

# **The European refugee crisis: has the EU-Turkey deal worked?**

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# Table of Contents

Acknowledgements.....	2
List of Abbreviations Used .....	4
Abstract .....	5
Introduction.....	6
Literature Review.....	7
Research Questions and Hypothesis .....	12
Research Design and Methodology .....	12
Background Information .....	13
The definition of the concept “refugee” .....	13
Legal framework of migration management in the EU and Turkey .....	14
Handling of refugees in Europe during the recent crisis .....	19
Findings and Analysis.....	21
Refugee management .....	23
The EU-Turkey relations.....	29
Discussion and Conclusion .....	34
Appendix 1 .....	36
Appendix 2.....	41
References .....	45

# List of Abbreviations Used

**AKP** – Adalet ve Kalkınma Partisi [Justice and Development Party]

**CEAS** - Common European Asylum System

**CHP**- Cumhuriyet Halk Partisi [Republican People’s Party]

**ECtHR** - European Court of Human Rights

**EU**- European Union

**MEP** - Member of European Parliament

**TFEU** - Treaty for the Functioning of the European Union

**UN**- United Nations

**UNHCR** - United Nations High Commissionaire of Refugees

**UNRWA** - United Nations Relief and Works Agency for Palestine

# Abstract

The current refugee crisis which primarily stems from the Syrian Civil war has largely affected the European states thus forcing the EU to seek for alternative measures to deal with the mass influx of people. Since the largest number of irregular migrants was penetrating into the EU through Turkey the former decided to cut the deal with Turkey to curb the irregular flow. The objective of this study was to find out whether the deal contributed to the refugee crisis management and how this affected the EU-Turkey bilateral relations. For this purpose, the qualitative research based on the content analysis of five progress reports prepared during the implementation of the EU-Turkey statement as well as Turkish and European newspapers covering the period from fall 2015 to spring 2017 is conducted. The study arrived at the following conclusions: 1) The deal with Turkey, which envisages to resolve the refugee crisis through the resettlement and readmission, helped to drastically reduce the number of irregular arrivals thus making the arrivals more or less manageable for the EU despite the fact that 1:1 mechanism has not been followed and has resulted in more people resettled than readmitted. 2) The deal has not tangibly affected the EU-Turkey relations since the latter has not got the visa waiver by the due dates and accession talks are assumed to be stalled nevertheless Turkey is getting funding from the EU which assists Syrian refugees' management and maintenance within Turkey.

# Introduction

As of June 2016, there were 21.3 million refugees worldwide, 16.1 million of which under UNHCR (United Nations High Commissionaire of Refugees) mandate and 5.2 million under UNRWA (United Nations Relief and Works Agency for Palestine) mandate. 53% of the refugees come from three countries: Syria (4.9m), followed by Afghanistan (2.7m) and Somalia (1.1). Among countries that host the largest amount of refugees are Turkey (2.5m), Pakistan (1.6m), Lebanon (1.1m) (UNHCR 2017).

Despite the fact that Europe hosts only 6% of all refugees (1.3 m), the situation generated humanitarian crisis known as European refugee crisis. The main reason behind this has been the protracted Civil War in Syria that produced the largest number of registered refugees by mid-2016 (4.9 m) (UNHCR 2017) thus leading to the biggest humanitarian crisis since the World War 2<sup>nd</sup>. The exclusionary and xenophobic politics of many European states forced the EU (European Union) to quest for an alternative solution to the issue. To decrease the irregular influx of refugees (mainly Syrian) towards Europe and to protect its external borders, the EU decided to cut a deal with Turkey (EU-Turkey statement, 18 March 2016, largely referred to as EU-Turkey deal) – the transit state through which most of the refugees flow into Europe.

The deal presupposes the refugee management through readmission and resettlement in return for the advancement of relations with Turkey. A year passed since the deal of 18 March 2016 has come into force. The literature has discussed a lot the legal and moral aspects of the deal, nevertheless, it still falls short of looking whether the deal has been efficient in addressing the refugee crisis. To that end, this study will try to find out to what extent the deal has contributed to the management of the refugee crisis and how this has affected the EU and Turkey

bilateral relations. In the end, the paper will draw conclusions and view the perspectives of the agreement.

## Literature Review

The refugee issue which is mainly generated by interstate wars, ethnic conflicts, civil wars and repression is considered one of the most complex issues in the international politics. It is considered concurrently as humanitarian, moral issue as well as security and development issue (Hakovirta 1993). The literature reviewed will clarify the issues that influx of people generate in the host states and will examine how they have been managed throughout different refugee crises. Then, it will look at the peculiarities and shortcomings of the recent European refugee crisis.

### Issues the influx of refugees creates for host states

Most of the authors stress that the influx of refugees creates security issues in hosting states (Vezovnik 2017; Byman and Speakman 2016; Coen 2015; Betts 2009; Bariagaber 1999; Krcmaric 2014; Whitaker 1998). The refugee issue has even been securitized after 9/11 (Coen 2015; Vezovnik 2017) since refugees may get engaged in crimes in the host states or terrorists may penetrate to the country together with refugees (Byman and Speakman 2016; Greussing and Boomgaarden 2017; Whitaker 1998). Vezovnik (2017) claims that not migrants themselves but the feeling of threat constructed through the discourse which distinguishes among those who could be trusted (mainly those who are culturally similar) and who should be afraid of, constitute the existential threat. By considering refugees as a threat, state securitizes the issue and

consequently justifies the undertaking of extraordinary measures such as police, army and intelligence strengthening, border control tightening, wire installing (Vezovnik 2017).

Krcmaric (2014) argues that one of the reasons behind the unrest that refugees cause in the host state is the ethnic disbalance generated by arrival of the latter (e.g. the influx of Kosovar Albanians in 1999 into Slav-dominated Macedonia caused unrest whereas in Albania, Kosovar Albanians did not generate violence). Although the author does not consider this as the only factor that can trigger unrest and argues that asylum seekers that were engaged in warfare for any reason (regime change, secession) are more prone to violence since by applying for asylum “warrior refugees” can gain time to regroup. Case in point is Afghan refugees in Pakistan after the Soviet invasion. On the other hand, non-militarized refugees that fled from repression or civil war are not usually engaged in violent actions in hosting states. Krcmaric (2014) also mentions that the place of settlement of refugees also can impact their violence-proneness. Those who were settled in urban areas are less prone to violence than those settled in camps.

Xenophobia, racism and overall negative public attitude are among other issues that refugee influx can generate in host states (Hakovirta 1993; Nancheva 2015; Byman and Speakman 2016; Coen 2015; Greussing and Boomgaarden 2017; Whitaker 1998). The refugee issue has always been intertwined with the emotions prevailing in host states. Thomas (1981) argues that at an initial stage population of host states is more tolerant and shows more preparedness to humanitarian help. Nevertheless, after some time, cultural differences (values and language) or socio-economic factors make local people more resistant and intolerant (e.g. competition for a job).

The media largely contributes to the shaping of public attitude towards refugees by emphasizing some aspects and omitting the others during refugee crises (Greussing and



Boomgaarden 2017). It may introduce refugees both as victims and hold humanitarian stance thus carrying out their moral obligation, on the other hand, it may present them as invaders, those who may be physical, cultural and economic threat for host country's population. In fact, Greussing et. al (2017) claim that during 2015 European refugee crisis the factors of security and economization were prevailing over the victimization.

### Management of refugees

The management of refugee is implemented through various methods (integration, repatriation, deportation etc.) and by various actors (local population, non-governmental actors, international organizations, intergovernmental cooperation) (Hakovirta 1993). It generally leads to the interdependency between migrant sending and hosting states (Duvell 2014).

