CEASEVAL

Borders and the mobility of migrants in Turkey
Damla B. Aksel and Ahmet İçduygu

Chemnitz, August 2019

CEASEVAL Research on the Common European Asylum System publishes results of empirical research conducted for the H2020 Project "CEASEVAL" (Evaluation of the Commom European Asylum System).
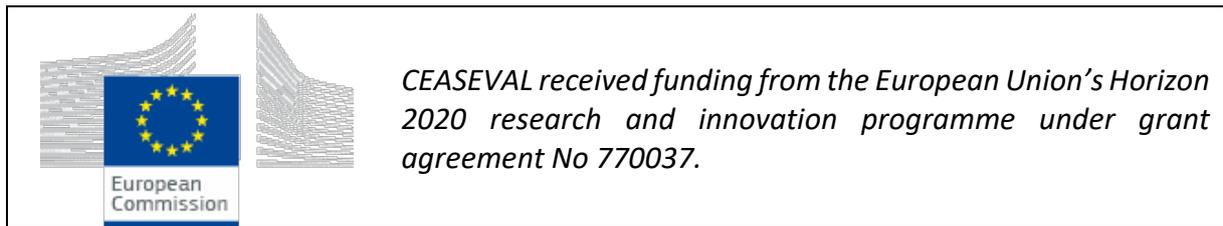
Herausgeberschaft:

Prof. Birgit Glorius and Dr. Melanie Kintz
Technische Universität Chemnitz
Institut für Europäische Studien
Humangeographie mit Schwerpunkt Europäische Migrationsforschung
09107 Chemnitz

http://www.tu-chemnitz.de/phil/europastudien/geographie

Damla B. Aksel & Ahmet İçduygu

Migration Research Center at Koc University, Istanbul

dabayraktar@ku.edu.tr, aicduygu@ku.edu.tr

Borders and the mobility of migrants in Turkey

Abstract

This report investigates the functioning of the European Union's internal and external borders in the governance of migrants' mobility, by looking at the case of Turkey, a non-member country that is directly affected by and is affecting the bordering processes of migrants and refugees within the EU. The analysis within this report aims to shed light on how the borders and the mobility of migrants of different statuses (irregular migrants, asylum seekers and refugees) in Turkey are interacting and delves into the bordering processes of pre-entry to the European Union and to further mobilities towards the EU. The report starts by presenting the legal national framework for the bordering of asylum-seekers and refugees in Turkey, by providing an overview of the current national context, as well as the existing legislation on border passages and the admission of migrants. Second, it evaluates the institutionalized bordering practices performed by institutional actors. Third, the report assesses the lived experiences of migrants and asylum seekers regarding borders and bordering practices in the geo-political, legal, social and economic spaces and discusses how these experiences have an impact on their mobility and immobility within and beyond Turkey. The final chapter examines (1) how actual borders have been defined and managed, based on the insights provided by different institutional actors, and how they were encountered according to the testimonies of migrants and asylum seekers, and (2) how the bordering processes in the legal, social and economic spaces in Turkey have an impact on the mobility or immobility of migrants and asylum seekers. The discussion illustrates that there was strong connection between the bordering processes in geo-political, legal, social and economic spaces, and the availability or the conditions of mobility experienced by migrants and asylum seekers. The institutional, legal and administrative mechanisms regarding the management of borders, migration and asylum determined available options that individuals had on mobility, yet they were open to change over time. Moreover, the findings of the fieldwork also illustrate that despite these structural conditions that asserted certain limitations, there is room for migrant agency to seek alternative paths for mobility.

Table of contents

List of Tables

List of Figures

1. Introduction

1.1. How does this report relate to the broader work package and CEASEVAL project?

This report is part of the Work Package 4 of the Common European Asylum System under Pressure and Recommendations for Further Development (CEASEVAL) project, which has the objective of investigating the functioning of the European Union's internal and external borders in the governance of migrants' mobility. The aim of this report is to analyze the case of Turkey, in relation to the functioning of the EU's bordering regime. Turkey provides a unique case study both for the CEASEVAL project and the WP4, since it is not a member state to the European Union, but in very close relation with the EU both due to its candidacy process since 1999 and due do its neighboring position as a country of transit between migrants and asylum seekers from Asia and Africa, who aim to reach the European Union. In this report, we examine the case of Turkey by elaborating on how the borders and bordering processes are constructed and implemented by institutional actors not only at the domestic level, but also in relation with the EU-Turkey relations. Moreover, we analyze the different experiences that are reported by the interviewees of this study on the actual border passages to and from Turkey and on the bordering processes they witness in the legal, economic and social spaces in the country.

1.2. Context and research questions

This report investigates the functioning of the European Union's internal and external borders in the governance of migrants' mobility, by looking at the case of Turkey, a non-member country that is directly affected by and is affecting the bordering processes of migrants and refugees within the EU. The analysis within this report aims to shed light on how the borders and the mobility of migrants of different statuses (irregular migrants, asylum seekers and refugees) in Turkey are interacting. This report on Turkey aims to delve into the bordering processes of pre-entry to the European Union and to further mobilities towards the EU. This case study on Turkey follows the agreed upon definitions and operationalization on bordering practices of the CEASEVAL team, and hence considers bordering processes within a framework that refers to the **multiple stages** in the trajectories of migrants and to the **multi-level** processes. Therefore, the current analysis looks at a number of stages, which are shaped as a result of Turkey's particular characteristics on the management of migration and asylum, as well as the existing legal and administrative sphere within the context of Turkey-EU relations:

(1) Arrival into a neighboring country to the EU (Turkey) and reception: e.g. interactions with border agencies of Turkey and interactions with institutional authorities working on different processes of migration and asylum in Turkey,

(2) Settlement: e.g. short- and medium-term accommodation, accessibility and integration to labor market,

(3) Further mobilities: e.g. various channels of departing from Turkey (regular and irregular means) which exist for asylum seekers and potential asylum seekers, interactions with border agencies of Turkey and international organizations upon exiting processes.

Based on the findings from the field on these different stages, the report sheds light on the functioning of Turkey's internal and external borders in connection with those of the EU in the governance of migrants' mobility.

1.3. Methodological considerations

This research is based on a triangulation of the data obtained from the secondary resources (existing research, legislative documents and statistical data) and from the empirical research conducted in Turkey by the research team at Migration Research Center at Koc University in the period of June-October 2018. The secondary resources include both the existing academic research that was previously conducted in Turkey on the topic of border processes, migration and asylum management, as well as the available statistical data by various institutions (e.g. DGMM, UNHCR and Eurostat). The empirical research comprises of 30 semi-structured qualitative interviews conducted with migrants and institutional actors, as well as limited ethnographic work in border agencies in Turkey. The fieldwork took place in five different cities in Turkey: Istanbul, Ankara, Çanakkale, İzmir and Muğla. While Istanbul was chosen as the main hub city for migrants and refugees in Turkey; Ankara was chosen for being the capital of the country, with the headquarters of the relevant institutional structures. The three other cities (Çanakkale, İzmir and Muğla) were selected for the interviews with the border agents, due to the position of these cities as the main exit points for migrants and refugees from Turkey to the European Union. The ethnographic work in this research has been limited due to the nature of border passages from Turkey to the EU by refugees and migrants. As it will be explored throughout the report, the majority of the border passages of the target populations are made via irregular means on the Turkish-Greek borderline on the Aegean Sea. Although the researchers observed the work of border agencies on cite, capturing the actual border passages and the apprehension processes was very difficult, due to their spatial and temporal irregularity.

In order to evaluate the mechanisms of inclusion and exclusion towards asylum seekers, refugees and irregular migrants, the empirical research has been conducted with four different groups of actors:

(1) 15 semi-structured interviews were conducted with Afghan and Syrian regular and irregular migrants, asylum seekers and those under temporary protection,

(2) Six semi-structured expert interviews were conducted with policymakers/legislators, policy implementers and experts working in the governance of migration and asylum,

(3) Eight semi-structured expert interviews were conducted with border agents and experts working on the topic of borders,

(4) Two semi-structured expert interviews were conducted with representatives working in relation with the housing and labor market.

Due to the difficulties regarding safeguarding information and the demands for anonymity by the interviewees, the researchers opted to take notes rather than recording the interviews. To be able to ensure the consent of the interviewees, all interviewees were briefed on the research project and presented with the informed consent forms of the CEASEVAL project. As far as reaching the interviewees is concerned, the institutional actors and experts were reached directly via their institutional contact information. Snowball sampling was used to reach migrants and asylum seekers. As a result, the data presented in this research is not representative, but reflects the findings of the field that was conducted for this study. Still, the researchers have used the findings of the existing research and data together with the results of the empirical research, in order to evaluate the plausibility of the findings. To be able to include the population that does not speak Turkish nor English, more than half of the interviews with the migrants were conducted in Arabic, with the help of an interpreter working in the field of migration.

2. The legal national framework for the bordering of asylum-seekers and refugees

2.1. Introduction

This chapter presents the legal national framework for the bordering of asylum-seekers and refugees in Turkey, by providing an overview of the current national context, as well as the existing legislation on border passages and the admission of asylum seekers, refugees and persons under temporary protection. In order to provide an account of the existing system in relation with the border passages from Turkey to the EU, this chapter also delves into the current context on Turkey-EU border passages through regular and irregular means. Therefore, the discussions in this chapter are divided into two sections (1) entering and staying in Turkey, (2) moving on to the European Union.

2.2. General context

The Turkish asylum regime is marked by three main legal and geographical characteristics, which determine the conditions of entry and stay of those seeking asylum in the country. First, a signatory of the 1951 U.N. Geneva Convention on the Status of Refugees and its Additional Protocol on the Legal Status of Refugees of 1967 with a "**geographical limitation**", Turkey is one of the countries which participates in the international convention on international protection, without allowing a significant number of asylum applicants to become refugees on its own lands. Due to the geographical limitation, only citizens of the European countries have traditionally been allowed to become refugees in Turkey. Based on AIDA Turkey Report for 2017, a recent report by the Turkish Grand National Assembly demonstrates that only 70 individuals have so far been recognized under conventional **refugee status** in Turkey (AIDA 2017). As a result of this limitation, until very recently, the majority of individuals from non-European countries seeking for asylum would make their asylum applications to the UNHCR or to the embassies and stay temporarily in the country either under the **conditional refugee** or **subsidiary protection** statuses. This temporary stay would take place until they received a refugee status, which would allow them to be resettled to a third country, including the EU counties, the United States, Canada or Australia. Although as of October 2018, the Refugee Status Determination process has been transferred entirely from the UNHCR to the Directorate General for Migration Management, the applicants granted with a refugee status can still reside in Turkey as conditional refugees, until they are resettled from Turkey.

Second, Turkey's geographical position between the east and west makes it a significant hub of **irregular migration**, which is very often preferred not only by irregular labour migrants but also by forced migrants. Traditionally, Turkey has been a transit country for those seeking international protection and who used the Turkish territory on their way to the European Union countries, where they would make their asylum claims. Due to the harsher visa regimes of the European countries in place since the early 2000s, many asylum applicants also use the irregular path from Turkey to Greece or Bulgaria via land or sea. As a result, irregular migration is a significant aspect of international protection, considering that it is a process involves many countries, including the country of origin, transit and of asylum.

Third, since 2011 Turkey has been hosting increasing numbers of Syrians who have been escaping from their countries of origin, mainly as a result of the state's open doors policy that remained until 2016 and facilitated their entry to the country. Initially hosting them as "guests", therefore without any legal and administrative status, the state enacted in 2014 the **Temporary Protection Status** to all Syrian

nationals who applied for this status. This new status granted Syrians to temporarily stay in the country until the conditions in Syria normalized, while at the same time providing them with certain basic rights on healthcare and access to education. However, as the protracted war in Syria has diminished the chances of Syrians' return to their country of origin, the state began taking further measures on labour force participation, wider access to national education system for Syrian children and a path to citizenship for certain groups. In light of these characteristics, the next section maps the existing national context on border passages and bordering of those seeking asylum and other migrants in Turkey.

2.2.1. Entering and staying in Turkey

Turkey has a long borderline shared with Syria and Iraq in its south, Iran, Azerbaijan (Nakhchivan Autonomous Republic), Armenia (land borders) and Georgia (land and sea borders) in the east; and with Greece and Bulgaria in the west. In the east, the Turkish-Iranian border and the Turkish-Iraqi border have traditionally been principal land routes of entry for regular and irregular migrants, as well as asylum seekers who attempted to stay in the country, or more often, use the country as a transit on their way to the European countries. Since the beginning of the civil unrest and war in Syria, Turkey's south-eastern borders have become the main points of entry for those seeking asylum in the country. In the period that followed the civil war in Syria, Turkey applied an open doors policy to Syrian nationals, until January 2016 when the visa free travel has been suspended As a result of the difficulties in obtaining passports and visas while inside Syria, many Syrian nationals prefer to enter Turkey through irregular means, with the help of smugglers (See Figure 1).

**Figure** 1**:** Main routes for border passages and migrant smuggling in Turkey
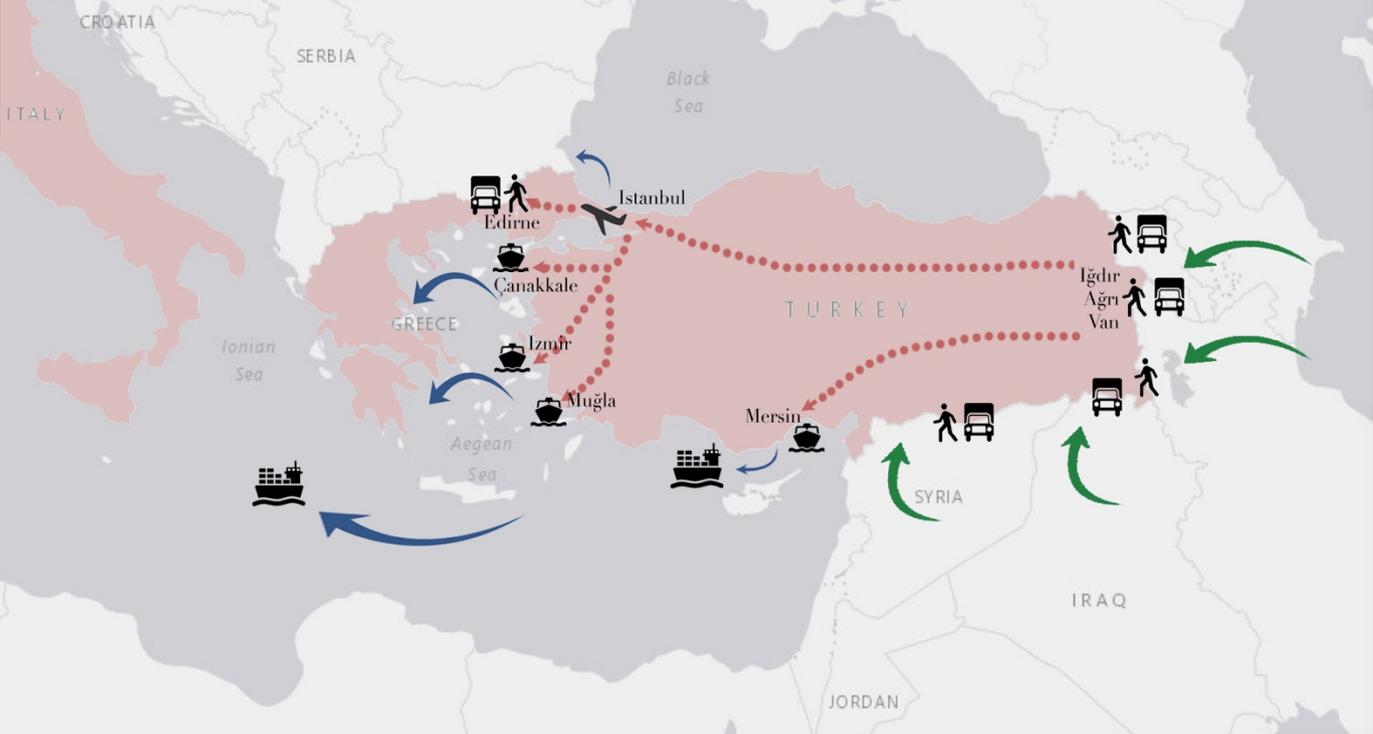
Notes and Source: Figure created by the authors. Blue arrows represent sea border passages, whereas green lines represent land border passages. Previously published in Aksel et al. (2015) "Study on Smuggling of Migrants: Characteristics, Responses and Cooperation with Third Countries. Case Study 3: Pakistan-Turkey-Greece".

The international protection system in Turkey has been and is still organized after the individuals' entry to the country, where he/she can make applications to the state authorities. In Turkey, the international protection applications are made individually to the Provincial Directorate of Migration Management (PDMM), working as the provincial offices under the Directorate General for Migration Management (DGMM). For the applications that were expressed either before the border crossing proceedings, in the transit area; or during the border crossing proceedings, at passport check counters; or made after a person was denied entry at a border, the border authorities notify the related DGMM authorities which handle the applications (AIDA 2017b). There are holding facilities in Istanbul Atatürk Airport and Ankara Esenboğa Airport for persons apprehended without valid documentation and for those who are waiting for the accelerated procedure on international protection (AIDA 2017b; Expert5 13.08.2018).

Figure 2: Top five nationalities for first instance asylum applications made in Turkey in 2017 & Syrians under temporary protection in Turkey (as of November 2018)

Syrians*	3594232
Afghans	67351
Iraqis	44500
Iranians	9186
Somalis	1441
Other asylum applicants	3529
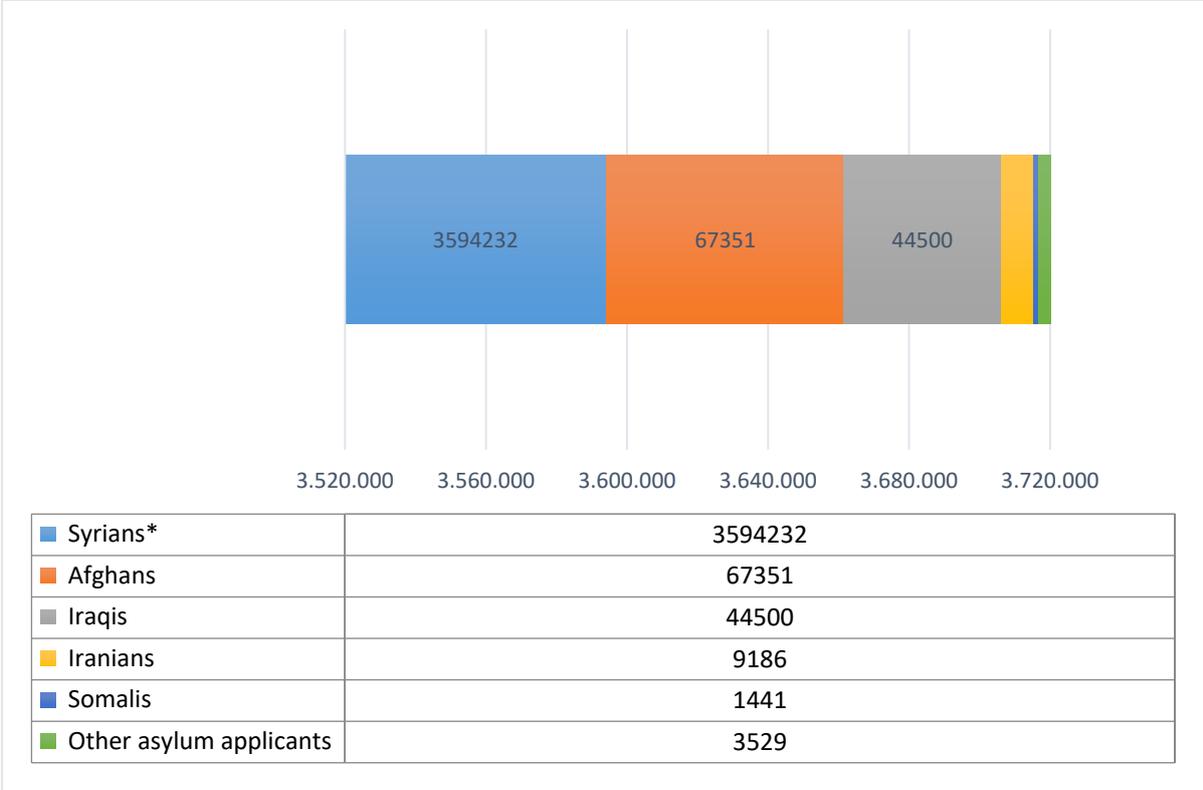
Source: *Syrians are under temporary protection in Turkey. Data obtained from Directorate General for Migration Management, Migration Statistics, http://www.goc.gov.tr/icerik3/gecici-koruma_363_378_4713; UNHCR Population Statistics, http://popstats.unhcr.org/en/asylum_seekers.

