

Chapter 2. Working Rights for Refugees: A Comparison of the Turkish and the Australian Models in Achieving Humanitarian and Labour Objectives

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Introduction

The paper begins with a quantitative analysis of the changes in refugee's situation over the past 15 years with a discussion on major refugee holding countries. Then a specific quantitative analysis of the role of Australia and Turkey's history of accepting and resettling refugees will be explored. This is of particular interest as it will demonstrate that three modulating factors, namely, the historical background of the host country, its proximity to troubled regions and its political environment, could have contributed to the changing roles of both countries in resettlement of refugees over the past 15 years. Subsequently, a comparative analysis approach encompassing a qualitative analysis will be used to compare new laws adopted by both countries to provide working rights for refugees, namely Turkey's Regulation on Work Permit of Refugees under Temporary Protection in January 2016, and Australia's adoption of Safe Haven Enterprise Visa (SHEV) in July 2015. Both Australia and Turkey's introduction of their respective law whilst only provides temporary protection does extend the current rights to provide working rights.

General Background

Since 2000, the number of refugees worldwide has remained relatively stable at around 15.7 million and were mostly hosted by developing countries (see Figures 1 & 2).

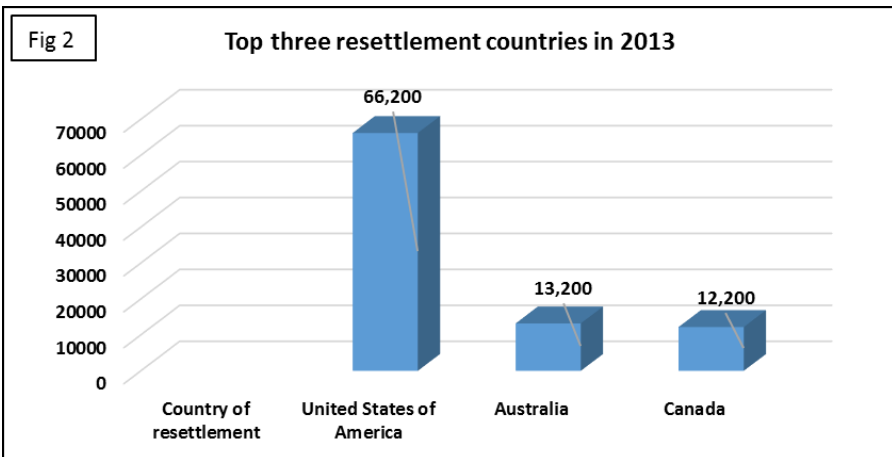
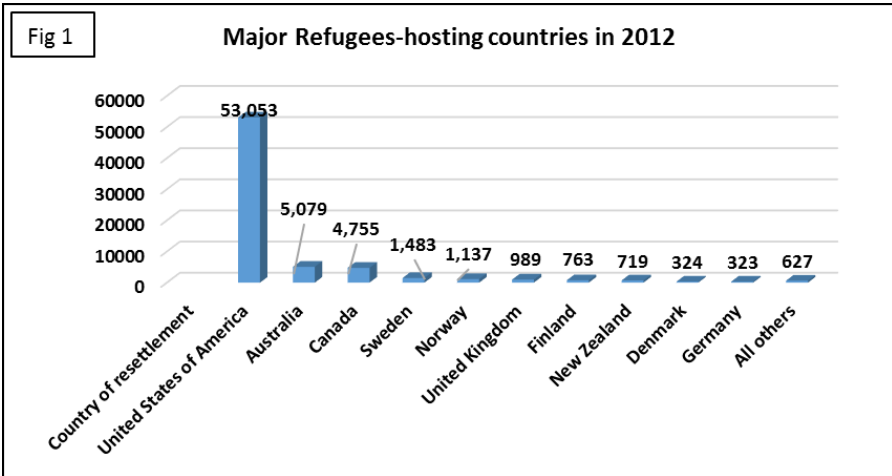
Due to recent world conflicts and the fact that most asylum seekers and refugees do remain in their region of origin in the hope that they will be able to return to their home country as soon as possible, the share of refugees hosted by neighbouring developing countries rose to more than 87 per cent in 2013 (UNHCR, *Global trends 2013*). Consequently, the burden of assisting the world's asylum seekers and refugees actually falls to some of the world's poorest countries (see Figure 3).

