Union Citizenship and Youth”, in Solution Time for Employment Problem Implementation and Field Study Results, Kardelen Yayınevi, Ankara, pp. 74-110.

GÖKALP, N. E. (2009). “An Overview for European Union and STEP Project: EU Values and Priorities, EU and How the EU Works”, in Solution Time for Employment Problem Implementation and Field Study Results edited and translated by N. Ela GÖKALP, Kardelen Yayınevi, Ankara, pp. 30- 73.

GÖKALP, N. E. (2008). “On Project’s Results”, in Pace to Employment and Assurance for A Respectable Life- PEARL Project: Implementation and Field Research Results edited and translated by N. Ela GÖKALP, Kardelen Yayınevi, Ankara, pp. 25- 43.

GÖKALP, N. E. (2006). “On the Transnational Education for Adult Migrants”, in New Approaches in Education of Adult Migrants edited and translated by Ela GÖKALP, Kardelen, Ankara, pp. 6- 48.

GÖKALP, N. E. (2005). Critical Overview of the European Union Gender Equality Policies and Their Implications for Turkey, Unpublished M.Sc. Thesis, Middle East Technical University, Graduate School of Social Sciences, Ankara, Turkey.

GÖKALP, N. E. (2005). “Public Health Activation through Survey and Education”, in PHASE Project Results’ Booklet edited by Ela GÖKALP, Başkent Pınarcık Başkent Pınarcık Yayınevi, Ankara, pp. 16- 50.

GÖKALP, N. E. (1998). “The New Order in Europe”, *Bullet of International Strategic Research Group (U.S.A.G)*, Summer 1998, No.16, pp. 16- 22.

GÖKALP, N. E. (1997). "The Reality of IRA", *Bullet of International Strategic Research Group (U.S.A.G)*, Summer 1997, No.12, pp. 17- 25.

Conference Papers

"Implications of the EU Candidacy on Turkey's Immigration and Asylum Policy", Asylum Law and Turkey's Asylum Policy Conference, Izmir Bar Association, 03.10.2013, Izmir, Turkey.

"Right to Work of Asylum Seekers and Refugees: Reflections from Satellite Cities- Izmir, Ağrı, Hatay and Isparta Cases», Civil Act for Refugee Rights Emancipation Conference, the EU Delegation to Turkey and Association of Solidarity with Refugees, 27 April 2013, Izmir, Turkey.

"European Union's Technical Assistance for Turkey and the EU Projects", 64th European Union Certificate Programme, Gediz University, Ankara University European Research Centre, and Konrad Adenauer Foundation, 9 April 2013, Izmir, Turkey.

"Syrian Refugees and the European Union: Legal, Political and Humanitarian Aid Dimensions", Migration Movements in the Process of Change in Syria and Its Implications for Turkey Conference, 26 December 2012, Izmir, Turkey.

"Dynamics of Irregular Transit Migration from Turkey to Europe: The Role of Transit Cities", Turkish Migration in Europe: Projecting the Next 50 Years Conference, 7-9 December 2012, Regent's College and Oxford University (COMPAS), London, the UK.

"Temporary Protection within the EU Acquis and Its Implications", Association for Solidarity with Refugees Training Seminar Series, 14 Feb. 2013, Izmir, Turkey.

"European Union and IPA", 38th European Union Certificate Programme, Ankara University European Research Centre, Izmir Governorship, Yaşar University and Konrad Adenauer Foundation, 29 March 2009, Izmir, Turkey.

"Regional Reflections from Central and Eastern Europe", 5th International Conference of European business Competence License- EBC*L, 10-12 September 2008, Sibenik, Croatia.

"New Approaches from Education for Adult Migrants: Reflections from Denmark, Turkey and Germany", New Phase Conference by the Turkish National Agency, 5-6th December 2007, Ankara, Turkey.

"New Approaches in Education for Adult Migrants", The Joy of Learning: Grundtvig 2 Learning Partnership Conference held by the National Agency of Finland, 5-8 October 2006, Helsinki, Finland.

“Empowerment of Women through Awareness of Women Rights in Turkey” at Africa Regional Congress of the International Federation of Business and Professional Women (BPWI) and 5th Pan Afro Arab Congress of BPW, 9-11 April 2006, Cairo, Egypt.

“Using CEDAW from Global to Local, Local to Global”, at International Seminar entitled “The Absence of the Arab and Egyptian Women’s Movement from International Influence: Problems and Consequences”, 7-8 April 2006, Cairo, Egypt.

“The Role of the Women’s Movement in the Process of the New Turkish Penal Code” Cultural at Analysis Summer Academy (CASA) Conference on “Borders, Markets, Movements: Roundtable Discussion”, Amsterdam University, 17-20 June 2005, Amsterdam, Netherlands.

“Turkey’s Shadow Report in Response to 4th & 5th Combined Periodic Report of Turkey- CEDAW Report” during the United Nations 32nd Session on the Convention on Elimination of All Forms of Discrimination Against Women (CEDAW), 17th Jan 2005, New York, USA.

14. MEMBERSHIP OF PROFESSIONAL BODIES:

2012- PRESENT, Migration Research Centre, Gediz University (Izmir), Member

2011- PRESENT, METU Alumni (Ankara), Member

2009- PRESENT, Association for Solidarity with Refugees (Izmir), Member and the Executive Board Member

2009- PRESENT, Mülkiyeliler Birliği Izmir Branch (Izmir), Member

2006- PRESENT, Association of Sociology, Member

2006- PRESENT, Turkish Social Science Association, Member

2005- 2009, Vice- President and Founding Member of Business Professional Women (BPW) Association Club Ankara- Turkey and the member of “Legislation Committee of the International Federation of Business and Professional Women- BPWI.

2004- PRESENT, Turk- EU Cooperation Association, Member

1998- 1999, Head of the European Committee of International Strategic Analysis Group (USAG), Faculty of Political Science Ankara University.

APPENDIX F: TURKISH SUMMARY

Castles ve Miller'ın (2008) ifade ettiği gibi içinde bulunduğumuz “Göç Çağı” nda, uluslararası göç küresel sistemin tamamında önemli değişimler ve tartışmalar yaratmaktadır. Toplumların tarihi kadar eski olan bu olgu bir yandan tüm toplumlara dönüştürürken; bir yandan da kaynak, transit ve hedef ülkelerde önemli sonuçlar doğurmaktadır.

Bugün hızla artan uluslararası göçmen sayısı dramatik rakamlara ulaşmış durumdadır. Uluslararası Göç Örgütü (International Organization for Migration- IOM) araştırmaları kendi ülkeleri dışında yaşayan yaklaşık 214 milyon kişi³⁶⁵ olduğunu ortaya koyarken; Birleşmiş Milletler Yüksek Komiserliği'ne (BMMYK) göre, 1960 yılında dünya nüfusunun yüzde 2, 5'i göçmenken, 2010 yılı itibariyle bu oran yüzde 3, 1 olarak rapor edilmiştir.³⁶⁶ Büyük ölçüde politik temelli kavramsallaştırmalarla farklı kategorilere ayrıştırılan dünya göçmen nüfusu için mevcut literatür içindeki en temel iki ayrım “gönüllü ve zorunlu göç” ile “yasal ve yasadışı göç” kategorileri şeklinde karşımıza çıkmaktadır.

Son yıllarda, genel olarak göç hareketleri bu alandaki mevcut ulusal ve uluslararası politikalar üzerinde önemli değişiklikler yaratırken; düzensiz göç³⁶⁷ ve özellikle transit ülkelerden hedef ülkelere 'düzensiz transit göç', 1990'ların başından itibaren dikkat çekici ölçüde artan bir ivmeyle önem kazanan göç kategorilerinden biri olmuştur. Bu son derece kompleks kategori, vize politikalarından, göçmen kaçakçılığına, iltica politikalarından insan ticaretine uzanan birçok politika alanı ile yakından ilişkilidir. Bu nedenle 'düzensiz göç' genel olarak 'kısıtlayıcı göç politikaları' içinde değerlendirmekle birlikte farklı politikalar, mevzuatlar ve operasyonel düzeyde de önlem ve araçlarla ilişkilidir. Düzensiz göçe ilişkin özellikle hedef ülkelerde söz konusu nüfus hareketinin kontrol edilmesi ve girişlerin önlenemediği noktalarda da düzensiz göçmenlerin transit³⁶⁸ veya kaynak ülkeler tarafından geri kabulüne ilişkin bu ülkeler üzerindeki baskı artan sayılara paralel olarak gün geçtikte artmaktadır.