Byman and Speakman (2016) identify five options for refugee management. The first one is "open arms" that implies the policy of open doors and accepting of refugees, which can be assessed as an implementation of moral obligation. The refugees are also managed through the following methods: by helping from afar (mostly financially); by creating safe zones within the state which people want to flee (e.g. establishment of safe zone in Balkan in 1990s, in northern Iraq in 1991 (Krcmaric 2014)); by settling the conflict; or by sealing borders with the state in conflict. A case of sealed borders was the flight of Kosovar Albanian in 1998-1999. Albania opened its doors and hosted the refugees while Macedonia sealed its borders (Williams and Zeager 2004) nevertheless was forced by Western governments to reopen them (Krcmaric 2014).

Burden-sharing is another refugee management method that has drawn the attention of scholars (Thomas 1981; Williams and Zeager 2004; Coen 2015; Byman and Speakman 2016). It is argued that refugees are not evenly distributed around the globe and burden sharing is not equal. Issues like the capacity to pay into the UNHCR fund and the extent of states' involvement

in the refugee issues is important (Thomas 1981). Refugees often flow into neighboring countries which can be poor ones and may need assistance but the richer countries are often being reluctant to help the latter thus causing difficulties (Williams and Zeager 2004). A case of uncooperative behavior between states in burden sharing is the sealing of border by Malaysia and Thailand during Vietnam War to force the U.S. and other Western states to provide more generous assistance. Another example is Macedonia that was struggling to gain more assistance from the international community during Kosovo intervention (Williams and Zeager 2004; Whitman 2000).

The issues of readmission, detention (Scheel and Ratfisch 2014; Whitaker 1998) and resettlement are integral parts of the migration process (Scheel and Ratfisch 2014; Whitaker 1998). For instance, Germany signed a readmission agreement with Yugoslavia and deported Kosovar Albanians. So did Austria, Sweden (Whitman 2000). Lanphiner (1983) argues that resettlement should be carried out based on the number of refugees as well as their economic and cultural adaptation. For instance, Sudanese refugees were not free to choose the place of their settlement in Uganda despite the fact that the Article 26 of UN Refugee convention provides freedom of movement within the country of asylum. The government was to decide where to settle the refugees notwithstanding that these could have been insecure places (Kaiser 2005).

Some refugee crises were settled through repatriation which is the most desired outcome of all refugee crises especially when refugees are competitors in a job market, schools, health care sphere. Case in point is Kosovo refugees. They were repatriated from European states after the signing of the peace agreement (Whitman 2000). Bariagaber (1999) argues that repatriation of refugees depends on four different actors- host states, international organizations mainly

UNHCR, individual refugee and states where the refugees are repatriated to – that pursue their own interests.

Another way to manage the refugee crisis is financial assistance. The U.S. tried to assist Syrian refugees in different hosting states through financial aid (Byman and Speakman 2016). Davies (2006) argues that during Indochinese refugee crisis in 1975-1995 some Southern Asian states did not sign international conventions not to compromise their sovereignty as they knew they would receive financial assistance from international community without it.

### Shortcomings of the European refugee crisis' management

In regards to the recent European refugee crisis, many authors emphasize the role of administrative and institutional mechanisms (state and non-state) in which rules, refugee and asylum policies emerge. Moreover, the efficiency of the adopted policies is of utmost importance (Nancheva 2015; Maricut 2017; Trauner 2016; Memisoglu and Ilgit 2016; Bendixsen 2016; Afouxenidis et al. 2017). Some authors claim that the shortcomings of national policies are coming from the deficiencies existing at the supranational level (Maricut 2017; Nancheva 2015). The authors claim that the recent refugee crisis has revealed the failure of the EU institutional mechanisms and policies to appropriately respond to the crisis. Consequently, southern states of the EU became overburdened. To cope with the issue the EU decided to take the following measures: implement resettlement (to the third country with the help of international protection) and relocation (distribution among member states) in particular from the states that received the largest number of asylum seekers-Hungary, Italy, Greece by establishing quotas; return undocumented asylum seekers to the safe countries and cooperate with the countries of origin to implement the readmission to the countries of origin and transit (Barbulescu 2016).

# Research Questions and Hypothesis

The research questions and hypotheses of the study are derived from and developed based on the literature and the EU-Turkey joint action plan stipulated on 15 October 2015 and activated on 29 November 2015 as well as the statement made on 18 March 2016. The research aims to answer the following research questions and test the hypotheses presented below:

RQ<sub>1</sub>: To what extent has the EU-Turkey deal of 18 March 2016 contributed to the resolution of the refugee crisis?

RQ<sub>2</sub>: How has the EU-Turkey deal affected bilateral relations between the parties?

H<sub>1</sub>: The EU-Turkey deal has not provided guarantees for addressing the European refugee crisis.

H<sub>2</sub>: The EU-Turkey deal has not tangibly affected the EU-Turkey relations.

## Research Design and Methodology

This study is a qualitative research and employs descriptive research design. The data is analyzed through content analysis of primary (documents) and secondary data (media). The study also uses secondary statistical data.

The research questions are answered by conducting the content analysis of five progress reports prepared during the implementation of the EU-Turkey statement conducted in April, June, September, December 2016 and in March 2017. The content analysis of three Turkish (two of them are Turkish-language, *Hürriyet*<sup>1</sup> and *Cumhuriyet*<sup>2</sup>, and one English-language, *Hürriyet*

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<sup>1</sup> The most circulated paper in Turkey as of April 2017, <http://www.medyatava.com/tiraj>.

<sup>2</sup> The newspaper is affiliated with the main oppositional party (CHP- *Cumhuriyet Halk Partisi* [Republican People's Party]) in Turkey.

Daily News) and three English language highly circulated European newspapers (English-language British newspapers - The Guardian, The Telegraph, and English-language German newspaper - Spiegel that have the highest circulation in their respective countries) covering the period from fall 2015 to spring 2017 are conducted to supplement the answers to the research questions. The content analysis of both documents and the newspapers is conducted through coding based on the literature and the statement (deductive coding).

The study also relies on secondary statistical data provided by the Directorate General of Migration Management standing by the Ministry of Interior of Republic of Turkey and five progress reports prepared during the implementation of the EU-Turkey statement conducted in April, June, September, December 2016 and in March 2017 as well as on First Annual Report on the Facility for Refugees in Turkey, European Commission in March 2017.

## Background Information

### The definition of the concept “refugee”

The legal definition of the term “*refugee*” was provided in the 1951 United Nations Convention on Status of refugees which was related to the displaced people in the result of events in Europe before 1951. Subsequent 1967 Protocol removed the geographic and temporal limitation of the Convention, thus making the latter universal (UNHCR 2016).

According to the Convention a refugee is a person who “*owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such 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”*(Art. 1(A2)). The Convention also underlines the right of *non-refoulement* (UNHCR 2016) which is a right not to be forcibly repatriated to the country of origin (Hawkesworth 2004).

The UN definition skips individuals who have been displaced by warfare and violence. Moreover, it falls short of including displacement of people who are forced to abandon their place of residence not on the basis of the individual persecution. In contrast, the definition of refugee by the Organization of African Unity added to the UN definition by including persons who have been displaced by “generalized condition of violence”. It stipulates: “*every person who, owing to external aggression, occupation, foreign domination, or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality*” (Hawkesworth 2004).

## **Legal framework of migration management in the EU and Turkey**

Main international and European documents that grant rights and aim to protect refugees are UN Convention on Status of refugees (1951), EU charter of fundamental rights (2007), European Court of Human Rights (ECtHR)(Nancheva 2015). FRONTEX (2005), Europol, EASO (2010) are the institutions that help bordering states with the management of the arriving refugees (Trauner 2016). Moreover, there are a number of intergovernmental treaties that regulate the rights of migrants and the right of movement. Among them is Treaty for the Functioning of the European Union (TFEU), Common European Asylum System (CEAS) and

Dublin Regulation. The Articles 78(3) and 80 of the Treaty for the Functioning of the European Union (TFEU) serve as the legal basis for relocation (Barbulescu 2016).