As discussed before, there are currently four different statuses that exist in Turkey for those seeking asylum in the country. The first group of statuses are under international protection, which determines that the individuals can reside as **refugees**, **conditional refugees** or **persons under subsidiary protection** status. The majority of the individuals who are under this group are conditional refugees who stay in the country, until being resettled to a third country. According to the figures by the UNHCR in 2017, Afghans, Iraqis, Iranians and Somalis were the four main nationalities of asylum seekers in Turkey, following the Syrians. Syrians hold the second status of **temporary protection,** which is attributed to Syrians who apply for this status through the DGMM in Turkey. Syrians under temporary protection are the largest group of refugees in Turkey, with a population of over 3.5 million based on

the statistics provided by the DGMM (See Figure 2Fout: Bron van verwijzing niet gevonden). Aside from the 3.5 million registered Syrians who are under temporary protection, there are 65,348 Syrian nationals who have obtained residence permits from Turkish authorities and live as regular migrants in the country.

In Turkey, although there are different mechanisms on accommodation for those seeking international protection and for those under temporarily protection, the state pursues a policy of **self-financed accommodation** for the majority of these populations. Non-Syrian asylum seekers who are waiting for the finalization of their RSD procedures and to be resettled to a third country are obliged to stay in the "satellite cities" that they are assigned to. Currently there are 63 satellite cities in Turkey, where asylum seekers can receive some basic rights and services. However, they are expected to self-finance their accommodation while staying in these cities, which are mainly located in Central Anatolia. For Syrian nationals under temporary protection, the satellite city procedure does not apply. The state has been establishing temporary accommodation centers in the bordering cities to Syria since 2011. While these temporary centers provide many services including healthcare, education to children and vocational trainings to adults, only four percent of the Syrians (157,083 out of 3,595,232 people) were staying in 13 temporary accommodation centers positioned in 8 cities of Turkey as of November 2018. The main population living outside of these temporary centers were concentrated in the bordering cities of Şanlıurfa, Hatay, Gaziantep, Kilis, Adana, Mersin as well as the metropolitan cities of Istanbul, Bursa and Izmir. As a traditional hub for migrants and asylum seekers, Istanbul hosts the largest Syrian community in Turkey with nearly 560,000 registered and nearly 100,000 unregistered Syrians based on the estimates of the PDMM Istanbul.

2.2.2. Moving on to the European Union

This section maps the available routes from Turkey to the European Union that are accessible for those seeking a safer life outside of their countries of origin. These are:

(1) Resettlement of refugees through the UNHCR,
(2) Resettlement of Syrians under temporary protection, as a result of the March 2016 EU-Turkey Statement,
(3) Family reunification procedure,
(4) Irregular migration,
(5) Other regular migration patterns (labor or student migration).

The main route for asylum seekers granted with a refugee status by the UNHCR to the final destination countries have historically been the **resettlement process**. This process, which has been working in Turkey as a result of the collaboration between the UNHCR and the Turkish state functions with the involvement of other international organizations, such as the International Organization for Migration (IOM) and the International Catholic Migration Commission (ICMC). From 2010 to September 2018, 19,510 refugees were resettled by the UNHCR from Turkey to European Union countries, mainly to Germany, the Netherlands, France and the United Kingdom. From the beginning of 2018 to 31 September 2018, 5,859 resettlements had been made towards the European countries from Turkey[1].

---

1   Resettlement Data Finder, UNHCR, http://www.unhcr.org/5bdc1eab4.

Figure 3: Resettlements from Turkey to the EU by the UNHCR from 2010 to September 2018
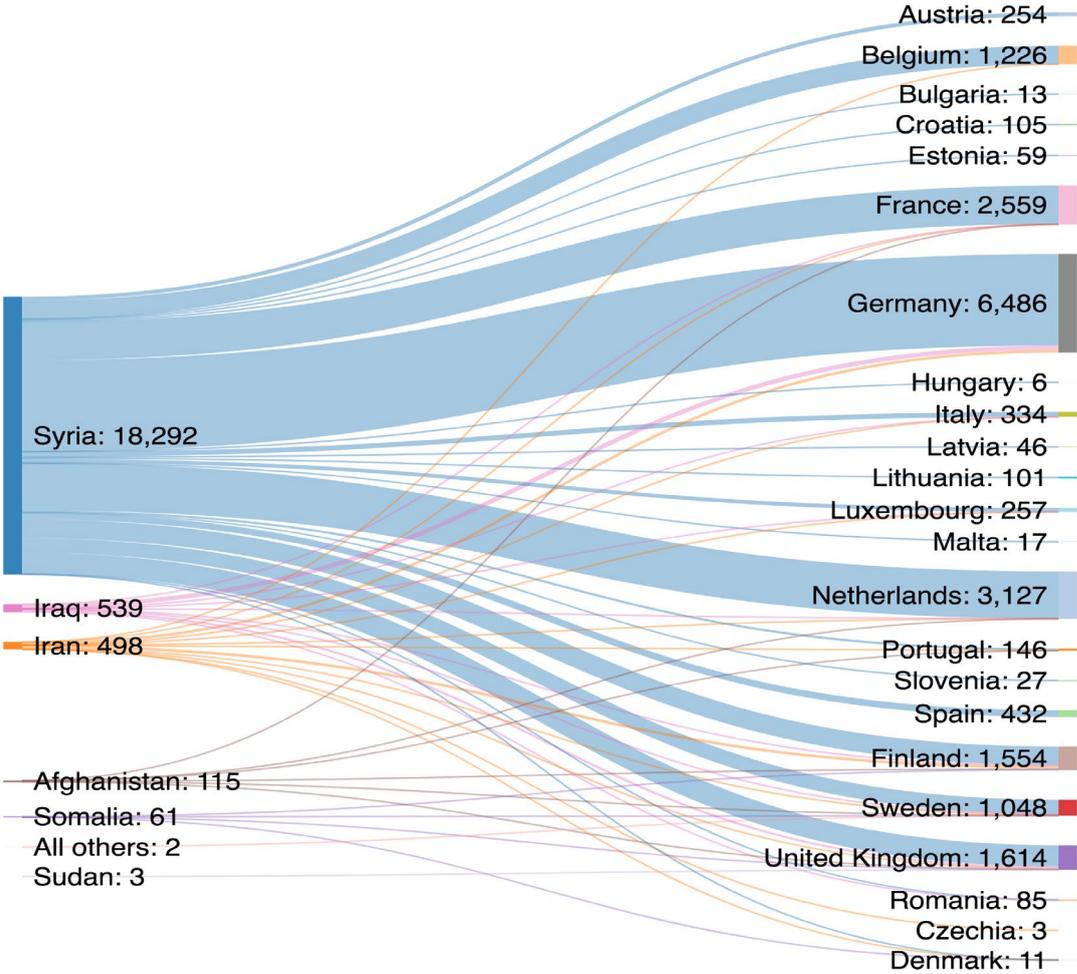
Source: UNHCR, Resettlement Data Finder, November 2018. Generated by the authors using SankeyMATIC, http://sankeymatic.com/.

Since the **EU-Turkey Statement of March 2016**, there has been a new mechanism for resettling Syrians from Turkey to the EU, in response to the irregular migrants returned to Turkey from Greece. Syrians who are to be resettled as a result of the Statement are selected among the most vulnerable cases after the pre-identification of the cases by the DGMM, later evaluated by the UNHCR, which presents them to countries who give the final decisions (AIDA 2017c). From April 2016 to October 2018, a total of 17,241 Syrian nationals were resettled from Turkey to the EU under this agreement, mainly to Germany (6,064 people), the Netherlands (3,143 people), France (2,796 people), Finland (1,329 people) and Belgium (1,159 people) (See).

Figure 4: Resettlements of Syrian nationals to Europe under March 2016 Statement
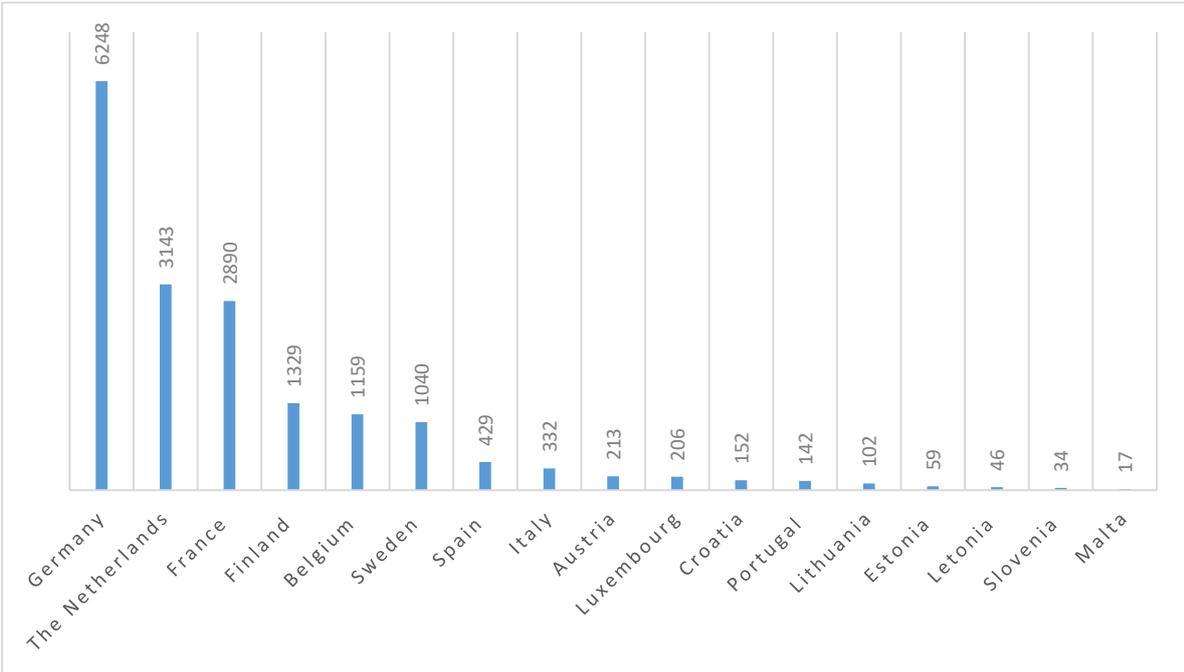
Source: Directorate General of Migration Management, November 2018.

A third path to the European Union is the **family reunification process.** Since July 2016, Germany's Family Assistance Programme (FAP) and the IOM Turkey have been collaborating for a project to help vulnerable migrants to apply for German family reunification visas and for their movement to Germany from Turkey. From 2016 to mid-2017, this program supported the reunification of over 15,000 Syrians with their loved ones in Germany, many of whom had taken the irregular path during the summer of 2015 (IOM 2017).

Figure 5**:** Irregular Migrants Apprehended in All Seas Surrounding Turkey, 2015-2018*
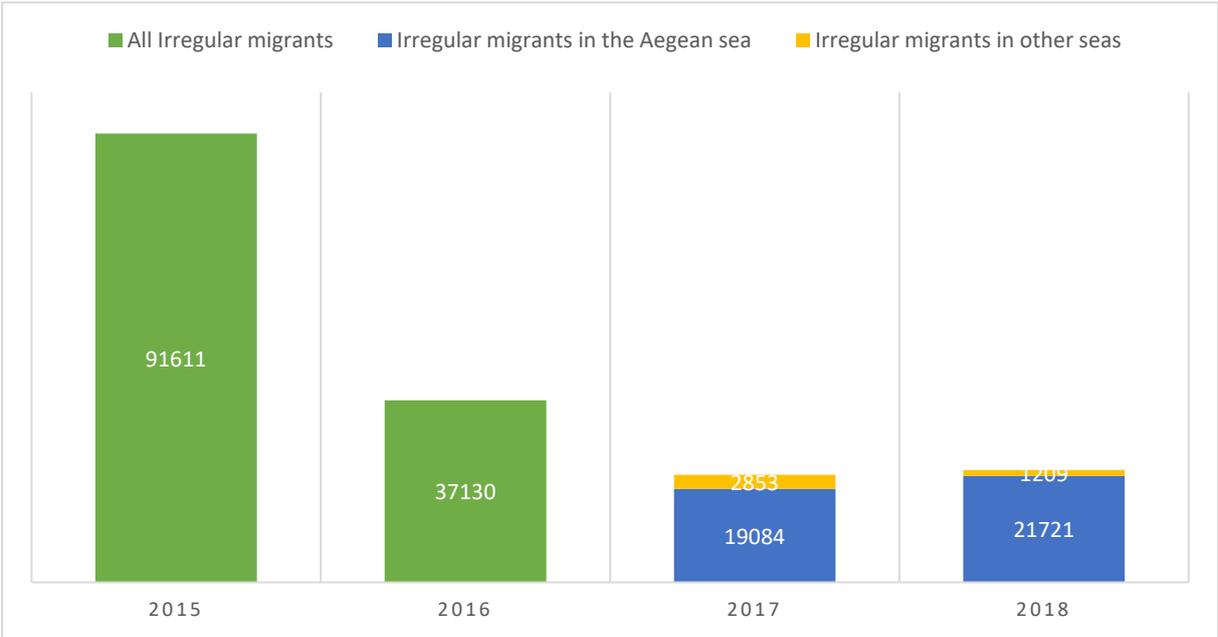
Source: "Irregular migration statistics", Turkish Coast Guard Command (2018). * Data for 2018 is as of November 1st, 2018.

Aside from these regular paths towards the European Union that exist for the asylum seekers in Turkey, many actual and potential asylum seekers use the **irregular border passages** in order to access the European Union. Turkey connects to the European Union via its borders shared with Greece and Bulgaria. The nature and the length of the Aegean coastline make it the most attractive crossing point for irregular migrants, particularly during spring and summer periods. Over the 2000s, the prevention measures taken by the European Union, as well as the Southern European countries in order to avoid border passages from North Africa, had already shifted the main route for border passages towards the EU to its Eastern Land and Sea Borders. With the influx of Syrians and migrants of other origins in the summer of 2015, Turkey has witnessed the massive exodus towards the EU on its western shores, especially from the cities of Çanakkale, Izmir and Muğla. It is argued that nearly 1 million people have used this path, and more than 90,000 people were apprehended in 2015. Throughout 2017, nearly 22,000 irregular migrants were apprehended at Turkey's sea borders, mainly while trying to quit the country. Currently, for those who are using the Aegean route, there is an ongoing return mechanism under the EU-Turkey Statement of March 2016. From April 2016 to the November 2018, more than 1,700 irregular migrants were returned to Turkey under this agreement, comprised mainly of individuals from Pakistan, Syria, Algeria, Bangladesh and Afghanistan.

A final way for the actual and potential asylum seekers and refugees to reach the European Union is through alternative paths to **regular migration.** Although traditionally the migration literature distinguishes between migration and asylum processes, in the cases of failed states such as Syria or Afghanistan, often the distinction between the different types of mobility becomes blurred. As it will be discussed further, for individuals with a higher social, cultural or economic capital, undertaking a secondary movement from Turkey to the European Union can take place by finding job or education/scholarship opportunities in one of the member states. Over the past years, universities in the EU such as the Central European University have opened up scholarship opportunities to graduate and undergraduate students, which have been followed by the refugees living in Turkey as well.

2.3. National border and asylum/refugee legislation

This section provides an overview of the national laws and policies on refugees and other asylum seekers, to discuss how they are received at the borders, admitted, evaluated, accommodated and assisted and the main actors involved during these procedures. It also elaborates on how the border and asylum/refugee legislation has been transforming over the past two decades, and especially after 2015, as a result of the relations between Turkey and the European Union.

Turkey's asylum and migration policy is determined by the very comprehensive **Law No. 6458 on Foreigners and International Protection (LFIP)** which started to be enacted as of 2014. Based on the **1934 Law on Settlement** (which facilitates the migration and integration of those of 'Turkish origin and culture' (Kirişci 2003) and the geographical limitation to the **1951 Geneva Convention** that are still binding and implemented in practice, Turkey has in the past provided *ad hoc* opportunities towards long-term settlement to forced migrants of Turkish descent and culture, while limiting the refugee status only to those from European countries. Although Turkey is not a member of the European Union, Turkey's accession process to the EU since the **Helsinki Summit of 1999** also had a significant impact on the changing legal and administrative sphere on the management of migration and asylum (Metin Çorabatır 13.08.2018). Initially receiving Syrians as "guests", without providing any status, the Turkish state finally enacted in 2014 the **Temporary Protection Regulation** that determined the conditions of Syrians' stay in Turkey. As a result, Turkish asylum system started to be governed by two distinct principles: (a) international protection with geographical limitation (whereas asylum seekers

are granted as either conditional refugees or under subsidiary protection) and (b) temporary protection status, granted to Syrians only.

As far as the admissions are concerned, in the Law on Foreigners and International Protection the **refugee status** is provided in compliance with the 1951 Geneva Convention's definition of refugees as:

> *A person who as a result of events occurring in European countries and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his citizenship and is unable or, owing to such fear, is unwilling to avail himself or herself of the protection of that country; or who, not having a nationality and being outside the country of his former residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it, shall be granted refugee status upon completion of the refugee status determination process (Article 61).*

While international protection is evaluated based on individual applications, **temporary protection** status is provided to those who are a part of a mass influx. According to the LFIP, temporary protection is granted to foreigners who were:

> *[…] forced to leave their countries and are unable to return to the countries they left and arrived at or crossed [Turkish] borders is masses to seek urgent and temporary protection and whose international protection requests cannot be taken under individual assessment[2].*

Until early 2018, the DGMM has been registering and granting temporary protection status to all Syrians who have been applying via the Provincial Directorate of Migration Management (PDMM), working as the provincial offices under the DGMM. As a result of this policy, since early 2011 Turkey registered nearly 3.6 million Syrians and provided them with a temporary protection status. However, as reported by the Human Rights Watch, over the past year the provincial authorities of ten cities, including Istanbul, Gaziantep, Şanlıurfa and Kilis suspended registration for newly arriving Syrians (Human Rights Watch 2018).