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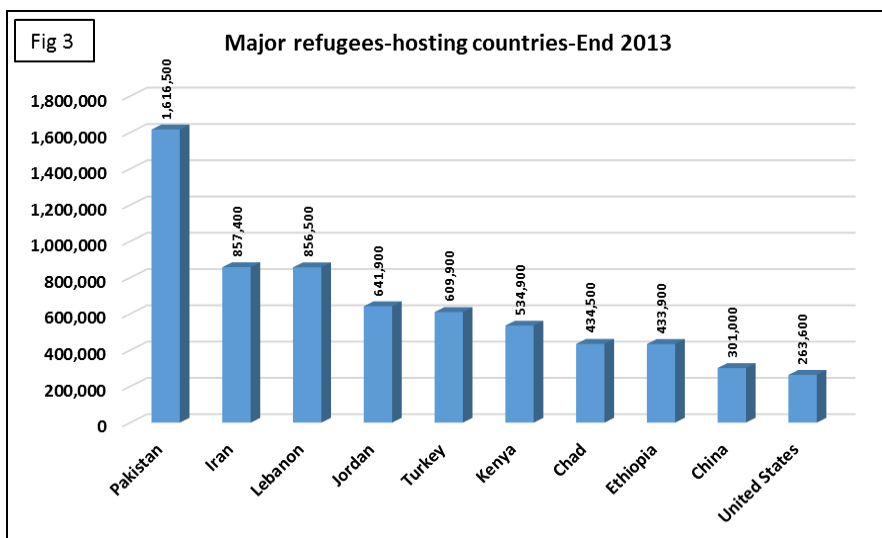
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As shown in Figure 3, in 2013, Pakistan was host to the largest number of refugees worldwide, followed by Iran, Lebanon, Jordan and Turkey (UNHCR, *Global trends 2013*). The data in Fig 3 were analysed prior to the escalation of the conflict in the Syrian Arab Republic that gave rise to millions of refugees and due to the proximity factor, Turkey is currently hosting the highest number of asylum seekers and refugees (Skribeland, 2016).



(Data Source: UNHCR, 'UNHCR Projected Global Resettlement Needs 2014').



(Data Source: UNHCR, Global trends 2013).

Specific Background (Australia)

Australia has a long history of accepting refugees for resettlement and over 800,000 refugees and displaced persons, including thousands during and immediately after World War II, have settled in Australia since 1945. It is also true that Australia is one of only about 20 nations worldwide that participate formally in the UNHCR's resettlement program and accepts quotas of refugees on an annual basis (Phillips & Spinks, 2013a,b). In 2013, under this program, Australia accepted the second largest number of refugees (including refugees and other humanitarian entrants) for resettlement in the world (13,200) after the USA (66,200) and Canada ranked third after Australia (12,200) (UNHCR, 2013) See Fig 3. However, in terms of the total number of 'people of concern' globally, the UNHCR's resettlement program currently contributes to resettling only a small proportion of the world's refugees—usually less than 1 per cent of the world's refugees are resettled under this program (UNHCR, 2016).

It should be mentioned that the current political environment in Australia has created a great deal of confusion and misinformation in the public debate particularly around the terms asylum seekers, refugees, 'illegals', 'queue jumpers' and 'boat people' which are often used interchangeably and/or incorrectly (Phillips, 2015). Despite Australia's long-term commitment, it is important to state here that the Australian Government is committed to not granting permanent Protection Visas to people who arrived in Australia illegally. In July 2015, however, a policy came into action included temporary Safe Haven Enterprise Visas, or SHEVs, providing working rights to refugees which would last five years and require refugees to work or study in regional areas (Migration Regulations (Cth) 1994, Schedule 2, Subclass 790 & AGDIBP, 2015).

Specific Background (Turkey)

Turkey is currently the country in the world hosting the highest number of asylum seekers and refugees (Skribeland, 2016) with 2,749,410 Syrians as at 7 April 2016 and 256,700 people of other nationalities as at 1 February 2016 (among the other nationalities, Iraqis constituted 51%, Afghans 25%, Iranians 14%, Somalis 2.5% and Palestinians 1%) (European Commission, 2016). Those refugees are either seeking illegal migration to Europe or being employed in informal, low paid jobs inside the country (Skribeland, 2016).