Doksanlı yıllarda mevcut göç kategorileri içinde farklı biçimlerde yer alan, son derece dinamik ve karmaşık bir kavram olarak ortaya çıkan “yasadışı göç”, terim olarak tarihte ilk kez 1920'lerde Kore ve Çin'den gelen göçmenlere yönelik olarak Sovyetler'de ya da

³⁶⁵ United Nations, Department of Economic and Social Affairs, Population Division (2009). Trends in International Migrant Stock: The 2008 Revision, United Nations Database, POP/DB/MIG/Stock/Rev.2008, retrieved from <http://esa.un.org/migration/p2k0data.asp> (Accessed on 21.07.2011)

³⁶⁶ a.g.e.

³⁶⁷ Bu çalışmada 'düzensiz göç'; kişilerden ziyade eylemler yasadışı ya da yasal olarak nitelendirilebileceğinden, göç sırasında ikamet edilen ülkenin kanunları ile ihtilafı ifade edecek şekilde kullanılmaktadır. Bu nedenle özellikle 'yasadışı' yerine 'düzensiz' ifadesi tercih edilmektedir.

³⁶⁸ Transit ülkeler kısaca coğrafi olarak kaynak ve hedef ülkeler arasında ve uluslararası göç güzergahları üzerinde bulunan ve geçici nüfus hareketlerini kontrol etmek durumunda kalan ülkeler olarak tanımlanabilirler.

1930’larda Yahudiler için Filistin’de karşımıza çıkmaktadır (Cvajner ve Sciortino, 2010: 390). Öte yandan ‘düzensiz göç’ için gerek kavramsal gerekse de yaygın kullanım açısından dönem noktasının 1970’lerde Avrupa ekonomilerinde yaşanan ekonomik durgunluk olduğunu söylemek yanlış olmayacaktır. İkinci Dünya Savaşı sonrasında ekonomilerini yeniden inşaa eden Avrupa ülkeleri kapılarını ucuz işgücü için göçmenlere açarken, 1970’lerde yaşanan ekonomik durgunluk sonrasında göçmen kabulünde daha seçici olmaya başlamışlardır. Bu dönem sonrasında istenilen özellikleri taşımayan göçmenlere artık sadece ‘aile birleşmesi’ ya da ‘uluslararası koruma’ gibi gerekçelerle izin verildiği; ancak önemli bir nüfusa da ‘istenmeyen göçmenler’ olarak yaklaşıldığı görülmektedir. Bugün ise “yasal ve yasadışı göçmen”³⁶⁹ karşıtlığı gerek politik tartışmaların gerekse de günlük pratiklerin önemli bir parçası haline gelmiş durumdadır.

Düzensiz göç ağırlıklı olarak kaynak ülkelerden ziyade hedef ve transit ülkelerin endişe ettiği ya da politika ürettikleri bir alan olarak görülebilir. Bu nedenle, tanımlamalar, kavramsallaştırmalar ve mevcut kısıtlayıcı göç politikalarının gerekçelendirilmesi konusunda kaynak ülkelerin özellikle de Avrupa Birliği (AB) ve Amerika Birleşik Devletleri (ABD)’nin itici güç olduklarını söylemek yanlış olmayacaktır. Hedef ülkelerde bir yandan karar vericiler düzensiz göçü azaltmaya yönelik politikalar üzerinde çalışırken, öte yandan da söz konusu politikalar düzensiz göçün olumsuz etkilerini vurgulayan söylemlerle gerekçelendirilmektedir. Düzensiz göç için kesin sayılardan bahsetmek mümkün olmadığından mevcut rakamların bir çoğu genel bir ‘tahmin’ ortaya koymanın çok da ötesine geçememektedir. Yakın zamanda hayata geçirilen geniş kapsamlı ve AB destekli bir araştırma projesinde³⁷⁰ AB ve üye ülkelerdeki mevcut ‘düzensiz göçmen’ sayısının 2008 yılında 2, 8 milyon ile 6 milyon arasında olduğu ifade edilmektedir. Benzer şekilde, bu alandaki yeni tarihli iki çalışmada³⁷¹ da AB27 için aynı nüfusa yönelik olarak rakamlar 1, 9 milyon ile 8 milyon arasında ifade edilirken, ABD’de ise yaklaşık 11 milyon düzensiz göçmenin ikamet ettiği belirtilmektedir.

AB’ye ilişkin olarak yukarıda ifade edilen ve 2 ile 8 milyon arasında değişen düzensiz göçmen sayısı dışında, ‘düzensiz transit göçe’ ilişkin olarak kısaca AB’nin dış sınırlarının muhafaza birliği olarak ifade edilebilecek, Avrupa Birliği Üye Ülkelerinin Dış Sınırlarının Yönetimi için Operasyonel İşbirliği Ajansı (FRONTEX)³⁷² tarafından

³⁶⁹ Bu tezde söz konusu ayırım ‘düzenli ve düzensiz göç’ şeklinde ele alınmaktadır.

³⁷⁰ AB tarafından desteklenen “CLANDESTINO Projesi” (Daha fazla bilgi için: <http://research.icmpd.org/1244.html>)

³⁷¹ Vesela KOVACHEVA and Dita VOGEL (2009). “The Size of the Irregular Foreign Resident Population in the European Union in 2002, 2005 and 2008: A Dynamic Aggregate Country Estimate”, Working Paper No. 4/2009, Database on Irregular Migration, Hamburg Institute of International Economics, Hamburg, pp. 9, retrieved from <http://irregular-migration.hwwi.net/> (Accessed on 17.02.2013); Christal MOREHOUSE and Michael BLOMFIELD (2011). Irregular Migration in Europe, Migration Policy Institute, Washington, DC: Migration Policy Institute, pp. 1.

³⁷² Avrupa Birliği Üye Ülkelerinin Dış Sınırlarının Yönetimi için Operasyonel İşbirliği Ajansı, "Frontex" (Fransızca: Frontières extérieures, dış sınırlar) ya da Avrupa Birliği Sınır Güvenliği Birimi, AB üyesi

hazırlanan Yıllık Risk Analizi Raporu'na göre (2013: 5), 2009 ve 2010 yıllarına kıyasla 2011 yılında çok ciddi bir artışla 141.000'e ulaşan (yüzde 35 artış) sınırlardaki düzensiz göçmen tespitleri 2012 yılında yaklaşık 73.000 olarak kaydedilmiştir. Öte yandan Schengen Bölgesi³⁷³ nedeniyle AB'nin kendi içindeki iç sınırları ortadan kalkarken, dış sınırlarının da önemi artmış ve FRONTEX'in kurulması ile bu sınırlarının kontrolünün önemi de bir kez daha vurgulanmıştır. Dolayısıyla AB açısından özellikle mevcut düzensiz göçmen sayıları kadar transit üçüncü ülkelerden ve kaynak ülkelerden gelen ve gelme potansiyeli bulunan 'düzensiz göçmenler' de büyük önem taşımaktadır.