As an outcome of the LFIP:

(1) Turkey still does not grant refugee status to non-Europeans, and therefore the **resettlement process** is still a significant part of the refugee status determination and admission procedures;

(2) There is **no specific border procedure** on international protection applications, and the asylum process begins after the individuals enter the country and apply to the PDMM (AIDA 2017b);

(3) The state pursues a policy of **self-financed accommodation** for the majority of forced migrants, aside from the temporary accommodation centers that are available to a limited number of Syrians under temporary protection. The conditional refugees waiting to be resettled in Turkey are obliged to stay in the satellite cities that they are assigned to;

---

2   Temporary Protection Regulation, http://www.goc.gov.tr/files/_dokuman28.pdf

(4) Conditional refugees can work after applying for a **work permit;** refugees and those under subsidiary protection can use their identity cards as **work permits** to access labor force in Turkey;

(5) The state implements the **principle of *non-refoulement*,** except for reasons of leadership, membership or support of a terrorist organization, or threat to public order or health (AIDA 2017d; Expert9 26.10.2018).

There are different provisions on state assistance that are available to those seeking international protection and Syrians under temporary protection. **Access to free healthcare** is available to both groups: for applicants to international protection, this right is provided in the satellite cities where they are residing; and as for those under temporary protection, it is available in the cities where they are registered. Beginning with 2016, the Turkish Ministry of Health has been establishing Migrant Health Centers for Syrians under temporary protection with the financial support provided by the European Union under the "SIHHAT" Project. In the **area of education**, Syrian and other refugee children are supported to have access to education via Temporary Education Centres or through the state schools under national curriculum. According to UNICEF, for the 2018-2019 education year, 616,000 Syrian and other refugee children were registered to formal education in Turkey; however more than 430,000 children were out-of-school (UNICEF Turkey 2018). The mechanisms for supporting refugee children's access to education is managed by the Turkish Ministry of Education, with the support of the European Union's "PICTES" project, which is expected to continue over the next years. As far as the **psychosocial support and social services** are concerned, the Turkish Ministry of Family, Labour and Social Services (formerly, Ministry of Family and Social Policies) provides psychosocial support and family training programs, especially inside refugee camps. Aside from the state-led services, the local governments, international organizations and the civil society have numerous programs on humanitarian assistance, livelihood and support for access to various state services.

In 2016, the Turkish parliament has amended a law for those under temporary protection on **access to formal labour market** in Turkey, which did not exist before. With this law, those under temporary protection (TP) could obtain work permits six months after they had received their TP identities, however the applications for the permits had to be initiated by their employers. Although those who participated in the formal labour increased after this amendment, the numbers still remain limited. Finally, beginning in 2017, the Turkish state started to grant **citizenship** to a selective group of Syrians under temporary protection. In the first round, among 50,000 Syrians who were enquired to apply for citizenship in the first round of naturalizations, some 30,000 Syrians were granted with a Turkish citizenship until mid-2018. The naturalization process is not directly application-based; only individuals who are selected and contacted by the DGMM are allowed to apply for naturalization. While the selection criteria is not formally announced, it is assumed by the experts and migrants (Expert6 13.08.2018; Adnan 15.10.2018; Tarek 16.10.2018) that enrolment to tertiary education and participation in the formal labor market may be markers for pre-selection.

Figure 6: Main Countries of Origin of Irregular Migrants Readmitted since April 4th, 2016*
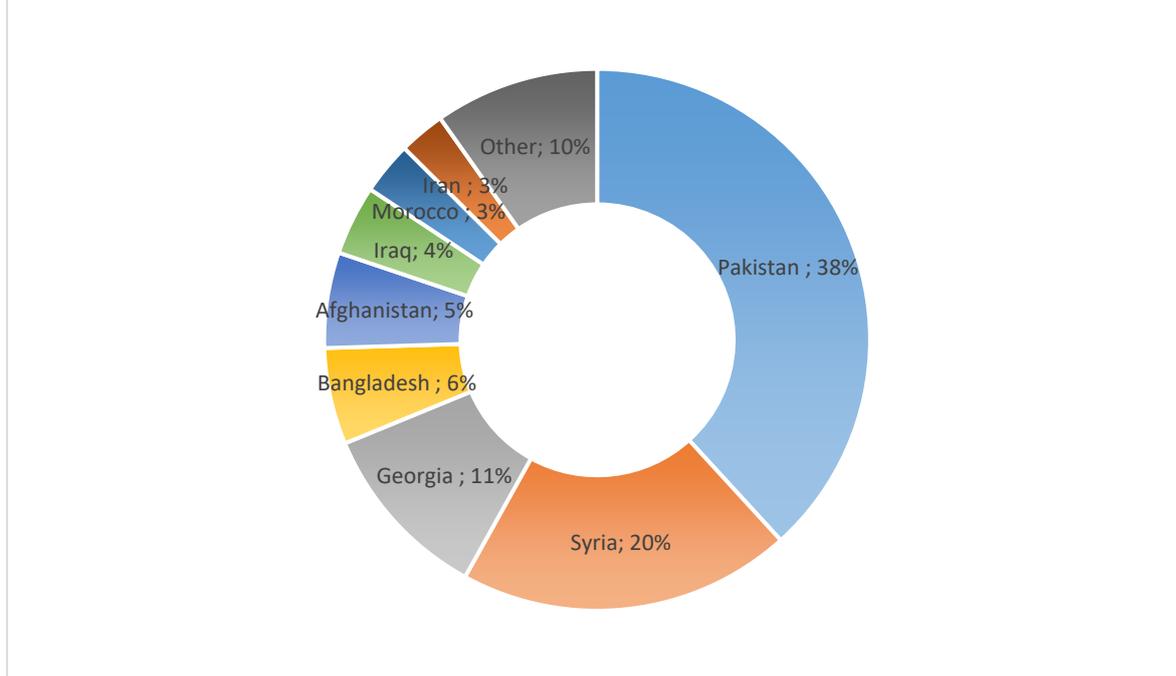
Source: "4 Nisan 2016 tarihinden itibaren teslim alınan düzensiz göçmenler", Directorate General of Migration Management, 2018. *Data is as of November 1st, 2018.

Since the mass influx of 2015, the secondary movements of the asylum seekers/refugees and migrants from Turkey towards the European Union has been a critical issue, influencing the relations between the two sides. In fact, the mobility of irregular migrants had already been a part of the negotiations between Turkey and the EU, as a result of the **EU-Turkey Readmission Agreement**, which was signed in 2013 (İçduygu and Aksel 2014). The **EU-Turkey Statement**, signed on March 18th, 2016, determines a scheme that is formal referred to as "one-to-one policy" within the Turkish official discourse. Accordingly, it specifies that for every irregular migrant apprehended and returned to Turkey from the Greek islands beginning with March 20, 2016, another Syrian determined as a vulnerable case by the UN Vulnerability Criteria would be resettled from Turkey to the EU. From April 2016 to the November 2018, more than 1,700 irregular migrants were returned to Turkey under this agreement, comprised mainly of individuals from Pakistan, Syria, Algeria, Bangladesh and Afghanistan.

Although both the readmission agreement and the EU-Turkey Statement indicate that irregular migrants would be returned to Turkey, the figures of those who have been readmitted by Turkey as a result of the two agreements illustrate that within this mixed migration, there is a significant number of individuals with international protection needs. According to human rights activists, the collective and automatic expulsion of asylum seekers and refugees, which often takes in the framework of these agreements, results in the violation of the principles on making an inadmissibility decision on first-country-of-asylum or safe-third-country grounds, based on the EU Asylum Procedures Directive (Skribelard 2016; Expert9 26.10.2018).

Since Turkey is not a member state to the European Union, **Schengen and Dublin** are not implemented in this country. As far as the Turkish citizens are concerned, **visa liberalization dialogue**, which would enable Turkish citizens' visa-free travel within the Schengen area, is a part of both the EU-Turkey Readmission Agreement and the EU-Turkey Statement. Nevertheless, the negotiations on visa liberalization dialogue have not progressed over the past years, and Turkish citizens are still subject to

visa obligations. Although the majority of the interviewees reached for this research reported that Schengen and Dublin do not have any repercussions on the current system on borders, as well as the management of asylum, a number of experts have suggested that they have indirect consequences.

Until the arrival of Syrian refugees in 2011 and the legal/administrative transformation of 2014, there was a very limited sphere in relation with the management of asylum and migration in Turkey, consisting of border agencies and the Bureau for Foreigners, Borders, and Asylum at the Directorate of General Security of the Ministry of the Interior, as well as a few international organizations and civil society organizations. Over the past years, there has been a very rapid expansion in the number of actors involved, which include but are not limited to:

- **Public actors:** Turkish General Staff, National Police, Gendarmerie General Command, Turkish Coast Guard Command, Directorate General for Migration Management, Provincial Directorate of Migration Management, Prime Ministry Disaster and Emergency Management Presidency, Ministry of Education, Ministry of Health, Turkish Red Crescent (Kızılay), Turkish Employment Agency under Ministry of Labour and Social Security (ISKUR), Ministry of Family and Social Policies, the Union of Chambers and Commodity Exchanges of Turkey (TOBB), local governments (e.g. Gaziantep Metropolitan Municipality, Zeytinburnu Municipality, Sultanbeyli Municipality, Bağcılar Municipality), World Academy for Local Government and Democracy (WALD).

- **International organizations:** United Nations High Commissioner for Refugees (UNHCR), International Organization for Migration (IOM), International Catholic Migration Commission (ICMC), United Nations International Children's Emergency Fund (UNICEF), UN World Food Programme (UNFPA), United Nations Development Program (UNDP), International Labor Organization (ILO), EU Delegation, Medecins du Monde, Welthungerhilfe, Relief International, Danish Refugee Council, CARE, World Vision, International Medical Corps, World Health Organization (WHO), Mercy Corps, Diakonie, WFP, GOAL, World Vision, International Federation of the Red Cross Societies, Federation Handicap, Concern Worldwide, Kreditanstalt für Wiederaufbau (KfW), World Bank, Council of Europe Development Bank, Agence française de developpement, Deutscher Akademischer Austauschdienst (DAAD), Stichting SPARK, Danish Red Cross, Oxfam, Expertise France.

- **Civil society organizations:** Based on an analysis by MiReKoc (Turper Alışık et al. forthcoming), more than 200 civil society organizations working on refugees and asylum seekers established by Turkish citizens and refugees exist in Turkey. Some of these organizations are: Association for Solidarity with Asylum Seekers and Migrants (ASAM), Human Resource Development Foundation (IKGV), Refugee Rights Turkey, Mazlumder, Support to Life Association, Arts and Cultural Dialogue in Anatolia, Yuva Association, Tarlabaşı Community Center, Small Projects Istanbul, Yusra Community Center, Maya Foundation, Blue Pen Association, Hayat Sür Association, United Work.

Institutionally, the physical and spatial bordering of refugees and asylum seekers are undertaken by the coordination between the border agencies (Turkish General Staff, National Police, Coast Guard Command) and the Directorate General for Migration Management and its Provincial Directorates. As far as the legal, economic and social bordering is concerned, the actors cited above and many others contribute to the opening or closing of the available space in relation to the bordering of asylum seekers and refugees in the country.

2.4. Conclusion

This chapter presented the current context and the legal national framework for the bordering of asylum-seekers and migrants in Turkey. In order to do so, the chapter presented the particularities of the Turkish case that are marked by three main characteristics, determining the conditions of entry and stay of those seeking asylum in the country: (1) the geographical limitation that allows only the citizens of the European countries to be allowed as refugees in the country, (2) the role of irregular migration as a significant aspect of international protection, and (3) the existence of a separate status of Temporary Protection granted to Syrian nationals that diverge their status from others seeking international protection. Although Turkey has been receiving increasing number of migrants and asylum seekers since the early 2000s, the influx of the Syrian population since 2011 and the changing legal and administrative context since 2014 has been resulting in the positioning of migration and asylum high on the agenda of policy makers. The spill-over of the Syrian influx from Turkey to the European Union has taken place beginning in 2015, resulting in new patterns of mobility by migrants and new forms of relationship between Turkish and European actors to manage the emerging mobility. Since the EU-Turkey Statement, signed in March 2016, there has been a significant decline in the number of irregular border passages from Turkey to the European Union. Currently, there are five available routes that may be accessible to those seeking asylum and those under temporary protection: (1) resettlement through the UNHCR, (2) resettlement in the context of March 2016 Statement, (3) family reunification, (4) irregular migration, and (5) other regular migration patterns (labor or student migration). As demonstrated with the existing statistical data, the regular forms of mobility (resettlements, family reunification and other regular migration patterns) are accessible only to a limited number of individuals and the conditions of irregular border passages are becoming riskier and more dangerous as a result of the new mechanisms against them.

3. Empirical research with institutional actors

3.1. Introduction

This chapter evaluates the institutionalized bordering practices performed by institutional actors, including border agents, policymakers/legislators and actors in the housing and labor sector. The chapter starts by presenting the findings from the fieldwork with the border agents to shed light on the geo-political space in Turkey. The section on border agents aims to respond to the questions of how borders and border procedures in Turkey have been defined by them and what were the changing dynamics they faced after 2016, especially with regarding to their interactions with the European Union. Second, the chapter moves on to portraying the results of the interviews conducted by national legislators, to discuss the legal space on borders and bordering processes in Turkey. The section reflects the insights of these experts on the borders and bordering practices in Turkey, as well as the interactions in Turkey with the EU and the Common European Asylum System. Third, the chapter delves into the social and economic space by examining the interviews with the actors working in relation to housing and participation to labor force participation.

3.2. Institutionalized bordering practices performed by border agents

This section analyzes how the bordering processes and practices take place in the geo-political space in Turkey, by examining the empirical data obtained during the fieldwork conducted between May-October 2018, as well as the secondary literature and existing legislation which are employed to support the empirical data. To begin with, the current study examines how borders are defined and perceived by border managers, and whether their role in managing the actual border passages has an impact on how they perceive the borders and bordering processes. Furthermore, the section focuses on the border procedures migrants and asylum seekers are subject to upon arrival and while leaving Turkey to go to the European Union. Finally, it examines how the management of borders and the bordering processes have been influenced by the relations between the EU and Turkey, especially in the aftermath of the mass influx of 2015.

3.2.1. Definitions of legality on Turkey's external borders

As previously discussed, Turkey has a significantly large borderland, which lies as a bridge between Asian and European countries. In the east and southeast, the country mainly has a borderline with immense physical constraints, making it difficult for the border agents to control the borders and the migrants to pass through them. As a part of the local economy, different patterns of smuggling (goods, oil, arms and drug) along with the act of human smuggling exists especially in the eastern border regions of Turkey since many decades. Moreover, the existence of guerrilla organizations located in the mountainous areas in the east and southeast of Turkey and the periods of political conflict with some of its neighboring countries traditionally made the border management an issue of territorial security, rather than managing the passages of individuals. In the west, the most part of the borderline comprises of the sea borders with a very close proximity to the Greek islands.

Looking at the five main nationalities of asylum seekers (Syria, Afghanistan, Iraq, Iran and Somalia), it can be argued that beyond the overall migration and asylum regime of the country, the bilateral relations with the countries of origin and the individual characteristics of the migrants and asylum seekers are decisive on where these groups enter the country. For the Syrians, the initial response of the state from 2011 to 2015 has been an open doors policy, which had allowed many Syrians to reach *en masse* the secure lands without substantial difficulties. Since 2015, the state has been closing down

the available routes due to security concerns, but also to be able to have a more hands on approach to border passages of migrants, a policy that is supported by the EU member states. According to the United Nations Office for the Coordination of Humanitarian Affairs (OCHA), as of November 2018, only three of the nineteen border crossing points with Syria were open[3]. Moreover, since 2016, Syrians are required to enter with visas, which under the current conditions in Syria is very challenging to obtain. As a result, over the past years many Syrians who entered the country used the irregular routes often arranged by smugglers, which are also becoming more challenging due to the rising walls on the Turkish-Syrian borderline (Human Rights Watch 2018b). For the nationals of Afghanistan, Iraq and Somalia, the Turkish state has a visa requirement, which needs to be obtained in the countries of origin. As a result, asylum seekers coming from these countries either come to Turkey regularly with visas or via irregular border passages and then apply for asylum. While the main irregular route taken by the Iraqis are through direct borders with Iraq, Afghans mainly use the borders with Iran, which is located as a transit country. For the Iranians, visa-free travel is allowed by the Turkish state, making it possible for regular entries without difficulties (Aksel et al. 2015).

To leave Turkey to enter the European Union, the asylum seekers can either benefit from a number of regular mechanisms (resettlement, family reunification or other forms of regular mobility, such as labor and student migration) or opt to take irregular border passages through land and sea borders with Greece, Bulgaria and very rarely towards Italy via the Mediterranean Sea. The majority of irregular border passages to the EU takes place on Turkey's sea borders and according to the officials at the Coast Guard Command, 80% of all irregular border passages and apprehensions at sea from Turkey to the EU takes place on the northern shores of the Aegean Sea. This is a data that we also witness during our fieldwork. During our empirical work in Izmir and Bodrum we are presented with the infrastructure and the coast guard boats, and some videos of the Turkish Coast Guard Command's efforts to save the migrants in capsized boats. In Çanakkale, within a period of two hours, we witness an apprehension of a van full of irregular migrants sent to the removal center or to the PDMM nearby and another apprehension of a boat full of irregular migrants, one third of the whole group consisting of women and children.

The administration of the external borders on land is undertaken by the Turkish General Staff and the General Command of Gendarmerie. At the sea borders, the Turkish Coast Guard Command is the main authority managing the borders and working in close relation with the Gendarmerie and the National Police. The border crossing points, including those at the airports, are administered by the Ministry of Interior, Turkish National Police and the Ministry of Customs and Trade. As far as the asylum movements are concerned, according to the Turkish Law on Foreigners and International Protection, the applications for asylum takes place mainly after individuals' entry to the country, and therefore the border agents do not participate in the admission and reception procedures, but rather guide individuals to the offices of the DGMM.

In Turkey, the differentiation between legal (regular) and illegal (irregular) migration is determined by whether the border passage is made from the border crossing points with a valid passport or travel document. According to LFIP, the conditions regarding entry into and exist from Turkey cannot be

---

3   Humanitarian Response,
     https://www.humanitarianresponse.info/en/operations/stima/infographic/turkey-syria-border-
     crossings-status-22-october-2018-t%C3%BCrkiye-suriye.

construed and implemented to prevent the international protection claim[4]. Moreover, for those who entered Turkey to benefit from the temporary protection regime, irregular entries are not penalized as long as the individuals declare their conditions and reasons for irregular entries and stays to the relevant authorities (UNHCR Turkey 2017). The applications for international protection or temporary protection take place after entry to the country.