Prior to 2016, Turkish labour laws made it very difficult for Syrian refugees to obtain work permits and seek employment in the formal economy. They would need to have a valid passport as well as a residence permit and the employer would need to show that a Turkish national could not be found for the position. The inability to work legally has created an underground labour force for adult and children workers in industries such as construction, textile manufacturing and heavy industry as well as in the agricultural sector. Indeed, there were reports of Syrian refugees travelling all the way from provinces along the Syrian border to the Black Sea region to work as seasonal agricultural workers (ORSAM, 2014). Furthermore, in the areas where they are residing in big numbers, this informal employment of refugees is also pushing the wages down and causing an unfair competition for local people. As a solution to the problem, the "Regulation on Work Permit of Refugees under Temporary Protection" has been issued in the Official Journal No. 2016/8375, dated 15 January 2016, allowing refugees to be granted work permit under specific conditions and restrictions (Turkish Labour law, 2016). It should be noted that the working rights for the temporary protection statue worker is based on the law of Foreigner and International Protection (No: 6458-came into force on 11/4/2013). Article 91 of 6458 and article 29 of "Temporary Protection Regulation" (came into force on 22/10/2014) refer to the "Regulation on Work Permit of Refugees under Temporary Protection" (came into force on 15/01/2016).

Modulating factors and quantitative differences in hosting refugees:

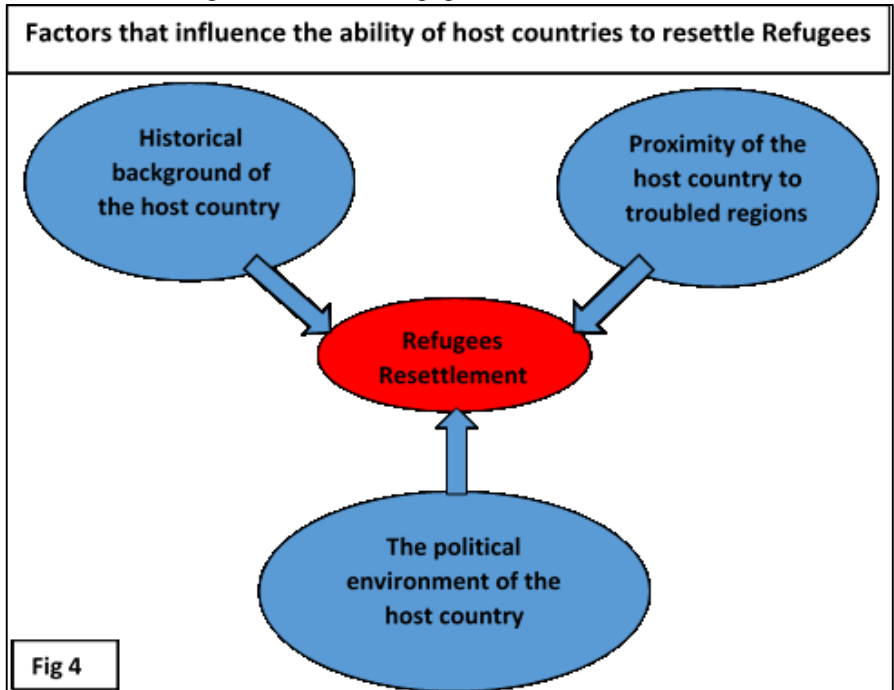
From the specific background of Australia and Turkey, it is possible to raise the notion that the *quantitative differences* in the role of each country in hosting refugees over the years was shaped by certain modulating factors proposed in Fig 4.

Firstly, the historical background of each country could impact on its role in hosting refugees. Australia is one of the classical countries of immigration, meaning a new nation which has been built through colonization and immigration over the last two centuries, while Turkey, by contrast, is generally seen as a historical nation with roots that go back many centuries with many cultural connections. And although the Turkic people are a collection of ethnic groups, yet most citizens, regardless of their non-Turkish ancestry, self-identify as Turks both ethnically and nationally and hence Turkey has not been considered a country of emigration rather than immigration. Such historical background could partly explain why Australia's intake of refugees was initially greater than Turkey.

Secondly, the proximity to a troubled region is an important factor considering that most asylum seekers and refugees actually remain in their region of origin in

the hope that they will be able to return to their home country as soon as possible. Based on this notion, and in view of the proximity of Syria and other troubled regions to Turkey, it would be understandable that Turkey’s intake of refugees over the recent years would be greatly escalated.

Thirdly, the political environment and the current state of affairs in politics in each country and whether or not the main political parties are in agreement on decisions pertaining to refugees is a complex modulating factor that would impact not only on Government’s decisions to host refugees but also on its willingness to embrace those refugees within its own population.



The possible impact of these factors on the *qualitative differences* in the laws adopted by both countries giving working rights to refugees will be explored below.

The qualitative comparisons between Australia’s and Turkey’s regulations providing working rights for refugees

As mentioned earlier, this paper provides a comparative between the recently introduced steps by Australia and Turkey to provide working rights for refugees, namely: Australia’s adoption of Safe Haven Enterprise Visa (SHEV) in 2015, and Turkey’s Regulation on Work Permit of Refugees under Temporary Protection in 2016.

