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# SYRIAN REFUGEE CRISIS, FROM TURKEY TO EUROPEAN UNION – METHODS AND CHALLENGES

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**Abstract:** *Since the commencement of the Syrian Civil War in 2011, hundreds of thousands of Syrians have fled their country for safety. Turkey has been the most boosterish neighbouring state to the refugees and currently hosts more than 2.7 million of them. However, Turkey and few other adjoining states, with the support of international humanitarian agencies are currently overpowered by the refugee influx; that has precipitated an international refugee crisis. From Turkey, most of the refugees migrated to Greece, Italy and other European Union (EU) states. The growing onward Syrian refugee migration has also overwhelmed several EU states. This paper critically investigates and examines strategies used by Turkey and the EU in addressing the refugee influx, and providing the refugees with rapid humanitarian assistance. In doing this, it looks at how and why Turkey became a migration route of the refugees to Europe; the effects of the crisis on Turkey; and the controversial EU-Turkey refugee-swap-deal. It critically analyzes the challenges faced by Turkey and the EU in addressing the crisis. Finally, this paper offers coherent and comprehensible strategies for tackling the refugee crisis.*

**Keywords:** *refugees, migration, refugee crisis, asylum, humanitarian crisis, humanitarian assistance, Turkey, European Union*

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## Background

The 1951 United Nations (UN) Convention, relating to the Status of Refugees, defines a refugee, as a person, outside their state of nationality because of well-grounded fear of persecution because of their religion, race, nationality, belongingness to a particular social group or political opinion (UNHCR, 1967).<sup>2</sup> Furthermore, such a person may also be called an "asylum seeker" until granted "refugee status" by the United Nations High Commissioner for Refugees (UNHCR) or the contracting state if they formally make a claim for sanctuary or asylum (Ibid). The UNHCR has the mandate of protecting and offering humanitarian assistance to refugees; and assisting in their voluntary repatriation, resettlement or domestic integration in a contracting state.

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<sup>2</sup> UNHCR Communications and Public Information Service, 1967

At the end of 2014, there were 19.5 million refugees worldwide (14.4 million under UNHCR's mandate, plus 5.1 million Palestinian refugees under United Nations Relief and Works Agency for Palestine's mandate). Among the UNHCR 14.4 million refugees, Syrian refugees became the largest refugee group (3.9 million), overtaking Afghan refugees (2.6 million), who had been the largest refugee group for three decades (UNHCR, 2015). As of March 2016, Turkey became the world's biggest refugee hosting state, having more than 2.7 million Syrian and 300,000 Iraqi refugees (UNHCR, 2016). In addition, according to Reuters (2015), Ankara had spent more than US\$7.6 billion on direct assistance to Syrian refugees. European states such as Greece, Germany, Sweden, Croatia, Serbia, Austria are also hosting more than 1.5 million Syrian refugees.

The Syrian refugee crisis is a product of the 2011 Syrian Civil War. The civil war is an ongoing, armed conflict, with international interventions taking place in Syria. According to CBS News (2012), the crisis began in 2011 within the context of Arab Spring protests, with nationwide protests against President Bashar al-Assad's government. In response, the government used violent crackdowns. The conflict rapidly graduated from mass protests to an armed rebellion after months of military sieges (Khaled et al., 2012). International organizations have accused the Syrian government, Islamic State of Iraq and Syria and other combatants of gross human rights abuses with grave atrocities (United Nations, 2012). According to the UN (2016), 13.5 million Syrians required humanitarian assistance, of which 6.6 million are internally displaced within Syria, and over 4.8 million as refugees outside Syria.

The Syrian Civil War led to leadership and governance challenges as the al-Assad led government and the opposition competes for the control of Syria. As a result of this crisis, many Syrian children are malnourished, ill, and abused; and millions of them have quit school. Diaa (2015) reported that as of January 2015, the death toll had risen above 220,000; and chemical weapons have been used during the conflict. In addition, thousands of protesters have been imprisoned, tortured and killed in state prisons (US House Committee on Foreign Affairs, 2014); and millions of Syrians are living in poor conditions with shortages of food and drinking water.

In November 2013, the Euro-Mediterranean Human Rights Network reported that approximately 6,000 women have been raped since the start of the conflict – with figures likely to be much higher given that most cases go unreported. The UN has also reported several egregious international humanitarian law violations. Armed forces of both sides of the conflict have blocked access of humanitarian convoys, cut off water supplies, confiscated food, and targeted farmers working their fields. There have been further attacks of the state's minority Alawite religious group, by the majority of the population, and most of the opposition, Sunni (Behari, 2011). In May 2013, Syrian Observatory for Human Rights reported that out of 94,000 killed during the war, at least 41,000 were Alawites.

With the despicable combatant guerilla activities, bombings from different international quarters, economic hardships and unfavorable social conditions, millions of Syrians have been converted into refugees. Most Syrian refugees have fled to the neighboring Turkey, Lebanon, Jordan, and Iraq, while thousands have ended up in more distant states of the Caucasus, the Persian Gulf, Europe and North Africa. Currently,

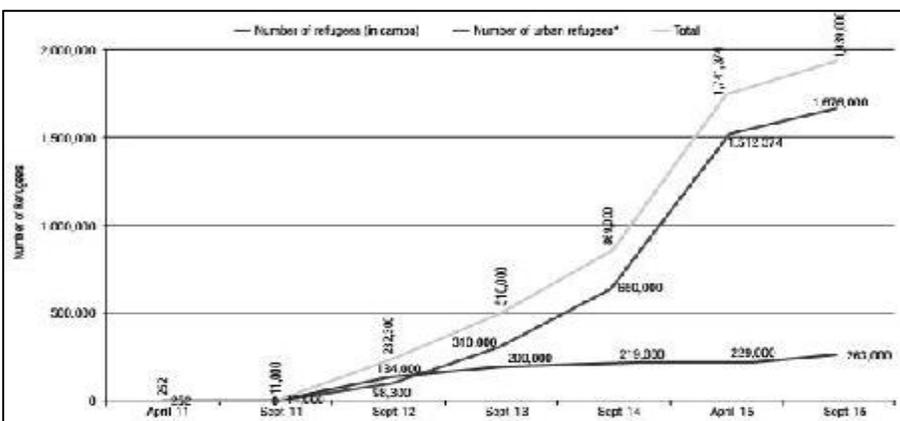
according to the UNHCR (2015), there are 1,185,241 Syrian refugees in Lebanon, 1,400,000 in Jordan, 120,000 in Kuwait and 247,861. In addition, UNHCR has also reported that almost 1 million Syrians have requested asylum in several states, particularly Lebanon, Jordan, Turkey, and the EU countries. As of February 2016, pledges have been made to the UNHCR, by various states, to permanently resettle 170,000 registered refugees (UNHCR, 2016).