As for the irregular exits from Turkey, there are different mechanisms for irregular migrants and those under temporary protection who are apprehended by the border agents, as described in the quotation below:

> *When we apprehend the migrants, we take them to the harbor and do the administrative work. There is some information that are demanded by the PDMM, so we take these and apply administrative sanction decisions. We do body search and get health reports. If there is a forensic incident, we call the prosecutor. If there is a suspect, we start the judicial process regarding this person. We transfer them to the National Police or to the Gendarmerie, to take them to the PDMM. For irregular migrants, the DGMM arranges vehicles to send them to the removal centers in Central and South-eastern Anatolia. The Syrians are sent to the camps or to the cities where they have registered. Their mobility inside Turkey is subject to authorization* (Border agent3 08.09.2018).

As described in the quote, during the apprehensions at Turkey's sea borders, the Coast Guard Command does the initial works on body search and questioning of the individuals' country of origin, as a preliminary evaluation of the migrants. The main evaluation of the migrants' demographics and country of origin information is undertaken by the Provincial Directorate for Migration Management, the main authority that manages the stay of migrants and asylum seekers of different statuses in Turkey. There is a clear differentiation between Syrians and non-Syrians in the succeeding procedures: even though the attempt of border passage has been made via irregular means, the Syrians are usually sent back to the camps/cities where they were registered, while the individuals of other nationalities are sent to the removal centers under administrative detention. As it will be developed, Syrians under temporary protection and those seeking international protection can only reside in specific cities they are either registered in or are assigned to.

How the borders and border processes are described and perceived by border agents are critical for understanding their ways of performing in their professional lives. According to the border managers who were interviewed for this study, the borders are physical manifestations of national security and sovereignty. Their main role is to separate the spaces that are ruled by different nation states. However, although they are assumed as distinct and pre-determined areas (as described with red lines on world maps) in the political area and in the international relations, the evaluation of the borders in the field is not always as clear. The interviewees agree on the difficulties in settling the borders due to their physical characteristics:

> *Borders should be considered as an area where the sovereignty of one state finishes and the sovereignty of another one starts. In certain places, physical barriers are making the borders more evident. However, there are borders without an explicit marker, and they are technically evaluated by the experts in the field. In the South-eastern Turkey, the borders used to be shown with rocks. There*

---

4   Republic of Turkey Ministry of Interior Directorate General of Migration Management, Law on Foreigners and International Protection, http://www.goc.gov.tr/files/files/eng_minikanun_5_son.pdf.

are natural and artificial borders. In terms of migration, borders need to be distinguished between places with border crossing points, and places without them. Places with BCPs are obligatory areas for entry, they need to be used. We define all other border passages outside of them as illegal border passages according to the international law. This is where the problem begins (Aydoğan Asar 02.08.2018).

As argued by Aydoğan Asar, the President of Society for International Migration, Integration and Border Management Studies and the former head of Foreigners' Branch under the Ministry of Interior, the borders are not always marked by clear physical barriers, often they are created with artificial markers. As a result, the evaluation of where the borders lie need to be made by the experts working in the field. In addition to separating the areas of sovereignty, the borders distinguish between legality and illegality. Asar argues that the border crossing points are the determinants of legality since they are the mandatory spaces that are established to allow the passages of individuals in the context of migration.

Since the main focus of this study is to evaluate the border passages in Turkey, in connection with the European Union and the Common European Asylum System, we have interviewed border agents working at four different sites of sea border crossings between Turkey and Greece. All border agents interviewed for this project reported that determining where the sea borders are positioned is more difficult than at the land borders, making it more difficult to manage, regulate and control the border passages. The distinction of the state territory at the sea does not begin at the actual borderline but at a prior point, as described by two interviewees:

> *The control of the sea borders is different from land and air borders. It is something that requires power and continuity. You can build a wall on the land border, as in the case of the Syrian border, or dig a ditch. But the security of a country does not start at the sea border, it starts beyond the border. If you wait at the 12th mile, then it would not be enough, the security of a country begins in the international waters. The sea borders are different from land borders due to the existence of international waters* (Border agent2 05.09.2018).

> *What we call as the border is something related to the economics. According to the UN agreement, it has an economic side related to fisheries, but it is also something that is related to the sovereignty issue. The sea is different, you cannot build walls* (Border agent1 04.09.2018).

In these two interviews, the physical characteristics of the sea borders are presented as the challenges that have an impact on the management of the borders. As another interviewee suggested, the sea borders include other markers such as the continental shelf and the international waters that complicate the distinctions between the areas of sovereignty, as well as of il/legality:

> *When we look at the maps of land borders, there are red lines demonstrating borderlines. But there is a clear difference on sea borders. We are applying the borderline as 12 miles in the Mediterranean Sea, 12 miles in the Black Sea and 6 miles in the Aegean Sea. From that we decide on what to do with the illegal activities carried out, and how the entries and exits should take place* (Border agent2 05.09.2018).

Therefore, since the evaluation of borders is more vague at sea, their management is also very challenging and depending on the individuals who are in control of them. The quotes from the

interviews conducted with border agents above also demonstrate the challenges in resolving who is the responsible at sea borders, due to the difficulties in exactly determining the position of the borderline. In the context of a security-oriented management of international migration, this situation often furthers the human rights violations, as well as diplomatic tensions between the bordering countries, as described by a human rights lawyer working with migrants and asylum seekers:

> *Border passages from Turkey to Greece are problematic for both countries. We hear of news about individuals who are pushed back by the Greek authorities and are picked up by Turkish fishermen, on the Aegean Sea and on Maritza River* (Expert2 31.07.2018).

As discussed in the quote above, over the last decade many incidents of push backs and maltreatments during border passages between Turkey and Greece have been reported by human rights activists on both sides of the borders. The border agents who were interviewed have also reported cases where the lack of communication and reconciliation by the border agents on both sides of the borders have resulted in incidents endangering the lives of migrants. Such cases illustrate that beyond the physical barriers that separate people and states from one another, the borders are determined by social factors. These factors include the understandings of sovereignty, and also the perceptions of responsibility towards "others", which includes the questioning of who the responsible is and to whom they are responsible for. According to the interviews with the border agents, in a context where the human mobility is perceived from a securitized logic, there is a thin line between protecting the national territory and protecting the lives of individuals:

> *Our duty to protect borders is something that starts before the borderline. The illegal exits of the migrants are also a security weakness. The money earned by the organized crime through illegal smugglers turns back as drugs. But there is also the search and rescue side of the issue, the protection of the lives of the individuals* (Border agent1 04.09.2018).

> *This is an institution that saves human lives, our priority is to save lives. If a person's life is going to be put at risk, we allow them to pass from the borders. For instance, there are cases where we would have to risk the security of the life of a person in order to stop them at the borderline. In such cases we do not maneuver, we let them go* (Border agent4 08.09.2018).

As reflected by the quotes above, and as frequently repeated by the Turkish Coast Guard officials during our interviews, the approach adopted by the border authorities during the events critically influence the lives of migrants. When asked for their routine schedule, the border agents also described that a significant part of their work involved search and rescue operations. The interviewees reported that often in cases where their tasks of regulating irregular border passages and the lives of individuals conflicted, they opt to let migrants pass the borders, in order to avoid human losses. The accounts of their daily work involved many instances of humanitarianism: feelings of respect towards the migrants faced with many challenges on their path to the EU, the depictions of self-sacrifice while saving children and families from the sea during the operations, compassion towards the helplessness of migrants who try to cross the borders with meager means (such as using tied-up plastic bottles or inner tubes of tires).

Another finding from the quotes by the border agents provided before is the existence of increasing efforts for surveillance and control at Turkey's borders with its neighboring countries, through the establishment of new physical barriers, such as walls and fences, undertaken by the Turkish state and supported by the European authorities. Such measures for controlling the borders is also shifting

towards the east, as the country builds walls on south eastern and eastern borders with Syria, Iran, Iraq, Armenia and Georgia, as it was previously done on Turkey's western borders by Greece and Bulgaria. Nevertheless, the impediments against the regular or easier border passages push migrants to take more irregular and harsher routes, often resulting in humanitarian catastrophes. The results of this situation have been witnessed over the last three years on both the western and eastern borders of Turkey.

Moreover, as argued by Deniz Sert, Associate Professor at the Department of International Relations at Özyeğin University, the short-term consequences of a stricter border regime on international migration might not always endure in the same way on the long term:

> I think Turkey has a very liberal visa regime, I don't think it has difficulties for people's entry – which is a good thing. There is a reciprocal relationship: it has been very relaxed to enter, so more people could come. Since many people are coming, now they have a stricter border regime – for instance there is a wall in Antep. In fact, as we know, the more walls are built, the more permanent migration in a country you have. The important thing is to make people more mobile in a circular way with open borders. De Haas' research has shown that: In the past the Morocco-Spain route had a circular movement. As Spain increased its border controls, people moved with their families to Spain. If the states want to create circular migration, they need to create ways for more mobility (Deniz Sert 23.10.2018).

Quoting Hein de Haas' work about the impact of the introduction of visa requirements between Spain and Morocco on the rapid growth of the Moroccan population in the country[5], Sert argues that although a stricter border and visa regime may impede people's entries to the destination countries up to a point, they may also result in more permanent migration, rather than enabling circular movements. This result demonstrates that the borders are effective in the management of migration, however the causality between border controls and migration is affected by other intervening factors, such as the motivations of individuals.

3.2.2. Changing dynamics after 2015 and interactions with the EU

Although the discussions and negotiations between Turkish and European authorities on border and migration control started to take place in 2015, the country was already witnessing mass influx of Syrian refugees since late 2011. During the early years of the Syrian civil war, the Turkish state allowed the visa-free travel for Syrian citizens (which had been existent since 2009) and therefore the main approach was an open doors policy. According to the findings of a current research on smuggling (Aksel et al. 2015), the open doors policy enacted on the Syrian borders of Turkey had also reflected on its other eastern borders, facilitating the entry of other migrant populations, such as the Afghans. The routes for entering the country from the eastern borders were already more porous in comparison to the western borders due to the difficulties related to the terrain, the existence of guerilla forces emerging as a security concern and of countries with high migrant populations. As reported by Aydoğan Asar, the European authorities' requests for an integrated border management, which involved stricter control and civilianizing the border agencies in Turkey was not in line with the facts on the ground. According to him, the changing dynamics in 2015 resulted in a shift in the EU's approach towards Turkey:

---

5   For further reading, see 'Myths of migration: Much of what we thing we know is wrong',
       http://heindehaas.blogspot.com/2017/03/myths-of-migration-much-of-what-we.html.

What we have witnessed while writing the law [LFIP], is that the EU had difficulties in grasping the realities regarding the difficulties of border management in Turkey and the migrant groups that it is in contact with. They couldn't grasp that the border has difficult conditions, that it is long and on the other side of the border there isn't Portugal, Spain, Sweden but Iran with 2.5 million Afghans, as well as Iraq and Syria. This was reflected with a projector after the mass influx from Syria. At this point, this mass has frightened the EU so much that they started to leave the liberal perspective; rather than considering it in terms of a humanitarian approach, they considered it as a threat (Aydoğan Asar 02.08.2018).

As discussed by Asar in the quote above, the emerging mass influx from Turkey towards the European Union by migrants and asylum seekers of Syrian and other origins during the summer of 2015 has resulted in new demands by the EU which were even stricter than the earlier period. At the same time, the requests towards civilianizing the border controls at Turkey's all borders was left aside to a perspective that aimed for increased surveillance and establishing physical barriers on borders. Asar described the changing perspective as a shift from a humanitarian approach (which had been effective in the early harmonization period, leading to the writing of the LFIP in Turkey) towards a security-oriented one.

The mass influx in 2015 towards the EU resulted in a drastic increase in the workload of Turkey's border agents both at the land borders and also sea borders. The sea borders were more affected from this situation, as a result of the harsher measures taken from the neighboring side by the Greek and Bulgarian authorities as well as Frontex. Syrians' protests of the closed borders in September 2015 and their march from Istanbul to Edirne, also demonstrated that regular migration would not be possible for the majority of this population, pushing them further for taking the irregular route. Following the negotiations between Turkey and the EU, the EU-Turkey Statement was finalized in March 2016 and it included the readmission of the individuals who have made irregular migration from the Greek islands. As a result of this agreement, the increasing politicization of this issue and rising xenophobia in the EU, the numbers of irregular border crossings started to decrease rapidly:

After 2015, we have seen a migrant movement of 950,000 people. When we think that there are 50-60 people on a boat, we know that every night 50-60 boats pass, making 10,000 people in a day. There were people exiting the country from every point on the shores, at any time of the day, with 50 people in a boat that is normally suitable for three people. We know that there were women and children. Many of them came from Syria and had not met the sea before, did not know how to swim, and could lose their lives. In 2015, the Turkish Coast Guard saved 91,611 people from the sea. The coast guard worked under very difficult conditions, self-sacrificing itself. [...] There is an increasing trend until March 2016. Our country signed this Statement as a result of an effort to manage migration, not to prevent it. It of course had an effect in reducing migration. We have seen significant decline in the number of migrants (Border agent2 05.09.2018).

During our interviews with border agents, the EU-Turkey Statement was reported as a critical turning point that resulted in a decrease in the passages and the workload of the personnel. However, the Coast Guard officials repeatedly announced that while signing it, the Turkish state's objective was to manage migration rather than preventing it, and that their duty was to take action against what is defined as illegal activity within the territories of Turkey, rather than protecting those of the EU.

After the Statement with the EU, the intensity of migration has decreased, and therefore our workload also decreased. However, this is not a duty that the EU gives to us, it is not a responsibility they can take from us. Turkey has the obligation to take action on illegal activity within its sovereignty area. This is not a burden that the EU can take away from us (Border agent3 08.09.2018).

Therefore, although the impact of the EU was clear in the changing dynamics of migration and border management in Turkey, the primary cause of the change was the country's domestic concerns. An example is the reshuffling of the organizational structure of the Turkish border agencies in the aftermath of the attempted coup of July 2016, whereas the Coast Guard Command and the Gendarmerie General Command were subordinated to the Ministry of Interior, rather than the Turkish General Staff. According to our interviews, this transfer had a significant impact on the working conditions and the coordination of the Coast Guard Command with the other law enforcement agencies.

As described before, the spill-over of the Syrian mass influx from Turkey to the European Union has taken more than three years, a period when the refugees have been more mobile within Turkey's internal "borders", and less mobile on its external borders. During this period, the main pattern of migration was from the country's southeastern cities towards the western ones, mainly to Istanbul. Beginning with 2014, the Turkish state attempted to halt this mobility by introducing the obligation to stay in the cities where refugees have registered. While the creation of these "internal borders" had an impact on their mobility in Turkey, it did not result in impeding further cross-border mobility towards the EU:

After 2011, 3.6 million Syrians arrived in Turkey. The state attempted to keep them under control in certain regions, however, as the numbers increased, they started to spread around the country. We see that there has been an intense migration movement from the eastern provinces of Gaziantep, Hatay, Urfa, to the coastal cities. They are migrating again within the country. They experience migration by coming to Turkey first, and then they do a second migration within the country. Finally, we have witnessed a secondary cross-border mobility by sea, in search of a new hope in the European countries. They started to pass illegally to the European countries. The main routes are through certain islands in Greece due to proximity. We know that there is a limited number of migrants who aim at Italy, but the number does not exceed 2,000 in total (Border agent2 05.09.2018).

Within the European Union, the interplay between Schengen (abolishing largely the internal borders) and Dublin (determining who processes international protection applications) create challenges for both migrants and the EU member states. In the context of Turkey, a non-member of the EU, the impacts of Schengen and Dublin on migration are only indirect and the border agents interviewed for this study agreed that the two regulations did not have any impact on the management of borders and migration in Turkey. Aydoğan Asar argued that humanitarian perspective was not existent in Dublin:

Dublin is not an agreement that takes migrant and his/her rights as the main principle. It seeks for a responsible. It seeks for a problem. It doesn't aim to find a solution to the person who seeks asylum, it is an effort to find someone to shuffle off the responsibility to and it is a problematic agreement (Aydoğan Asar 02.08.2018).

As described in the quote above, according to the experts working on border issues, Dublin was a problematic regulation which was similar to the EU-Turkey Statement: rather than finding a solution

to the emerging need for increased refugee protection, it aimed to shift the responsibility to other countries positioned on the borders of the EU. In a similar vein, Deniz Sert also argued that the countries such as Greece, Italy and Spain, which are most affected from the migration influx have not been supported by the others:

> *I understand the rationale behind Dublin: it aims at stopping asylum shopping. Yet, this increases the number of asylum applications in the border country and the other countries are not providing the means to these countries. Schengen is an amazing project where we can learn more about human mobility. When you look at the numbers in western Europe, migration from Central and Eastern Europe is more than those of asylum seekers. But also, each and every person with an EU passport is not willing to live in Berlin, there is a category of people who want to live in Berlin (Deniz Sert 23.10.2018).*

According to Sert, in comparison to the Dublin regulations aiming to halt the movement of non-Europeans within the EU's internal borders, Schengen could be considered as a real-life experiment of human mobility, illustrating that not all migrants were aiming to live in the same place, if left to decide according to their own motivations.

3.3. Institutionalized bordering practices performed by national legislators

This section analyzes how the bordering processes and practices take place in the legal space in Turkey, by examining the empirical data obtained during the fieldwork conducted between May-October 2018. It first elaborates on how the borders and border procedures are defined by the legislators and policy implementers, as well as the experts in the academia or working in the field. Second, the section focuses on the interactions of Turkey with the EU, its member states and the EU's mechanisms within the context of the Common European Asylum System.

3.3.1. Contradicting definitions of borders: Sovereignty vs. humanitarianism

In the previous section on how the borders and border procedures were defined by the border agents working in the field, the concerns over protecting or surveilling a state's sovereign territory often conflicted with safeguarding or saving the lives of migrants. Although in theory, the definition of borders was provided from a legal and institutional perspective, which clearly distinguished between what was legal and illegal, the responses given to the practical situations did not always follow such sharp distinctions. In fact, the reason why the legal and institutional definitions do not fit with the practice is very much related to the fact that nation states' concerns over sovereignty and the asylum/refugee regime supported by the international conventions exist at the same time. As described by Saime Özçürümez, Associate Professor at the Department of Political Science and Public Administration at Bilkent University, aside from the differentiation of legal/illegal (regular/irregular) entry at the borders, there is also a differentiation in terms of whether those making the entries are seeking to demand for asylum or not:

> *It's actually a manifestation of the control that is asserted by the state over the area, over its geographical area over which it claims sovereignty. So regulation, in this sense, is part of the idea of being able to in fact control cross border movements. And this actually has two major dimensions. One of them is entry, and the other is exit. How they entered, although we might not really be very fond of the term, are defined as "legal" or "illegal" entry. Or "regular" or "irregular" entry. This starts the process of differentiation. The other side of the story, or the complimentary side of the story is, even if*

> *they might have entered irregularly, they might want to make claims to international protection. So differentiation is already happening at the border with respect to the type of entry that is observed* (Saime Özçürümez 31.07.2018).