Common European Asylum System was created in 1999 to avoid “asylum-shopping” - that is the efforts of asylum seekers to reach the desired destination. Thus, only one state has to examine the asylum applications - the first state of entry (Bendixsen 2016; Afouxenidis et al. 2017) a practice which was *de facto* suspended during the crisis (Spiegel 2016). The CEAS in its second (2004-2009) and third (2010-2014) phases emphasized higher protection and harmonization among the member states. Before, asylum policies were conducted in an *ad hoc* manner (Afouxenidis et al. 2017).

Dublin Regulation that was the first intergovernmental treaty (1990) (Bendixsen 2016; Trauner 2016) and later was incorporated into the EU law -Dublin 2- (2003/343/EC) is the cornerstone of the EU’s asylum policy. New asylum laws were adopted in 2013 –Dublin 3 (Reg. #604/2014, Art. 22 and 23) - which did not change the current regime, however, inserted additional *ad hoc* support for overburdened states such as financial aid, operational support through FRONTEX and relocation mechanisms (Trauner 2016). The Dublin regulation can be considered as “European Northcentrism” (Mavrommatis 2016) as the existing rules overburden the southern member-states of the EU since those asylum seekers who do not correspond to the scheme stay in the frontline (Trauner 2016). To that end, the European Commission came up with the proposal to distribute the application among the EU member states to relieve the burden of South-Eastern states during the recent crisis (Spiegel 2016).

In the case of Turkey, the most appropriate term to be applied in regard to refugees is “*guest*” due to some legal peculiarities that go back to 1951 Convention on the status of refugees (Yıldız 2016). Turkey chose to remove time limitation and maintain the geographic one defined

in the Article 1B(1)(a) of the 1967 Additional Protocol (Bürgin and Aşıkoğlu 2015). To that end, non-European asylum seekers are not allowed to reside permanently in Turkey and gain the formal status of refugee (Yıldız 2016; Barbulescu 2016; Bürgin and Aşıkoğlu 2015; Okay and Zaragoza-Cristiani 2016). Consequently, non-European asylum applicants can be granted only a status of *non-conventional or conditional* (Yıldız 2016) refugees which is a rather blurred label and needs UNHCR involvement for the status determination and their resettlement into a third country (Yıldız 2016; Bürgin and Aşıkoğlu 2015; Scheel and Ratfisch 2014). *De jure*, Foreigners Department of Turkish National Police together with UNHCR is responsible for the status determination but *de facto* UNHCR conducts it on behalf of Turkey as the latter follows the UNCHR's decisions (Bürgin and Aşıkoğlu 2015; Scheel and Ratfisch 2014). Although, Memisoğlu et. al (2016) argue that Turkey has not allowed much involvement by the international organization. It has just been allowing the UNHCR involvement as it legally cannot send refugees to the third country.

It needs to be mentioned that at the time of the Additional Protocol ratification Turkey was not a country of immigration and the mobility toward Turkey began starting from the 1980s. In contrast, nowadays Turkey is the fifth largest asylum recipient after Germany, US, Sweden, France (45000 asylum applicants in 2013 – it registered 69% increase compared to 2012) (Yıldız 2016). Nevertheless, Turkey has been claimed to have neither appropriate policies nor experts on international migration and asylum laws to cope with such influx which resulted in a “patchwork of small initiatives” rather than a thorough strategy during recent crisis (International Crisis Group 2016).

The EU has tried to make Turkey a “safe third country” inasmuch as it would allow the former to reject asylum applications of refugees who passed through a safe country where they



could have got the protection. This was leaving Turkey in fear of becoming a “migration buffer” and forced Turkey to renegotiate readmission with the countries of origin to deport “unwanted” migrants (Scheel and Ratfisch 2014) and, to that end, according to the Minister of EU Affairs of Republic of Turkey Volkan Bozkır, this limitation can only be lifted if Turkey becomes the EU member (Hürriyet Daily News 2016). Though Turkey is considered to be unsafe based just on the geographical restrictions it applies towards the refugees (Cumhuriyet 2016).

The EU and other international actors have criticized Turkey for the lack of refugee rights. In fact, its first law on asylum regulation was drafted in 1994. This asylum regulation was amended in 1999 and 2006 under the EU impact as the literature acknowledges. Action plan on Asylum and Migration adopted in 2005 was to conform with the EU principles apart from the geographic limitation but the fact, nevertheless, was regarded as a step towards the Europeanization of Turkish asylum policy (Bürgin and Aşıkoğlu 2015). In 2008, Bureau for Asylum and Migration was established under the Secretariat of Ministry of Interior to prepare modern and comprehensive legislation on migrants (Duvell 2014). Some changes were marked in migrant management procedures with the adoption of new Law on Foreigners and International Protection in 2014 which is though related to the short-term trips rather than for the migration movements (Açıkgöz 2014) as well as with the formation of General Directorate for Migration Management (Duvell 2014).

The asylum law was considered as an evidence of the EU’s influence in the adoption rather than a result of domestic needs as it took part in the drafting. Moreover, the accession was an incentive for the adoption of the law (Bürgin and Aşıkoğlu 2015). The new law again maintained the geographic limitation for the refugees but on the other hand, it claimed to provide protection to all asylum seekers regardless of their country of origin. The law was assessed by

the European Commission to be in line with the international standards (right to access to lawyers, translators; objection to the rejection of application; access to health, education, work) particularly the principle of *non-refoulement*. The law transferred the responsibility for the status determination of asylum seekers from Foreigners Department of National Police to the newly established Directorate of Migration management under the Ministry of Interior (Memisoglu and Ilgit 2016; Bürgin and Aşıkoğlu 2015). The establishment of a civilian institution was regarded by the European Commission as a shift from the security-oriented approach. Moreover, by adopting the law Turkey would turn to a safe country where asylum seekers could be returned from the member states (Bürgin and Aşıkoğlu 2015).

Another issue that needs to be considered is the visa policy which is an integral part of migration management through which states control the entry of foreigners into the country. States impose visas to deter the penetration of certain groups of people to its territory mostly because of the public security or economic security concerns (Açıkgöz 2014; Duvell 2014). Turkey had quite liberal visa policies: 80 countries did not need visas to enter the country among which is Syria. In addition, Turkey did not face such undesired migration before and its visa policy was guided by its interests rather than concern in the formulation of the visa policies (Açıkgöz 2014).

After Turkey had become a candidate for the EU it was demanded to harmonize its visa policy in line with the EU's visa policy within the Accession Process. After coming to power in 2002 AKP (Adalet ve Kalkınma Partisi [Justice and Development Party]) imposed visas for the countries that are in the EU's blacklist though in the second half of the 2000s Turkey returned to its liberal visa policy thus diverging from the EU's common visa policy (Açıkgöz 2014).

In December 2013 Turkey signed readmission agreement (Açıkgöz 2014; Duvell 2014) with the EU and visa policy again came to the agenda in particular visa liberalization with the EU which is considered as a right for the EU candidate states (Duvell 2014; Bürgin and Aşıkoğlu 2015). Hence, Turkey was to reconsider its liberal visa policies and asylum system (Bürgin and Aşıkoğlu 2015) as it may have fostered irregular migration and in case of visa liberalization people who would enter Turkey could easily proceed to the EU (Duvell 2014).