## Syrian Refugees in Turkey. Why is Turkey the destination for many Syrian refugees?

By May 2011, it was estimated that close to 300 Syrian refugees crossed into Turkey (Ya Libnan, 2011). Today's Zaman (2011) reported that by early July, close to 15,000 Syrians had sought refuge in Turkey. By November, the number of registered refugees in Turkey stood at 7,600. In 2012, the Syrian Army April offensive, preceding the April 10 ceasefire under the Kofi Annan Peace Plan, dovetailed with a peak flow of refugees to Turkey. Over 5,000 arrived between 4 and 5 April bringing the total in Turkey to 25,000. By December, there were 135,519 Syrian refugees in Turkey (Reuters, 2012).

A million people fled out of Syria in 2014 alone. 600,000 (or three-fifths) made their way to Turkey, bringing the current total hosted by Turkey to an excess of 1 million (UNHCR, 2015). As of December 2015, Turkey was the world's biggest refugee hosting state with close to 2.5 million Syrian refugees [(Anadolu Agency, 2015), See figure 1]. There are many reasons to justify why Turkey amenable or did not have any recourse than to take in so much refugees, or why many of the refugees chose Turkey.

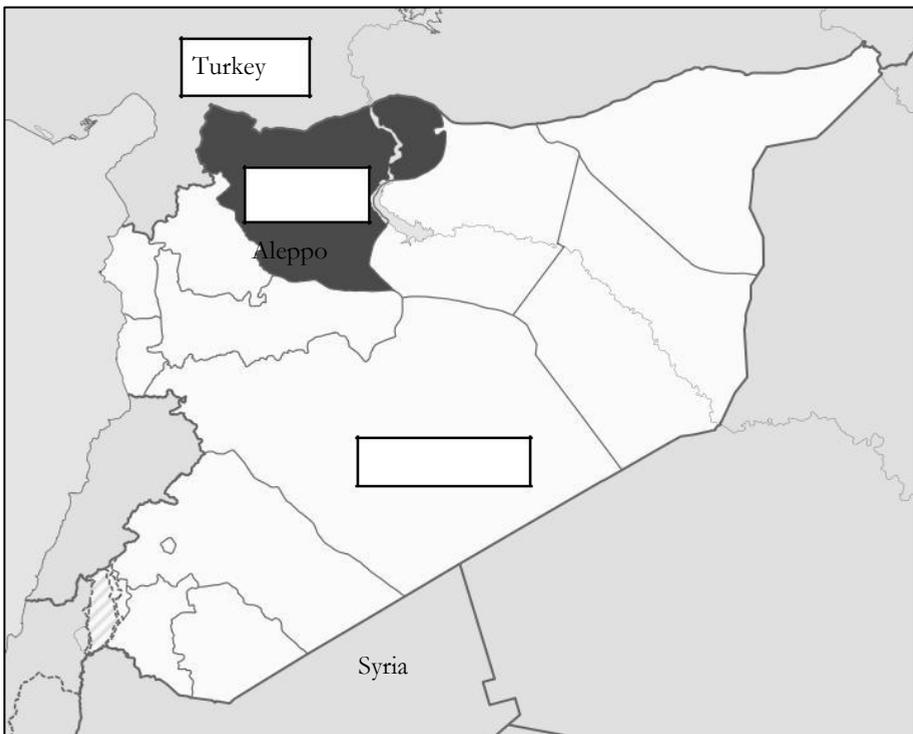
*Figure 1: Number of registered Syrian refugees and refugee camps in Turkey (April 2011 – September 2015)*



Source: UNHCR and Turkey's Disaster and Emergency Management Presidency (AFAD)

Firstly, it is the geographical proximity and the ease to get into Turkey, because of several official entry points between Turkey and Syria. Secondly, it is the population density, 60% (12 million) of the Syrian population lives in the Aleppo Governorate (see Figure 2). Thirdly, the already built 22 refugee camps in Turkey assured them of what to expect. Finally, it is the similar culture, food and religion - until a century ago the region was called the Vilayet of Aleppo. In addition, Ankara has got international credit for supporting Syrian refugees, domestic credit for providing charity (required under Islam); and allows international agencies and Non-Governmental Organizations (NGOs) from the West to support the refugees who will purchase food and other basic products from Turkey. At the same time, these organizations pay local taxes on these products and on local wages.