Özçürümez suggests that the destination country's commitments to international protection are very much critical on asylum seekers' interest in making claims. At this point Metin Çorabatır, the President of the Research Center on Asylum and Migration (IGAM) and former spokesperson of the UNHCR in Turkey argues that the natural interference of irregular migration with the asylum movements has been resulting in the states' reluctance towards distinguishing and determining the status of refugees. As a result, since the 1970s, there has been increasing interest by the asylum receiving states to impede overall migration via various mechanisms:

> *Borders are very crucial in terms of the management of migration, but also of international protection. In terms of migration, the international law acknowledges that every country is the absolute authority of the area comprised of its sovereign borders. […] In terms of international protection, the states that are parties of the 1951 Geneva Convention are obliged to open the borders to those in need of protection. At this point, the issue blurs, loses its clarity. As the irregular migration increases, issues arise on fulfilling the obligations about how to distinguish people. States have been taking physical, administrative and penal measures to impede migration since the 1970s. This harms the international protection, which is a basic right. Whoever the person reaching the borders is, they should have all basic human rights* (Metin Çorabatır 13.08.2018).

The conflict between the interest to control sovereign borders and providing basic rights of international protection to those in need, as described by Çorabatır, is very much linked to the domestic and international political concerns of the states. On the one hand, the linkages between many states in the international political arena and the balances of power have an impact on how the borders and migration are managed in the country. According to a representative of the Directorate General for Migration Management, from the state perspective the control of the borders requires political and diplomatic action beyond the territories of the country, and especially within the countries of origin:

> *As far as our experience in the field shows, border management is not only about land or sea borders. Although you may not have a border with Afghanistan, you may still be influenced by what happens there. You need to have a foot beyond the borders, have political components there* (Expert4 02.08.2018).

On the other hand, there are the domestic concerns of the political actors in a country, who may be using the practices of "othering" in order to gain ground upon other political actors. Such practices are also often reinforced by the national and international medias, as reported by a representative of a local municipality actively working with refugees in Turkey:

> *Security concerns reflected by the media and politics have a significant impact on the management of borders. […] The resources in the world are sufficient for all citizens of the World. However the media reflects it as if the people who arrive to these countries – 2,000, 3,000, 5,000 or 500,000 – are going to drain all these resources. Politicians can turn their own ideologies – such as anti-migration or anti-alien – into state policies and influence people* (Expert1 25.06.2018).

Many interviewees reached for this research agreed that there was the rising anti-migrant discourse and politics within the EU, which had not been as evident in the Turkish case. However, the interviewees were also cautious about the future: although in Turkey, there have not been such publicized instances of negativity towards migrants and refugees so far, there are no guarantees that they will not take place in the future because of the ambiguities related to their permanency and status in the country.

3.3.2. Interactions with the EU and CEAS

Border and migration control had been a topic of negotiations between Turkey and the European Union since the early 2000s, as a result of the EU's demands for transforming the existing system in line with its own *acquis.* During the early days of accession negotiations, the prospects of membership had pushed Turkey to take crucial steps to harmonize its system. Many interviewees of this research reported that they had been following the various mechanisms and debates which were taking place within the EU and its member states related to the management of migration and asylum in the past, as reported by a representative of a nongovernmental organization providing legal assistance to refugees in Turkey:

> *After Lisbon [2007], we have seen a great energy. After that period, the Turkish policies began to become Europeanized, and we had efforts to bring the good practices to Turkey. We tried to bring expertise and specialization. We attempted to provide insights to the discussions on the external dimension of migration management, which our colleagues in the EU had already known about, during the discourses at the EU level. We wanted to be informed because what happened there influenced Turkey as well. We wanted to use what we learned there during the preparation of the new law* (Expert9 26.10.2018).

For the representative of the NGO, the direct influence of the EU's mechanisms and procedures on the management of migration, asylum and borders has been set aside, replaced by indirect influences due to the Readmission Agreement and the EU-Turkey Statement:

> *I think after the Readmission Agreement signed in 2013, the EU side started to take into account that the prospects of negotiations with Turkey are not clear. Therefore it started to consider Turkey as a partner country in terms of the external dimension of the EU's migration policy. Visa liberalization process replaced the accession negotiations after 2013. The strategic relations were prioritized rather than the accession talks. This was reinforced after the Statement in 2016* (Expert9 26.10.2018).

As reported by the interviewees, following the alienation of Turkey from the EU's candidacy agenda, the Turkish legislators and experts stopped following these issues, as the impact of the EU was not considered as relevant for the Turkish context anymore. As described by Saime Özçürümez, the mechanisms within the EU such as the Common European Asylum System, Dublin and Schengen were not relevant to the Turkish context, because the country was not a member state, and it did not have strong prospects of membership since even an earlier period:

> *For Turkey, Dublin could have been very relevant, if on the road to membership...when we studied asylum and migration in Turkey, at least a decade ago, this was very central. And that would have been a very different status with regards to the kinds of procedures we would try, the key words that*

circulate like solidarity and responsibility sharing. [Dublin and Schengen] would have mattered

differently pre-2011, and now they matter differently post-2011 (Saime Özçürümez 31.07.2018).

Özçürümez highlighted that the concepts such as solidarity and responsibility sharing were also not relevant for the Turkish context, as they were considered as related to the internal affairs of the EU, to which Turkey was not a part of. During the fieldwork of this study, many interviewees reported that one of the indirect implications of Schengen was on the visa liberalization dialogue which had been juxtaposed by the Turkish state to the readmission agreement in 2013, and later revived during the EU-Turkey Statement. As one interviewee reported:

Schengen and Dublin do not have a significant effect in Turkey. Only in terms of the EU-Turkey deal,

Turkey would protect its own borders, stop the border passages of migrants, and in return Turkish

citizens would have visa-free travel opportunity in the Schengen countries. This was supposed to be

enacted in 2016, but it still hasn't. No one thinks that it will be in the near future (Expert1 25.06.2018).

The visa-free travel had been put on the agenda during the negotiations between Turkey and the EU as a *quid pro quo* to the readmission of individuals who have used the Turkey on their path to access the EU. Nevertheless, the Statement received many criticisms from the opposition parties, as well as the experts and human rights advocates due to various reasons. One of the main reasons for this criticism was the "mixing up" of the processes regarding the regular mobility of individuals with the mobility of the vulnerable populations, as described by Özçürümez:

That statement, which brought the visa liberalization process, and the humanitarian scheme around

international protection together was a scheme that broke up. They were apples and oranges, two

separate processes. One of the major reasons is that, as scholars, there is a need for us to focus on the

reason for the movement of the individual. [...] Fleeing and leaving are not the same. [...] There need to

be clear routes and opportunities for these people who really need humanitarian assistance, who really

need to be provided with the basic assistance that would enable them to start their lives, who have left

their countries with almost nothing since they were fearing their lives. Budgets, assistance, and so on

should not be mixed (Saime Özçürümez 31.07.2018).

During our interviews in the field and the content analysis on Turkey conducted for CEASEVAL's work package on the politicization of responsibility and responsibility sharing within the framework of EU-Turkey relations, we have witnessed that the *raison d'être* and the repercussions of the Statement have been an issue of criticism against the existing government in Turkey by various actors.

Aside from the visa liberalization dialogue, other indirect implications of Schengen and Dublin systems within the EU have been related to the secondary and even further movements of refugees across Turkey and the EU. According to a representative of an international organization, many refugees who were selected to be resettled to countries such as Italy or Spain opted to not leave Turkey, as a result of a cost-benefits calculation:

Refugees who are resettled from here cannot change their countries for a certain period of time. As a

result, there is a great reluctance to leave for Italy or Spain. We had cases where the families have

been interviewed to leave for Spain, charters were arranged, they said that they would leave. On the

day of the flight, the number of people who were going to be resettled fell from 250 to 50. They prefer

staying here. They say that the 1.5 Euro daily food aid is not enough. Their families who are living in

those countries advise them not to go. There is an incredible network of people, they decide not to go. If Schengen would work, they could go to Germany after being resettled (Expert7 15.10.2018).

Based on the quote provided above, the Schengen procedures are not available to those who go to the European Union through the resettlement, and therefore many refugees are reluctant about going to certain countries, even though they are the member states of the European Union. The quote also illustrated that the decisions on the countries of asylum and the use of alternative pathways were shared among the refugee networks that are disseminated around the continent. Other times, reaching the countries of asylum serves not to reconstruct one's life, but becomes a means to obtain free mobility within the EU and beyond. A representative of a Provincial Directorate of Migration Management explained that they were witnessing cases of return by Syrian refugees to Turkey, from countries such as Finland, Denmark or Germany, either due to weather conditions, or due to the difficulties of following integration trainings:

> *They used Dublin as a leverage during the readmission agreement with the EU. They had the opportunity to send back the migrants caught in Ireland to us via Greece. As for Schengen, we need to consider how much a Syrian or a refugee admitted in the EU can benefit from it. The EU can force certain procedures [limiting the mobility of migrants] based on the behavior of migrants. But, they are a very mobile population. There are those who would leave Istanbul to go to Finland, and come back, saying that it is too cold. They have gone there on foot. They apply for asylum there, and then come back with their passport and visa obtained from the Turkish Consulate, come back here and establish a business. The EU sets the rights and obligations of migration. Some of the migrants consider them too harsh, and decide to come back here. We have witnessed others coming back from Denmark or from Germany* (Expert5 07.08.2018).

According to the representative, the issue of such returns created challenges for the administrative procedures in Turkey. Based on the Geneva Convention, the refugee status obtained in these countries could not be used in other countries, together with travel documents or residence permits of other countries and therefore they had to be annulled. Such examples again illustrate refugees' use of alternative routes and legal gaps against the strict legal and administrative procedures created by the states.

For the interviewees who have an outsider perspective vis-à-vis the migration and asylum system within the EU, the Common European Asylum System is evaluated as not working properly. One of the main reasons for this negative evaluation is related to the different approaches adopted by the member states. According to a representative of the Turkish Ministry of Foreign Affairs, there are levels of commitment and engagement to a common system:

> *We are not a part of CEAS, we are not bound to it with its requirements and its regulations, because we are not an EU country. But I don't think it works effectively. Visegrad countries are stricter about the refugee statement; this is different from how Germany approaches the issue. They consider that the EU cannot commit on their behalf. How can you develop a common asylum system under such conditions?* (Expert6 13.08.2018).

As discussed in the quote above, many experts who were interviewed agreed that reforming CEAS would not be possible, given the current state of affairs. In a similar vein, a representative of the

Directorate General for Migration Management argued that the lack of standardization was not an issue that existed across different countries, but also within the same country:

> I don't know if CEAS really exists. I don't believe that it does. It is only something that the EU aims for. There is no link between the decisions taken in Athens and on the islands. We may say that there is EASO in Greece, which enables a kind of standardization. But in countries like Hungary and Slovakia, the decisions are made by the Ministry of Interior. So there is not a standardized system within the EU (Expert3 02.08.2018).

In the quote above, the interviewee emphasized the role of certain institutions, such as European Asylum Support Office that support the standardization of the asylum system within the EU. Nevertheless, not every country adopts the same principles and the decisions are often taken by the domestic institutions, which follow the domestic political concerns of the countries in question. From the perspective of a representative from an international organization working on harmonization of Turkey to the EU *acquis*, an apparent distinction in the continent is between the countries in the north and the south:

> CEAS could be reformed if some of the countries with a certain profile could be persuaded on Dublin Regulations. The current legal framework of CEAS privileges member states in the north and east due to their geographical position and for not being the arrival points. It seems that a common agreement of all 28 countries is very difficult. […] The legal framework should be revised to reduce the burden off the southern European countries. The strict rule about the refugee status determination of asylum seekers in the countries where they had applied for can be relaxed. Financially, the countries that have more tendency to accept asylum applications and the integration of refugees on their own lands can be supported by the EU and other member states (Expert10 11.09.2018).

According to this interviewee, the responsibility sharing mechanisms should focus more on supporting the member states with larger refugee populations, due to their geographical position and openness to receiving and integrating refugees. Moreover, the interviewee suggests that the refugee status determination should take place at the supranational level, as a solution against the piling up of large number of refugees in certain member states.

3.4. Institutionalized bordering practices performed by actors in the housing and labor sector

Following the previous analysis of how the bordering processes and practices take place in the geo-political and legal space in Turkey, this section focuses on how they take place in the social and economic space, by examining the empirical data obtained during the fieldwork conducted between May-October 2018 with the actors working in relation to housing and participation to labor force for the refugees.

3.4.1. Access to housing

In the area of housing, aside from the camps provided for a limited number of Syrians and Iraqis, self-financed accommodation is the main arrangement for refugees. Yet, asylum seekers waiting for their RSD procedures and Syrians under temporary protection are also obliged to live in certain cities they are either assigned to or have registered in. For Syrians under temporary protection, establishing camps was the initial response of the Turkish state vis-à-vis the emerging influx, undertaken by the Disaster and Emergency Management Authority (AFAD). According to a high ranking official:

The first migrants came at the end of 2011. They were 200-250 people. We made a plan and located the places for the refugee camps that will be established on the borderline considering that the arriving migrants waves might be of all ethnicities and sects. […] So for the first arrivals, we decided to reside them temporarily without giving a status of refugee or migrant, so that they do not become permanent. […] Some of those who arrived would go to the camps and the rest would go and live with their relatives. […] Later, when the numbers started to increase during the summer, we started establishing bigger and more permanent camps. […] On the third wave, as the influx has increased it moved towards the cities, outside of the camps. At that point it became a migration wave within Turkey, which was difficult to control. […] This time, it became a complex issue to decide on how to provide education, healthcare to them, avoid conflicts and terrorism infiltrate them (Expert4 02.08.2018).*

As reported by the interviewee, the temporary accommodation centers contained the arriving Syrians under temporary protection to an extent since they were not obliged to live in the camps and were also allowed to leave the camps with permissions. When the number of Syrians started to increase drastically, there has been a spillover of the refugee issue from the bordering cities towards the north and west of Turkey, and especially to Istanbul, which currently holds nearly 15 percent of the whole population in the country. For those living in the camps, access to education (including preschool), healthcare services, vocational trainings for the adults have been provided since the beginning. Established as a first and emergency response to the mass influx, housing in the camps started to become an issue of concern for the Turkish state. According to a representative of the Ministry of Foreign Affairs, the temporary accommodation centers had to be shut down in the long-term, because they obstructed the social harmonization of the refugees within Turkey:

Less than 7% of Syrians are living in the temporary accommodation centers. The numbers decrease as there is a tendency towards social harmonization. It should not be a project to have the individuals stay in the temporary centers for a long term, it should be for 3-6 months, at most one year (Expert6 13.08.2018).

The closing down of the temporary accommodation centers have actually been announced by the Turkish state officials over the past two years, with a similar argument made on social harmonization, as well as the need to change the paradigm from emergency response to integration. Finally, in March 2018 the management of camps was transferred from the Disaster and Emergency Management Authority (AFAD) to the DGMM. From March to November 2018, 13 of the 26 temporary protection centers have been closed down, reducing the number of Syrians under TP living in the camps from 290,000 to nearly 160,000 people. Syrians who were removed from the camps were provided with financial support to find their own accommodation in the cities where they have been residing before[6].

Urban settlement has been the primary choice for the main majority of Syrians living outside of the camps. Since the enactment of the Temporary Protection Regime in 2014, Syrians can benefit from the available rights, services and support provided by the state only in the cities where they have been registered. Moreover, they are required to obtain permits from the PDMM in the cities where they reside to be able to move to another city within Turkey. In order to change the cities of registration,

---

6   '3.5 milyonu aştı', Cumhuriyet,
       http://www.cumhuriyet.com.tr/haber/turkiye/1147768/3.5_milyonu_asti.html

Syrians are also obliged to apply to the PDMM and to present a reason related to family ties or health issues (UNHCR Turkey 2017).

As far as those seeking international protection are concerned, individuals who have sought asylum in Turkey by approaching the PDMM and were granted by an "international protection status" by the DGMM are allowed to stay in Turkey until the DGMM makes a decision. During this period of stay, asylum seekers are provided by some basic rights and services. However, these rights and services can be reached only in the "satellite cities" that the asylum seekers are assigned to and are obliged to stay in during their waiting period in Turkey. Moreover, after receiving notification from the DGMM on which city they are assigned to stay, the asylum seekers are obliged to report to the city within 15 days and approach the DGMM office there. The further processes related to the registering and processing of the asylum application for international protection takes place in these cities (Refugee Rights Turkey 2017a). Asylum seekers are also expected to report back to the PDMM every two weeks, demonstrating that they continue to reside in the assigned satellite city, and have not left the city without a permission to leave. In case they do not report for three consecutive times, their international protection applications are considered as withdrawn and the asylum seekers face deportation (Leghtas and Hollingsworth 2017). According to Refugee Rights Turkey, there are free accommodation facilities available only to vulnerable individuals in Yozgat Reception and Accommodation Center, and to unaccompanied children seeking international protection in Turkey (Refugee Rights Turkey 2017a).

In fact, satellite cities started to be implemented by the Turkish Government in 1987, in order to release asylum seekers from detention centers pending determination of their status[7]. One of the main reasons behind the implementation of this system was to restrict the mobility of the asylum seekers and their stay in the metropolitan cities such as Istanbul and Izmir, which acted as main hubs for many migrants and asylum seekers. Currently there are 63 satellite cities around Turkey, especially in Central Anatolia. As discussed during the closing meeting for Mülteci-Der's project on monitoring satellite cities in Turkey in 2014 by the members of the civil society, the main problems faced by asylum seekers especially in the less populated satellite cities are finding accommodation due to the status and origin country as well as the higher rents, which push many to stay in mosques, train and bus stations[8]. A prior EU-funded project that was undertaken by the authors of this report on the Sub-Saharan African women living in Turkey entitled Lefamsol (Learning for Female African Migrants' Solidarity) had also demonstrated that very often, the asylum seekers would either leave their satellite cities or do circular mobility in order to live and work in the metropolitan cities such as Istanbul, where they would have better opportunities to find work or reach migrant networks.

3.4.2. Access to labor

In the area of labor force participation, the current legal system in Turkey allows for those under protection of various statuses to apply for work permits. According to the Law on Foreigners and International Protection (LFIP), conditional refugees can work after applying for a work permit; and for the refugees and those under subsidiary protection identity cards can be used as work permits to access labor force in Turkey. Since the Regulation on Work Permit of Foreigners under Temporary

---

7   Reception arrangements, Chapter 4, http://www.unhcr.org/50a4c0e79.pdf.
8   Türkiye'de mülteci olmak. Uydu Kentler İzleme ve Raporlaştırma Projesi Kapanış Toplantısı Notları. 2014. http://www.multeci.org.tr/wp-content/uploads/2016/10/Turkiye-de-Multeci-Olmak-Uydu-kentler-Izleme-ve-Raporlama-Projesi-Kapanis-Toplantisi-Notlari-Ankara.pdf.

Protection enacted in 2016, Syrians under TP are also allowed to obtain work permits, if their employees apply on their behalf to the Ministry of Labour and Social Security. The regulation specified a number of conditions, including:

(1) the applicant should have been under temporary protection for at least 6 months prior to the date when the application is submitted;
(2) the number of those under temporary protection to be employed in businesses cannot surpass 10% of the number of Turkish citizen employees (in exception of civil society organizations);
(3) those under temporary protection can only work in their city of TP registration;
(4) those under protection cannot execute certain professions that are prohibited to non-citizens in Turkey, such as dentistry, pharmaceutics or magistracy, as defined by the Law on International Labour Force.

However, despite of the possibility to participate in the formal employment, the majority of the working population is in the informal sector. It should be noted that in Turkey, the rate of informality even outside agriculture is also very high, generating one third of Turkey's total value added in the labor market (OECD Economic Surveys 2018).