Düzensiz göçe ilişkin olarak göçmenlerin bu kategoride sınıflandırılmasına neden olabilecek birçok yol ve neden bulunmaktadır. Buna paralel olarak da mevcut literatürde, bu tezde 'düzensiz göç' olarak ele alınan göç türü "yasadışı", "izinsiz" ya da "belgesiz" göç gibi terminolojilerle karşımıza çıkmaktadır. Bu kategoride, örneğin bir ülkeye gizli yollarla ya da sahte belgelerle girenler veya vize/ çalışma izinlerinin süreleri dolmasından sonra ülkeyi terketmeyenler; sahte evlilik, sahte evlat edinme yoluyla veya öğrenci statüleri olmadığı halde bu statüde ülkede ikamet edenler; göçmen kaçakçıları ya da insan tacirleri tarafından istismar edilen kişiler ya da iltica sistemini kendileri istismar eden kişiler yer alabilmektedir. Genel olarak, düzensiz göçe ilişkin olarak bir ülkeye göç, giriş ya da ikamet etmek için mevcut yasal şartlara uymayan kişilerin göç hareketi şeklinde bir tanımlama yapılması mümkündür. Ancak özellikle 'düzensiz göç' ile 'iltica' arasında ayırım yapılması önemlidir. Şu bir gerçektir ki sığınmacılar ve mülteciler zaman zaman göçmen kaçakçılarına başvurabilmekte ya da düzensiz yolları kullanmakta ya da kullanmak durumunda kalmaktadır. Öte yandan aslında gerçekten uluslararası korumaya ihtiyacı olmayan kişilerin de geçici veya sürekli oturma izni kazanma umuduyla sığınma kanallarına başvurdukları da bilinmektedir. Sonuç olarak günümüzde 'iltica' ve 'düzensiz göç' arasındaki çizginin de bir hayli bulanıklaştığı bir gerçektir. Kaynak ülkelerde yaşanan ciddi ekonomik krizlerin ve açlık tehlikesinin sonucu olarak ülkelerini zorunlu olarak terketmek zorunda kalan kişilerin ekonomik nedenlerle gönüllü göç eden grup içinde değerlendirilmesi ve uluslararası koruma başvurularının reddi bu çizgiyi biraz daha bulanıklaştıran ve kişileri düzensiz göç ya da göçmen kaçakçılarına yönlendiren önemli faktörler olarak karşımıza çıkmaktadır.

Yukarıda belirtilen hususlar dışında 'iltica- düzensiz göç' ilişkisinde Türkiye'nin ulusal mevzuatı ve uluslararası koruma mevzuatının uygulaması nedeniyle özel bir durum

ülkelerin komşularıyla olan sınırlarının korunmasını ve güvenliğini sağlamak amacıyla oluşturulmuş bir AB kurumudur. AB'ye üye olmayan komşu ülkelerle olan sınırlarının güvenliğinin sağlanması, ulusal sınır muhafızları arasında işbirliği yapılmasını ve sınırlarla ilgili risk analizleri oluşturulması amacıyla kurulmuştur. 3 Ekim 2005 tarihinde hizmete giren kurumun genel merkezi Polonya'nın başkenti Varşova'da bulunmaktadır ve AB'ye yeni katılan ülkelerde genel merkezini kurduğu ilk dairedir. (Daha fazla bilgi için: <http://www.frontex.europa.eu/>).

³⁷³ Schengen Bölgesi, Lüksemburg'un, Schengen kasabasında 1985 yılında imzalanan Schengen Antlaşmasını uygulayan yirmi beş Avrupa ülkesinin topraklarını kapsamaktadır. Schengen Bölgesi, alan içinde ve dışında seyahat edenler için sınır kontrolleri ile uluslararası seyahat edenler için tek bir devlet gibi; ancak herhangi bir iç sınır kontrolü olmadan çalışır. İki AB üyesi devletler (İrlanda ve Birleşik Krallık) istisna olarak kendi istekleri ile Schengen Bilgesi'ne katılmak istememişlerdir. Schengen Bölgesi şu anda 400 milyon kişi bir nüfusa ve 4.312.099 kilometrekarelik bir alanı kapsamaktadır.

daha ortaya çıkmaktadır. Türkiye, 1951 Tarihli Mültecilerin Hukuki Durumuna Dair Cenevre Sözleşmesi'ne³⁷⁴ yönelik olarak saklı tuttuğu “coğrafi kısıtlama”³⁷⁵ nedeniyle, Avrupa dışından gelen sığınmacılara mülteci statüsü vermezken; geri-göndermeme ilkesi nedeniyle bu kişilerin BMMYK ile yürütülen paralel prosedür gereği sığınma başvuruları sonlanana ve mültecilik statüsü kazanıp güvenli bir üçüncü ülkeye yerleştirilmelerine kadar ülkede geçici olarak İçişleri Bakanlığı tarafından belirlenen “uydu kentlerde” ikametlerine izin vermektedir. Bu birkaç aydan birkaç yıla uzanan bekleme süresinde Türkiye'deki kabul koşullarının yetersizliği ve mültecilik statüsünün nihai durumda alınamayacak olması nedeniyle uluslararası koruma altında olan ya da olması gereken göçmenlerin de göçmen kaçakçılarına başvurdukları ya da düzensiz göçmen olmalarına neden olacak edimler nedeniyle bu statüye girdikleri de görülmektedir. Bu nedenle çalışmada, düzensiz göç ile ilişkisi nedeniyle iltica politikaları ve uygulama prosedürlerinin de değerlendirilmesi zorunluluk olarak ortaya çıkmaktadır. Son olarak, ‘düzensiz göçmenlerin’, insan ticareti³⁷⁶ mağdurları ile karıştırılmaması gerektiğini vurgulamakta fayda vardır. Göçmen kaçakçılığı ile insan ticareti arasında önemli bağlar olduğu ve her iki kavramın da birbiri yerine sıklıkla kullanıldığı görülse de bu iki kavramı birbirinden ayıran en önemli özellik ‘rıza’ unsurudur. Zira insan ticaretinde mağdurların rızası mevcut değilken, göçmen kaçakçılığında düzensiz göçmenlerin sınırları geçerken kaçakçılardan kendi rızaları ile hizmet almaları söz konusudur. Bu çalışma düzensiz transit göçle ilişkisi nedeniyle sadece ‘göçmen kaçakçılığına’ odaklanmaktadır.

Düzensiz göç ile yakından ilişkili olan ve birçok kez birbirleri yerine ya da yan yana kullanılan diğer bir göç kategorisi de ‘transit göç’ tür. Transit göç, 1990’ların başında, yarattığı sosyal, ekonomik ve politik etkiler nedeniyle özellikle Avrupa için jeopolitik ve aynı zamanda politik olarak kavramsallaştırılan bir kategori olarak karşımıza çıkmaktadır. Düvell (2008), özellikle son yirmi yıl içinde özellikle Avrupa’da bu göç kategorisinin popülaritesinin artmasının ardında AB politikalarının üye ülkeler için entegrasyon, üye olmayan ülkeler içinse dışsallaştırma boyutundaki değişimlerin yer aldığını ifade etmektedir. Bir yandan Avrupa ülkelerine yönelik düzensiz göç sayılarında önemli bir artış kaydedilirken öte yandan “çevre (peripheral) ve yarı-çevre (semi-peripheral)” ülkeler üzerinde söz konusu nüfusun kontrol edilmesi ve hedef

³⁷⁴ 1951 Tarihli Mültecilerin Hukuki Durumuna Dair Cenevre Sözleşmesi ve 1967 tarihli EK protokole Birleşmiş Milletler Genel Kurulu'nun 14 Aralık 1950 tarih ve 429 (V) sayılı kararıyla toplanan konferansta kabul edilmiş, 28 Temmuz 1951 tarihinde Cenevre’de imzalanmış ve 43. maddeye uygun olarak 22 Nisan 1954 tarihinde yürürlüğe girmiştir. Türkiye Sözleşmeyi 24 Ağustos 1951 tarihinde imzalamış ve 29 Ağustos 1961 tarihinde onaylamıştır. (Sözleşme metni için <http://www.tbmm.gov.tr/komisyon/insanhaklari/pdf01/179-199.pdf>, erişim 06.10.2013).

³⁷⁵ 11 Nisan 2013 tarihinde kabul edilen ve maddelerinin tamamının büyük oranda 2014 yılı içinde yürürlüğe gireceği Yabancılar ve Uluslararası Koruma Kanunu (YUKK) da söz konusu coğrafi kısıtlamayı saklı tutmuştur.