It should be noted here that both Australia and Turkey’s introduction of their respective law whilst only provides temporary protection does extend the current rights to provide working rights.

Furthermore, when undertaking such a comparative, it is important to take into account the differences in the total population and refugees' population in both countries.

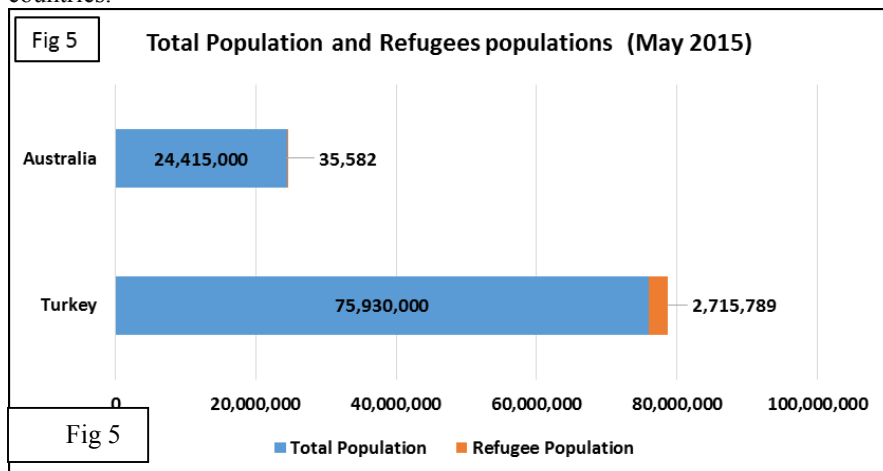


Figure 5 (Data Source: UNHCR, 2015) demonstrates such differences where as in May 2015, the number of refugees in Australia were 35,582 with a total population of 24,415,000 while the number of refugees in Turkey were 2,715,789 with a total population of 75,930,000. It should be noted here that the latest data provided on the website of the Directorate General of Migration Management (DGMM) showed an increase in the number of Syrian refugees to 2,749,410 as at 7 April 2016 (DGMM, 2016) and 256,700 people of other nationalities as at 1 February 2016 (European Commission, 2016) (among the other nationalities, Iraqis constituted 51%, Afghans 25%, Iranians 14%, Somalis 2.5% and Palestinians 1%).

Working Rights; The Qualitative Comparison:

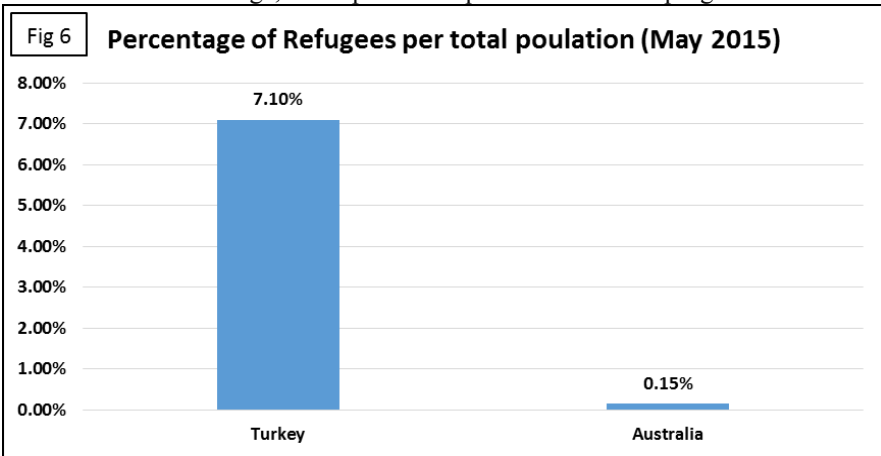
<p>Safe Haven Enterprise Visas (SHEVs) (July 2015)</p>	<p>Regulation on Work Permit of Refugees Under Temporary Protection (January 2016)</p>
<p><u>Eligibility:</u> A refugee could be eligible for a SHEV if arrived in Australia illegally; invited to apply for a SHEV and lodge a valid application; at least one member of the family unit declares an intention to work and/or study in regional Australia assessed as engaging Australia's protection obligations, and meet other requirements, such as health, security and character checks. It did not specify nationality</p>	<p><u>Eligibility:</u> Refugees under temporary protection who are forced to leave their country, cannot return to the country they have left, and have arrived at or crossed the borders of Turkey in a mass influx situation seeking immediate and temporary protection, but cannot be given the individual international protection status will be granted work permit under specific conditions and restrictions. It did not specify nationality, yet the measure chiefly</p>