For Syrians under TP and conditional refugees, one of the main reasons for the limited interest to formal employment is that the employers are expected to make the applications on behalf of the individuals. Moreover, for both populations there are only limited added benefits of formal employment, due to their temporary status in Turkey and the already existent access to free healthcare. According to a representative of United Work, established in 2016 and funded by the Dutch Minister of Foreign Trade and Development to integrate refugees into workforce in Turkey, it is often difficult to convince refugees to apply for work permits:

> *From the perspective of the asylum seekers, applying for a work permit depends on the additional benefits. It is still very difficult to convince them to work in formal employment. There are no long-term returns of their premiums if they work with an insurance, since they will not have rights in the Turkish pension regime. Syrians can already have access to free healthcare due to their temporary protection, so there is no added benefits on healthcare. There is an informality that can also be witnessed by the Turkish blue collar workers. They consider that the compensations in case there is an occupational accident is not important. They do not want to renounce the monthly aid they receive. So rather than working for 1600 liras under insurance, they prefer working for 1900 liras without any insurance* (Expert8 19.10.2018).

As described in the quote above, the temporary status of the Syrians under TP in Turkey is a significant factor against working in the formal employment, since the long-term outputs of the premiums cannot be accessible. Furthermore, participation to formal labor force also means renouncing the monthly payments provided by the Turkish Red Crescent Fund, provided as a part of the UN backed Emergency Social Safety Net (ESSN) program reaching nearly 1.5 million Syrians in Turkey.

3.5. Conclusion

This chapter has evaluated the institutionalized bordering practices in three different spaces in Turkey: (1) geo-political space, (2) legal space, and (3) social and economic space. To evaluate the understandings of the borders and the bordering processes, the first section on the geo-political space relied on the information obtained from the border agents and experts working on borders. In order

to make a connection between the bordering processes in Turkey with the external borders of the EU, this section mainly focused on the interviews conducted with border agents working at Turkey's external borders with the EU. The findings showed that there was a duality in assessing the borders by the border agents. On the one hand, the border agents were deeply concerned on the topics of legality and security when thinking of the borders as the markers of sovereignty of the nation state. On the other hand, their actual practices in the field which are primarily based on search and rescue operations of migrants were performed with humanitarianism. This has been mainly evident in their explanation of their daily routine work, as well as the exceptional cases where the Coast Guard officials let the boats pass to the Greek borders, if they find it is too risky to make an operation for interception. The border agents remarked that although the mechanisms adopted in 2016 after the negotiations between Turkey and the EU directly decreased the volume of border passages, and hence their workload, they were critical of the existing policies of internal and external border control within the EU, and frequently repeated that the changing border regime in Turkey was due to domestic concerns rather than to external demands. In fact, while the increased securitization of the management of migration on Turkey's borders was largely influenced by the EU's externalization agenda, the institutional and administrative changes which led to the transfer of the Coast Guard and the Gendarmerie under the Ministry of Interior and the formation of new Coast Guard patrols was a result of the attempted coup of July 2016.

In the second section, the study focused on how the bordering processes and practices have taken place in the legal space, by examining the fieldwork with the legislators and policy implementers, as well as the experts in the academia. Different from the border agents, the definitions of borders of the actors who were interviewed for this section reported that the differentiation of migrants did not only take place in relation with the type of border passage they use (regular vs. irregular), but also in terms of the motives for migration (economic migrant vs. asylum seeker). The interviewees in this section had knowledgeable insights about the past and current context regarding management of migration and asylum in the EU, since they have been following the policies and processes within the EU, at least until recently. This finding has illustrated that the EU was a crucial anchor for the Turkish experts, from the beginning of the accession negotiations until there has been an alienation between the two sides. Most of the experts argued that Dublin and Schengen were not relevant to the Turkish case, and therefore did not have an impact on the internal and external bordering processes, because Turkey was not a member state.

In the third section, the study analyzed the bordering processes and practices in the social and economic space, by based on the findings of the fieldwork with the actors working in relation to housing and participation to labor force for the refugees. In the area of housing, even though self-financed accommodation is the main arrangement for asylum seekers and Syrians under temporary protection in Turkey, there are limitations of settlement for both groups. While the asylum seekers are obliged to live in the satellite cities they are assigned to by the DGMM, the Syrians under TP have to reside in the cities where they have registered. As a result of these spatial obligations, individuals in both categories have limitations regarding their internal mobility. In the area of labor force participation, despite the current legal system which allows access of the asylum seekers and Syrians, and support mechanisms by the certain institutions, formal employment remains very low, due to its limited added benefits.

4. Empirical research with migrants

4.1. Introduction

This chapter assesses the lived experiences of migrants and asylum seekers regarding borders and bordering practices in the geo-political, legal, social and economic spaces and discusses how these experiences have an impact on their mobility and immobility within and beyond Turkey. The chapter starts by focusing on the border practices they faced upon arrival in Turkey, both in the context of actual border passages and of their relations with authorities. In the second section, the study examines the everyday lived experiences of borders and bordering practices in the housing/residence and employment sectors. Finally, it discusses their lived experiences of im/mobility by examining the discrimination and experiences of (non)belonging, as well as the experiences and aspirations on moving forward.

4.2. Lived experiences of borders and bordering practices upon arrival in Turkey

This section focuses on the lived experiences of asylum seekers and Syrians under temporary protection during borders and bordering practices upon arrival in Turkey. In order to provide a holistic perspective on the path to receiving a status on international or temporary protection in Turkey, the section examines first experiences on actual border passages, and second on the experiences regarding obtaining status and relations with the authorities.

4.2.1. Mechanisms of regularity and irregularity during border passages

The earlier chapters of this study have shown that until recently in Turkey, the border and visa regimes have been somewhat looser, enabling the entry of individuals from Asian and African countries, who would enter the country mainly for making transits towards the EU. Over the recent years, the rapid increase in the number of non-citizens who have entered and stayed in the country, as well as the negotiations with the EU have resulted in a shift in the Turkish state's approach towards a security-oriented one. The interviews conducted for this research illustrate that the period of 2015-2016 has been the critical juncture in the management of borders and migration. While in the post-2011 period, which led to this critical juncture, the country has incrementally witnessed the easing up of the bordering processes in the eastern and southeastern borders; after the critical juncture there have been various mechanisms (e.g. closing down borders with Syria, building walls on the borders with Iran, Iraq and Syria) in order to impede the entry of non-citizens.

The changing border regime in Turkey has reflected on the lived experiences of migrants and asylum seekers who have entered the country both through regular and irregular means at different periods within the last decade. For instance, an Afghan migrant who was interviewed for another project on smuggling in May 2015 (Aksel et al. 2015) had reported that he was able to experience several smuggled border passages from Afghanistan to Turkey and from Turkey to Greece. The migrant had explained that entering Turkey was less difficult and less costly during his last attempt in 2014, in comparison to the earlier times:

> *The first time, I went to Pakistan and then to Iran. It is very easy to go to Pakistan from Afghanistan, it*
> *is like our country. But it is difficult to reach Iran from there. To come to Turkey, I mostly walked. It took*
> *a total of 45 days. When I first started the journey from Afghanistan, I was 85 kilos and then I became*

45 kilos when I reached Greece. It was very difficult back then. Now it is much easier, people come in 7-10 days now. I had expected to go to the UK. But the negotiation was until Greece. They wanted 7000 dollars from Afghanistan to Greece. There was a condition: from Afghanistan to Greece, if you cannot enter until the third try, they do not reimburse. […] Now it is very easy to come here. The second time I came to Turkey, I paid 1200 dollars for the Iranian visa, and then paid 800 dollars to pass from the Iranian border (Afghan, Male, 28).

The interviewee reported that there has been an easing up of the country's eastern borders with Iran, which was a spill-over of the open-borders policy of the Turkish state towards Syria from 2011 to 2016. According to him, the easing up has reflected on a number of aspects: the time that it takes to do cross-border passages, difficulty of the route suggested by the smugglers, costs of smuggling, and control procedures at the borders and after entering the country. Other Afghan interviewees reached for the prior project on smuggling had also reported that on the eastern borders of Turkey, although the border agents would deport migrants back to Iran, the migrants would attempt to reach the country again and often succeed in entering:

There were 80 people who came with us during the trip. The Gendarmerie caught 10 people, the others escaped. We begged them to leave us and they left us on the mountains. The smugglers were also following us, so after we were caught, they found us and got us back in (Afghan, Male, 25).

The Gendarmerie caught us in the bus, at a check point on our way from Van to Istanbul. They left us at the borders with Iran. We tried again, on the first attempt we had tried during the day, the second time we entered at night (Afghan, Male, 25).

The quotes above illustrate that for those who are determined to enter the country, border passage is often a long-term process, which includes many attempts and the use of alternative routes and modes of transport. As described in the earlier quote and as it reflected on the findings of the research on smuggling, this fact can also be captured from the negotiations between the migrants and smugglers, not only in the case of Turkey, but also in other cases where smuggling takes place. During the negotiations for smuggling, migrants are usually expected to make the payments through an intermediary person after the border passage takes place; and in cases where the passage is not successful, the smuggler offers to try up to three times without taking extra money (Aksel et al. 2015).

For the Syrians, the open doors policy meant they would not experience significant hardships on Turkey's borders from the beginning of the civil war up to 2016. Many interviewees in this research who entered before 2016 reported that they did not have any problems with the border authorities. This was especially the case for those who had their passports, and were able to enter the country as tourists:

I came by bus from the borders and passed with my passport as a tourist. I didn't experience any problems while entering (Adnan 15.10.2018).

I came to Turkey as an expat, not a refugee. I came three years ago, by plane. I moved across borders in an official way. […] During the time I was living in Syria, it was very difficult to study. I lived without electricity, water, we were living with a generator […] After I graduated, I didn't have anything to do, just working with NGOs in Syria (Mohammad 17.10.2018).

The availability of reaching Turkey without any restrictions allowed some interviewees to do daily or frequent border passages. An interviewee who had been recently married to a Syrian woman before entering Turkey reported that in the early years of their stay, the couple would live in Turkey for security reasons, while he would go and work in Syria, since it was easier for him to find a job there:

> *In the beginning, in 2012, 2013, 2014, crossing the borders was very, very easy. I mean, to an insane degree, I would leave in the morning to my job in Syria and return at night to Turkey. Leave in the morning and return at night. Borders were very easy to pass. The Turkish Government made it very easy, there was no strict checking and the way they treated us was very nice in the beginning. Even regarding the official papers and permissions ordeal, Syrians were excused from all of that, they didn't use to bother us. Even if I didn't have my identity card or my passport, that didn't matter, they would just make sure that I am Syrian and living here and they wouldn't bother me* (Halil 25.09.2018).

As described by the interviewee, for many Syrians the open doors policy had reflected not only on the bordering processes on the actual borders, but also within the country, during regular controls by the law enforcement officials. The state's policy towards Syrians also resulted in a preferential treatment during administrative relations. However, the enabling conditions on Turkey's borders did not mean that the borders passages were simple for everyone. On the Syrian side, the deteriorating political situation and the existence of many actors in the field meant that different parts of the borders with Turkey were controlled by different actors. One of the interviewees reported that she was actually stuck in the country after one of her entries for professional reasons, even though she did not actually want to stay in Turkey (Aicha 25.09.2018). This shows that not all individuals who do cross-border passages aim to stay in the country of destination. Moreover, despite the concerns for one's security, family ties and existing work in Syria may become strong motives for staying in and returning to the country (even through irregular means). While the open borders facilitate circular mobility of individuals across the borders, the hindering against border passages may force them to opt for more permanent forms of settlement, despite their initial motivations. This finding supports Deniz Sert's argument with reference to de Haas' work that stricter border regimes lead to more permanent patterns of migration.

After the critical juncture of 2015-2016, Turkey began to adopt a stricter border regime. One of the main consequences of this change was the closing up of Turkey's borders with Syria, except for two border crossing points on land where only individuals entering with visas were allowed. Under war conditions, Syrians who had conflictual relations with the government or were living in parts occupied by other political actors were not able to obtain visas, and had to leave the country via irregular border passages. Over the last two years, nongovernmental organizations working in the field have been reporting that Turkish authorities have returned Syrians back to their country of origin despite the principle of *non-refoulement* and that there have been incidents of interceptions during border crossings (AIDA 2017d; Amnesty International 2017; Norwegian Refugee Council 2017)*.*

For many interviewees this change was unexpected, and whether the border passage was made regularly or irregularly was not mainly related to factors such as ethnicity, religion, age, socioeconomic status but rather to timing. The story of one our interviewees provides a good depiction of how timing mattered for Syrians: Rasha had a middle sister who received scholarship to study in Turkey and went there in 2012. Later she met and decided to get married with a Syrian man and then move to Austria by claiming asylum. Her mother, who wanted to meet the groom before marriage decided to go to Turkey. The mother stayed in Turkey, since Rasha's father did not want her to return to Syria due to

security reasons. At the same time, her eldest sister also went to Turkey and then moved to the United Kingdom with her English passport. During this time, the middle sister was waiting for her reunification process with her husband, who had already left for Austria. All three (mother and two sisters) entered Turkey without any problems before 2016. However, this was not the case for Rasha and her father, who had stayed in Syria, until Rasha finished her education. Rasha and her father had many challenges on their way to Turkey, from being robbed to being threatened, as the doors to the country had been closed down. The closing down of the borders does not only affect the individuals' experiences of cross border passages to Turkey, but also the routes they choose in Syria (Rasha 03.10.2018).

In a similar vein, another interviewee explained that while he had entered without any issues to Turkey in 2012, many of his friends had to use the irregular route or pay high fees to be able to obtain a Turkish visa whilst in Syria:

> *In 2012, the border was open from Syria to Turkey, so I didn't have any difficulties entering with a passport. I have many friends [who came illegally]. A friend was married in Syria, he had to come because he had to go to military. He paid around 8000 dollars just to get a visa for him and his wife. He took it from his friends, he's working here right now. Many people are doing the same* (Tarek 16.10.2018).

> *When I first arrived after an illegal trip to Turkey, I arrived with $100 left in my pocket. These $100 can allow you to live in a hostel for one month only. So, how did I live during this period? I can tell you that it's the protection of Allah (God), I don't have a direct explanation to all of the details that happened with me. […] I crossed mountains and forests and smugglers and stories, in two days. […] So, I came- I didn't chose to come but I was forced, and I left Aleppo with my own hands and legs to a place where I don't know anyone, as if my value in this life was zero* (Yaman 01.10.2018).

As described in the last two interviews, the border passages are challenging due to the administrative, legal or security-related factors. The availability of regularity and irregularity is time and context dependent, and it does not necessarily demonstrate the individual-specific conditions (such as ethnicity, religion and socioeconomic background). Still, the availability of resources to pay for the expenses such as high visa costs paid to the intermediaries in Syria facilitates the border passage possibilities of many asylum seekers. The irregular process of border passage often results in consuming an individual's entire resources at hand, which affects their conditions in the country of asylum, where they are forced to start from zero.

4.2.2. Obtaining status & experiences with authorities

In Turkey, the main practice regarding applying for asylum or temporary protection takes place after the individuals enter the borders. Theoretically, whether the entry was made regularly or irregularly does not influence the application process. Individuals apprehended due to irregular presence or attempted irregular entry to or exit from the country – and who have been given the decision of administrative detention – also have right to seek international protection (Refugee Rights Turkey 2017b). However, in practice, access to international protection under such conditions may be hindered due to bureaucratic issues (Expert2 31.07.2018). Moreover, for Syrians under temporary protection, arriving irregularly to Turkey or not having a valid travel document or residence permit creates impediments against leaving the country via resettlement or family reunification, since the TP owners are expected to have an exit permit, which is only available if they are registered. One of the

experts interviewed for this research reported that under such conditions, international organizations, resettlement country officials and the DGMM authorities often negotiated for a final decision on the individual (Refugee Rights Turkey 2017c; Expert7 15.10.2018).

The interviewees that we have reached for this study have indicated that the international protection or temporary protection provided security for them during their stay in Turkey, and that they did not have any issues with Turkish authorities after having received them:

> *I obtained the international protection card from Van after entering from the borders with Iran. I don't*
> *have any problems because of it* (Hasan 23.06.2018).

> *We entered illegally, as they say kaçak. So we entered and the Turkish State registered us so there is*
> *nothing unregistered. We came in and they gave us IDs, just to identify the person, nothing more than*
> *that. They placed us in refugee camps. We are in Turkey, and so far [the concept of] refugee [was] not*
> *used, we are [called as] misafir. So it means that a person is a guest. They gave us guest IDs and so we*
> *were concentrated in the camps and the registration was in the camp* (Sami 03.10.2018).

In the quote above, the interviewee reports that he arrived during the early days of Syrian civil war and that he was taken to the camps by Turkish authorities and was issued an identity card, which indicated his guest status. The identity card provided by the DGMM provided security during experiences with other authorities during regular checks in the country:

> *Many times, I got inspected and they saw me as Syrian. They inspect the IDs, "Kimliğiniz alabilir*
> *miyim", "Can I take your ID", of course. I give the kimlik and they see that I am Syrian and it's okay.*
> (Sami 03.10.2018).

As of 2014, the guest status was replaced by the temporary protection that provided Syrians with access to services in Turkey. Another interviewee reached for this study mentioned that application for temporary protection was not a challenging process, besides the long queue at the PDMM:

> *I stayed for a while as a tourist, but then I was not in a good situation. Then there was the TP*
> *regulation, so I applied for one. It was very easy, as going to the post office with my family, like talking*
> *to the postman* (Adnan 15.10.2018).

According to the interviewee, he stayed in Turkey as a tourist after first arriving to Turkey. However, after some time he decided to change his status to temporary protection, since he had financial difficulties. During our fieldwork, we have witnessed that often Syrians with a certain social and economic capital altered between two different statuses (temporary protection and residence permits) depending on their financial and social situation at the time.

4.3. Everyday lived experiences of borders and bordering practices in the housing and employment sectors

This section focuses on the lived experiences of asylum seekers and Syrians under temporary protection in Turkey, in relation with the bordering practices in the housing and employment sectors. It seeks to analyze how their actual physical mobility is connected with the bordering practices they undergo within the economic and social spaces they enter.

4.3.1. Housing and residence

In the previous chapters, we have demonstrated that the housing and residence conditions for asylum seekers and Syrians under temporary protection in Turkey was mainly relying on self-financed accommodation, which is restricted at the city level. Asylum seekers living in the satellite cities and Syrians under TP are obliged to obtain travel permissions from the PDMM, in order to move within Turkey. However, this obligation is stricter for asylum seekers, who are obliged to report at certain frequencies to the PDMM in their city. According to an interviewee, the difficulties in finding job opportunities is one of the reasons for leaving the satellite cities:

> I had a friend who was working in a textile sweatshop in Istanbul, he was doing the same thing in Afghanistan and he was also a hafiz (a person who knows the Koran by heart). He applied for asylum from the DGMM and they sent him to Bilecik. He went there, but there was no work. He couldn't find a job that he could do in Bilecik. Finally, he started working with an electrician as an apprentice for a year. He learned the profession and came here to work with a mechanic as an electrician. They are going to other cities such as Çanakkale or Bilecik, because the DGMM does not allow them to stay in Istanbul (Abdul 23.06.2018).