*Figure 2: Map of Syria, showing the location of Aleppo*

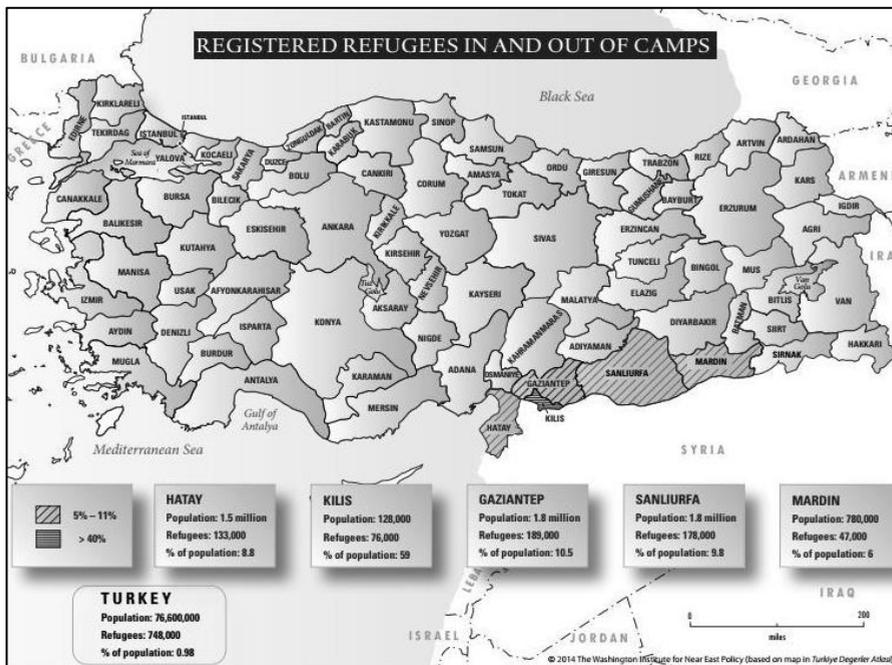


Source: Wikipedia Commons, 2011

## Ankara's methods and strategies in containing the refugee crisis. The open door policy

Since the inception of the Syrian conflict, Turkey has been running an open door policy towards displaced Syrians. By May 2011, Turkey had already set up a small camp for Syrian refugees and reported that it was preparing for a worst-case scenario in case of an increment in refugees numbers (Ya Libnan, 2011). By June of the same year, UN registered refugees in Turkey's Hatay Province reached 13,500, with thousands more elsewhere (Ib Times, 2012). Turkish officials, anticipating as many as 50,000 new arrivals began constructing camps in Southern Provinces of Turkey, namely: Hatay, Kilis, Gaziantep and Şanlıurfa (Ibid). According to Cağaptay (2014, p. 1), as at early 2014, 83% of Turkey's registered Syrian refugees are in Southern Turkey (see Figure 3). Currently, about 30% Syrian refugees live in 22 government-run camps (UNHCR, 2016).

*Figure 3: Total Registered Refugees in and out of camps (2014)*



Source: the Washington Institute for Near East Policy, 2014

According to Ahmet (2015), Turkey's open door policy was at the outset on the assumption that the conflict would come to a swift conclusion, allowing the Syrian

“guests” (a word chosen over “refugees”) to return home. This prevented Turkey from planning for their long-term or permanent stay. Instead, they concentrated on providing aid and assistance to refugees in the camps. However, as the conflict enters its fifth year and conditions continue to worsen in Syria, more and more refugees are flowing into Turkey, with no apparent prospect of return. This has made it clear that a shift in policy to encircle longer-term solutions is needed.

Till early 2013, most of the Syrian refugees resided in camps funded and managed by Turkish state and humanitarian agencies (Ibid). Since then, most Syrian refugees are now taking shelter in towns and cities, while some rely on family members or their own financial resources to find accommodation. Many urban refugees struggle to access adequate housing and services. Many of them find employment in the informal sectors (mostly illegal), often in reprehensible conditions and for extremely low wages. In early 2014, almost half of Syrian refugees lived outside formal camps, and by late 2014 the large majority, almost four out of five refugees were sheltered in towns and cities (AFAD, 2015).

## **Standardization of camps**

According to the Turkey Disaster and Emergency Management Presidency, the conditions in the 22 camps (hosting 220,000 refugees have been described by several domestic and international commentators, as significantly more standardized, comfortable, and controlled than those in neighbouring states, hosting Syrian refugees.

According to ORSAM (The Center for Middle Eastern Strategic Studies, 2014), educational and recreational activities are widely available. The organization further reported that security is provided by the Turkish armed forces to prevent petty crimes or quarrels among residents. This was through the efforts of the Turkish government with partnerships with humanitarian agencies. In 2014, the New York Times Magazine referred to a Kilis refugee camp, as one of the world’s best. Conditions in urban areas are worse than in camps, and many Syrians have faced difficulties in finding accommodation, obtaining employment, paying rent, obtaining employment, or accessing the education system or health services (Ibid).

Despite the measurable comfort and security in these camps, more than 1 million Syrians have chosen to become urban refugees for several reasons: (a) Syrians that illegally entered Turkey are not allowed to register to enter a camp; (b) the overflow of refugees has exceeded overall camp capacity; (c) financial independence and family ties have enabled some refugees to access shelter in other ways.

## **Refugee Status and Immigration Policies**

Ankara’s open-door policy to the Syrian crisis is chaperoned by two other weighty policy elements: (a) ensuring temporary protection, and (b) upholding the principle of non-refoulement (Ahmet, 2015). The latter is enshrined in the Law on Foreigners and International Protection (LFIP), which entered force in April, 2014. The LFIP makes the legal status of Syrians more clear. It aimed at improving Turkey’s refugee policy and protecting asylum seekers and incorporates many EU migration policies. Alongside it,

the Temporary Protection (TP) Regulation came into effect on October 22, 2014, and it was expected to create an effective, legally established system that would provide Syrian refugees with passable protection and humanitarian assistance.

The TP Regulation sets out specific provisions for registration and documentation procedures. It further provides refugees with the right to a lawful stay in the state, until safe return conditions are established in Syria. According to Kanat (Kanat et al., 2015), it also grants access to social benefits and services such as education, health services, and entry to the labour market. According to the regulation, persons in possession of TP identification documents can apply for a work permit in certain sectors, vocations or geographic areas. Social Support and psychological and rehabilitation services are prioritized for groups with special needs, such as children, elderly, and women. Finally, according to UNHCR, with the TP, Syrian passport holders are allowed to cross the Turkish-Syrian border without having a visa and with no further restrictions.

This is commendable and a great shift away from Ankara's traditional policy stance on refugees. This is the first time, Turkey has granted refugee status, albeit temporary, to people coming from Syria or elsewhere in the Middle East, Asia, or Africa; a policy rooted in Ottoman history. When Turkey signed the 1951 Refugee Convention, it raised a geographical limitation and chose only to provide refugee status to individuals fleeing instabilities in Europe. Turkey is currently one of only four states to maintain this reservation, and defines only persons of European origin as refugees. In Turkey, persons of non-European origin have only a right to temporary asylum before being resettled in a third state. Turkey classifies these persons as "conditional refugees", and allows them to stay temporarily in Turkey until they are resettled to third states in cooperation with UNHCR. As these conditional refugees are legally permitted to work in Turkey while awaiting resettlement, Turkey has resolved not to classify Syrians as conditional refugees, instead offering them temporary protection (Kilberg, 2014).