	applies to the 2.7 million Syrians and some 300,000 Iraqis.
How long will the regulation allow the refugee to stay? A SHEV will allow a refugee to stay in Australia for five years.	How long will the regulation allow the refugee to stay? New arrivals will be able to apply for a work permit six months after they obtained a temporary protection status and is valid for one year for each application. The regulation also applies to those who have already resettled.
What will the regulation allow the refugee to do? A SHEV will allow a refugee to work or study and have access to Medicare, social security benefits, job matching and short-term counselling for torture or trauma where required. Adult SHEV holders will have access to the Adult Migrant English Programme and children will be able to go to school.	What will the regulation allow the refugee to do? The regulation divided the permits into two areas: “the work permit exemption for seasonal agricultural and breeding works” where applications can be made by the refugees themselves, And, “work permit” where applications is made by the employer, via e-devlet. Number of refugees holding a work permit must not exceed 10% of employees at any workplace & foreigners under temporary protection cannot be paid under the minimum wage. No corresponding social/medical benefits are specified
<u>Obligations for work or study:</u> Work must be: lawful, paid in a regional area that is included in the SHEV programme, and full-time, part-time, temporary, casual, seasonal or a combination of these. Study: a refugee must be physically attending a course of study accredited by the Australian Qualifications Framework and full time	<u>Obligations for work:</u> Foreigners under temporary protection cannot work independently or cannot be employed without a legally issued work permit. In case of violation, penal provisions of Law on The Work Permit for Foreigners, Article 21 will be applied

<p>The SHEV pathway: One benefit of the SHEV is that a refugee might be eligible to apply for other substantive visas later on if he meets these requirements: if, for at least three and a half years while on a SHEV, a refugee has been: employed in regional Australia and not receiving certain social security benefits or enrolled in full-time study in regional Australia, or a combination of the above.</p>	<p>No similar benefits are specified (No long term prospects)</p>
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Again from the comparative aspect, it should be noted here that Turkey’s new program provides refugees under temporary protection a work permit by an employer where the number of working refugees cannot exceed 10% of employed Turkish citizens. This differs to the Australian model where the applicant can only work in specified regions.

However, where the two models intersect with their comparison is that the areas the applicants can work in the Australian model are restricted to regional Australia which attracts predominantly jobs in the agricultural sector, in comparison, Turkey’s approach provides seasonal working refugees in agriculture to fall within the scope of work permit exemptions. Therefore, both Countries using a comparative working model to reach policy objectives in both the humanitarian and labor schemes. In addition, foreigners under temporary protection cannot be paid under the minimum wage, a comparable requirement for both programs.



As noted from the qualitative comparison made above, it is apparent that the Australian model provides additional benefits to refugees. However, there is a need to look at the comparative differences in the regulations regarding “additional benefits available to refugees” in view of each country share of refugees and its obligations towards its own citizens as shown in Fig 6 (extrapolated from Fig 5 - Data Source: UNHCR, 2015).

Furthermore, some of the differences in providing additional benefits to refugees could be partly attributed to strategically different views embraced by both countries pertaining to proximity to troubled regions. While Australia is basing its policies on the possible view that the refugees could remain in Australia, the Turkish government bases its policies on the assumption that refugees will eventually return to their close by homeland. Indeed, Kirişci (2014) raised a difficult question that faces Turkey in providing education to Syrian refugee children, that is: “should education policies be based on the assumption that refugees will eventually return to Syria, or not?” The answer to this question will ultimately determine the language and curriculum of education etc. Furthermore, the observed differences between the two models further highlight the fact that there are no long term prospects for Syrian refugees in Turkey. This issue was highlighted by Skribeland, 2016, in stating that *“The Turkish Council of Ministers have full discretion to terminate the temporary protection of Syrians at any time, as well as to determine what happens after such termination: Time spent in Turkey under temporary protection does not count towards fulfilment of continuous residency requirements of permanent residence permit and Turkish citizenship, and temporary protection status does not otherwise entitle its holder to apply for Turkish citizenship.”* The author further stated that *“This extreme uncertainty puts the Syrians in Turkey in a precarious position and is seen as a major push-factor contributing to many Syrians’ decisions to make perilous journeys to Europe, now that the initial hopes of returning back home are largely lost”* (Skribeland, 2016).