For asylum seekers, moving to another city results in falling into irregularity. The satellite cities are compulsory and non-negotiable, except for those who are deemed as most vulnerable, due to the assignment by the DGMM. Many asylum seekers waiting for their RSD procedures to be finalized move to other cities without informing the authorities and face deportation as they are considered to have "implicitly withdrawn" their international protection requests (Refugee Rights Turkey 2017a).

Until recently, Syrians under temporary protection had the opportunity to select the city of registration, which had allowed them to select the cities where they would live while staying in Turkey. However, it is reported by human rights organizations that since late 2017, the registration processes stopped in certain cities that receive high demands coming from Syrians, such as Istanbul, Gaziantep and Hatay. According to Human Rights Watch, this situation pushes many Syrians who have arrived in Turkey irregularly to seek help from smugglers in order to change cities (Human Rights Watch 2018). Syrians under temporary protection who were interviewed for this study have reported that the obligation to receive a travel permission was a crucial factor against their flexibility and mobility:

> They tied us down [with the Temporary Protection status]. You cannot travel to another city. Just give residency and unleash me, because we don't have any flexibility (Adnan 15.10.2018).

Another interviewee also mentioned that although it was possible to obtain a travel permission, there were difficulties due to bureaucratic processes that were experienced by Syrians.

> [Travel permission] is really a pain, it has no justification. You let us in, Syrians, so why do you require the travel permission. The state institutions are crowded and not organized, how we will get the travel permission? People want to get a travel permission, they want to abide by the rule. But either it [DGMM] is crowded, [not well] organized or they do not issue it (Rasha 03.10.2018).

According to the interviewee, the bureaucratic difficulties in obtaining the travel permission is an important factor against the mobility within Turkey for some of the Syrians. More importantly, the temporary protection status limits Syrians' mobility to outside of Turkey, even with the travel permissions. One of the interviewees explained that this factor was a crucial impediment against his access to formal labor, as during one of his job interviews, he was asked if he could travel to outside

of Turkey (Yaman 01.10.2018). The ability to be mobile directly modifies the available opportunities an individual can have regarding access to labor. It also allows fragmented families to be able to get together, albeit for a short period of time. A number of interviewees who either lived with a residence permit or altered between a residence permit and TP emphasized that although the TP provided access to many services, ability to move was a crucial reason for their decision to prefer living with a residence permit instead. It should be noted that this small group comprises of individuals with higher socioeconomic status and who are able to have access to white collar work. As reported by one of the interviewees, residence permit allows mobility both within Turkey and from Turkey to other countries:

> *I applied to the TP card in Mersin, I can't get to Istanbul if I don't get permission. I have insurance to go to hospital for free. With TP, basically you're named as a refugee and it's big deal. Residence is like any other tourist, you're named Syrian [not a refugee], I can go anywhere, go out and come back* (Tarek 16.10.2018).

Another interviewee stressed that his status, which was different from the majority of the Syrians living in Turkey, allowed them to be mobile:

> *My advantage here, I have freedom to move to any country, I just need visas. I can move to any city, to Hatay, Gaziantep, without taking any permissions* (Mohammad 17.10.2018).

Both interviewees have indicated that even though they would be able to apply for a TP identity and receive free access to services such as healthcare, they preferred living with the residence permits that obliged them to deal with other bureaucratic affairs in the long-term (such as renewing their Syrian passports or obtaining Turkish visas). For them, besides the ability to move which was presented as the main motivation, living with the status of an "international" or an "expat" in comparison to a "refugee" had significant symbolic importance.

4.3.2. Employment

In Turkey, asylum seekers and Syrians under temporary protection are allowed to work in formal labor since the amendment in the law in 2016. However, as emphasized in the earlier chapters, despite the availability of the formal path, the majority of asylum seekers and Syrians remain to work in the informal sector. We have previously illustrated that according to the institutional actors working in the field, the main reason was that the added value of working in the formal sector was not considered as advantageous to the Syrians under TP. During the interviews that we have conducted to learn about the experiences of Syrians, it was frequently mentioned that even though there was no added value of working in the formal sector regarding access to healthcare, working in the informal sector had many inconveniences, especially in terms of job security and equal pay for equal work with the natives. It should be noted again that in Turkey, the rate of informality was already very high before the arrival of Syrians to the country, resulting in lack of any social security (i.e. eligibility for public health services and retirement payments), as well as low wages and inferior working conditions putting employees' health at risk (Başlevent and Acar 2015).

During our interviews, nearly all interviewees narrated a story of exploitation of labor:

> *In 2013, I worked at a restaurant about one month, and got only half of the pay. You can find good and bad people, it's a human disease. Syrian people get paid less than Turkish people, they don't have sigorta (social security)* (Tarek 16.10.2018).

As described in the quote above, the lack of a work permit and of social security drives Syrians in a vulnerable position against their employers. It has been reported that even in situations where a Syrian is more experienced or skilled than a Turkish citizen, there is a chance that the employers will pay more money to the Turkish citizens (Maya 24.09.2018). Syrians are often paid less than Turkish citizens. Although in the lack of a legal obligation the differential treatment is dependent on employers' approach to employment. This finding resonates well with the existing research conducted with larger populations as well. A recent research by Uysal et al. (2018) shows that 80,3 percent of the 1000 young Syrians in Istanbul who responded to the survey on access to labor reported to have experienced discrimination in the labor market. Uysal et al.'s (2018) research suggests that the discrimination was not only made by the employers or managers, but often by the colleagues in the same work environment. Some of the interviewees for this project expressed that while informality was a crucial factor against job security, the way in which the employers reacted during times of regular control depended on their character. According to an interviewee, following an inspection made to the company where he was working, the employer dismissed him, albeit in a "polite way":

> *Sigorta (social security) and work permit people came to my work place because I didn't have a work permit or anything at the time. So, he told me go down to the warehouse and I went downstairs without knowing what was going on, I went down with a couple of other guys. It was summer at that time. Then the same night he told me that because of the sigorta "I can't keep you working for me", I went down and that night he told me that I can no longer work there because of the sigorta and so on. He said it to me in a polite way to be honest. So, he told me "come the day after tomorrow" to return my things and figure out finances and so on but I told him to clear the finances now. So, he paid me, and I went home* (Sayid 25.09.2018).

The quote provided above illustrates that the despite the existence of somewhat good relations between the employees and employers, the lack of social security results in a lack of social trust and precarity about the future. In Sayid's case, the employee preferred to clear the finances as soon as possible, so as to avoid any further complications that could arise later. Another interviewee who had been exposed to a number of incidents in his work environment told us that he decided to become an entrepreneur, just to be "able to have control of his own life":

> *[Interactions with Turkish people] depends on the environment. At work environment it sucks, they didn't give my salary several times, I went to the court because they didn't give my salary. […] Now I am changing work, I can have control of my own life. Since I am establishing my own company, I will apply for my own work permit* (Adnan 15.10.2018).

The issue of informality in the labor market is one of the main challenges faced in Turkey, both for the citizens and for the other populations, including asylum seekers, Syrians under TP and irregular migrants. The high levels of informality throughout Turkey and low levels of formal labor force participation by the Syrians under TP demonstrate that it is a systemic problem, which needs to be resolved by nation-wide policies.

4.4. Lived experiences of im/mobility

This section focuses on the lived experiences of im/mobility of asylum seekers and Syrians under temporary protection in Turkey. It elaborates on two aspects related to the current social conditions

and the motivations on further movements of these populations: (1) discrimination and experiences of (non)belonging and (2) moving forward to other countries.

4.4.1. Discrimination and experiences of (non)belonging

Social borders and the impediments against the integration of migrants and asylum seekers in a country are influential factors that shape their future aspirations and motivations. During the interviews that were conducted for this study, we have witnessed that migrants and asylum seekers who lived negative social experiences in Turkey were more inclined for a further mobility from Turkey, in search for a place of residence where they would feel more at ease. The interviews also showed that in comparison to the work environment where nearly all our interviewees reported being discriminated, there was no common perception among the Syrians on their experiences in their wider social settings. During our interviewees, we encountered many Syrians who expressed having experienced very difficult relations in Turkey with the natives. For instance, an interviewee stated that the Arabic language was an indicator for his foreignness in the eyes of the Turkish citizens:

> When we are with our Syrian friends, we honestly speak the Arabic language and we are not speaking Turkish between each other. Instantly we see some groups in the Turkish society, unfortunately, [they say] "oh Suriyeli" with a very degrading look (Akram 26.09.2018).

Despite the common traits of shared history, culture and religion, the language emerges as a signifier for difference in terms of nationality and ethnicity. As in the quote provided above, the othering practices in the public sphere may appear through looks and identifications about Syrians as the "inferiors". In contexts where there is direct communication, the othering may be more direct. For instance, during our interview Tarek told us that he stopped going to a Turkish school because of the bullying he faced from his classmates and the unsupportive reaction he faced from the teacher, who reminded him that he was from another country (Tarek 16.10.2018). He left school only due to the experience of discrimination and direct affirmation of otherness that he has experienced. The existence of many experiences as such in one's daily life can push an individual to change the place of residence, despite the other types of hardships that may be faced, such as the risk of facing persecution.

The discrimination faced by migrants and asylum seekers in Turkey is not ubiquitous: it is context and individual dependent. In certain instances, more than illustrating a common approach towards the newcomers by the native population, it shows the existing social fragmentations within the Turkish society. Over the last decade, Turkey has been witnessing increasing social fragmentation and the accentuation of identity-based cleavages (Okyay 2017) that had reflected on the electoral behavior during the national elections and the referendum on shift to the presidential system. As argued by Okyay (2017), the border management modalities of the country in the aftermath of 2011 have directly interfered with these cleavages, as well as the relations between the newcomers and the existing society. Supporting Okyay's (2017) argument, there was clear distinctions between the lived experiences of our interviewees, depending on a number of factors, such as the compatibility between their socioeconomic, ideological, religious, ethnic and sectarian backgrounds with the natives they communicated. As such, one of our interviewees who lived in Izmir, a city renowned for its Kemalist and strongly secular population, reported that her hijab was a strong marker for being discriminated by some of the Turkish citizens (Rasha 03.10.2018). The place of residence and the cultural proximity of the native population with the Syrians they meet seems to determine whether the social harmonization can take place. In the case of the interviewee quoted above, the discrimination directed

by the natives is intersectional, caused by her position as a foreigner and a conservative Muslim. The discrimination that she experiences does not take place in any place in Turkey, but in Izmir, known for a highly secular population, which is also very conservative in terms of encounters with the "non-Western". The same individual could have not lived through such an experience in a city or a district densely populated with a conservative Turkish population, rather than a secular one.

While some of the interviewees expressed very negative feelings about their experiences, which made them think of leaving Turkey, many others reported positive experiences that made them stay in this country, despite the administrative and legal difficulties they faced. For instance, an Afghan migrant affirmed that he was well received in Turkey because he thought that the Turks were "like a close family" to the Afghans:

> *We don't have any problems in Turkey. Turks are like a close family, we have Turkish customers and have very good communications with them* (Abdul 25.06.2018).

In a parallel vein, a Syrian living in Istanbul explained to us the cultural traits that he thought were common between the Syrian and Turkish cultures:

> *Neighbors, people on the street, they are usually great. I can feel that there are very common things, tradition-wise. There are the traditional stuff, the mentality, dedikodu yapmak (gossiping) are common things. Atasözüler (proverbs), we have these as well. But working for someone else is 100% different* (Adnan 15.10.2018).

For him, such traditional indicators facilitated his communication in his daily life with the Turkish citizens. However, as noted by this interviewee, cultural similarities often could not outweigh the discrimination he faced in the work environment. Hence, the environment of encountered is also an important marker about the discrimination faced by the newcomer populations, since, as in the case of labor force participation, it is affected by the structural factors that trigger competition among the natives and the newcomers.

Another factor that influences the feeling of belonging is time. As the migrants and asylum seekers settle in the country of asylum and start to create a new life, they create a new environment where they feel comfortable. Considering that there has been a rapidly changing social, political and economic environment in Syria, this new life created in Turkey may push individuals to prefer staying, rather than going back or moving forward:

> *I don't think people will go back to Syria. Young people, I don't think they will go back, unless they have a family. You live here, you speak Turkish, go to a university. It becomes more difficult to convince for going back to Syria. It is like Turkish people when they went to Germany, they were considered as temporary but most of them stayed. They found new opportunities here. Even in my father's case, after he lost what we had in Syria, he spent so hard to have a new life here* (Tarek 16.10).

The interviewee gives the example of the Turkish *gastarbeiter* in Germany, who were initially considered to be temporary, however as time passed on became permanent residents of the country, bringing along their families from Turkey. The quote above suggests that, as in the case of Germany, there would be a great chance for at least some part of the Syrians who have created their new lives to stay in the country, if the conditions regarding the integration and naturalization regime in Turkey would change.

4.4.2. Motivations towards further mobility

In the previous section, we have discussed the relationship between the feelings of discrimination and belongingness, with the motivations towards further mobility. In this section, we delve more into the lived experiences and aspirations on "moving forward" or doing further cross border migration to a new country of asylum/settlement. As discussed in the previous chapter, establishing a certain comfort zone in terms of legal, social or economic context is a critical factor influencing or changing the motivations about mobility for migrants and asylum seekers. One of our interviewees explained to us that he was planning to go to Britain for postgraduate studies and stay there, since he did not feel that he could integrate in Turkey:

> Before I came here, I had planned to finish the university here and go to Britain for postgraduate studies. And then I chose Turkey because it is not far away from where my family is, which is in Damascus now (Ousa 01.10.2018).

For the interviewee quoted above, the social and academic capital allowed him to think of moving to Britain by regular means. However, regular migration is an option available only to a small minority which has existing capital and currently available options. According to another interviewee, even regaining hope towards finding a new job after a desperation period made him abandon the idea of doing an irregular border passage to the European Union:

> After the desperation period where I applied to many jobs and wasn't accepted to any, I thought about going to Europe illegally. But this time, without the help of anyone, just leave as a backpacker and just walk. And I drew a plan and so on, but it was destiny that within the next four days an organization called Support to Life called me and told me that I have an interview with them. So, I became hopeful again (Yaman 01.10.2018).

In a situation where there is no hope about earning one's life, having a permanent settlement or social mobility in the current place of settlement, secondary movement becomes a convincing option, even though that may mean facing many difficulties on the path ahead. As described before in the chapter on the national legal context, for migrants and asylum seekers there are limited regular opportunities of doing secondary movements, due to administrative and institutional difficulties that are asserted by the states. In the case of irregular movements from Turkey to the EU, the sea route has been the most preferred route, even though it meant putting one's life in danger. In one of our interviews, we were told the story of an Afghan elderly, who was not able to face the danger:

> It is very difficult to pass from the sea if you don't know how to swim. There was a man who wanted to go to Europe in 2015. He saw the open sea and had a heart attack. He stayed at the hospital for a while and then died. We collected 1200 Euros to send his body back to Afghanistan (Abdul 23.06.2018).

Despite these difficulties, especially until 2016 when the border passages between Turkey and the EU have been restructured to be sturdier, many Syrians and other migrant groups used alternative channels to do cross-border mobility, in search for a new life in Europe:

> From 2012-2013 many people had a hope to go to Europe, they didn't apply for kimlik (identity cards), they gave fake information. Some friends didn't apply, and they went before 2016-2017 (Mohammad 17.10.2018).

As described in the quote above, in the early days of the mass influx, many Syrians preferred not registering in Turkey, so as to avoid being sent back to Turkey as a result of the Readmission Agreement with the European Union. The motivations about moving forward also seem to influence the decisions about the legal status in the current place of residence: being registered in Turkey is considered as being obliged to stay, whereas staying in irregularity is deemed as keeping the doors open for further mobility. Another interviewee reported that he preferred to stay with a Temporary Protection in Turkey, since he did not wish to spend the money that he saved for obtaining a visa and a residence permit:

> I have a Kimlik. I got it 6 months after arriving here. I didn't apply for a touristic residency in case I decide to go to Europe. […] I told myself to save the money in case I want to go (Sayid 05.09.2018).

In this case, the decision on the current legal status is affected by the imaginations about further mobility, which might take place in the future. From another perspective, legal status in Turkey means securing the ability to move. One of our interviewees explained that he was looking forward to obtaining citizenship in Turkey, because it would mean that he could travel to the European Union. His interest in traveling to the EU was not for reaching and settling there, but rather to be able to move back and forth for professional reasons:

> I'm very hopeful about the citizenship, I am really hopeful about that not because I want to stay in Turkey, I want the citizenship to be able to leave and work abroad, to have a chance to accomplish my dream abroad.[…] I don't think of leaving for Europe as a European citizen because that would be very difficult, I couldn't live that life and follow those laws, for me those laws are very restricting. But, work wise, it's the best market. (Citizenship) it's a method (of transport) for me (Halil 24.09.2018).

According to the interviewee, living in Turkey in the long term would be easier for him since the legal context in Europe was more restricting. However, obtaining Turkish citizenship would allow him to do circular movements to Europe, which he thought was a better economic market than Turkey. Against the limitations of the Temporary Protection, which demands Syrians to stay temporarily or to renounce status, the citizenship emerges as a way to become both permanent in Turkey and to be able to be mobile.

4.5. Conclusion

In this chapter, we have discussed the lived experiences of migrants and asylum seekers by looking at the multiple stages in their trajectories in Turkey. To begin with, the study illustrated that the actual border procedures in Turkey have been transforming over the last decade: while there had been an increasing porosity of the country's eastern and south-eastern borders from 2011 to 2015, the border management started to become stricter after 2016, as a result of the negotiations between Turkey and the EU. This situation has reflected on the available options of entry for Syrians and migrants of other origins, who became forced to use more difficult and dangerous routes to be able to reach Turkey. The findings of the interviews also illustrated that the distinction between regularity and irregularity was not necessarily dependent on individual factors (such as ethnicity, religion, age, socioeconomic status) but oftentimes on the context and timing. While the border processes became harsher for all migrant groups, the relations with the state authorities after entering the country remained largely trouble-free for the Syrians. For a small group of Syrians with enough social and economic capital, the Temporary Protection and living with a residence permit appear as alternative options with different positive and negative aspects that can be used depending on the financial and social situation at the

time. Second, in terms of the lived experiences in the social and economic space, the findings of the interviews illustrated that although the TP and international protection statuses provided Syrians and asylum seekers with access to services, the limitations against mobility created challenges for their stay in the country, especially when seeking for employment. As far as the labor force participation was concerned, most of the interviewees reported their experiences of exploitation in the work environment, due to their informality. Finally, the interviews illustrated that there was no common perception on discrimination and experiences of (non)belonging in Turkey, and that individual encounters were context and individual dependent. Based on the interviews, a certain comfort zone in terms of legal, social or economic context appeared to be a critical factor influencing or changing the motivations about mobility for migrants and asylum seekers. While the interviewees who reported having reached that comfort zone have reported their interests toward staying in Turkey, others with negative experiences stated their aspirations of doing secondary cross-border mobilities to Europe or elsewhere.