Most twentieth-century refugees to Turkey were Muslims fleeing persecution in Bosnia, Macedonia, and Albania, the former Yugoslavia, as well as Bulgaria, Greece and Romania. Albeit in 1991, the state provided temporary safe haven to about a half million Iraqi Kurds fleeing Hussein's rule (Kirisci, 2007). There has also been a policy shift from a state-centric approach in the management of the refugee crisis through involving international and civil-society organizations. Similarly, there has been a shift from emergency response to long-term planning. This is reflected in the actuality, that, initially, Syrian refugees' reception and assistance were left to the initiative of organizations such as the Turkish Red Crescent (TRC) and

AFAD, whose primary responsibility was to address emergency cases. The creation of a General Directorate of Migration Management is a sign of outstanding change and the recognition of the need for long-term planning.

## **Partnerships with important actors**

Even before the liberalization of the refugee crisis management by the Turkish government, international humanitarian agencies and NGOs have been mildly involved in providing assistance to Syrian refugees. This assistance expanded after the

deregulation. Refugee management, especially in the camp, greatly involves the UNHCR, which has a mandate of protecting and supporting Syrian refugees in their voluntary repatriation, local integration or resettlement. The UNHCR coordinates the 2014 Syria Regional Response Plan (SRRP)<sup>1</sup> in Turkey. The UNHCR has also been giving the Turkish government technical advice on how to register refugees.

Since 2012, the World Food Program (WFP) commenced a partnership with the Turkish Red Crescent for a new food voucher program that will provide 13,000 Syrian refugees in Kilis camp with cash credit on electronic cards with which to buy their own food (IRIN, 2012). It was later expanded to four camps hosting some 10,000 Syrians in Hatay Province. The food voucher program significantly reduces the high cost of feeding people through hot meals and food parcels, and it is covered by WFP and its donors. It has also allowed Syrian families to buy the foods that they prefer and to cook for themselves. The first phase of the program targeted 25,000 Syrian Refugees for 2.5 months with 80 Turkish liras (US\$45) per person/per month; but WFP has been able to expand and standardize the program across all the camps in close cooperation with the government authorities.

Furthermore, the International Organisation for Migration, UN Children's Fund (UNICEF) and the Turkish Red Crescent have been distributing supplies in camps. The Saudi Relief Committees and Campaigns has invested \$10 million in building a camp - completed with water, schools and other services - for 12,000 refugees in Gaziantep (IRIN, 2012).

According to the World Health Organization (WHO), it has been working in Southern Turkey, facilitating a variety of life-saving interventions. It is been working with national and international health partners to ensure that the Syrian refugees in Turkey have continuous access to equitable and lifesaving health services. The WHO started by establishing a field presence in Gaziantep, in October 2013, thereafter, it scaled up its presence, capacity and activities. The WHO has been involved in developing the capacity development for Syrian medical staff; provision of life-saving equipment and drugs; technical support for outbreak response and immunization campaigns; and development and dissemination of information materials for refugees. In addition, the WHO in collaboration with the Turkish Ministry of Health, conducts needs and mapping assessments to improve Syrian refugees' access to essential health services. It also responds to immediate health issues to support the Ministry. For example, it organized a vaccination campaign in Suruç district, following the influx of about 190,000 Syrian refugees.

In furtherance, according to Kirisci (2015), Turkish NGOs such as Helsinki Citizens Assembly, Kimse Yok Mu, Support to Life and International Blue Crescent with the Turkish Red Crescent were focused on the provision of emergency assistance to urban refugees in the form of food, clothing, health services and some shelter support. Currently, together with some of the aforementioned NGOs, others such as the

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<sup>1</sup> The SRRP covers several concerns from needs, vulnerabilities and capacities; response strategy and priorities; protection; livelihoods; education; health and nutrition; shelter; core relief items; food; water sanitation; and hygiene.

Anadolu Kültür, Association of Solidarity with Asylum Seekers and Migrants, Human Resources Development Foundation, Association for Human Rights and Solidarity for the Oppressed (MazlumDer), IMPR Humanitarian etc. have also embarked on projects to improve the adaptation of the refugees to their new environments and the quality of their protection in Turkey. These projects range from teaching language courses, including Turkish, to running courses to help women acquire vocational skills as well as psycho-social support programs (Kirisci, 2015).

The Turkish government has recently issued a growing number of registration permits for INGOs, which facilitates their operations in Turkey, including securing residence permits for long-term international staff and making it possible for them to carry out other tasks as opening bank accounts. Governorate and municipalities of Gaziantep and Şanlıurfa have instituted regular coordination meetings with INGOs and Turkish NGOs. However, the greatest and toughest problem has to do with the long run.

## Effects on Turkey

In spite of having the largest economy in the region and capacity to manage the situation than Jordan and Lebanon, Turkey's resources and public patience are growing thin. According to Kirisci (2015), public resources are being channeled to meet the expeditious needs of the refugees in the state. Merkezi (2015, p.8) further reported that hospitals in border provinces offer an estimated 30% to 40% of their services to Syrian refugees. This catalyzed resentment among locals who feel that this threatens their own access to health services (that are funded by their taxes), while health personnel feel increasingly overpowered by increasing demand. In the same light, municipality services (garbage collection, public transportation, cleaning, water distribution, controls, etc.) are planned according to the population. Thus, the services are not sufficient because of the rapid influx of refugees and these municipalities are forced to serve people with limited supplies and budgets.

Previously, Ankara essayed riposting to the refugee influx on its own. However, as the numbers increased and the prospects of return dimmed, it considered seeking support for burden-sharing from the international community in the form of financial assistance (Kirisci, 2015). Currently, it has received very little support on either front and very few Syrian refugees have been resettled from Turkey. \$624 million was earmarked for the 2014 SRRP for Turkey. However, according to UNHCR (2015), less than a third of this pledged funding has been received to date. In actuality, the amount of international support that Turkey has received so far is equivalent to less than ten percent of the Turkish government's expenditure on Syrian refugees.

Sharing the cost of protecting and supporting refugees has been disappointingly limited. Turkey has only received international assistance amounting to less than \$400 million, a situation that has been called "unsustainable" by a government spokesman. Such minuscule level of international solidarity has caused considerable resentment, although it must be acknowledged that the government itself was initially slow in developing effective cooperation with INGOs.