### **Handling of refugees in Europe during the recent crisis**

The humanitarian crisis that stems from the Syrian crisis, in media and literature is widely referred to as a European refugee crisis. Though, in fact, it generated many national refugee crises. Different European states responded to the crisis differently. Central and Eastern Europe states were claimed not to be preferred destinations compared with Germany, Sweden, and France. Eastern European states leaders held very rigid stance on the issue (Dalakoglou 2016; Afouxenidis et al. 2017; Knaus 2016; Heisbourg 2015). Albanian Prime Minister, for instance, threatened to seal the borders since refugees were using Albania to pass to Northern Europe through it. Some other Balkan states agreed with Austria and sealed their border (Dalakoglou 2016). Hungaria, Slovakia, Bulgaria took an anti-refugee islamophobic and xenophobic stance (Bürgin and Aşıkoğlu 2015). Slovenia, Poland, Hungary rejected to host refugees by referring to their poverty (Nancheva 2015, Knaus 2016). Greece was also criticized for failing to prevent the entry of undocumented migrants especially from Turkey (Greek island Lesvos most remote island that received the largest number of refugees) (Duvell 2014).

Germany circumvented the Dublin regulation and opened its door for all refugees (Heisbourg 2015; Trauner 2016) so that their applications should be examined not in the state of

entry but in Germany itself (Afouxenidis et al. 2017). On 22 September 2015, France and Germany together agreed upon mandatory burden-sharing quota of to host 120,000 refugees including member states that are out of Schengen area<sup>3</sup> such as the UK (Heisbourg 2015).

One of the main factors behind the failure to address the issue is the diverging priorities of different institutions within the EU. The European Council focuses on security and administrative capacity. It was in favor of the temporary restoration of internal borders. The European Commission usually concentrates on burden-sharing and balances between security issues and fundamental rights. It emphasizes the right of free movement of people though respects states' sovereignty. Nevertheless, it has not been inclined to abolish the Schengen regime because of the refugees' influx. The European Parliament focuses on human rights in refugee treatment and calls for a humanitarian response for those who fled the war zone. Since the Council dominated in regard to the refugees' dilemma and prioritized the security, the other two institutions tried to counterbalance it. Not only institutions but the leaders of some states - Norway, Austria, Germany – did underline the need for temporary reintroduction of internal border controls (Maricut 2017). Moreover, despite the number of common regulations, a huge gap exists between policy and its implementation at the national level. As a result, the security of “European community” became more important than the physical security of asylum seekers (Nancheva 2015)

A great deal of people that was forced to leave their place of residence found the permanent shelter not only in the EU but also in such neighboring countries as Jordan, Lebanon, and Turkey. Nevertheless, this fact remained unnoticed and the refugee crisis was perceived as Eurocentric (Mavrommatis 2016). Turkey, as Germany, has led an open door policy for Syrian refugees starting from 2011 (Memisoglu and Ilgit 2016) and in 2012 appealed to UN to be

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<sup>3</sup> It came into force since 1995 and abolished internal borders of the EU.

included into the Regional Response Plan (Memisoglu and Ilgit 2016). But starting from March to June 2015 it closed the border even for passport holding Syrians and started to impose visa restrictions for those entering the country by air (Memisoglu and Ilgit 2016).

## Findings and Analysis

Early in September 2015 France and Germany agreed on resettlement as well as cooperation with countries neighboring Syria including Turkey (Okuy and Zaragoza-Cristiani 2016). EU 28+Turkey summit convened on 29 November 2015 presented the 15 October 2015 Action Plan in detail. It was calling for coordination and cooperation (in the spirit of burden-sharing) to cope with the massive influx of refugees by supporting Syrians under temporary protection in Turkey and cooperating to curb irregular migration. It also envisaged two summits annually, the dialogue in the spheres of economy and energy launched in March 2015 as well as the implementation of Readmission Agreement by June 2016 (European Commission 2015)<sup>4</sup>. This was fitting in the EU European Neighborhood Policy adopted in 2004 which included single market and free movement in exchange for cooperation that is, visa liberalization in return for the safe border (Okuy and Zaragoza-Cristiani 2016). After Paris terrorist attacks<sup>5</sup> the EU closed its door to refugees.

The EU-Turkey statement of 18 March 2016 is based on the EU-Turkey Joint Action Plan of 15 October 2015 activated on 29 November 2015. The deal between European Union and Turkey apart from addressing the refugee crisis and proposing means for management thereof, also address the EU-Turkey relations. It envisages readmission of refugees from Greece to

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<sup>4</sup> See Appendix 1 for more detail.

<sup>5</sup> It took place on 13 November 2015.

Turkey and resettlement of refugees from Turkey to European states based on 1:1 mechanism (18,000+ 54,000). The EU has agreed to disburse 6 billion EUR for maintenance of refugees in Turkey. The parties have also agreed to jointly work on prevention of new routes for irregular migration and improvement of the humanitarian situation in Syria. In regards to EU-Turkey relations, the parties have agreed upon revitalization of Turkey's EU accession and visa liberalization for Turkish citizens by the end of June 2016 as well as upgrading of the Customs Union.<sup>6</sup>

Findings separately address two main topics of the deal: the refugee management issue and the EU-Turkey relations. To conduct the content analysis of the progress reports and the newspapers the below intensity measurement scale is used.

Intensity Scale	Measurement Category
0	Did not appear in the text
1	Vaguely appear in the text
2	Appeared often in the text, with little importance
3	Important but not dominant
4	Important and dominant

Table 1. Intensity measurement scale.

<sup>6</sup> See Appendix 2 for more detail.

## Refugee management

In order to properly address the first research question the descriptors posed in the table below are used.

Category 1: Refugee management
<i>Descriptors</i>
Relocation/relocate(d); resettlement; yerleştirme
Deport(ation); return; send(ing) back; take(ing) back; readmission; geri kabul/alma/gönderilme/iade
Detention/detain
Burden-sharing/yükün paylaşması
Financial aid/ support/ assistance/ 3(6) billion EUR /finansal desteği; mali yardım
Humanitarian aid/support/ assistance; insani yardım
Non-humanitarian aid/ support/assistance/funding
Border/frontier sealing
Creation of safe zones
Conflict settling
Integration; entegrasyon
Repatriation

Table 2. Descriptors of the Category 1.

The table below (Table 3) shows the intensity of the descriptors related to the refugee management issue in the analyzed newspapers and documents. It indicates that the issue of resettlement has the highest intensity in progress reports prepared by the European Commission during the implementation of the deal. The descriptor appears quite often in the Hürriyet Daily News, The Guardian and The Telegraph nevertheless not much importance is attached to the issue. The Hürriyet and Cumhuriyet have not even addressed the issue.

	Hürriyet	Cumhuriyet	Hürriyet Daily News	Spiegel	The Guardian	The Telegraph	Progress reports on the implementation of the EU-Turkey statement
Resettlement	1	1	2	1	2	2	4
Readmission	3	4	4	4	4	4	4

<b>on</b>							
<b>Detention</b>	0	0	2	2	3	3	0
<b>Humanitarian assistance</b>	1	1	1	0	1	1	4
<b>Non-humanitarian assistance</b>	0	0	0	0	0	0	2
<b>Financial aid</b>	3	3	3	1	3	4	2
<b>Burden-sharing</b>	1	0	1	0	1	0	0
<b>Border sealing</b>	0	0	1	0	1	0	0
<b>Creating of safe zones</b>	0	0	0	0	0	0	0
<b>Conflict settling</b>	0	0	0	0	0	0	0
<b>Integration</b>	2	2	1	2	1	1	2
<b>Repatriation</b>	0	0	1	1	0	1	0

Table 3. Intensity of the descriptors of the Category 1 appeared in the newspapers and progress reports.

According to the European Commission report, the number of irregular migrants arriving in Greece a month before the deal was 1,740 people per day whereas in the three subsequent weeks the overall number of irregular migrants was only 5,847 (European Commission 2016b) which was already drastic decrease. By June, the daily amount of irregular arrivals was 47 whereas by fall the number slightly increased to 81. Currently, the number of daily arrivals is 43 (European Commission 2016d, 2016e, 2016c, 2017a).