5. An analysis of the links, or the lack thereof, between the management of mobility and that of borders

5.1. Introduction

In this research, we aimed to capture how the internal and external borders and bordering processes were defined and practiced by the institutional actors; and how the impact of bordering processes at various levels had an impact on the mobility or immobility of migrants and asylum seekers in Turkey. To be able to present a picture that bridged the current situation in Turkey with the situation on the internal and external borders of the European Union, the current study incorporated the topic of the management of mobility within the context of Turkey-EU relations, as well as the actual border and bordering practices experienced by the migrants and asylum seekers in relation from Turkey to the EU. This final chapter bridges the information collected from the secondary resources, the fieldwork on borders and bordering processes with the institutional actors and migrants as evidenced by the interviews and ethnographic observation. First, it examines how actual borders have been defined and managed, based on the insights provided by different institutional actors, and how they were encountered according to the testimonies of migrants and asylum seekers. Second, the chapter presents the findings on how the bordering processes at the legal, social and economic spaces in Turkey have an impact on the mobility or immobility of migrants and asylum seekers.

5.2. Mobility of migrants and borders in Turkey

This chapter begins by examining how actual borders have been defined and managed, based on the insights provided by different institutional actors, and how they were encountered according to the testimonies of migrants and asylum seekers. According to the conventional definitions, the borders are understood as boundary lines between states, "whose existence is presumed to reflect physical features or international treaties" (Agnew 2008, 175). They are legally defined spaces, not only via national laws and regulations, but also as a result of international conventions. However, borders are also socio-territorial constructs that reflect the discourses and practices of national identity (Agnew 2008). Even though the national narratives on the nation state may refer to them as the red lines on the geopolitical maps that differentiate between those who are included or excluded, in many contexts, borders are only symbolic markers within wider spaces that are traditionally connected.

In her study of the governance of irregular migration at Turkey's borders with the EU, İşleyen (2018) had previously argued that there were emerging spaces of humanitarianism during the operations of border policing in Turkey, despite the increasing securitization logic in the management of borders. In a similar vein, the contradiction between the legal definition of the borders and the actual practices of bordering in the border areas also reflected on the findings in our fieldwork. During our interviews with border agents, the borders were defined as areas that determined the territorial integrity of the sovereign nation state. Therefore, border agents considered their role as protecting the sovereignty of Turkey, against other states and illegal acts that took place at the borders. Yet, this security-based perspective that clearly differentiated between legality and illegality was also questioned when it came to the border passage of migrants and asylum seekers, since in their routine work, search and rescue operations were the main practice for these actors. In a similar vein, the policymakers and policy implementers also referred to the existing ambiguities regarding the differentiation that took place during the border processes. They also indicated that although borders differentiated individuals

based on their acts of border passage (legal vs. illegal, or irregular vs. irregular), the states that signed the international conventions on international protection were also obliged to open the borders to those in need of protection.

For migrants and asylum seekers who participated to this study, the differentiation between regularity and irregularity was not only related to the act of border passage: they emerged as two statuses very much intertwined, context and time dependent, and often emerging as alternative to one another. In the context of border passages from Syria to Turkey, the shift from the open doors policy to the visa obligation and stricter border controls have led Syrians to either obtain passports and Turkish visas in a war-torn country, or to search for irregular and risky paths to enter Turkey. The narratives by the Syrians showed that in this case, the regularity during the act of border passage was dependent on the structural factors that changed over time, making members of the same family take different routes and statuses at different periods. Still, the availability of applying for asylum or temporary protection after entering the country provided a new opportunity to receive a regular status to individuals seeking for protection in Turkey.

In the context of border passages from Turkey to the EU, the research has shown that there are five available routes accessible to those seeking asylum and under temporary protection: (1) resettlement through the UNHCR, (2) resettlement in the context of March 2016 Statement, (3) family reunification, (4) irregular migration, and (5) other regular migration patterns (labor or student migration). The existing statistical data illustrated that the regular patterns were accessible to a limited number of individuals. Moreover, the mechanisms for closing down the borders between Turkey and the EU in the aftermath of the EU-Turkey Statement in 2016 have also decreased the irregular border passages. During our interviews, both regular and irregular mobility was cited as experienced by the family and friends of the interviewees, not only depending on the individual factors (such as vulnerability, ethnicity, religion or socioeconomic background) but also on context and time. Despite the difficulties in reaching Europe, some of our interviewees reported that they aspired to leave Turkey due to the effects of bordering they faced during their daily lives in the country.

As far as the role of the European Union on the management of migration and borders is concerned, the findings of this research have shown that over the recent years there has been an alienation from the EU agenda, despite the EU-Turkey Statement. The EU accession process had a high impact on the institutional, legal and administrative reforms that led to the change in the legal context in Turkey. However, the management of the so-called crisis of the Syrian mass influx within the European Union and the deterioration of the relations between Turkey and the EU have resulted in alienation from the EU-centric agenda. According to the interviews conducted with the border agents and policymakers/policy implementers, the Common European Asylum System was considered as not effective since it was not able to create a common agenda throughout the union due to the domestic concerns of some of the member states. Moreover, the majority of the actors considered Dublin Regulations and the EU-Turkey Statement that aimed to limit the secondary movements within and outside of the EU as problematic measures, and argued that they did not comply with the fundamental norms and values of the EU.

Table 1: Lines of separation in the bordering processes in Turkey

	Existing national context & institutional actors	Migrants and asylum seekers
Geo-political spaces	There are stricter border controls since 2016. In theory, border requirements have no impact for seeking protection after entering the country. Regular mobility to the EU is very limited. Stricter border controls since 2016 decreased irregular border passages.	Closed borders and strict border regime push people to choose risky and dangerous entries. Stricter border controls to the EU push many people to choose risky and dangerous exits. The distinction between regularity and irregularity is often dependent on context and timing.
Legal spaces	Geographical limitation and Temporary Protection create differentiation of statuses and procedures based on country of origin. TP and international protection statuses oblige Syrians and asylum seekers to stay in Turkey temporarily. Schengen and Dublin are not effective since Turkey is not a member state to the EU.	For Syrians, relations with state authorities are usually trouble-free. Although TP and international protection statuses provide access to services, the limitations against internal and external mobility create challenges, especially when seeking for employment.
Social and economic spaces	Housing is mainly based on self-financed accommodation, but there are limitations on the city of settlement, impeding internal mobility. Low participation in the formal sector continues despite legal changes due to limited added benefits and bureaucratic difficulties.	No common perception on discrimination and experiences of (non)belonging in Turkey. Negative experiences motivate for further movement, while positive experiences increase interest to stay. Participation to informal employment directly affects exploitation in the work environment.

After having discussed the relationship between border management and the mobility of migrants and asylum seekers, the chapter moves on the present the findings on how the bordering processes at various levels in Turkey have an impact on the mobility or immobility of migrants and asylum seekers. In **Table 1**Fout: Bron van verwijzing niet gevonden we provide a brief summary of the different lines of separation in the bordering processes in Turkey within the four different spaces dealt in this study (geo-political, legal, social and economic), based on the analysis of the existing national context, as

well as the empirical research conducted with the institutional actors, migrants and asylum seekers. While the discussion that was provided up to now reflected the findings on the geo-political space in Turkey, the next part of the analysis will elaborate on the legal, social and economic spaces in the bordering processes in Turkey.

In Turkey, the geographical limitation and the Temporary Protection Regime are two main legal determinants that create differentiation of statuses and procedures based on the country of origin for those seeking for asylum. While the geographical limitation restricts the refugee status only to applicants from European countries, it is mainly oriented for non-Syrians in Turkey. For those who are not from the European countries, the geographical limitation dictates that the individuals can stay in the country during the course of their refugee status determination. If they are determined as eligible to become refugees in another country of asylum, they can extend their stay until being resettled. The Temporary Protection status on the other hand is aimed to manage the conditions of those who have migrated through mass influx, and in the current context its scope is limited with the Syrians. In terms of external mobility, the international protection and TP statuses exist only within the Turkish territories. As a result, for both types of protection, leaving the country means withdrawing the status granted in Turkey, except for Syrians' managed mobility to Syria during periods of religious holidays. For the Syrians who were interviewed for this research, the limitation against mobility to other countries is a significant impediment, affecting their ability to get together with their families and loved ones, and chances for finding formal employment that requires mobility.

Table 2: Conditions available to Syrians under different statuses in Turkey

	Temporary Protection	**Residence Permit**	**Citizenship**
Access to services	Free access to healthcare, primary education, psychosocial support is available TP owners with certain conditions can benefit from monthly payments via ESSN cards	Premiums are required for universal health insurance Tuition fees are required for access to education	Free access to healthcare is available for everyone registered and paying premiums to social security Free compulsory primary education is available
Mobility within Turkey	Available with travel permissions	Available	Available
Mobility to outside of Turkey	Causes withdrawal of the TP, except for visits to Syria during religious holidays	Available	Available

In terms of internal mobility, international protection and the TP status also oblige certain limitations. The state pursues a policy of self-financed accommodation for the majority of those seeking asylum, except for the free accommodation facilities available to most vulnerable cases and minors among those seeking international protection and temporary accommodation centers available to Syrians under temporary protection. Since the Law on Foreigners and International Protection enacted in

2014, both types of protection allow individuals to have access to certain basic rights services in Turkey, namely free access to healthcare, education and humanitarian support. However, those seeking international protection and Syrians under temporary protection can only have access to these services in the cities where they are assigned to/or registered in. For both cases, leaving the city can only take place after receiving a travel permission, which is not easily accessible. Since 2016, access to formal labor is also available for both statuses. However, low participation in the formal sector continues despite the legal changes due to the limited added benefits and bureaucratic difficulties. During our fieldwork, many interviewees reported that they have experienced exploitation in their work environment as a result of their precarious situation in the informal sector.

The interviews that were conducted for this study with the asylum seekers and Syrians have shown that the restrictions regarding settlement and the discrimination faced in the work and/or social spheres were critical factors influencing their decisions regarding their statuses, as well as their future motivations about mobility. In **Table 2**Fout: Bron van verwijzing niet gevonden, we provide a brief analysis on the conditions available to Syrians under different statuses (temporary protection, residence permit and citizenship) in Turkey. According to our interviews, for those who have enough social and/or economic capital and can fulfil the necessary administrative requirements, changing the status from being a Syrian under temporary protection to staying in Turkey with a residence permit or to obtaining citizenship are alternative options, providing different areas of maneuver within Turkey. Even though the status of Temporary Protection allows access to basic services for free, its limitations against mobility within and outside of Turkey impel a small group of Syrians to prefer living with a residence permit or trying chances on obtaining citizenship. For others who have been experiencing the legal, social or economic bordering intensely, regular or irregular forms of mobility towards a third country or back to Syria becomes the difficult but necessary option.

5.3. Conclusion

In this chapter, we have aimed to respond to two main research questions that we asked throughout this research: (1) how the borders and bordering processes were defined and practiced by institutional actors, and (2) how the impact of bordering processes at various levels had an impact on the mobility or immobility of migrants and asylum seekers in Turkey. The discussion we made throughout this report and the analysis provided in this chapter have illustrated that there was strong connection between the bordering processes at geo-political, legal, social and economic spaces, and the availability or the conditions of mobility experienced by migrants and asylum seekers. The institutional, legal and administrative mechanisms regarding the management of borders, migration and asylum determined available options that individuals had on mobility, yet they were open to change over time. Moreover, the findings of the fieldwork also illustrated that despite these structural conditions that asserted certain limitations, there was room for migrant agency to seek alternative paths for mobility.

6. List of References

Agnew, J. (2008). 'Borders on the mind: re-framing border thinking', *Ethics & Global Politics,* 1(4), pp.175-191.

AIDA (2017a) *Content of International Protection*, Available at: https://www.asylumineurope.org/reports/country/turkey/content-international-protection (Accessed: 8 December 2018).

AIDA (2017b) *Border Procedure (Border and Transit Zones),* Available at: https://www.asylumineurope.org/reports/country/turkey/border-procedure-border-and-transit-zones (Accessed: 8 December 2018).

AIDA (2017c) *Resettlement and Family Reunification Departures.* Available at: https://www.asylumineurope.org/reports/country/turkey/resettlement-and-family-reunification-departures (Accessed: 8 December 2018).

AIDA (2017d) *Access to the territory and push backs.* Available at: https://www.asylumineurope.org/reports/country/turkey/access-territory-and-push-backs (Accessed: 8 December 2018).

Aksel, D. B., Dimitriadi, A., Hendow, M., İçduygu, A., Karaçay, A. B., Maroufof, M., Andersson-Pucher, J. (2015) Study on Smuggling of Migrants: Characteristics, Responses and Cooperation with Third Countries. Case Study 3: Pakistan-Turkey-Greece. Available at https://ec.europa.eu/home-affairs/sites/homeaffairs/files/case_study_3_pakistan_-_turkey_-_greece.pdf (Accessed: 8 December 2018).

Amnesty International (2017) *Public Statement, 22 September 2017.* Available at: https://www.amnesty.org/download/Documents/EUR4471572017ENGLISH.PDF (Accessed: 8 December 2018).

Başlevent, C. and Acar, A. (2015) 'Recent trends in informal employment in Turkey', *Yıldız Social Science Review*, pp. 77-88.

Human Rights Watch (2018) *Turkey Stops Registering Syrian Asylum Seekers.* Available at: https://www.hrw.org/news/2018/07/16/turkey-stops-registering-syrian-asylum-seekers (Accessed: 8 December 2018).

Human Rights Watch (2018b) *Turkey/Syria: Border guards shoot, block of fleeing Syrians.* Available at: https://www.hrw.org/news/2018/02/03/turkey/syria-border-guards-shoot-block-fleeing-syrians (Accessed: 8 December 2018).

IOM (2017) *IOM Turkey Helps Over 15,000 Syrians to Apply for Family Reunification in Germany*. Available at: https://www.iom.int/news/iom-turkey-helps-over-15000-syrians-apply-family-reunification-germany (Accessed: 8 December 2018).

İçduygu, A. and Aksel, D. B. (2014) 'Two-to-Tango in Migration Diplomacy: Negotiating Readmission Agreement between the EU and Turkey', *European Journal of Migration and Law*, 16(3), pp. 337-363.

İşleyen, B. (2018). 'Transit mobility governance in Turkey', *Political Geography*, 62, pp. 23-32.

Krasteva, A. (2017) 'If Borders Did Not Exist, Euroscepticism Would Have Invented Them, or on Post-Communist Re/De/Re/Bodering in Bulgaria', *GeoPolitics,* Available at: http://www.tandfonline.com/eprint/UfXZXeYjt5y9tSjH8AiK/full.

Leghtas, I. and Hollingsworth, A. (2017) *Yasal Hakkımı Arıyorum: Türkiye'deki mültecilerin yasal istihdama erişimleri halen bulunmuyor.* Available at: https://static1.squarespace.com/static/506c8ea1e4b01d9450dd53f5/t/5a25be7bc8302554b57e750f/1512423037185/2017+Turkey+Report+Turkish+Trans.pdf (Accessed: 8 December 2018).

55

Norwegian Refugee Council (2017) *Dangerous Ground, Syria's refugees face an uncertain future.* Available at: https://www.nrc.no/globalassets/pdf/reports/dangerous-ground---syrias-refugees-face-an-uncertain-future/dangerous-ground---syrian-refugees-face-an-uncertain-future.pdf (Accessed: 8 December 2018).

OECD Economic Surveys (2018) *Turkey.* Available at: http://www.oecd.org/eco/surveys/Turkey-2018-OECD-economic-survey-overview.pdf (Accessed: 8 December 2018).

Okyay A.S. (2017) 'Turkey's post-2011 approach to its Syrian border and its implications for domestic politics', *International Affairs*, 93(4), pp. 829–846, Available at: https://doi.org/10.1093/ia/iix068.

Refugee Rights Turkey (2017a) *International Protection Procedure in Turkey, Rights and Obligations.* Available at: https://www.mhd.org.tr/images/yayinlar/MHM-14.pdf (Accessed: 8 December 2018).

Refugee Rights Turkey (2017b) *Rights of persons under administrative detention in Turkey.* Available at: https://www.mhd.org.tr/images/yayinlar/MHM-38.pdf (Accessed: 8 December 2018).

Refugee Rights Turkey (2017c) *Registration and Status for Syrian refugees and other persons under temporary protection.* Available at: https://www.mhd.org.tr/images/yayinlar/MHM-2.pdf; interview with IOM (Accessed: 8 December 2018).

Skribeland, Ö.G. (2016) Seeking Asylum in Turkey, Norwegian Organisation for Asylum Seekers. Available at: http://www.noas.no/wp-content/uploads/2017/07/Seeking-asylum-in-Turkey_2016.pdf.

Turper Alışık, S., Bayraktar Aksel, D., Yantaç, A. E., Baruh, L., Salman, S., Kayı, İ., İçduygu, A. and Bensason, İ. (forthcoming) 'UDMIT: An Urban Deep Map for Integration in Turkey', Salah, Pentland, Lepri, Letouze, Vinck, de Montjoye, Dong (Eds.) *Guide to Mobile Data Analytics in Refugee Scenarios,* Springer.

UNHCR Turkey (2017) *Türkiye'deki Suriyeli Mülteciler. Sıkça Sorulan Sorular.* Available at: https://data2.unhcr.org/en/documents/download/59167 (Accessed: 8 December 2018).

UNICEF Turkey (2018) *Humanitarian Situation Report.* Available at: https://www.unicefturk.org/public/uploads/files/UNICEF%20Turkey%20Humanitarian%20Situation%20Report%20No.%2025%20-%20September%202018.pdf (Accessed: 8 December 2018).

Uysal, G., Uncu, B. A., and Akgül M. (2018) Suriyeli çalışanlar ve işgücü piyasasında ayrımcılık, Bahçeşehir Üniversitesi Ekonomik ve Toplumsal Araştırmalar Merkezi Araştırma Notu 18/232, Available at: https://betam.bahcesehir.edu.tr/wp-content/uploads/2018/09/ArastirmaNotu232-1.pdf.

7. List of Abbreviations

AFAD – The Disaster and Emergency Management Authority of Turkey

AIDA - The Asylum Information Database

BCP – Border crossing points

CEAS – Common European Asylum System

CEASEVAL - Evaluation of the Common European Asylum System under Pressure and Recommendations for Further Development

DGMM – Directorate General for Migration Management

EASO - European Asylum Support Office

EC – European Commission

ESSN - Emergency Social Safety Net

EU – European Union

FAP - Family Assistance Programme

ICMC - International Catholic Migration Commission

ID – Identity document

IOM – International Organization for Migration

LFIP – Law on Foreigners and International Protection

PDMM - Provincial Directorate of Migration Management

RSD – Refugee Status Determination

TP – Temporary Protection

UN – United Nations

UNHCR - United Nations High Commissioner for Refugees

The research project CEASEVAL ("Evaluation of the Common European Asylum System under Pressure and Recommendations for Further Development") is an interdisciplinary research project led by the Institute for European studies at Chemnitz University of Technology (TU Chemnitz), funded by the European Union's Horizon 2020 research and innovation program under grant agreement No 770037.) It brings together 14 partners from European countries aiming to carry out a comprehensive evaluation of the CEAS in terms of its framework and practice and to elaborate new policies by constructing different alternatives of implementing a common European asylum system. On this basis, CEASEVAL will determine which kind of harmonisation (legislative, implementation, etc.) and solidarity is possible and necessary.