³⁷⁶ “İnsan ticareti, esarete veya benzeri uygulamalara tabi kılmak, fuhuşa zorlamak, zorla çalıştırmak veya hizmet ettirmek, beden organlarının verilmesini temin etmek maksatlarıyla tehdit ve cebir/şiddet veya nüfuzu kötüye kullanmak veya kandırmak suretiyle, kişilerin tedarik edilmeleri, kaçırılmaları, bir yerden bir yere götürülmeleri veya sevk edilmeleridir” (http://www.mfa.gov.tr/turkiye_nin-insan-ticaretiyle-mucadelesi-tr.mfa, erişim 06.10.2013)

ülkelere girişlerinin önlenmesi yönündeki baskıların önemli ölçüde arttığını görüyoruz. Bu sürece paralel olarak, önemli bir transit ülke olarak Türkiye de dahil olmak üzere bu konuda kaynak ve transit ülkelere yönelik çalışmaların sayısında da önemli bir artış kaydedilmiştir.³⁷⁷

Daha önce ‘düzensiz göç’ için ifade edilen kompleks ve dinamik yapı, ‘düzensiz transit göç’ için daha karmaşık ve analizi zor bir hal almaktadır. Göçmenlerin kaynak ve hedef ülke arasında yer alan bir transit ülkede düzenli ya da düzensiz şekilde belirsiz bir süre için ikamet etmesi şeklinde tanımlanabilecek ‘transit göç’ kategorisinde, göçmenlerin hedef ülkeye varmak için göç hareketlerine devam edeceği varsayımı söz konusudur. Ancak transit göçmenlerin çoğu kez transit ülkelerde ve geçiş şehirlerinde (gateway cities) birkaç aydan birkaç yıla uzanan süreler için sıkışıp kaldıkları ve hedef ülkelere planladıkları göç hareketlerini sürdüremedikleri görülmektedir. Bazıları ise ne geldikleri ülkelere geri dönebilmekte ne de planladıkları şekilde hedefledikleri ülkelere ulaşabilmektedirler. Göçmenlerin yaşadıkları bu belirsizlik ve arada kalmışlık durumu için Gordenker (1987: 213), “araf (limbo)” ifadesini kullanmakta ve transit göçmenleri şöyle betimlemektedir: “ulaştıkları yerde kabul edilmeyen ve geldikleri yere dönemeyenler”. Bu nedenle düzensiz göç ya da daha genel bir ifadeyle kısıtlayıcı göç politikalarının doğurgularının transit ülkelerde ve söz konusu göçmenlere ev sahipliği yapan ‘geçiş ya da transit şehirlerde’ incelenmesi önem kazanmaktadır.

Yukarıda verilen bilgiler ışığında dış sınırlarını kontrol etmek ve üye devletlerdeki mevcut politikaların eksikliklerine cevap verebilmek için AB, düzensiz göç konusunda üye olmayan ülkelere yönelik ‘dışsallaştırma’ olarak adlandırılan ve sınırların üçüncü ülkelere taşınması ile kaynak ülkeler ve transit ülkelerle işbirliği yapılması şeklinde özetlenebilecek yaklaşım doğrultusunda birçok politika aracı ve programı hayata geçirmektedir. AB, düzensiz göçe yönelik olarak göçün kontrolü için delokalizasyon stratejisine başvurmakta ve bu yaklaşımını güvenlikleştirme ve ekonomi odaklı söylemler ile desteklemektedir. Bu çerçevede, AB göç politikasını dış politikasının bir aracı olarak kullanırken, operasyonel düzeyde her ülke için farklı program ve politika araçlarını benimsemektedir. Bu bağlamda, düzensiz göç konusunda AB üye ve üye olmayan ülkelere farklı politikalar ve önlemler empoze ederken, bu politikaların söz konusu ülkelerdeki doğurguları da farklı olmaktadır. AB’nin göç ve iltica politikalarının düzensiz göçe ilişkin boyutunun etkilerinin incelenmesi adına sadece bir kaynak ülke olmayan, 1990’lardan bu yana AB açısından önemli bir transit ülke olarak tanımlanan; ancak son yıllarda da bir hedef ülke olma yolunda önemli değişimler gözlenen Türkiye son derece önemli bir ülke olarak karşımıza çıkmaktadır.

Yukarıda belirtilen gerçekler ışığında, bu çalışmada özellikle ‘düzensiz transit göç’ olgusuna odaklanılmaktadır. Bu çalışma ile AB’nin göç ve iltica politikasının özellikle ‘düzensiz göç’ boyutunun Türkiye’deki doğurguları çoklu düzey ve çoklu alan yaklaşımı ile analiz edilmektedir. Bu çerçevede araştırma, söz konusu politikaların makro düzeyde Türkiye’deki normatif ve kurumsal yansımaları ile uygulama boyutu;

³⁷⁷ IOM (1994). Transit Migration in the Russian Federation, Geneva; IOM (1994). Transit Migration in Hungary, Geneva; IOM (1996). Transit Migration in Turkey, IOM Information Programme, Budapest; IOM (2003). Irregular Migration in Turkey, Working Paper, No: 12.

mezo düzeyde iki önemli geçiş şehrindeki (Edirne ve İzmir) düzensiz transit göçle ilişkili sosyal ağlar (hareketlilik ve kabul koşulları sağlayan ağlar) ve mikro düzeyde de söz konusu politikaların düzensiz transit göçmenlerin yaşamları ve göç deneyimleri üzerindeki doğurgularına odaklanmaktadır.

Uluslararası göç sistemleri içinde önemli bir rol oynayan Türkiye, ana hedef olarak tanımlanabilecek Avrupa'ya uzanan göç yollarında ülkeyi bir geçiş ülkesi olarak kullanan göçmenler için önemli bir transit ülkedir. Bugün, siyasi ve ekonomik istikrarsızlıklar yaşayan birçok ülkeden binlerce göçmen ve sığınmacı Türkiye'ye gelmekte, bazıları bu ülkeyi hedef ülke olarak benimserken bazıları ise göç hareketlerine Türkiye'den geçerek devam etmektedir. Ancak, hedef ülkelerdeki kısıtlayıcı göçmen ve iltica politikaları, özellikle de AB'nin düzensiz göçe yönelik göç ve iltica politikaları içindeki sert önlemleri nedeniyle Türkiye başta olmak üzere transit ülkeler söz konusu göçmenler için uzun bekleyiş süreleri yaşadıkları bir "araf" halini almaktadır. Hedef ülkelerin kısıtlayıcı politikalarının yanı sıra daha önce ifade edildiği üzere Türkiye'nin bir transit ülke olarak konumunu ve aynı zamanda sahip olduğu ulusal mevzuat nedeniyle (örneğin, coğrafi kısıtlama gibi), bir yandan Türkiye'de stok göçmen sayısı artarken; çevre veya daha uzak kaynak ülkelerde yaşanan istikrarsızlık nedeniyle transit ya da hedef ülke olarak Türkiye'ye göç edenlerin sayısındaki paralel artış nedeniyle de göç son derece önemli bir olgu olarak karşımıza çıkmaktadır. Bu nedenle AB'nin gözünde düzensiz transit göçün önlenmesinde Türkiye'nin rolü artarken, diğer göç kategorilerinden ziyade özellikle 'düzensiz transit göç' AB- Türkiye ilişkilerinde ve müzakere sürecinde önemli bir gündem maddesi haline gelmiştir. Öte yandan şu da ifade edilmelidir ki AB'nin düzensiz göçe neden olan sorunların kaynağına inmekten daha çok kısıtlayıcı ve politikaların etki ve hareket alanını genişleten ve değiştiren yaklaşımı nedeniyle odaklanılan politikalarının istenmeyen ve öngörülmeven sonuçları olarak göç yollarında da önemli değişimler kaydedilmiştir. Örneğin, söz konusu politikalar sonucunda Güney Akdeniz (İtalya ve İspanya) üzerinden AB'ye gelen göç yolları, Doğu Akdeniz'e (Yunanistan ve Türkiye) kaymış ve temel nedenler değişmediğinden mevcut göçmen nüfus, göç yollarını Türkiye üzerinden olacak şekilde değiştirmek durumunda kalmıştır ki bu da gerek AB- Türkiye ilişkileri gerekse de Türkiye'nin düzensiz transit göç konusunda üstlendiği rol açısından ülkenin önemini önemli ölçüde arttırmıştır.

FRONTEX'in 2013 tarihli Yıllık Analiz Raporu ve Avrupa Komisyonu'nun 2012 (ss. 75) tarihli Türkiye'ye yönelik İlerleme Raporunda Türkiye'nin yukarıda ifade edilen önemi vurgulanmaktadır. Bu raporlara göre AB Üye Ülkeler'in kolluk güçleri tarafından 2011 yılında düzensiz giriş yaparken AB- Türkiye sınırında (Yunanistan ve Bulgaristan ile) tespit edilen üçüncü ülke vatandaşlarının sayısı bir önceki yıla göre yüzde 2'lik bir artışla 55.630 olarak kaydedilirken, AB'ye yönelik düzensiz transit göçün yüzde 80'den fazlasının Türkiye üzerinden gerçekleştiği ifade edilmektedir.