By June 2016, 408 Syrians were relocated to the EU member states (Sweden, Germany, Netherlands, Luxembourg, Lithuania, Portugal, Italy). From June to September 2016 additional 1,103 irregular migrants were resettled to the mentioned states as well as Belgium, Estonia, Latvia, Finland, France, Spain. During the fall 2016, the number of resettled Syrians achieved



1,147. They were primarily resettled in Belgium, the Netherlands, Luxembourg, France, Sweden, Finland, Germany and Italy. By March 2017 additional 954 Syrians were resettled to Belgium, Luxembourg, the Netherlands, Finland, France, Germany, Italy, Estonia Latvia (European Commission 2016d, 2016e, 2016c, 2017a). Hungarian Prime Minister even before the deal on 25 February 2016, said that *“Brussels is making promises to the Turks that we can’t keep - or don’t want to keep. The plan to take in hundreds of thousands of refugees from Turkey and distribute them across the Europe is an illusion”* (Hürriyet Daily News 2016).

One of the most discussed issues in regards to the resettlement has been the criteria based on which the Syrians should be chosen to be resettled to the EU (Spiegel 2016). The procedure is to be implemented by the Ministry of Interior of Turkey. After the selection, it is to send the names to the UNHCR despite the fact that, as a rule, the UNHCR is the organization that decides who is eligible for resettlement. Moreover, in fact, according to UNHCR employees, they just stamp the lists that Turkey delivers. It is witnessed that Turkish authorities withdraw the names of skilled engineers and doctors from the lists and send to Europe the ones “sick and illiterate” (Spiegel 2016; The Telegraph 2016).

		Number of people readmitted	Number of people resettled
<b>First</b> <b>(20/04/16)</b>	<b>report</b>	325	103
<b>Second</b> <b>(15/06/2016)</b>	<b>repot</b>	137	408
<b>Third</b>	<b>report</b>	116	1103

<b>(28/09/16)</b>			
<b>Forth</b>	<b>report</b>	170	1,147
<b>(08/12/16)</b>			
<b>Fifth</b>	<b>report</b>	730	954
<b>(02/03.17)</b>			
<b>Total</b>		1,487	3,715

Table 4. The ratio of people admitted and resettled under the EU-Turkey deal according to the European Commission progress reports.

The above intensity table (Table 3) shows that all newspapers and progress reports analyzed have very frequently and intensely addressed the issue of readmission. The actual readmission procedures started on April 4, 2016. On the first day, 202 migrants were deported from Greek Islands Lesbos and Chios to Dikili in Turkey. According to the minister of EU affairs of Republic of Turkey Volkan Bozkır, those of returnees who are not Syrians are to be repatriated to the countries of origin adding that among first returnees there were no Syrians (Hürriyet 2016). On the same day, almost the same amount of Syrian refugees legally arrived in Germany (Hürriyet Daily News 2016).

The return has been aimed to be applied to irregular migrants that arrived in Greece after March 20 however about 45,000-50,000 migrants were already stuck in Greece before this date should have been relocated to the EU member states (The Guardian 2016). The EU states promised to relocate 160,000 refugees from Greece and Italy since September 2015 but only 937 is said to have been relocated till March 2016 (The Guardian 2016).

The Telegraph, The Guardian and the Spiegel use the word “*deportation*” to describe the process of readmission of irregular migrants from Greece to Turkey. Moreover, The Telegraph, The Guardian raise concerns about the destiny of people returned to Turkey. There were

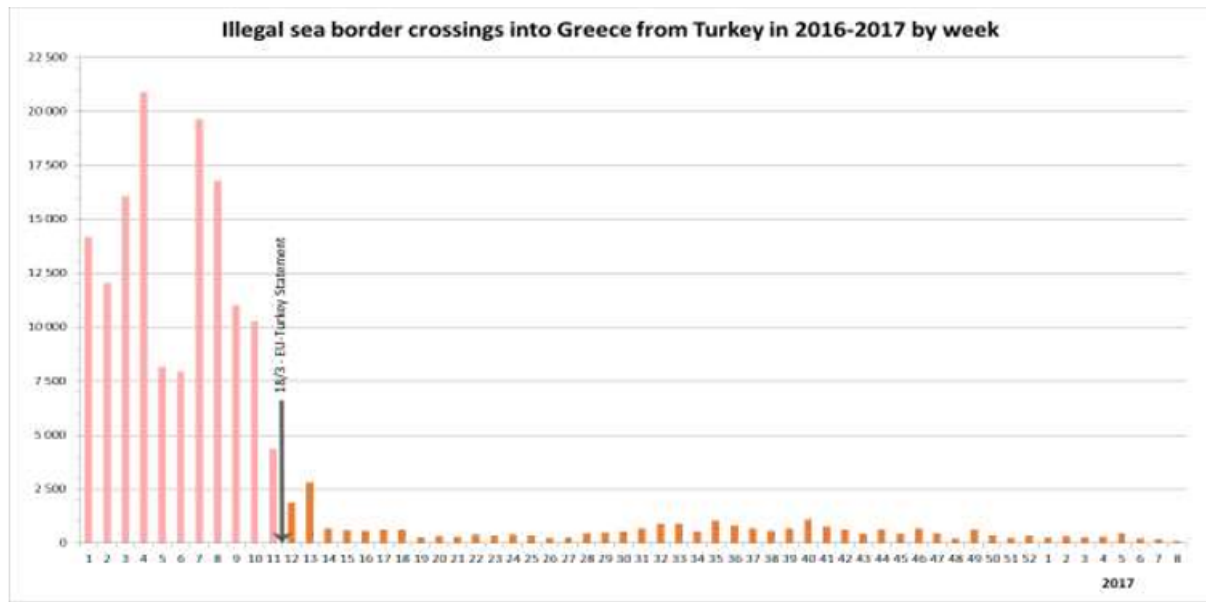
allegations that Turkey has forcibly been sending returnees to Syria and those staying in Turkey are in desperate conditions thus it cannot be deemed as a safe third country (Hürriyet Daily News 2016). Moreover, since Turkey has a geographical limitation and it provides only Syrians with minimum asylum standards as an exception (Spiegel 2016).

Other from Syrian returnees (Afghan, Iraqi) should be deported to their country of origin since Ankara claimed that it has no intention to change its legislation which is important to ensure that all actions are in line with the international law on refugees since, otherwise, the EU should stop sending migrants to Turkey. Nevertheless, Turkish authorities have been claiming that there was no need for new legislation and they are committed not to send anyone to their countries of origin forcibly (The Telegraph 2016; The Guardian 2016). Moreover, according to the Spiegel, first refugees who were returned to Turkey from Greece were detained which is a breach of international law on refugees. Though, Turkish authorities assure that those people were set free once security checks are carried out (Spiegel 2016).

In case Turkey is considered a safe country the refugees can be returned back to Turkey *en masse* without assessing each application. Though, Greece committed not to send those who claim for asylum back to Turkey until their applications are assessed and implement return on voluntarily basis which has made 90% of migrants to apply for asylum to complicate the return (Spiegel 2016). Nevertheless, according to UN officials, 13 out of 66 of the deportee had an intent to apply for asylum but were not given an opportunity (The Guardian 2016).

According to Spiegel, there was a readmission agreement between Greece and Turkey since 2002 which presumed deportation of illegal migrants (Spiegel 2016) although it did not include Syrian and Iraqi illegal migrants. Moreover, the readmission agreement was related to the visa liberalization issue such that if readmission agreement is enforced and the visa

restriction is not lifted the readmission agreement can be canceled. Moreover, Turkey could send back only those returned illegal migrants with the countries of origins of which it had a readmission agreement (Hürriyet Daily News 2016).