Summary of the Current state of affairs in Australia:

It has been nearly two years since the previous Australian Liberal Immigration Minister, Scott Morrison, clearly stated that "illegal" boat arrivals would not be granted permanent protection and announced the reintroduction of temporary protection visas. As stated previously, the policy that came into action in July 2015 included temporary Safe Haven Enterprise Visas, or SHEVs, which would last five years and require refugees to work or study in regional areas. To date, some 2000 people have applied for SHEVs. The Refugee Council of Australia estimates around 20 visas have been granted (0.2% of those lodged). It was claimed by the Government that a delay in Australian States in joining the process combined with the lengthy processing times are contributing factors to the delay in issuing the visas (Hasham, 2016). It is hoped that the recent confirmation by the Australian States to take part in the process will eventually clear the way for numbers of SHEVs to be considered and granted

Summary of the Current state of affairs in Turkey:

While it is difficult to evaluate the recently introduced Regulation on Work Permit of Refugees under Temporary Protection, it is important to highlight the possible impact of the current political environment on the possible success of such regulation. A number of factors could impact on the willingness and effectiveness of Turkey’s Government to ensure successful implementation of the newly adopted regulation. One important factor is the pressure that is being exerted by Europe asking Turkey for cooperation in the hope of reducing the number of Syrian and

other refugee arrivals to Europe although Turkey is currently the country in the world hosting the highest number of refugees (Skribeland, 2016). This pressure by EU on Turkey at a time where the political and social climate in Turkey has grown increasingly challenging has raised concerns about the arrangements to return asylum seekers and refugees to Turkey (Skribeland, 2016) and could also challenge the effective implementation of the recently introduced regulation pertaining to work rights for refugee. However, the recent announcement by President Erdoğan that Turkey is planning to offer Turkish citizenship to Syrian refugees has been received with enthusiasm by the Turkish public as such step is in Turkey's best interest. Having become one of the fastest aging countries in the world, granting citizenship to Syrian refugees will help reverse this trend and achieve Turkey's strategic goal of maintaining a young population (Farasin, 2016).

Conclusion

Both Australia and Turkey's introduction of their respective law offers a practical solution to their respective protection obligations and skilled labour shortages in certain areas of their country. Whilst both countries use different motivations to reach these aims, both countries are using a comparative working model to reach policy objectives in both the humanitarian and labour schemes in an aim to provide improved working conditions and allow social protection, which will benefit not only the refugees themselves but also labour markets and the economy.

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Chapter 3. The Impact of Mass Migrations on Immigration Policy of Turkey

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Introduction

Turkey is believed to pursue a nation building process with migrations since it was established. There is consensus in the literature on this. On the other hand, migration flows have always occurred in/through Anatolia, where Turkey is located, due to its geographical location. However, Turkey has tried to manage migration influxes with separate laws and directives. But, mass influxes have induced Turkey to make a comprehensive legislation changes and eventually to establish necessary institutions to implement those new regulations. In this study, Turkish laws, regulations and directives managing migration to Turkey and existing institutions/institutional structures are examined.

The History of Migration to Turkey

Republic of Turkey was established in October 29, 1923. Since then, Turkey has always engaged in migration. Migration, both emigration and immigration, was one of the first issues that should be handled by the new state.

After the World War I, the Ottoman Empire collapsed and Turkish people went to war for independence against the Allies and Greece. After winning the war against those states, Turkey and the Allies, also Greece, signed the Lausanne Treaty in 1923. One of the issues of this treaty was Turkish minorities in Greece and Greek minorities in Turkey. But that problem could not be solved then. Turkey established the Ministry of Population Exchange and Settlement (Mübadele İmar ve İskan Vekaleti) in 1923 and made Constitution of Turkey in 1924, adopted the Turkish Citizen Law in 1928. Meanwhile, after many negotiations, Turkey and Greece reached a compromise and they decided the exchange of their populations. Turkish and Muslim population living in Greece migrated to Turkey, and, Greek and non-Muslim population living in Turkey migrated to Greece. Greece was not the only land Turks were living but also Bulgaria was another land where many Turks were living. But it was not a problem between two states. Turkey and Bulgaria exchanged their populations in 1925. The law on Settlement was adopted in 1934. In those years, Turkey pursued nation building process as being a new state (İcduygü & Aksel, 2013, p.167-172). Actually, in those yearsö population exchanges were common between states (Weitz, 2008).