Uluslararası gündemde düzensiz ve transitin göçün artan önemine ve özellikle AB'nin kaynak ve komşu transit ülkelerden gelen düzensiz transit göçmenlere ilişkin duyulan kaygıyı farklı politika unsurları ve kanalları aracılığıyla sıklıkla ve yoğun biçimde vurgulamasına rağmen mevcut literatürde yer alan gerek ampirik ve gerekse de teorik çalışmaların yetersiz kaldığı gözlemlenmektedir. Ayrıca mevcut akademik çalışmaların

ve politik söylemlerin özellikle makro düzeyde transit ülkelerin karşılaştığı sorunlar ve düzensiz göçün önlenmesine dair sahip oldukları sorumluluklara ve mikro düzeyde de bu alandaki politikaların göçmenler üzerindeki etkilerine odaklandığı görülmektedir. Şüphesiz ki her iki düzeyde de mevcut bu çalışmalar düzensiz transit göçün kavramsallaştırılması ve literatüre katkı sağlanması açısından son derece önemlidir; ancak ‘yapı-birey’ ikiliğinde köprü görevi üstlenecek ve bu iki düzeyi birbirine bağlayarak aralarındaki ilişkiyi anlamlandıracak ‘mezo düzey’ olmadan tamamlanmamış ve eksik kalmaktadırlar. Mezo düzeyde analiz Bretell (2003) tarafından da ifade edildiği üzere hane, topluluklar, kişisel davranış, deneyim ve stratejiler üzerinden sosyal ağlar ve bireylerin etkileşiminin analizini gerektirmektedir. Bu nedenle, mezo düzey sosyal ağlar ve bu ağlar içinde yapı ile ilişkileri gözönüne alınarak analiz edilen bireyler ile aslında ‘yapı-aktör’, bir başka deyişle makro ve mikro düzeyler arasında sentezi sağlamaktadır. Bu çalışma kapsamında, mezo düzey analizi ile odaklanılan politikaların etkilerinin yerel düzeyde ‘zaman-mekan’ ilişkisi kurularak ‘geçiş kentleri (gateway cities) olarak kavramsallaştırılan transnasyonal sosyal alanlarda (Edirne ve İzmir kentleri) ve düzensiz transit göç ile ilişkili sosyal ağlar üzerindeki etkileri analiz edilmektedir.

Yukarıda ifade edilen boşluğu doldurarak çoklu düzey analizini gerçekleştirmek için bu çalışma ile Thomas Faist (1997, 2000) tarafından göç çalışmalarında kullanılmak üzere önerilen ‘Bağlantısal Yaklaşım (Relational Approach) benimsenmiştir. Bu yaklaşım farklı analiz düzeyleri arasında köprü kurmayı amaçlamakta ve önemli bir katkı olarak da hem ‘yapı’ hem de ‘aktörü’ eş zamanlı olarak ele alarak mezo düzey aracılığı ile ilişkilendirilmektedir. Faist bu alandaki çalışmalar için söz konusu üç düzeyin de eş zamanlı olarak kullanılması ve düzeyler aralarındaki ilişkinin de analiz edilmesini önermektedir. Bu bağlamda Faist (2000), göç alanındaki teorik çalışmaların çoğunluğunda gözlemlenen tek düzeyli ya da mezo düzeyi dışlayan çalışmaları eleştirmektedir. Faist ‘meso düzey analiz’ sayesinde göç çalışmalarının sadece birey ya da sadece ulus devlet ya da makro yapılar üzerinden kısıtlı analizinin eksikliklerinin aşılabileceğini vurgulamaktadır. Bu tez ile söz konusu politikalarının etki analizi için sadece makro (yapısal, politika ve ülke temelli) ve mikro (aktör temelli) düzey analizlerinin yeterli olmadığı, bu iki düzey arasında “yapı- aktör” ikili karşılığında köprü görevi üstlenen ‘mezo’ düzey analizinin de son derece önemli olduğunu savunulmaktadır.

Yukarıda sunulan çerçevede makro düzeyde, yapısal faktörler (politik, ekonomik ve kültürel) ile Türkiye’de AB’nin göç ve iltica politikalarının düzensiz göçe odaklı analizinde bir yandan uygulama boyutu bir yandan da bu politikaların normatif ve kurumsal yapılar üzerindeki etkisine odaklanılmaktadır. AB yapısının yanı sıra 1951 Sözleşmesi ve Avrupa İnsan Hakları Mahkemesi (AİHM) kararları gibi makro düzeyin önemli diğer unsurları da dikkate alınmaktadır.

Makro düzeyi takiben, Faist’in (1997) de göç konusunda en önemli analiz düzeylerinden biri olarak gördüğü mezo düzey, sosyal ağlar üzerinden bireyler ve gruplar arasındaki ilişkileri ifade ederken sadece hane ve aile, grup ve akrabalık ya da topluluk gibi kurum ve örgütleri değil; aynı zamanda etnik, dini ya da siyasi dernekler gibi geniş bir yapıya ait ilişkileri de kapsamına almaktadır. Bu düzeyde, yukarıda ifade

edilen sosyal ağlar, düzensiz göçe ilişkin ‘hareketlilik ve kabul koşulları sağlayan ağlar’ şeklinde kavramsallaştırılarak ‘mekan’ boyutuna atıfla transit göç için son derece önemli iki geçiş kentinde incelenmektedir. ‘Göç ve mekan’ buyutuna istinaden araştırmanın alan çalışmasının ilk ayağı makro düzey analizi kapsamında Ankara’da (Başkent Ankara göç alanında birçok uluslararası, bölgesel ve ulusal düzeydeki karar verici ve politika uygulayıcı kuruma evsahipliği yapmaktadır) gerçekleştirilmiştir. Öte yandan çalışmanın mezo düzeyine istinaden Türkiye’den Avrupa’ya geçişlerde önemli yere sahip iki geçiş kenti (gateway city) olarak Edirne ve İzmir’de alan araştırmasının ikinci ayağı gerçekleştirilmiştir. Bu iki şehir, çalışmada düzensiz transit göçün idamesinde önemli role sahip birçok ağın kesiştiği ve ilişkilendiği ve Avrupa’ya açılan geçiş şehirleri özellikleriyle incelenmiştir. Edirne ve İzmir, göçmenlerin konaklama, gelir getirici aktiviteler, sosyal destek imkanlarına ulaşabildiği; bir önceki göç hareketlerinin etkilerini absorbe edebilecekleri ve kendilerini göç hareketlerinin kalan kısmına hazırlayabilecekleri önemli transnasyonel mekanlar olarak karşımıza çıkmaktadır. Kısıtlayıcı politikaları ve son derece kısıtlı bir gruba açık olan kapıları ile hedef ülkelerin yaklaşımları- bu çalışma açısından özellikle de AB’nin ilgili politikaları sonucu- göçmenler Edirne ve İzmir gibi geçiş şehirlerinde planladıklarından çok daha uzun süreler için kalmakta ve bu süreçte kendilerini belirsiz bir bekleme süresi içinde kentin resmi olmayan ve görünmeyen sakinleri olarak bulmaktadırlar. Bu tezde, söz konusu transnasyonel sosyal alanlar (transit merkez ve geçiş şehirleri) kadar, kısıtlayıcı ve önleyici göç politikaların sonucu olarak ortaya çıkan finansal, yasal, sosyal ve kurumsal kısıtlamaların varlığında bu özel lokasyonlarda yer alan ve göçmenlerin hayatta kalma stratejileri ve göç hareketinin devamı için ihtiyaç duyulan sosyal ağlar olmadan düzensiz transit göçün kendini idame ettiremeyeceği iddia edilmektedir. Bu nedenle odaklanılan politikaların doğurguları analiz edilirken söz konusu geçiş kentlerinin ve bu kentlerde yer alan düzensiz göçle ilişkili sosyal ağların da analizi de gerçekleştirilmiştir.