Graph 1. Illegal sea crossings from Turkey to Greece in 2016-2017.  
Source: European Commission, 2017.

To sum up the results of readmission and resettlement, the graph above shows that the number of irregular migrants that crossed the EU border decreased drastically after the statement came into force. The number of irregular migrants decreased from 20,000 to less a couple of hundreds weekly. According to European Commission's (Table 4) 3,715 Syrians were resettled from Turkey to Europe as of February 2017 while the number of Syrians who was left Turkey is 4,378 according to the Directorate General of Migration Management of the Republic of Turkey as of March 2017. Though, only 1,487 (Table 4) people were returned to Turkey (European Commission 2017b). Although, there were assumptions that not the deal but the closure of Western Balkan route curbed the influx of migrants (Spiegel 2016; The Telegraph 2016) .

The issue of financial assistance (Table 3) is quite intensely addressed in Turkish and English newspapers. On 7 March 2016 EU-Turkey summit, then Turkish Prime-Minister Ahmet

Davutoğlu demanded additional 3 billion EUR by the end of 2018 (Hürriyet Daily News 2016). By March 2017 already 2.2 billion EUR were allocated, contracts are signed in the amount of 1.5 billion EUR and but only 750 million EUR has been disbursed for humanitarian and non-humanitarian assistance so far (European Commission 2017a).

The following descriptors - creating of safe zones, conflict settling integration, burden sharing, border sealing, repatriation, non-humanitarian assistance (Table 3) - are either not mentioned or vaguely appear in the text and are not deemed important.

## The EU-Turkey relations

To be able to properly address the second research question the descriptors posed in the table below are used.

Category 2: EU-Turkey relations
Descriptors
1. Lifting visa requirements; visa-free travel/access; easing visa requirement /restrictions; visa liberalization; visa waiver; to end visa restrictions; visa exemption; visa freedom/vize muafiyeti/serbestisi/vizenin kaldırılması
2. Accession; membership; adaylık; Üyelik
3. Upgrading Customs Union

Table 5. Descriptors of the Category 2.

The table below (Table 6) indicates that the issue of visa liberalization has high intensity in all newspapers and progress reports. It is especially dominant in Turkish newspapers and the German newspaper. The granting of the visa waiver for Turkish citizens has been very much related to the benchmarks/criteria/conditions stipulated in the deal.

	Hürriyet	Cumhuriyet	Hürriyet Daily News	Spiegel	The Guardian	The Telegraph	Progress reports on the implementation of the EU-Turkey statement
<b>Viza liberalization</b>	4	4	3	4	3	3	3
<b>Accession</b>	3	3	4	2	4	4	2
<b>Upgrading of Customs Union</b>	0	0	1	0	0	0	2

Table 6. Intensity of the descriptors of the Category 2 appeared in the newspapers and progress reports.

The visa liberalization was initially due in October 2016 but was moved to an earlier date after the EU-Turkey statement in March 2016. On March 7 EU-Turkey Summit then Turkish Prime-Minister Ahmet Davutoğlu came up with new demands among which was the moving forward of the visa liberalization date from October to the end of June (Hürriyet Daily News 2016).

All benchmarks were to be completed by the end of April 2016 (Cumhuriyet 2016). By April 4, according to Bozkır (Minister of EU Affairs of Turkey), 41 out of 72 criteria were carried out (Hürriyet 2016). On May 3 which was next to last day for meeting all the criteria, Turkey had already met 69 out of 72 criteria according to the Cumhuriyet newspaper. Although, according to the European Commission report, only half of the conditions were met by April 29, 2016 (Spiegel 2016). After getting negative responses on May 6 report, European officials stated that benchmarks were unlikely to be met by the due date (end of June) and the granting of visa waiver was suspended till October 2016 (The Guardian 2016; The Telegraph 2016) which was also delayed.

In the European press, particular emphasis is put on the modification of law on terrorism though Turkish president Recep Tayyip Erdoğan repeatedly claimed that for Turkey the

counterterrorism policy is more important than the visa freedom (Spiegel 2016; The Telegraph 2016) thus anti-terror laws are impossible to be altered. The dispute over the law raised even more concerns after the crackdowns followed the coup attempt<sup>7</sup> and made reforms more unlikely to occur (Hürriyet Daily News 2016; The Telegraph 2016; The Guardian 2016). Another reason behind the EU's reluctance to grant Turkey visa waiver is Kurds that are under pressure in Turkey and might flee to Europe in case free movement is granted (Hürriyet Daily News 2016). Moreover, lifting of visa restrictions might increase the risk of terrorism within Europe since Turkey has volatile borders with Iran, Iraq and Syria. Foreign terrorists might seek for Turkish citizenship to easily get to the EU. However, not only terrorists but foreign nationals might try to obtain Turkish citizenship to ease their entry to the EU. Moreover, this way the EU opens the border to Turkey's fast growing population (The Telegraph 2016). To that end, the EU would prefer lifting of visa restrictions at least in stages (first to researchers, businesspeople) (Spiegel 2016; The Guardian 2016).

Up to date, the following seven benchmarks yet to be implemented for obtaining visa waiver:

- Issuing of biometric passports in line with the EU standards
- Adopting of measures to curb the corruption according to the Roadmap
- Aligning of the legislation on terrorism in line with the EU standards
- Obtaining of operational cooperation agreement with Europol
- Matching of personal data protection legislation with the EU standards
- Implementation of judicial cooperation in criminal matters with the EU member states
- Implementation of EU-Turkey readmission agreement (European Commission 2017b).

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<sup>7</sup> Took place on 15 July 2016.

It is expected Ankara is going to present a new proposal on the visa deal which will determine the further destiny of the deal (Hürriyet Daily News 2017).

The lack of political will is deemed to be responsible for not implementing the benchmarks since the government that agreed to the deal has a majority in the parliament, therefore can pass any necessary legislation without the approval of oppositional parties (Hürriyet Daily News 2016). Turkey keeps on demanding the granting of visa waiver threatening, otherwise, to break the deal. Although European politicians believe that Ankara will not break the deal as Turkey needs to have functioning relations with the EU. Moreover, the money that Turkey is getting, is being used for the refugee management (Spiegel 2016).

The accession issue has been quite dominant in Turkish and English newspapers (Table 6). The issue of membership has a higher intensity in English newspapers than the issue of visa liberalization. Chapter 17 on economic and monetary politics was opened on 14 December 2015 two years after the previous chapter was opened thus increasing the number of opened chapters to 15 out of 35 (Hürriyet 2015). Up to 2016, only one chapter was closed (The Guardian 2016). Chapter 33 (being the 16<sup>th</sup> chapter to be opened as a part of accession) on budget policy was to be opened on the last day of June 2016 (Cumhuriyet 2016; Hürriyet Daily News 2016). The opening of this particular chapter was deemed important since it usually opens when candidate state comes nearer to the membership (Hürriyet Daily News 2016). Turkey was also hoping to open additional five chapters including chapters 23 and 24 which refer to justice and fundamental rights and security respectively. Moreover, EU-Turkey summits were to be held twice a year to accelerate accession (Hürriyet Daily News 2015).

Cumhuriyet newspaper has been very skeptical about Turkey's EU Accession, claiming that the issue is not on the EU's agenda and moreover, the EU does not treat Turkey as a partner.



There were thoughts to propose Turkey not full but associate membership (The Telegraph 2016). Though, nevertheless, even if the deal was not intended to grant Turkey membership but at least it tried to revitalize frozen relations (Hürriyet Daily News 2016)

An impediment towards the accession is considered to be the stalemate on Cyprus issue. The Republic of Cyprus carries no intention of allowing Turkey's EU membership. Cyprus has put a veto on the opening of chapters on judiciary and freedoms (overall 5 chapters) (Hürriyet Daily News 2016; The Guardian 2016; The Telegraph 2016). Another obstacle is the possible reintroduction of the death penalty. According a German Foreign Ministry's statement, the reinstatement of the death penalty will bring Turkey's EU bid to an end (Hürriyet Daily News 2016).