The massive increase in the number of refugees outside camps and the lack of sufficient assistance policies toward them has aggravated a range of social problems. Gündoğar (2015) reported that there have also been reports of occasional violence between refugees and the local population. This has reinforced a growing public perception that Syrian refugees are associated with criminality. A public opinion poll conducted in October 2014 revealed that more than 62% of those surveyed supported the idea that Syrian refugees were involved in criminal behaviour, with 70% supporting that they constitute a security threat (Erdoğan, 2015a, p.68). A large percentage of the population also supports that they are damaging Turkey's economy (Ibid). Prices have been pushed up because of the presence of an ever-increasing number of urban refugees, especially in housing, causing additional complaints among locals.

Furthermore, many refugees who are employed in the informal economy and work for lower wages than Turkish citizens; they do not pay taxes or make contributions to social security. This not only makes the Syrian refugees vulnerable to work-related exploitation, but also generates resentment especially from Turks employed in the informal economy (Ceritoglu et al., 2015). However, the presence of Syrian refugees has also provided cheap labour for positions that locals have become reluctant to take up. Similarly, the need to support Syrian refugees in Turkey, coupled with the fact that most of the humanitarian assistance sent into Syria is actually purchased in Turkey. This has benefitted the local economy considerably. In addition, there has also been boosted economic activity created by small as well as bigger businesses, often in restaurants, but also in factories set up by Syrians who were able to bring over their capital to Turkey (Karasapan, 2015). According to Merkezi (2015, p.8), before the Syrian crisis, the number of Syrian companies registered with the Gaziantep Chamber of Commerce was 60. By the end of October 2014, the number rose to 209. At the same time, this has created economic competition for the local businesses from the new Syrian-owned businesses.

## **Turkey as a gateway of Syrian refugees into Europe**

Since the end of the Cold War, political crisis, stringent policies<sup>1</sup> and economic transformation in the Middle East and other developing states encouraged people to move to more stable and developed states in Europe. Turkey's proximity to Greece and Italy makes the former an ideal passageway of migrants to Europe (see figure 4). For instance, since mid-1990s, it is estimated that more than 500,000 transiting irregular migrants were apprehended in Turkey, most from Middle Eastern, Asian, and African states, as they tried to make their way to Europe (Schwenken et al., 2015, p.50).

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<sup>1</sup> Conflict and stringent policies in Afghanistan, Iran, and Iraq- particularly toward minorities; and the general insecurity following the Iran-Iraq war and the Gulf crisis all pushed people seeking to enter Turkey for a continuous journey to Europe.

**Figure 4: Map showing the geographical location of Syria, Turkey and Greece**



Source: *Maps of the World*

Furthermore, more than 250,000 Syrian refugees who have made it to Europe from Turkey are seeking stability, well paid jobs, better future for their kids, and comfort. Since 2013, thousands of Syrian refugees are trying to cross Mediterranean Sea from Turkey to Greece. As a result, many of the refugees have died in the process. In addition, the anti-Syrian sentiment, along with economic hardship, bureaucracy, poor housing conditions, limited access to education, un-clarity of their status, in Turkey and a growing sense that the civil war will continue for years to come, help explain why many refugees are willing to risk everything by leaving Turkey for Europe (Omar Ghabra, 2015). According to Pecanha (2016), an example of the bureaucracy is that “*a bank account was required to obtain a residence permit, while a residence permit was required to open a bank account.*”

On 3 September 2015, a 3-year old Alan Kurdi, his 5-year old brother, Ghalib, and their mother drowned, as their family attempted to migrate by sea into Europe. The image of Alan's body washed up on a Turkish beach became a groundbreaking moment in the refugee crisis and global response (Withnall, 2015). This increased international debates and media coverage about the Syrian refugee crisis, bringing considerable attention to the human costs of the Syrian Civil War, the responsibilities of host states, pressures forcing refugees to migrate from their host states, the responsibilities of third states to resettle refugees, and people smuggling (Kingsley et al., 2015).

## **Syrian Refugees in EU states. Methods and strategies in containing the refugee crisis. EU's open door policy and granting asylum**

Initially, between 2012 and 2015, some EU states started receiving Syrian refugees with open arms; providing them with measurable humanitarian assistance; and prioritizing their

needs and asylum requests (though slowly). However, after battling with the unprecedented influx, the greatest Europe has seen since the Second World War; the illegal migration into EU territories and failed strategies to stop it; inconclusive conferences on the migration crisis; the EU was forced to change its strategy by striking a deal that prevents further refugee influx from Turkey. This is later discussed. Many of the refugees arrive in the EU after difficult land or sea journeys and require basic humanitarian assistance. This includes provision of clean water, shelter, health care, and legal aid. Many of these displaced people are children who have special protection needs.

According to Reuters, in August 2012, the first Syrian refugees migrated by sea to the European Union, with 124 arriving in Italy. In 2013, there was a sharp increase in refugees entering Bulgaria. Bulgarian government was forced to create emergency accommodations while asking the EU and Red Cross for aid (Konstantinova, 2013). Later in the same year, the UNHCR estimated that more than 4,600 refugees arrive in Italy by sea. In September, Amnesty International reported that Sweden became the first EU state to grant permanent residency to all asylum seekers, as well as the right to family reunification, in the light of worsening conditions in Syria. Roughly 8,000 Syrian refugees in Sweden were affected by the ruling. The decision was internationally commended.

In 2015, large numbers of refugees crossed into the EU and by August there were 313,000 asylum applications across Europe (UNHCR, 2015). The largest numbers were recorded in Germany (over 89,000) and Sweden (over 62,000). More than 100,000 refugees crossed into the EU in July alone (Al-Monitor, 2015), and by September over 8,000 refugees crossed daily. Syrians form the largest group of refugees trooping into Europe (BBC News, 2015).