Düzensiz transit göçün özellikle transit veya geçiş kentleri olarak adlandırılan ve transit ülkelerde yer alan yerel, transnasyonel ve aynı zamanda birbirleri ile örtüşen ve ilişki halinde olan göç ağları ve sistemleri ile kendini sürdürdüğü bir gerçektir. Göçmenlerin yoğun şekilde bir araya geldiği bu özel mekanlar, transit göçün dinamikleri içinde önemli bir role sahiplerdir. Yerele ilişkin özellikleri dışında bu geçiş mekanları aynı zamanda uluslararası göç sisteminin, bir başka deyişle daha geniş bir dönüşüm ve global sistemin parçasıdırlar. Yukarıda ifade edildiği üzere göçmenler bu mekanlarda planladıklarından daha uzun süreler için kalmakta, parçası oldukları işbirlikleri ve sosyal ağlar gerek göç hareketlerinin gerekse de hayatta kalma stratejilerinin önemli bir parçasını olmaktadır. Bu nedenle söz konusu geçiş şehirlerinin sadece hedef ülkelere geçiş için kapılar olmadığını, aynı zamanda istihdam, barınma ve diğer önemli imkanlara da ulaşabildikleri mekanlar olduğunu söylemek yanlış olmayacaktır. Bu kentler, göçmen hareketliliğinde önemli aktarma merkezleri olarak kişilerin, bilgilerin, hizmetlerin ve göçe ilişkin birçok değişimin gerçekleştiği aynı zamanda da makro düzeydeki politikaların da göçmeler için anlamlı hale geldiği ve günlük yaşam pratikleriyle ilişkilendirildiği önemli lokasyonlardır. Daha önce de ifade edildiği üzere göç konusunda, özellikle de düzensiz transit göç konusunda sahip oldukları önemli role rağmen geçiş kentleri ve bu kentlerdeki sosyal ağlar üzerindeki çalışmaların mevcut literatürde son derece az olduğu görülmektedir. Genel olarak özellikle de AB’nin

politikaları ve doğurgularına odaklanan çalışmalarda; mezo düzeydeki analizlere ve çoğu kez mikro düzey analizlere yer verilmeden sadece AB ile Türkiye arasındaki müktesebatın kıyaslandığı ve sınırlı ölçüde de uygulamaların analiz edildiği ya da farklı ülkeler arasındaki karşılaştırmalara yer verildiği görülmektedir. İşte bu çalışma ile mevcut literatüre mezo düzey ile katkıda bulunulması hedeflenmektedir.

Son olarak bu tez ile mikro düzey analizine istinaden ‘göçmen/aktör’ boyutuna odaklanılmaktadır. Bu kapsamda Edirne ve İzmir geçiş şehirlerinde göç hareketlerine devam etmek için geçici süreyle ikamet eden ya da en azından başta AB üye ülkeleri olmak üzere uzun süreli kalışlarına rağmen hedef ülkelere göçlerine devam etme niyeti taşıyan ‘düzensiz transit göçmenler’ ile görüşmeler yapılarak makro düzeydeki politikaların (bağımsız değişken) bu göçmenlerin göç hareketleri ve yaşamları üzerindeki doğurguları irdelenmiştir. Her ne kadar bu tez ile özellikle düzensiz transit göç özelinde ‘Rasyonel Seçim Kuramı’ makro ve mezo düzeyde yer alan bağımsız ve müdahil değişkenler nedeniyle çok uygulanabilir olmasa da söz konusu politikaların bu düzeyde analizi de diğer düzeydeki bulguları doğrulayan ve pekiştiren önemli sonuçlar ortaya koymuştur.

Yukarıda sunulan bilgiler ışığında bu çalışmanın temel amacı, inter-disipliner bir yaklaşımla düzensiz transit göçe ilişkin mevcut teorik ve ampirik çalışmalara çoklu düzey ve çoklu alan analizi ile küresel ve yerel bağlantıların da dikkate alınmasıyla katkıda bulunmaktır. Çalışma ile literatürde eksikliği tespit edilen transit ülke, transit şehir ve geçiş şehirleri gibi ‘göç ve mekan’ bağlantısı ile ‘sosyal ağlar’ boyutlarına vurgu yapılmaktadır. Bu çalışmada her ne kadar ‘etnografik politika analizi’ ortaya konuluyor olsa da tezin amacı politika önerilerinde bulunmak değil, betimleyici bir araştırma olarak söz konusu politikaların doğurgularını üç düzeyde de ortaya koymak ve bu politikalarından etkilenen politika uygulayıcılar, sosyal ağlar, örgütler ve göçmenlerin analiz edilen politikaları nasıl algıladıkları, uyguladıkları ve deneyimlediklerini aktarmaktır. Ancak çalışma politik, ekonomik, sosyal ve kültürel bulgular kadar incelenen politikaların istenmeyen sonuçlarını da ortaya koyduğundan politika önerme amacı taşıyan diğer çalışmalara da önemli ölçüde katkı sağlama potansiyeline sahiptir.

Yukarıda belirtilen hususlar doğrultusunda bu çalışmanın mevcut literatüre beş farklı başlık altında katkıda bulunduğu ifade edilebilir. Öncelikle göç alanında üç düzeye ilişkin makro, mezo ve mikro düzey çalışmaların varlığına karşın, bu tez ile söz konusu üç düzey teorik ve ampirik olarak ele alınmaktadır. İkinci olarak çalışma ile ‘düzensiz transit göçe’ ilişkin mevcut teorik çalışmalara katkıda bulunulmakta ve göç teorileri içinde sınırlı şekilde yer bulan hatta henüz teorik çalışmaları gerçekleştirilmemiş ‘düzensiz transit göç’ için mevcut teorilerin bu göçün nedenleri ve sonuçlarını ne ölçüde açıklayabildiği karşılaştırılmalı olarak ortaya konulmaktadır (3. Bölüm). Üçüncü olarak düzensiz transit göçe ilişkin sosyal ağlar Thomas Faist’in (1997) ‘gönderen (sending networks) ve kabul eden (receiving networks) ağları” kavramsallaştırmasından yola çıkılarak; transit ülkeler ve düzensiz transit göçe özgün unsurlar göz önüne alınarak ‘hareket ve kabul koşulları sağlayan ağlar’ şeklinde yeniden kavramsallaştırılmıştır. Söz konusu kavramlar aynı zamanda Edirne ile İzmir’de yürütülen alan çalışmasında da uygulamada kullanılmıştır. Her ne kadar Faist’in kavramları bu çalışmaya temel alınsa da söz konusu ağların sadece hedef ve kaynak ülkeler dikkate alınarak transit ülkelerin

gözardı edilmesi ve iki ağ kategorisi içindeki geçişkenliklerin de dikkate alınmaması eleştirilerek yeni bir kavramsal çerçeve ortaya konmuştur. Dördüncü olarak mevcut literatürde genele sadece hedef ülkelerde resmedilen transit merkezler veya geçiş şehirlerinin Edirne ve İzmir örnekleri üzerinden Türkiye gibi önemli bir transit ülke içindeki değerlendirmesi gerçekleştirilmiştir. Ayrıca ifade edilmelidir ki mevcut literatürde İstanbul'a yönelik yapılan çalışmalar içinde Edirne ve İzmir gibi düzensiz transit göçte çok önemli iki geçiş kentine de yer verilerek literatüre önemli bir katkıda bulunulmuştur. Bunun da ötesinde özellikle AB'ye ilişkin çalışmalara sosyal bir boyut getirilerek, 'metodolojik milliyetçilik' olarak adlandırılan ve sosyal bilimlerde inceleme birimi olarak ulusal devletleri gören sınırlayıcı yaklaşıma da kentlerin ve sosyal ağların yapısal makro unsurlar ve mikro düzeyde aktörlerle birlikte ele alınmasıyla bir eleştiri getirilmiştir. Son olarak 11 Nisan 2013 gibi son derece yakın bir tarihte yürürlüğe giren ve Türkiye'nin yasal mevzuatında son derece önemli ve yeni bir gelişme olarak görülebilecek Yabancılar ve Uluslararası Koruma Kanunu'nun henüz literatürde yer almayan düzensiz ve transit göçe ilişkin analizi de bu çalışmada yer almaktadır.