Another issue is the fact that Turkey in case of acquiring of membership will become the most populous country in the EU and will get the largest number of MEP (member of European Parliament) in the European Parliament and consequently the largest number of votes. Moreover, higher living standards of the EU can become a magnet for Turkish population and instigate migration towards Europe (The Telegraph 2016).

Turkey's EU accession process was revitalized in a period when Turkey reached its lowest point in matching the Copenhagen Criteria<sup>8</sup>, so what the EU did, could have been assessed as a disregard of the EU values. However, the migration crisis and division within the EU concerning the issue seemed to have become a priority for the EU. Turkey has been considered as an indispensable "gatekeeper" for the survival of Schengen regime. Thus, it tried to put the EU into "vulnerable dependency" on its actions and tried to use the situation to reduce

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<sup>8</sup>The Copenhagen Criteria –defined at European Council in 1993-key criteria for accession. According to the Copenhagen Criteria states should have "stable institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities; a functioning market economy and the capacity to cope with competition and market forces in the EU; the ability to take on and implement effectively the obligations of membership, including adherence to the aims of political, economic and monetary union (European Commission, 2016).

the power asymmetry with the EU since it could challenge the “unionness” thereof. Notwithstanding, Turkey has been emphasizing the need to decouple the deal on refugees and accession process so that the deal does not seem as a “political bribery”. Bürgin et. al (2015) argue that Turkish official were pessimistic about the EU membership and was considering the deal as the means for shifting the responsibility for migration to the periphery. This was the reason why Turkey wanted in return for removing the geographical limitation a full membership of the EU which will guarantee for burden-sharing mechanisms (Okay and Zaragoza-Cristiani 2016).

The issue of the Upgrading Customs Union is mainly addressed in the progress reports (Table 6) in regards to upgrading the bilateral trade framework despite the fact that Turkey is the EU’s 5<sup>th</sup> largest trade partner (European Commission 2017b).

## **Discussion and Conclusion**

The viability of controversial deal has been thrown into doubt since it was enforced as it was initially deemed to be “impractical and unenforceable”. The deal that addressed two main topics – refugee crisis- management in return for the advancement of the EU-Turkey relations - has nevertheless resulted in some positive results after a year it has come into the force.

Based on the analysis of documents and newspapers it can be inferred that the “most urgent priority for Europe” - the deterrence of irregular migrant - can be considered quite successfully solved since the number of daily arrivals has decreased from a couple of thousands daily to less than 50 per day, currently. Migrants that have become aware of the possibility of being sent back have probably lost incentives to arrive in Greece by sea. The deal has also

curbed smugglers business though with skepticism about whether the smugglers would not seek for alternative routes since the deal envisages curbing of irregular migration from Turkey to Greece only through the Aegean Sea and does not refer to irregular migration from Turkey to Europe through the Black sea as well as land borders. It is curious that despite the fact that Syrians are considered the main instigators of the European refugee crisis they have mostly applied for asylum and have mostly been granted refugee status consequently the number of Syrians among irregular migrants has not been that high. Among the irregular migrants sent back to Turkey there are much more Pakistanis and Afghanis.

As for resettlement, 3,715 out of preliminary envisaged 18,000 is considered to have been resettled and relocated to different European states though it is difficult to assess the success thereof since the deal does not stipulate the deadlines for the resettlement of the mentioned amount of Syrians. 1:1 scheme has not been followed since more people have been resettled than readmitted. However, 1,487 people returned to Turkey in a year is a small number to solve the crisis since after the cutting of the deal about two tens of thousands of irregular migrants have arrived in Greece. The reason behind the small number of returns can be the fact that those arrived, have applied for asylum thus delaying and legally impossible their return until their applications are considered. Nevertheless, the deal has made the arrivals more or less manageable.

In regards to other points of the deal, although there is only one deadline (end of 2018) for the disbursement of 6 billion EUR, the European Commission's last report mentions that 2.2 billion EUR has already been allocated but only 750 million EUR has been disbursed, a fact that has raised the resentment of Turkish officials. Preventing of the new routes (sea or land) for irregular migration to the EU is proved to be successful according to the European Commission's

last progress report since there is little evidence of land border crossings with Greece and Bulgaria as well as sea crossing through Italy. The Voluntarily Humanitarian Admission Scheme is to be put into practice since illegal crossings substantially reduced. Jointly work on the improvement of the humanitarian situation inside Syria and in bordering regions within Turkey is being carried out though with some difficulties. Thus,  $H_1$  is partially rejected.

In regards to EU-Turkey relations, the lifting of visa liberalization and revitalization of Turkey's EU accession is pending due to the incomplete fulfillment of benchmarks and veto put by the Republic of Cyprus as well as deteriorating human rights in Turkey respectively as reported by the European Commission. Jointly work on the upgrading of the Customs Union is being carried out. Despite the fact that the deal has not tangibly impacted the bilateral relations between the EU and Turkey it has at least prevented them from further deterioration. Thus,  $H_2$  is accepted.

In a nutshell, political developments in the EU and Turkey will determine the further fate of the deal since it is largely dependent on political will of the parties. On the other hand, the political and economic stability in the main refugee-sending states such as Syrian, Afghanistan, Pakistan is another determining factor for the settlement of current refugee crisis.

# Appendix 1

## EU-Turkey joint action plan, 15 October 2015

### Part I: Supporting the Syrians under temporary protection and their Turkish hosting communities

The EU side intends to:

1. Mobilise in a sustained manner, appropriate to the emerging needs, substantial and concrete new funds outside the IPA funds allocated or foreseen for Turkey to support Turkey in coping with the challenge represented by the presence of Syrians under temporary protection. The funds will be mobilised in the most flexible and rapid way possible, notably through the EU Trust Fund for the Syrian crisis. The identification of the priorities and the areas where they should be allocated will be decided jointly with the Turkish authorities. Priority will be given to actions providing immediate humanitarian assistance; provision of legal, administrative and psychological support; support for community centres; the enhancement of self-sufficiency and participation in economy and their social inclusion during their stay in Turkey; improved access to education at all levels; but also actions supporting host communities in areas such as infrastructures and services. In addition to the funds that would be mobilised under paragraph 1, continue, by way of close cooperation with the Turkish authorities, to provide immediate and principled humanitarian assistance via relevant humanitarian organisations in Turkey to address the most urgent humanitarian needs on the basis on their vulnerability in parallel and complementary to bilateral cooperation programmes aimed at addressing the needs created by the protracted refugee crisis.

2. To ensure an efficient use of the funding set forth under paragraphs 1 and 2, the EU institutions and Turkey will proceed with a comprehensive joint needs assessment as a basis for programming. The assessment would allow designing adequate actions to address the basic needs of the Syrians under temporary protection and the communities and provinces hosting them, in order to help cope with the inflow of people, notably in terms of infrastructures.
3. Continue providing assistance, over and beyond the 4.2 EUR billion already mobilised by the EU, to Syrian refugees hosted in Lebanon, Jordan and Iraq, as well as to Syrians displaced within Syria with the aim to contribute, inter alia, to the weakening of push factors forcing them to move towards Turkey.
4. Support existing Member State and EU resettlement schemes and programmes.

Turkey intends to:

1. Continue and further enhance the effective implementation of the law on foreigners and international protection by adopting the necessary secondary legislation and raise awareness of its content among all parties concerned.
2. Continue to ensure that migrants are registered and provided with appropriate documents on a compulsory basis to enable to build a stronger migration management strategy and system.
3. Continue efforts to adopt and implement policies, legislation and programmes facilitating for Syrians under temporary protection to have access, for the duration of their stay in Turkey, to public services including education for pupils, to health services and participation in economy.

4. Ensure that vulnerable people continue to be identified and taken care of.

## Part II: Strengthening cooperation to prevent irregular migration

The EU side intends to:

1. Better inform, in a mutually agreed manner, people seeking refuge in Turkey about the risks linked to irregular departures as well as the possibilities available to them to enter in an orderly manner into the European Union or in other countries, and the relevant procedures to be implemented.
2. Further support Turkey to strengthen its capacity to combat migrant smuggling, notably by reinforcing the Turkish Coast Guard patrolling and surveillance capacity as well as other relevant Turkish authorities.
3. Support cooperation between EU Member States and Turkey in organising joint return operations, including reintegration measures, towards countries of origin of irregular migrants.
4. Support within the framework of the implementation of the "Silk Routes' Partnership for migration" the development of dialogue and cooperation with the authorities of the countries concerned on preventing irregular migration, fighting against migrant smuggling and on improving the management of migration.
5. Enhance the EU capacity to exchange information with Turkey on combating smuggling networks by deploying a FRONTEX liaison officer to Turkey, by cooperating with the liaison officers already deployed by Turkey in the EU, and welcoming the appointment of a Turkish liaison officer to FRONTEX.

6. Increase the financial assistance offered to support Turkey in meeting the requirement of the Visa Liberalisation Dialogue and notably by enhancing the capacities and developing a well-functioning asylum, migration, visa and integrated border management system in line with the EU-Turkey visa dialogue.

Turkey intends to:

1. Further strengthen the interception capacity of the Turkish Coast Guard, notably by upgrading its surveillance equipment, increasing its patrolling activity and search and rescue capacity, including through stepping up cooperation with EU Member States.
2. Step up cooperation with Bulgarian and Greek authorities to prevent irregular migration across the common land borders by effectively implementing the tri-partite agreement signed in May 2015 establishing a common centre in Capitan Andreevo.
3. Step up cooperation and accelerate procedures in order to smoothly readmit irregular migrants who are not in need of international protection and were intercepted coming from the Turkish territory in line with the established bilateral readmission provisions.
4. Ensure that the asylum procedures<sup>[1]</sup> that have been initiated are completed, so that the status of refugee is granted without delay to those whose asylum requests are positively assessed.
5. In line with the Visa Roadmap requirements, pursue the progressive alignment of Turkish visa policy, legislation and administrative capacities notably vis-à-vis the countries representing an important source of illegal migration for Turkey and the EU.
6. Continue and further enhance the fight against and dismantling of criminal networks involved in the smuggling of migrants, notably by increasing operational cooperation between and among Turkish law enforcement authorities and their counterparts of the EU



Member States and EU Agencies. This would include strengthening the necessary rules required to facilitate the sharing of information on persons.

7. Intensify the exchange of information and cooperation with the EU and its Member States. In particular, it will work closely with Member States' immigration liaison officers located in Turkey in view of intensifying the fight against migrants smuggling networks, and of accelerating the identification of fraudulent travel documents and real identities of migrants.
8. Further intensify cooperation with FRONTEX notably on exchange of information by implementing the working arrangement.
9. Deploy a liaison officer to Europol (European Commission 2015).

## Appendix 2

### Action points of EU-Turkey statement, 18 March 2016

1) All new irregular migrants crossing from Turkey into Greek islands as from 20 March 2016 will be returned to Turkey. This will take place in full accordance with EU and international law, thus excluding any kind of collective expulsion. All migrants will be protected in accordance with the relevant international standards and in respect of the principle of non-refoulement. It will be a temporary and extraordinary measure which is necessary to end the human suffering and restore public order. Migrants arriving in the Greek islands will be duly registered and any application for asylum will be processed individually by the Greek authorities in accordance with the Asylum Procedures Directive, in cooperation with UNHCR. Migrants not applying for asylum or whose application has been found unfounded or inadmissible in accordance with the

said directive will be returned to Turkey. Turkey and Greece, assisted by EU institutions and agencies, will take the necessary steps and agree any necessary bilateral arrangements, including the presence of Turkish officials on Greek islands and Greek officials in Turkey as from 20 March 2016, to ensure liaison and thereby facilitate the smooth functioning of these arrangements. The costs of the return operations of irregular migrants will be covered by the EU.

2) For every Syrian being returned to Turkey from Greek islands, another Syrian will be resettled from Turkey to the EU taking into account the UN Vulnerability Criteria. A mechanism will be established, with the assistance of the Commission, EU agencies and other Member States, as well as the UNHCR, to ensure that this principle will be implemented as from the same day the returns start. Priority will be given to migrants who have not previously entered or tried to enter the EU irregularly. On the EU side, resettlement under this mechanism will take place, in the first instance, by honouring the commitments taken by Member States in the conclusions of Representatives of the Governments of Member States meeting within the Council on 20 July 2015, of which 18.000 places for resettlement remain. Any further need for resettlement will be carried out through a similar voluntary arrangement up to a limit of an additional 54.000 persons. The Members of the European Council welcome the Commission's intention to propose an amendment to the relocation decision of 22 September 2015 to allow for any resettlement commitment undertaken in the framework of this arrangement to be offset from non-allocated places under the decision. Should these arrangements not meet the objective of ending the irregular migration and the number of returns come close to the numbers provided for above, this mechanism will be reviewed. Should the number of returns exceed the numbers provided for above, this mechanism will be discontinued.

- 3) Turkey will take any necessary measures to prevent new sea or land routes for illegal migration opening from Turkey to the EU, and will cooperate with neighbouring states as well as the EU to this effect.
- 4) Once irregular crossings between Turkey and the EU are ending or at least have been substantially and sustainably reduced, International Summit a Voluntary Humanitarian Admission Scheme will be activated. EU Member States will contribute on a voluntary basis to this scheme.
- 5) The fulfilment of the visa liberalisation roadmap will be accelerated vis-à-vis all participating Member States with a view to lifting the visa requirements for Turkish citizens at the latest by the end of June 2016, provided that all benchmarks have been met. To this end Turkey will take the necessary steps to fulfil the remaining requirements to allow the Commission to make, following the required assessment of compliance with the benchmarks, an appropriate proposal by the end of April on the basis of which the European Parliament and the Council can make a final decision.
- 6) The EU, in close cooperation with Turkey, will further speed up the disbursement of the initially allocated 3 billion euros under the Facility for Refugees in Turkey and ensure funding of further projects for persons under temporary protection identified with swift input from Turkey before the end of March. A first list of concrete projects for refugees, notably in the field of health, education, infrastructure, food and other living costs, that can be swiftly financed from the Facility, will be jointly identified within a week. Once these resources are about to be used to the full, and provided the above commitments are met, the EU will mobilise additional funding for the Facility of an additional 3 billion euro up to the end of 2018.

7) The EU and Turkey welcomed the ongoing work on the upgrading of the Customs Union.

8) The EU and Turkey reconfirmed their commitment to re-energise the accession process as set out in their joint statement of 29 November 2015. They welcomed the opening of Chapter 17 on 14 December 2015 and decided, as a next step, to open Chapter 33 during the Netherlands presidency. They welcomed that the Commission will put forward a proposal to this effect in April. Preparatory work for the opening of other Chapters will continue at an accelerated pace without prejudice to Member States' positions in accordance with the existing rules.

9) The EU and its Member States will work with Turkey in any joint endeavour to improve humanitarian conditions inside Syria, in particular in certain areas near the Turkish border which would allow for the local population and refugees to live in areas which will be more safe. (European Commission 2016a).

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