Between 1950 and 1980 period was a second term in Turkish Migration Policy. The exchange of Turkish-Greek population continued due to political conjuncture. Because of the Cyprus dispute, the relations of Turkey and Greece were strained. 1955, 1963-64 and 1974 in which years the dispute was at its peak, minorities

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migrated to their country of origin. Turkish Cypriots migrated to Turkey, Greek Cypriots migrated to Greece. Furthermore, non-Muslim population went on leaving Turkey. Following the establishment of Israel in 1948, Jewish population living in Turkey migrated to their new state during 1950's. On the other hand, Turkey became a sending country of labour force by the end of 1950s and early 1960s. Emigration of workers started in the beginning of 1960's. Turkey was eager to send its population in order to deal with increasing unemployment and get remittances. Thanks to the Labour Recruitment Agreements, Turkey sent its citizens as workers to many European countries, such as Germany, France and Netherlands. Meanwhile, Turkey signed "the Convention Relating to the Status of Refugees (1951 Convention)" in 1951 and adopted in 1961 and, also adopted "1967 Protocol" in 1968 with a "geographical limitation". So, Turkey does not admit refugees except from Europe. But, Turkey could not avoid itself from the issue, anyway, because her geographic location does not enable this. Turkey is always a transit country in migration.

Turkey went on receiving migrants from the Balkans, namely the former Yugoslavia and Bulgaria at different periods. Major waves of forced migrants from the Balkans have reached to Turkey during 1950s, 1980s and 1990s. Another group of forced migrants namely Chechens immigrated to Turkey during 1990s.

Turkey Becomes a Receiving Country

In 1980s, Turkey had to engage in migration increasingly. In 1981, Turkey granted a dual citizenship by introducing a law considering Turkish people who had emigrated to other countries for working. Since 1980s Turkey began to become receiving country. In those years, political conjuncture, especially wars, influenced migration to Turkey. The Iranian Islamic revolution, the Soviet Union's invasion in Afghanistan (1979-1989) and Iran-Iraq War (1980-1988) brought about Turkey a bridge country between East and West. And, after the collapse of Soviet Union, Turkey faced with irregular migrants who came for economic reasons from former Soviet Republics.

Irregular Migration in Turkey

People have migrated to Turkey because of political reasons, social, cultural and religious pressures or concern for the future war/conflict in 1990s. Those people came from Iran, Iraq, Afghanistan, Eastern Europe, Commonwealth of Independent States and Africa. Some irregular migrants use Turkey as a bridge on their route to Europe. They stay in Turkey for a while for making enough money for their journey. They are also aware of strict border controls between EU and Turkey. They know that they should get a legal status when they arrive in a destination country. Some irregular migrants come to Turkey for working and living without valid documents. Other irregular migrants are the people whose asylum application is rejected by UNHCR and they keep staying in Turkey (İcduygu & Aksel, 2012, p.28).

Even if Turkey does not admit refugees outside Europe, people who seek asylum may prefer Turkey. Since asylum seekers in Turkey are generally resettled by UNHCR rather than asylum seekers in Europe. So Turkey becomes a transit country for those people (İcduygu & Aksel, 2012, p.17-21). Those people also prefer Turkey because of easy visa application procedures (İcduygu, 2012, p.25). Çiçekli and

Demir, in their study, put forward that in recent years, irregular migrants prone to stay in Turkey, Turkey's economic growth, social and cultural affinity and behavior of Turkish society to foreigners are determinants (Cicekli & Demir, 2013, p.113-114). While Turkey is receiving irregular migrants, mass migrations go on flowing to Turkey.

Recent Mass Migrations

Halabja Massacre which happened in 1988 during Iran-Iraq War and 1991 Gulf crisis caused a great many people seek a refuge in Turkey. Those new-comers (mostly peshmergas and their families) were non-Turkish and non-European. In 1988 and 1991 refugee crisis many Iraqi Kurds fled from atrocities against them by Iraqi government, climbed over the mountains and came to Turkey. At first, Turkey did not want to admit them because of security concerns. But, domestic and international pressure made Turkey open its doors. Turkey admitted those people on humanitarian grounds but never granted to them 'refugee' status. Turkey established camps for those people in that time, and those camps were very close to the Turkey-Iraq border. However, Turkey tried to keep them outside of its borders. Turkey suggested safe havens for those refugees in the country where they came from and no fly zones. Turkey also tried to find a solution in international level in order to bring the conflict to end and stop refugee influx to Turkey. This mass migration influx was also a turning point in Turkey's migration policy. It urged Turkey to make "Regulation No. 1994/6169 on the Procedures and Principles related to Possible 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" in 1994 (Ihlamur-Oner, 2013, p.191-200; Icduygu & Aksel, 2013, p.174-178 and Kirisci, 2014, p.7-11). In those years, Turkey's immigration policy began to focus on security with the increase in irregular migration and refugees from her eastern neighbours. On the other hand, Turkey's concern on becoming a buffer zone for Europe increased (Kirisci, 1996, p.293-318).