Metodoloji ve Araştırma Yöntemleri Üzerine

Bu tezde temel olarak yorumlayıcı ve nitel bir yaklaşım benimsenirken, araştırma yöntemi olarak analizi gerçekleştirilen politikaların doğurgularının tam olarak uygulama boyutu ve çoklu düzey analiziyle ortaya koyulması amacıyla 'etnografik politika analizi' kullanılmıştır. Bu sayede hem politika yapıcı ve uygulayıcıların hem de politikalarından etkilenen kurum ve aktörlerin bu politikaları nasıl yorumladıkları, anlamlandırdıkları, uyguladıkları ve deneyimledikleri analiz edilebilmiştir. Veri toplama sürecinde ikincil kaynaklar ve mevcut resmi ve resmi olmayan istatistiklerden yararlanılsa da araştırmada temel veriler Ağustos 2011- Mart 2013 tarihleri arasında Ankara, Edirne ve İzmir şehirlerinde yürütülen alan çalışması ile toplanmıştır. Bu kapsamda makro düzey analiz kapsamında Ankara'da 18, meso düzey analiz kapsamında Edirne ve İzmir'de 78 ve yine bu kentlerde mikro düzey analiz kapsamında 11 yarı yapılandırılmış görüşme (toplam 107 görüşme) yukarıda ifade edilen aktör ve kurumlarla gerçekleştirilmiş; derinlemesine mülakat ve katılımcı gözlemlerle de desteklenmiştir.

Araştırma Sorusu

Bu tez için temel araştırma sorusu: Avrupa Birliği'nin göç ve iltica politikalarında özellikle düzensiz göçe ilişkin düzenlemeler Türkiye'de ne tür doğurgular yaratmaktadır? Bu çerçevede araştırma, söz konusu politikaların makro düzeyde Türkiye'deki normatif ve kurumsal yansımaları ile uygulama boyutu; mezo düzeyde iki önemli geçiş şehrindeki (Edirne ve İzmir) düzensiz transit göçle ilişkili sosyal ağlar (hareketlilik ve kabul koşulları sağlayan ağlar) ve mikro düzeyde de söz konusu politikaların düzensiz transit göçmenlerin yaşamları ve göç deneyimleri üzerindeki doğurgularına odaklanmaktadır. Araştırmada makro, mezo ve mikro olarak toplam üç düzeyde analiz yapıldığından her düzey ana araştırma problemini destekleyecek alt sorulara yanıt arayarak teze katkıda bulunmaktadır. Düzeyler ve ilgili alt sorular aşağıda sunulmaktadır:

Makro Düzeye Yönelik Olarak;

- AB'nin iltica ve göç politikalarının düzensiz göçe yönelik düzenlemeleri nelerdir? (Normatif ve kurumsal yapı)
- AB göç ve iltica politikalarının dışsallaştırmasında özellikle düzensiz göçe ilişkin hangi temel politika ve araçlar kullanılmaktadır?
- AB'nin bir aday ve aynı zamanda üçüncü ülke olarak Türkiye'ye spesifik olarak göç ve iltica politikalarında düzensiz göç için kullandığı argüman ve politikalar nelerdir?
- AB'nin ilgili politikalarının normatif, kurumsal ve uygulamaya yönelik olarak Türkiye'deki doğurguları nelerdir?
- Türkiye'de düzensiz göçe ilişkin normatif ve kurumsal mevcut yapı nasıldır?
- Düzensiz göç, AB- Türkiye ilişkilerinde nerede yer almakta, bu ilişkileri nasıl etkilemekte ve aynı zamanda nasıl etkilenmektedir?
- Makro düzeyde incelenen politikalara ilişkin ilgili aktör ve kurumların bu politikalara yönelik algısı, görüşleri, yorumları, değerlendirmeleri ve uygulama yaklaşımları nasıldır?
- Söz konusu politikaların öngörülme ya da istenmeyen sonuçları var mıdır? Varsa nelerdir?

Mezo Düzeye Yönelik Olarak;

- Düzensiz transit göçün idamesinde 'geçiş kentlerinin' rolü nedir?
- Geçiş kentleri olarak sınıflandırılan Edirne ve İzmir'de düzensiz transit göçle ilişkili 'hareketlilik ya da kabul koşulları sağlayan sosyal ağlar, kurum ve aktörler' hangileridir?
- AB'nin göç ve iltica politikalarında düzensiz göçe yönelik düzenlemelerin incelenen geçiş kentleri ve bu kentlerdeki transit göçe ilişkin 'hareketlilik ya da kabul koşulları sağlayan sosyal ağlar, kurum ve aktörler' üzerindeki etkileri nelerdir?
- Edirne ve İzmir'in söz konusu politikaların etkileri konusunda sahip olduğu farklılıklar ve benzerlikler nelerdir?
- Mezo düzeyde incelenen politikalara ilişkin ilgili aktör ve kurumların bu politikalara yönelik algısı, görüşleri, yorumları, değerlendirmeleri ve uygulama yaklaşımları nasıldır?

Mikro Düzeye Yönelik Olarak;

- Edirne ve İzmir'de yer alan düzensiz transit göçmenlerin profilleri nasıldır?
- Düzensiz giriş ve çıkışlarda hangi metotlardan yararlanılmaktadır?
- Düzensiz transit göçmenlerin Edirne ve İzmir'de yakalanma, idari gözetim ve sınır dışı edilme ya da kabul koşullarına ilişkin deneyimleri nasıldır?
- AB'nin göç ve iltica politikalarında düzensiz göçe yönelik düzenlemelerinin Edirne ve İzmir'de alan araştırmasının örnekleme içinde yer alan düzensiz transit göçmenlerin yaşamları ve göç deneyimleri üzerindeki etkileri nelerdir?

Yukarıda verilen ana ve tamamlayıcı araştırma soruları oluşturulurken ve araştırma dizayn edilirken bazı ön kabullere yer verilmiştir. Öncelikle temel ön kabullerden biri olarak AB'nin göç ve iltica politikasının ve düzensiz göçe ilişkin düzenlemelerinin Türkiye'nin ilgili politikaları üzerinde önemli bir itici güç ve bağımsız değişken olduğu kabul edilmiştir. İkinci olarak iltica ve göç politikaları arasındaki önemli ayrıma karşın,

Castles (2007: 39) tarafından da ifade edilen “göçmen ve sığınmacının politik kavramlar olarak inşaasında geçişken ve bulanık bir ilişki vardır” varsayımı bir diğer deyişle ‘iltica ve düzensiz göç’ arasındaki güçlü ilişki dikkate alınmıştır. Üçüncü olarak bu çalışma ile daha önce ifade edildiği üzere makro, mezo ve mikro olmak üzere çoklu düzey analizinin gerekliliği bir ön kabul olarak çalışma dizaynında yer almıştır.

Hipotezler Yerine Öngörülen Sonuçlar

Bu çalışma ile çok alanlı etnografik politika analizi araştırma yöntemi olarak benimsendiğinden ve bu yaklaşımda gözlemlerden elde edilen ya da bilgi sağlayan kişilerden alınan bilginin önüne geçebilecek herhangi bir önsel hipoteze yer verilmemektedir. Bu nedenle hipotezler yerine alan çalışmasından ortaya çıkacak bulgular; ancak bir başka çalışmanın hipotezleri olarak işlev görebilirler. Dolayısıyla yorumlayıcı yaklaşıma sahip bu çalışma ile temel olarak ‘açıklık’ ilkesi benimsenmiş ve başka çalışmalara hipotez teşkil edecek önemli bulgulara her bölüm içinde ilgili araştırma düzeyine istinaden ve ayrıca tezin ‘Sonuç’ kısmında yer verilmiştir.

Teze Genel Bakış

Bu tez altı ana bölümden oluşmaktadırç **Giriş** bölümünü takiben, **Bölüm 2** ile araştırmada benimsenen metodoloji ortaya konulmaktadır. Bu çerçevede temel yaklaşım olarak benimsenen Yorumlayıcı Yaklaşım ve nitel araştırma tekniklerinden ‘etnografik politika analizi’ne yer verilirken, bu seçimin arkasında yatan gerekçelendirme de bu bölümde aktarılmaktadır. Ayrıca örneklem stratejisi, çalışmaya yönelik bazı kısıtlılıklar ve aynı zamanda analiz yöntemlerine ilişkin detaylı bilgi de bu bölümde sunulmaktadır. **Bölüm 3’te**, bu çalışmanın teorik ve kavramsal çerçevesi sunulmaktadır. Bu bölüm ile öncelikle mevcut göç teorileri düzensiz transit göçü açıklama kapasiteleri ile ayrı ayrı değerlendirilmektedir. Ayrıca bu bölüm içinde araştırmaya ışık tutacak temel kavramlara yer verilmektedir.