**Table 1: Data as at February 2016; includes estimated cross-border arrivals, UNHCR registered refugees, asylum applicants, and resettled refugees.**

Germany	484,000 (estimated arrivals Dec. 2015) 306,703 (applicants Dec 2015)	Bulgaria	17,527 (applicants to Dec 2015)
Greece	496,119 (arrivals to May 2016) 54,574 (estimated in state May 2016) 5,615 (applicants to Dec 2015)	Belgium	15,744 (applicants to Dec 2015)
Sweden	107,966 (applicants to Dec 2015)	France	11,402 (applicants to Dec 2015)
Hungary	72,505 (applicants to Dec 2015)	United Kingdom	9,292 (applicants to Dec 2015) 5,102 (resettled 2015)
Croatia	55,000 (estimated September 2015) 386 (applicants to Dec 2015)	Spain	8,365 (applicants to Dec 2015)
Austria	38,385 (applicants to Dec 2015)	Italy	2,538 (applicants to Dec 2015)
Netherlands	30,698 (applicants to Dec 2015)	Romania	2,525 (applicants to Dec 2015)
Denmark	19,433 (applicants to Dec 2015)	Finland	1,127 (applicants to Dec 2015)

Source: UNHCR (2015)

Under the EU Dublin Regulation, an asylum applicant in one state must be returned back to that state, should they attempt onward migration to another state. The

Guardian (2011) reported that many have criticized the Dublin rules for placing too much responsibility for asylum seekers on Member States on the EU's external borders (such as Greece, Italy, and Hungary), instead of devising a burden-sharing system among EU states. This led Germany and the Czech Republic to suspend the Dublin Regulation for Syrians and start processing their asylum applications directly (The Independent, 2015). In October of the same year, the UN's human rights chief claimed the Czech Republic is holding migrants in "degrading" and jail like conditions (BBC News, 2015).

In February 2016, Austria imposed restrictions on the number of refugee entries. Croatia, announced that only 580 refugees a day will be allowed through its borders. As a result, large numbers of Syrian refugees were stuck in Greece (BBC Online, 2016a). BBC Online (2016b) further reported that there were fears that Greece wouldn't be able to cope with the thousands stranded at the reception centers, scattered across the mainland and the islands of Chios, Kos and Lesbos. As of December 2015, according to the European Commission, it has mobilized more than €5 billion for relief and recovery assistance to Syrians in their state and to refugees and their host communities in neighbouring Turkey, Lebanon, Jordan, Iraq, and Egypt. Greece, Germany, Croatia and Bulgaria have been overwhelmed most, by the refugee crisis. Table 1. shows that over 1.5 million Syrian refugees have migrated to EU states since the escalation of the refugee crisis in Turkey. Few of them have been granted asylum.

## **Legal and policy instruments (May -December 2015)**

Between May and December 2015, the EU Member States adopted several legal and policy instruments to address the refugee crisis. Key components of them are a new quota system to relocate and resettle asylum seekers among EU states so as to alleviate the burden on states on the outer borders of the Union; deploying teams in Greece and Italy to joint-process asylum applications; strengthening border security; and establishing a Common Security and Defense. Also, there were policy operation in the Mediterranean to dismantle traffickers' networks and smugglers (Carrera et al., 2015, p.5).

One of the most controversial strategies has been the establishment of the quota relocation system for the redistribution of asylum-seekers (Ibid). It introduced a new 'distribution key' pattern of allocating responsibility between Member States on the basis of new criteria, which include GDP, unemployment, population, etc. However, according to Traynor (2015), leaders of the Visegrád Group (Czech Republic, Hungary, Poland, Slovakia) declared in a September meeting in Prague that they would not accept any compulsory long-term quota on redistribution of immigrants. Poorer states expressed concerns about the economic and social cost of absorbing large numbers of refugees. Wealthier states having embraced ethnic diversity were able to offer more humanitarian assistance (Ibid).

The Member States later agreed to relocate 40,000 persons (mostly Syrian refugees) from Greece and Italy in clear need of international protection on 22 July 2015 (European Commission, 2016). This was complemented by the September 3<sup>rd</sup> additional agreement on the temporary relocation of 120,000 asylum-seekers from

Greece and Italy (Ibid). On October 21<sup>st</sup>, 19 asylum seekers, mostly Syrians, were relocated to Sweden and 48 to Finland (European Commission, 2016). As of December 11<sup>th</sup>, the resulting picture is as follows: 54 asylum-seekers have been relocated from Greece and 130 from Italy [(mostly Syrians) (Ibid)]. The EU Member States that have participated most actively so far are Sweden, Finland, and Luxembourg; followed by Germany, France and Spain. It is not surprising that the Member States' resolve has become the object of criticism: at such current velocity, it would take more than 750 years to relocate the 160,000 asylum-seekers covered by a now-expanded resettlement plan (Carrera et al., 2015, p.6)

## **Provision of Funds and Humanitarian Assistance**

The European Commission's Humanitarian Aid and Civil Protection department (ECHO) has been addressing the refugee crisis in Europe in many ways: a). it provides emergency support to refugees in EU Member States; b). it helps refugees in the transit states located outside of the EU borders; c). it puts the EU Civil Protection Mechanism at the disposal of EU Member States; and d). it is also a leading global donor of humanitarian aid in all the key states from which refugees arrive. In April 2016, the EU announced an initial €83 million worth of humanitarian funding for emergency support projects to assist mostly Syrian refugees in Greece (European Commission, 2016).

It has also provided emergency support funding which is made available to Member States whose own response capacities are overwhelmed by rapid and exceptional circumstances, such as the sudden influx of refugees. This funding is being used for the provision of basic necessities such as food, shelter and medicine. Since the beginning of the refugee crisis (majorly Syrian refugees) in Europe, in 2015, the Commission has provided humanitarian aid amounting to over €22.5 million to Serbia and the Macedonia. The Commission also supports refugees in Turkey who have fled violence in both Syria and Iraq, with particular concentration on vulnerable refugees living outside of camps (Ibid).

In addition, through the EU Civil Protection Mechanism, the Commission coordinates the delivery of immediate materials to support Member States facing major peaks in the refugee crisis that overwhelm their immediate and national response capacities. The Mechanism has been activated to help coping with an increased refugee influx in 2015 and it is still active in some Member States, in 2016. Hungary, Serbia, Slovenia, Croatia and Greece have received material assistance such as winterized tents, beds and blankets from the Mechanism participating states to help them better cope with the arrival of refugees and asylum seekers (Ibid).

The EU and its states have been partnering with several international humanitarian agencies in managing the refugee crisis. Most of them include the UNHCR, UNICEF, WFP, Red Cross etc.; they have been assisting EU states in providing humanitarian assistance to the refugees.

## Change in strategy - Controversial Refugee-Swap-Deal between the EU and Turkey

In March 2016, the EU made a refugee-swap-deal with Turkey, in which Turkey would take back all new irregular migrants crossing from Turkey into Greek islands, while EU resettles refugees from Turkish camps. For each refugee returned to Turkey, EU takes one from the camps. This is in an effort to seek a comprehensive solution to the Syrian refugee crisis, open a safe and legal route to the EU for Syrian refugees, while reducing illegal migration especially through the Aegean smuggling route, via which more than 850,000 people reached Greece from Turkey in 2015 (The Guardian, 2016). The deal came into effect on 20<sup>th</sup> March and a temporary link between resettlement and return was set to 72,000. This dramatically changed the fate of Syrians hoping to seek asylum in Europe. According to Boghani (2016), since the deal, the number of Syrians arriving in Greece from Turkey dropped dramatically. In return, Ankara gets €6 billion to help the estimated 2.5 million Syrians. According to the EU (2016), the organization has agreed to speed up the disbursement of the initially allocated €3 billion under the Facility for Refugees in Turkey. From this, €180 million has already been released. And once these resources are about to be used to the full, and all other commitments are fulfilled, the EU will mobilize an additional €3 billion euro up to the end of 2018. In addition, it will also become easier for Turks to get European visas, as the EU will accelerate the implementation of Turkey's roadmap for visa liberalization with a view to lifting the visa requirements for Turkish citizens by the end of June 2016.

This has been greatly criticized by rights groups and aid organizations as it breaks the non-refoulement principle of the Geneva Refugee Convention, Universal Declaration of Human Rights and the EU Fundamental Rights Charter. At the same time, the EU made the deal without making sure that Turkey is ready and safe for the refugees (Ibid). According to the EU law, asylum seekers can be returned to a “safe third state”, which is a state that will give them access to refugee protection, in accordance with the 1951 Geneva Convention; and where the refugees will not be at risk of persecution, serious harm or being returned to the state they fled (The Conversation, 2016). A key assumption by aid organizations is that Turkey is not such a state.

Though the deal looks helpful, it has been considered as a deliberate effort by the EU to prevent more refugees from entering its territories from Turkey, while putting increasing pressure on the latter, which has already been overstretched (already hosting more than 2.7 million refugees). In addition, in April 2016, renewed fighting in Idlib and Aleppo Provinces of Syria has displaced tens of thousands in areas near the Turkish border. This means that Turkey will be continuously overwhelmed by refugee influx. In the same line, refugees are being sent back to Turkey, while Turkey has been violating non-refoulement (as we discuss below). Oxfam's migration policy lead, Tesorieri Sara, compared the refugee-swap-deal to “*trading human beings for political concessions.*” Of key concern has also been the slow implementation of the deal. Since 18<sup>th</sup> of May 2016 and according to the Guardian (2016), only 177 Syrian refugees were resettled in the EU. At the same time, only 400 refugees have been sent back to Turkey from Greece.

Before the financial assistance that came with the refugee-swap-deal, there have been several forms of financial assistance that the EU has provided to Turkey to support Syrian refugees in the state.

## **Challenges facing Turkey and the EU in addressing the refugee crisis**

There are many challenges facing the management of the refugee crisis in Turkey. The first is the wide acceptance that the refugees are in Turkey to stay, because of the dynamics of the civil war. This implies more financial burden for Ankara, in the midst of falling tourism and export revenues; as well as social, sectarian, ethnic and demographic pressures and threats. According to figures compiled from public statements by President Erdogan and the head of the AFAD, the monthly bill of hosting the refugees in Turkey has shot up to \$500 million. Furthermore, Ankara might finally be pressurized to naturalize the refugees. This is because, by the end of 2018 and 2019, a million refugees could qualify for citizenship in Turkey, owing to Article 11 of the Turkish citizenship law which outlines the option of applying for citizenship after five years of uninterrupted legal residency.

Secondly, it is the ever-increasing influx of refugees. According to United Nations' estimates, Turkey's Syrian refugee population was more than 1.7 million as of mid-March 2015, triple the December 2013 figures and the large unregistered refugee population may mean that the true figure is even larger. These increasing numbers are putting Turkey's reception capacity under strain. Thirdly, the absence of a comprehensible governmental policy towards their integration, although their education and employment have been mildly assured (Orhan et al., 2015, p.21-32). According to Kirişçi (2014, p.23–27), the Turkish government has permitted children, whose parents had residence permits and are registered under TP, to access Turkish schools. In addition, Kirisci (2015) further reported that the Turkish Ministry of Education is preparing its own schools in the border areas to accommodate Syrian children. Currently, only 130,000 out of some 600,000 school-age Syrian refugee children are in school. The differences in languages, cultures, and life styles also make social integration more challenging.

Fourthly, many urban refugees work in the informal sector (as mentioned earlier) at very low wages. This in turn raises concerns about child labour and illegal activities. Meanwhile, the resulting wage deflation worsens and ignites hostility among host populations as more and more Syrian refugees enter the labour market (Orhan et al., 2015). In addition, the fact that many Syrian refugees in the cities are unregistered, as they would be in camps, is becoming a challenging issue for Turkish authorities and civil organizations. AFAD's latest report confirms that more than one-third of urban refugees, who are to be found in many cities across Turkey, are not registered (Erdogan, 2015a, p.66). This is increasingly leaving them particularly vulnerable, both to lack of services and exploitation, since registration is the first step to ensuring access to basic services and social protection.

Fifthly, it is the asylum policy challenge; Ankara has struggled to revise its asylum and protection regime because of the situation. In line with this, Syrian refugees have been

subject to a transitioning asylum and protection regime as policymakers try to contemporaneously implement broad legislative overhauls, while responding to increasing evidence of a long-term humanitarian crisis on the ground. Sixthly, as mentioned earlier, public opinion concerning the length of Syrian refugees' stay is increasingly becoming more unwelcoming, even hostile. This is especially with economic and social competitions, and strain on Turkish citizens. For example, the smaller district of Reyhanlı has a population of 63,000 but it is hosting an estimated 100,000 Syrians (Ahmet, 2015, p.11). As the conflict in Syria continues, refugees find themselves in the uncomfortable position of overstaying even if they are not welcomed anymore.

Seventhly, there is limited access to the services promised under the TP. There have been further allegations of violation of non-refoulement, a core of the LFIP (Amnesty International, 2014). Amnesty International has reported that Syrian refugees have in some occasions been denied entry into Turkey, especially in the case of Palestinian refugees from Syria. Also, Turkey has forcibly returned thousands of Syrian refugees to war zone since mid-January 2016. In May 2016, Human Rights Watch reported that Turkish border guards were shooting and beating Syrian refugees trying to reach Turkey, which resulted in deaths and serious injuries. There have also been accounts of forced relocation of urban refugees into refugee camps (Söylemez, 2015). Finally, some INGOs and NGOs complain that they still encounter challenges in getting themselves registered and find the process of registration to be very vague and ambiguous.

For the EU, Paris and Brussels terror attacks have made some EU states more cautious about taking in refugees. Many intensified the level of scrutiny in accepting refugees, while others included security guarantees as a prerequisite in hosting refugees. The attack worsened the prospects of the proposed quota system (Lyman et al., 2015). As mentioned earlier, states on the EU border such as Hungary, Italy and Greece have been overwhelmed by the number of asylum applications and refugee influx. The refugee crisis has also affected the Schengen rules with many European states such as Germany, Austria, Greece etc. establishing temporary border controls. Ultimately, it is the EU's ability to ensure that its Member States' implement its standards and regulations about the refugee crisis.

Despite assorted aforementioned criticisms against the refugee-swap-deal, there are several challenges facing its implementation. Firstly, blocking the Aegean route to stop illegal migration into Europe will not be of much relevance as there are other routes to Europe, such as from Libya to Italy, Turkey to Bulgaria, Morocco to Spain etc. According to Göksel (2016), a Turkey analyst at International Crisis Group, *"you patrol the seas better, then land routes are exploited or the price of smuggling goes up, or different ways of creating fake documents will be discovered. Smugglers often find a way in these circumstances"* (Boghani, 2016).

Secondly, there have been increasing concerns that Turkish nationals will not be given visa-free travel, by the end of June 2016, the target date. This will greatly put the future of the refugee deal at risk. This is because, EU leaders are insisting that Turkey meet 72 conditions before the visa exemption is approved, including narrowing its definition of terror to stop prosecuting academics and journalists for "terror propaganda." In the

light of this, Turkey has threatened to suspend the deal if the target date is not met (South Front, 2016). Finally, the Australian Broadcasting Corporation (2016) reported that there have been questions on Greece's ability to effectively and accurately process asylum requests of large numbers of refugees, or the proper conditions to accommodate refugees decently, pending examination of their cases. The state has already been struggling to cope with an estimated 48,000 people who came into Greece before the deal was brokered and remained stranded in the state. This includes 12,000 at Idomeni on the Greece-Macedonia border. This means that asylum claims might not be processed based on individual needs, before sending refugees back to Turkey, fact which violates International Law.

## Conclusion and recommendations

In this study, we observed that Turkey has started playing an immense role in managing the Syrian refugee crisis from the onset. We also observed that the degree of the crisis and onward refugee migration led to the EU's involvement. We examined Turkey's strategies in containing the refugee crisis, its partnerships & cooperation with important actors, and the effects of the refugee crisis on Turkey. In the mid part of the study, we investigated how Turkey became a passageway for the refugees into Europe. Thereafter, we examined the EU's strategies in managing the crisis, the challenges faced by Turkey and the institution in doing this, as well as the refugee-swap-agreement in effectively dealing with the situation. The key lesson learnt was that the agreement had several faults and challenges and was more of a political concession.

The stay of Syrian refugees on Turkish territory has a great chance of becoming a permanent one. In the light of this, it is crucial that the Turkish government creates an immigration policy that is geared towards social integration to mitigate ethnic and sectarian conflicts. There should be a holistic policy covering accommodation, social services, education, working conditions, and improving the receptivity of the host community. In line with this, many action points should include: officially registering all Syrians, facilitating work permits, increasing the capacity of local hospitals and educational facilities, prioritizing the education of thousands of Syrian children that are out of school, generating extra capacity and budget for municipalities, creating community leader groups among Syrians, increasing international aid and border security, distributing the refugee burden, correcting the Syrian stereotype, and creating a mechanism to understand refugee movements.

There should also be mechanisms to ensure transparency and accountability for the use of international financial assistance giving to Ankara. In addition, Turkish policymakers need to make up their minds between stick-in-the-mud nationalist policies and new reforms in the area of migration and asylum. The geographic limitation to its 1951 Convention obligations remains trifling. The current temporary protection status does not genuinely reflect the reality on the ground.

The crisis also demonstrates the limitations of today's international asylum and protection system, and represents an opportunity for the international community to put the concept of "burden sharing" into practice. There is a clear need for global governance and financial burden sharing with Turkey. In actuality, as refugee protection

is an international responsibility, the Syrian refugee crisis should be governed at the global level, with collaboration among states, international organizations, and NGOs to synthesize resources and processes related to various political, economic, social and cultural aspects of the Syrian refugee crisis.

Turkey's role in the Syrian refugee crisis should not be taken for granted by the international community.

For the EU, resettlement of refugees, especially the most vulnerable, as a traditional burden-sharing method will need to be taken more seriously, with capable states taking in more and processing their asylum applications in line with international law standards. The current level of resettlement is simply amateurish. The EU refugee crisis would not have reached this degree if there had been a serious and comprehensible resettlement program currently in place. The refugee-swap deal is not yet a comprehensible solution to the refugee crisis from the analyses in this study. Either it is revised or a more practical, compassionate and coherent strategy is developed, one that should be free of securing national and regional interests.

The Syrian refugee crisis discloses the weaknesses and problems associated with the current international humanitarian system. The system requires an overhaul to achieve greater efficiency and cost-effectiveness in terms of meeting the needs of victims of displacement.

Industrialized and wealthy states should step up their assistance by resettling Syrian refugees and providing financial assistance to Turkey. The wealthy Gulf States certainly need to do more. Ultimately, the solution to the Syrian refugee crisis is a political one, demanding the settlement of the violent conflict in the state. This would create the circumstances for the return of the refugees. Unfortunately, for reasons that are beyond the scope of this study, the international community is far from arriving at such a settlement. The United Nations Security Council should make clear, urgent and real commitments to resolve the Syrian Civil War through coherent, multi-dimensional and comprehensible strategies.

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