Meanwhile, Bulgarian Turks were expelled from Bulgaria in 1995. Thousands of Bulgarian Turks migrated to Turkey. Turkey opened her doors for them. Turkey admitted them to citizenship by neutralization on the basis of their Turkish descent and facilitated their integration and settled them in Turkey. It means that nation building process still goes on (Ihlamur-Oner, 2013, p.191-200; Icduygu & Aksel, 2013, p.174-178 and Kirisci, 2014, p.7-11).

The 2000s are transition years for Turkey politically, sociologically, economically. Since 2002, Turkey has been governed by Justice and Development Party (JDP). This party has a liberal stance on economy, as well as politics. Ruling Party JDP aims zero problems with neighbours and tries to lift visa requirements to its neighbours, as well as other countries in the world.

Since the JDP came to power, Turkey has made some regulations about migration; such as Law No:4817 (in 2003) which is about work permit for foreigners; Law No:5543 (in 2006) which is about settlement in Turkey.

JDP also gives importance the relations with European Union and intends to accomplish the process of accession to EU. For this purpose, Turkey should

harmonize its legislation with EU. Therefore, Turkey adopted “National Action Plan on Migration and Asylum” in 2005. In accordance with this plan, Turkey would establish an institution for managing migration policy and adopt a comprehensive law on migration and also would lift geographical limitation in 2012. But, before lifting geographical limitation, Turkey should evaluate prospective mass movements considering its geographical position. At the same time lifting the limitation cannot encourage refugee flows to Turkey.

After 2010 Turkey has met a mass migration from her neighbour Syria. A great number of Syrians, fleeing from the civil war in their country arrived in Turkey since the civil war broke in Syria. Turkey is home to nearly 3 million Syrians (2019-6). Turkey has received Syrians since the beginning of the crisis and follows an “open door” policy towards these people. As stated above, Turkey does not grant refugee status to people coming from outside Europe. Therefore, Turkey has never recognized Syrian people as refugees since the beginning of refugee influx into to Turkey (since April, 2011). At first Turkey called them ‘guests’. However, there is no ‘guest’ status in the international law related to migrant people. The term ‘guest’ has caused ambiguity. As time went by, the number of Syrians increased in Turkey. Then, in October 2011, Turkey granted ‘temporary protection’ status to Syrians by referring to the 1994 Regulation (UNHCR Thematic Report, 2013, p.9). That regulation provided a legal status to Syrians in the scope of domestic law.

The number of Syrians in Turkey is increasing and it seems that they will stay for a long time in Turkey. In order to smoothly manage the migration process and to eliminate the conceptual confusion, the need for a comprehensive and coherent legislation for Turkey arose. Turkey enacted the Law on Foreigners and International Protection (LFIP-Law No:6458) in April 10, 2013. In the current situation, Syrians have been granted temporary protection in accordance with the Article 91/1 of the aforementioned law. Temporary protection is applied to cases of mass influxes, when it is not possible to register and determine the refugee status of great number of people who flee from their country. (Fitzpatrick, 2000, p.279-306 and Refugee Solidarity Network). Besides, Turkey established the Directorate General of Migration Management with the given legislation, in order to conduct the migration process in Turkey. Turkey also issued regulations on human trafficking and work permits for Syrian asylum seekers.

But, in the year 2016, Turkey still retains geographical limitation. Instead of granting refugee status to Syrians, Turkey tried to determine their legal status by issuing directives and finally by a LFIP.

Meanwhile, Turkey and the European Union signed the Readmission Agreement, which stipulates Turkey admit irregular migrants from EU countries, in December 16, 2013. The European Union and Turkey signed Joint Action Plan in 2015. This plan aims strict border controls and combating irregular migration, human trafficking and giving Turkey 3million euros for refugees hosting by Turkey. The mass refugee influx from Syria and increasing number of irregular migrants who go to Europe through Turkey were the underlying reasons for signing the Readmission Agreement and Joint Action Plan. It was not only Turkey but also the EU want to control mass influxes.

Conclusion

Turkey has engaged in migration since it was established. When receiving mass migration, Turkey makes legislation and builds institutions (such as Ministry of Settlement, Directorate General on Migration Management). If the number of people who migrate is not high and the people who migrate are not Turk, Turkey neglects the issue. In recent years, Turkey faces mass migrations, the numbers of regular and irregular migrants in Turkey increase and international pressure and criticisms on its migration policy increase. Therefore, Turkey made comprehensive law and constitute an institution in order to conduct her migration policy. Turkey's geographical location, the dynamics of international system and developments in neighbouring countries and perceptions of leaders have been major determinants of Turkey's policies on international forced migration.

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