Araştırmada üç analiz düzeyi ele alındığından her düzeye ilişkin teorik ve kavramsal yaklaşım ayrı ayrı irdelenmektedir. Bu çerçevede makro düzeyde Dünya Sistemi Teorisi ile Politik Ekonomi Teorisi temel teorik yaklaşımlar olarak yer alırken, özellikle kısıtlayıcı göç politikalarının ortaya çıkış nedenleri ve fonksiyonları adına nitelikli açıklamalar sağlamaktadırlar. Yine bu düzeye ilişkin olarak Avrupa Entegrasyon Teorileri ‘Avrupalılaştırma ve Dışsallaştırma’ boyutları ile ele alınmaktadır. Mezo düzeyde düzensiz transit göçe ilişkin sosyal ağlar, kurum ve örgütler ele alınırken, yine bu düzeyde yerel örüntülere de yer verilmekte ve ‘göç-mekan’ boyutu yerel ve transnasyonel bağlantıları olan Edirne ve İzmir gibi ‘geçiş şehirleri’ üzerinden incelenmektedir. Bu düzeye ilişkin olarak ‘mekan’ boyutu için ‘Transnasyonel Sosyal Alanlar, Global Kentler Hipotezi ve Ölçeklendirme Teorilerine yer verilirken; temel olarak Sosyal Ağlar, Sosyal Kapital ve Kurumsal Teorilerden faydalanılmaktadır. Üçüncü ve son analiz düzeyi olan mikro düzeyde ise yine Sosyal Ağlar, Sosyal Kapital ve Yapılandırma Teorileri yer almaktadır.

Bölüm 5, AB’nin göç ve iltica politikalarının düzensiz göçe yönelik düzenlemeleri ve uygulamaları ile bu politikaların gerek üye ülkeler gerekse de üçüncü ülkelerdeki düzenlemelerini analiz etmekte ve Avrupalılaştırma ve Dışsallaştırma boyutlarıyla Avrupa Entegrasyon teorileri ile makro düzeyde yer alan Dünya Sistemi ve Politik

Ekonomi teorilerinden faydalanmaktadır. Bu bölümde AB'nin göç ve iltica politikalarının düzensiz göçe ilişkin düzenlemeleri incelenirken, özellikle AB- Türkiye ilişkileri açısından dışsallaştırma boyutu ile ilgili politika ve araçlara değinilmektedir. Bu bölümde AB'nin normatif ve kurumsal yapısı, düzensiz göçün birincil ve ikincil hukuk içindeki yeri ve AB'nin bu alandaki söylemleri aktarılmaktadır. Bu bölümde aynı zamanda söz konusu politikalar ardında yatan gerekçelendirme ikincil nicel verilerle desteklenerek ortaya konulmaktadır.

Bölüm 5 yine makro düzeyde; ancak bu kez Türkiye'ye ilişkin değerlendirmelere yer vermektedir. Bu bölüm AB- Türkiye ilişkilerinin özellikle 'düzensiz ve transit göçe' yönelik bir değerlendirmesi olarak görülebilir. Bu bölümde Türkiye'nin genel olarak göç ve iltica politikası ortaya konulurken, aynı zamanda AB'nin özellikle düzensiz göçe ilişkin Türkiye'den beklentilerine ve Türkiye'nin gerek normatif ve kurumsal değişimler gerekse de uygulamaları ile bu taleplere yanıtları ele alınmaktadır. Bu bölümün önemli bir katkısı, 11 Nisan 2013 gibi son derece yakın bir tarihte yürürlüğe giren ve Türkiye'nin göç ve iltica politikaları tarihinde reform olarak nitelendirilebilecek bir gelişme olan Yabancılar ve Uluslararası Koruma Kanunu'na için düzensiz göç odaklı; ancak AB'nin etkisini sorgulayan bir değerlendirmeye yer vermesidir. Bu bölümün bir diğer ve yine bu denli önemli katkısı olarak Ankara'da yürütülen alan çalışmasının sonuçlarını da ifade etmek gerekir. AB ve Türkiye'nin göç ve iltica politikalarında özellikle düzensiz göçe yönelik önemli kurum ve kuruluş temsilcileriyle gerçekleştirilen 18 yarı yapılandırılmış mülakat ile bazı derinlemesine mülakatların sonuçları ve değerlendirmeleri bu bölümde yer almaktadır.

Bölüm 6, çalışmanın mezo ve mikro düzey analizlerini ortaya koymaktadır. Bu bölümde öncelikle Edirne ve İzmir'in 'geçiş şehirleri' ve etnografik çalışmanın çoklu alan analizi olarak seçilmesi ardında yatan gerekçeler aktarılmaktadır. Bu bölümde Edirne ve İzmir'in kısa göç tarihi ile bugün bu kentleri geçiş şehirleri haline getiren dönüşüm ile söz konusu kentler arasındaki farklar ve benzerlikler ele alınmaktadır. Aynı bölüm içinde 'Hareketlilik Sağlayan Ağlar' ve 'Kabul Koşulları Sağlayan Ağlar' şeklinde sınıflandırılan düzensiz göçle ilişkili olan ağlar, aktörler ve kurumların üzerindeki politika etkilerinin analizine de yer verilmektedir. Bu bölüm aynı zamanda Edirne ve İzmir'de gerçekleştirilen alan çalışmasının önemli bulgularının da aktarıldığı bölümdür. Bu kapsamda söz konusu illerde gerçekleştirilen toplam 78 yarı-yapılandırılmış görüşme, derinlemesine mülakatlar, katılımcı gözlemlerin yanı sıra mikro düzeyde düzensiz transit göçmenler için yine bu şehirlerde gerçekleştirilen toplam 11 yarı-yapılandırılmış mülakatın sonuçları da bu bölümde yer almaktadır. Mikro düzeye ilişkin olarak bu bölümde göçmenlerin profilleri (yaş, cinsiyet, eğitim, meslek, uyruk vb.); Türkiye'ye giriş-çıkış metotları, göçmen kaçakçıları ile ilişkileri; yakalanma, idari gözetim ve sınır dışı edilme deneyimleri ve araştırma ile incelenen AB ve Türkiye'nin göç ve iltica politikalarındaki düzensiz göçe ilişkin düzenlemelerin bu kişilerin göç deneyimleri üzerindeki etkisi ortaya konmaktadır. Tezin son bölümünde ise "Sonuç" bölümüne yer verilmektedir.

APPENDIX G: THESIS COPY PERMISSION FORM

TEZ FOTOKOPİSİ İZİN FORMU

ENSTİTÜ

Fen Bilimleri Enstitüsü

Sosyal Bilimler Enstitüsü

Uygulamalı Matematik Enstitüsü

Enformatik Enstitüsü

Deniz Bilimleri Enstitüsü

YAZARIN

Soyadı : Gökalp Aras

Adı : Nefise Ela

Bölümü : Sosyoloji

TEZİN ADI (İngilizce) : A MULTI-LEVEL AND MULTI-SITED ANALYSIS OF THE EUROPEAN UNION'S IMMIGRATION AND ASYLUM POLICY CONCERNING IRREGULAR MIGRATION AND ITS IMPLICATIONS FOR TURKEY: EDİRNE AND İZMİR AS TWO MAJOR GATEWAY CITIES

TEZİN TÜRÜ : Yüksek Lisans

Doktora

1. Tezimin tamamından kaynak gösterilmek şartıyla fotokopi alınabilir.

2. Tezimin içindekiler sayfası, özet, indeks sayfalarından ve/veya bir bölümünden kaynak gösterilmek şartıyla fotokopi alınabilir.

3. Tezimden bir bir (1) yıl süreyle fotokopi alınamaz.

TEZİN KÜTÜPHANEYE TESLİM TARİHİ: