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# SYRIAN REFUGEES IN TURKEY THE LONG ROAD AHEAD

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By Ahmet İçduygu

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## Executive Summary

As a result of conditions in the region and its generous open-door policy, Turkey is now host to the world's largest community of Syrians displaced by the ongoing conflict in their country. 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<sup>1</sup>—and the large unregistered refugee population may mean that the true figure is even larger. These burgeoning numbers are putting Turkey's reception capacity under strain. Turkish reception policies were at the outset predicated on the assumption that the conflict would come to a swift conclusion, allowing the Syrian “guests” (a word chosen over “refugees”) to return home, and precluding the need to plan for their long-term or permanent stay in Turkey. However, as conditions continue to deteriorate in Syria and the conflict has entered its fifth year with no signs of abating, more and more refugees are crossing into Turkey with no apparent prospect of return—making it clear that a shift in policy to encompass longer-term solutions is needed.

The reception and settlement conditions of Syrian refugees have changed in the past year in response to swelling numbers of new arrivals and changing settlement patterns. Up until early 2013 almost all Syrian refugees resided in camps funded and managed by Turkish state and nongovernmental actors. Amid camps' shrinking capacity and entry barriers to those who arrive illegally, most Syrian refugees now are taking shelter in towns and cities. Some rely on family members or their own financial resources to find accommodation. Many urban refugees struggle to access adequate housing and services; their lack of work authorization forces them to find employment in the informal economy, often in unacceptable conditions and for extremely low wages. Meanwhile, the Turkish public is expressing increased concern about the Syrian arrivals: their high numbers in cities, the increasing length of their stay in Turkey, their perceived contribution to rising housing costs and increased unemployment, and their economic competition with Turkish citizens. The Turkish state, which provides both camp-based services and assistance to urban refugees, finds itself shouldering a significant financial burden: by early 2015 the cost had reached more than US \$5 billion, of which the international community covered some 3 percent.<sup>2</sup>

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Syria's civil war started as Turkey was in the midst of overhauling its asylum and reception system to meet international—and, particularly, European Union (EU)—standards, most notably through a sweeping new *Law on Foreigners and International Protection* in 2013.<sup>3</sup> Implementing these reforms—with their accompanying demands on technical and financial resources—has limited Turkish authorities' capacity to manage the Syrian refugee crisis. Instead, management of the crisis was left in the hands of national organizations working on the ground, in camps, without larger strategic and policy guidance. Meanwhile, much old policy remains unchanged. For many years, Turkey's immigration policies favored people of “Turkish descent and culture,” and formal immigration channels remain restricted to these groups. Asylum policies continue to set geographic restrictions: only asylum seekers from Europe are eligible for recognition as refugees, while non-Europeans receive temporary protection status and are expected at some point to resettle in a third country.

Looking ahead, there are a number of steps Turkey can take to improve its asylum and reception system, and promote the integration of Syrian refugees into Turkish communities. From a legislative perspective,

- 1 United Nations High Commissioner for Refugees (UNHCR), “Syria Regional Refugee Response—Turkey,” last updated March 13, 2015, <http://data.unhcr.org/syrianrefugees/country.php?id=224>.
- 2 M. Murat Erdoğan, *Türkiye'deki Suriyeliler: Toplumsal Kabul ve Uyum Araştırması* (İstanbul: İstanbul Bilgi Üniversitesi Yayınları, 2015), 4.
- 3 Rebecca Kilberg, “Turkey's Evolving Migration Identity,” *Migration Information Source*, July 14, 2014, [www.migrationpolicy.org/article/turkeys-evolving-migration-identity](http://www.migrationpolicy.org/article/turkeys-evolving-migration-identity).



the ongoing requirements of “EU-ization”—aligning domestic laws with EU legislation as part of the EU preaccession requirements—coupled with the practical implications of Turkey’s growing Syrian refugee population, will likely oblige Turkey to continue liberalizing its immigration policies. Two policy changes in particular appear necessary: (1) lifting the geographic limitation of its 1951 Geneva Convention obligations, which currently limits asylum rights to Europeans, and (2) revising the *Settlement Law* of 2006, which promotes the settlement of people of “Turkish descent and culture.”

More generally, the Syrian refugee crisis should be treated as a humanitarian crisis, divorced from any foreign policy objectives that Turkey may have with regard to the Assad regime. Turkey will need to redefine the status of Syrian refugees, taking into account the likelihood of their protracted displacement, and prioritize integration policies (like sociocultural and labor market integration) to offset the growing hostility of the host population. As arrivals continue and resources become more limited, greater collaboration with local and international nongovernmental organizations (NGOs) will be necessary to supplement Turkish authorities’ crisis management capacity.

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The Syrian refugee crisis demonstrates the limitations of today’s international asylum and protection system, and presents an opportunity for the international community to put the concept of “burden sharing” into practice. States, international organizations, and NGOs should collaborate at a global level on the social, cultural, financial, political, and technical components of the Syrian refugee crisis. While Turkey’s response has already been extremely generous, its capacity to receive and support further refugee flows is not unlimited. As the situation becomes protracted, a truly effective and forward-looking response will require more extensive cooperation and support from the international community.

## I. Introduction

Almost half the Syrian population has been displaced since the onset of the civil war in 2012. As of March 2015, around 7.6 million were estimated to be internally displaced,<sup>4</sup> and nearly 3.5 million refugees had crossed into Turkey, Lebanon, and Jordan<sup>5</sup> (although the actual number is probably much higher, as many refugees in the region are unregistered). The drastic deterioration of the security, political, social, and economic conditions in Syria is driving this explosion in numbers. Intensifying clashes forced 1 million people out of Syria in 2014 alone. Three-fifths (or 600,000) made their way to Turkey, bringing the current total hosted by Turkey to in excess of 1 million.<sup>6</sup> Turkey has struggled to cope with the growing numbers.

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4 European Commission Humanitarian Aid and Civil Protection (ECHO), “Syria Crisis—Internal Displaced Persons and Syrian Refugees in the Region (as of March 20, 2015),” Syria Crisis ECHO Fact Sheet, accessed March 27, 2015, [http://ec.europa.eu/echo/files/aid/countries/factsheets/syria\\_en.pdf](http://ec.europa.eu/echo/files/aid/countries/factsheets/syria_en.pdf).

5 UNHCR had registered nearly 4 million Syrians in the region and around 11,000 more were awaiting registration as of March 26, 2015; UNHCR, “Syrian Regional Refugee Response—Regional Overview,” accessed March 27, 2015 <http://data.unhcr.org/syrianrefugees/regional.php>.

6 UNHCR, “Syria Regional Refugee Response—Turkey.”



The case of Syrian refugees in Turkey deserves attention for several reasons:

- ***The growing effect of refugee inflows on host communities.*** As of March 2015, Turkey was host, in absolute numbers, to the largest community of displaced Syrians in the region (overtaking Lebanon at the start of the year), and this number is likely to grow as the conflict continues.<sup>7</sup> The number of Syrian refugees in Turkey has climbed rapidly as a result of the occupation of northern Syria by the Islamic State in Iraq and Syria (ISIS), which caused many Syrians to flee. While host communities' reception of refugees has so far been relatively warm, it is likely that as the Syrian population grows, social tensions and xenophobic reactions against refugees in certain regions and neighborhoods will increase, with implications for the political, social, and economic stability of Turkey as a whole.
- ***Turkey's reception system.*** The presence of both camp-based and urban refugees in Turkey presents an opportunity to investigate reception and integration from several perspectives. Furthermore, Turkey's application of a temporary protection model is a unique response to a refugee crisis and may provide an avenue to permanent settlement.
- ***Implications for the region.*** Transit flows of Syrian refugees through Turkey to other parts of the world, mainly Europe, have already begun to have an effect on public and political debates on humanitarian and protection policies at both the domestic and global levels.
- ***Broader context of immigration and asylum policy reform.*** Turkey's policies on international migration and asylum have undergone a great transformation over the past few years, and the Syrian refugee crisis has emerged in the midst of this change.

First, this report provides an overview of Turkey's migration landscape and the position of Syrian refugees in Turkey today. Second, it offers an assessment of current policy approaches toward displaced Syrians in Turkey, looking at changes in Turkey's asylum and protection regime before discussing ongoing challenges and future policy directions in this area. Finally, it discusses policy recommendations—both for Turkey and for other states—given the likelihood of long-term or permanent displacement for Syrians.

## II. Turkey's Shifting Immigration Context

The Syrian refugee crisis arose while Turkish immigration policy was in flux. Although there have been waves of immigration to modern Turkey since the early 1920s, most were comprised of people of "Turkish descent and culture."<sup>8</sup> Kinship-based flows dominated Turkey's immigration and asylum system for decades following the creation of the Republic of Turkey in the 1920s. These flows were encouraged by nationalistic immigration policies aimed at solidifying the nation-building process.

In the early 1980s immigration into Turkey began to include "foreigners" who were neither of Turkish

<sup>7</sup> As of March 13, 2015, Turkey hosted 1,718,147 registered Syrian refugees (up from 963,540 at the end of October 2014), while Lebanon hosted 1,191,451 (up from 1,123,150), and Jordan hosted 627,295 (up from 618,508). UNHCR, "Syrian Regional Refugee Response—Regional Overview."

<sup>8</sup> Turkification policies since 1930s forced non-Muslims to leave Turkey, while encouraging Muslims to immigrate to Turkey. The idea of "Turkishness" extends beyond Turkish ethnicity to migrants' ability and willingness to adopt the Turkish language and become a member of the Muslim Sunni ethnic group closely associated with past Ottoman rule. Thus, Albanians, Bosnians, Circassians, Pomaks, Tatars, and Turks—most from the Balkans—who fit this definition could immigrate to Turkey; whereas minorities claiming a link to Turkey but who were not Sunni Muslims—for example, Armenians, Assyrians, Greeks, Jews, as well as unassimilated Kurds and Alevites—continued to face difficulties in immigrating to Turkey. Ahmet İcduygu, Sule Toktas, and Ali B. Soner, "The Politics of Population in a Nation-Building Process: Emigration of Non-Muslims from Turkey," *Ethnic and Racial Studies* 31, no. 2 (2008): 358–89, [www.tandfonline.com/doi/full/10.1080/01419870701491937#.VMFZoC5R180](http://www.tandfonline.com/doi/full/10.1080/01419870701491937#.VMFZoC5R180).



descent nor Muslim—a dramatic change from previous arrivals.<sup>9</sup> As elsewhere, this was partly the result of an overall globalization process that facilitated and boosted the movement of people alongside goods, technologies, ideas, and finance. In addition, political turmoil and economic transformation in the Middle East and elsewhere encouraged people to move to more secure and developed countries in Europe, making Turkey an ideal passageway. Conflict and draconian 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 asylum to enter Turkey. Meanwhile, the collapse of the Soviet Union and socialist systems in Eastern Europe prompted many to search for temporary work in the country. Moreover, increasing economic prosperity and political stability in Turkey attracted foreigners such as professionals, retirees, students, and temporary or permanent workers to work, study, and live there.

Over the past two decades Turkey’s migration landscape has therefore been characterized by predominantly mixed flows of irregular and regular migrants, asylum seekers, and refugees. For some, Turkey was a final destination; others used the country as a transit point in a longer journey, often to Europe.<sup>10</sup> For instance, it is estimated that since the mid-1990s more than 500,000 transiting irregular migrants were apprehended in the country—most from Middle Eastern, Asian, and African countries—as they tried to make their way to Europe.<sup>11</sup> Another 500,000, most of them from post-Soviet countries, were caught working without authorization in various sectors. In the same period, more than 100,000 asylum seekers arrived in Turkey, in addition to the mass refugee arrivals of more than 350,000 Turks from Bulgaria in 1989, almost 500,000 Kurds from Iraq in the first Gulf War in 1991, and around 1.3 million Syrians fleeing the recent crisis.<sup>12</sup>

### An Evolving Legal Framework

Prior to the 1994 Regulation on Asylum,<sup>13</sup> only a handful of texts laid out the clauses and modalities regarding the entry, exit, stay, and residence of aliens, without dealing specifically with asylum or labor rights. Two legal documents have informed the main policy framework governing the flows of immigrants and asylum seekers in Turkey. The first is the 1934 *Settlement Law*, which explicitly favored the immigration of people of Turkish descent and culture. While the 1934 law has since been replaced with newer legislation, the preference for immigrants of “Turkish descent” remained a key element of Turkey’s legal framework for decades. The second document is the 1951 Geneva Convention and its 1967 Additional Protocol on the status of refugees. Turkey is a signatory to both but has maintained a geographical limitation that grants asylum rights only to Europeans. As a result of both documents, a significant portion of “non-Turkish or non-Muslim” migrants arriving to Turkey have been defined by Turkish law as “illegal.” In addition, almost all non-European asylum seekers are not entitled to stay in Turkey, even after gaining recognized refugee status.

The mass influx of close to 500,000 refugees fleeing ethnically targeted violence in northern Iraq in

9 Ahmet İçduygu and Kemal Kirişçi, “Introduction: Turkey’s International Migration Transition,” in *Land of Diverse Migrations*, eds. Ahmet İçduygu and Kemal Kirişçi (Istanbul: Istanbul Bilgi University Press, 2009), 1–25; Ahmet İçduygu, “Den Nationaalstaat errichten und bewahren auch in der globalisierten Welt: Der politische Hintergrund internationaler Migration in die Türkei,” in *Facetten internationaler Migration in die Türkei: Gesellschaftliche Rahmenbedingungen und persönliche Lebenswelten*, eds. Barbara Pusch and Tomas Wilkoszewski (Würzburg: Ergon-Verlag, 2008); Kemal Kirişçi, “Turkey: A Transformation from Emigration to Immigration,” *Migration Information Source*, November 1, 2003, [www.migrationpolicy.org/article/turkey-transformation-emigration-immigration](http://www.migrationpolicy.org/article/turkey-transformation-emigration-immigration).

10 Ahmet İçduygu and Deniz Yüksek, “Rethinking Transit Migration in Turkey: Reality and Re-Presentation in the Creation of a Migratory Phenomenon,” *Population, Space and Place*, 18, no. 4 (2012): 441–56

11 Ahmet İçduygu and Aysen Üstübcü, “Negotiating Mobility, Debating Borders: Migration Diplomacy in Turkey-EU relations,” in *New Border and Citizenship Politics*, eds. Helen Schwenken and Sabine Russ-Satter (London: Palgrave MacMillan, 2015), 50.

12 Ibid.

13 The 1994 regulation “Procedures and Principles related to Possible Population Movements and Aliens Arriving in Turkey either as Individuals or in Groups Wishing to Seek Asylum either from Turkey or Requesting Residence Permission in order to Seek Asylum From Another Country, Regulation No. 1994/6169” is the first detailed legal regulation regarding asylum seekers and refugees in Turkey which was enforced after the experience of the mass influxes of early 1990s from Iraq.





1991 prompted Turkey to reconsider its legal and administrative system of asylum.<sup>14</sup> Consequently the 1994 Regulation on Asylum, which was replaced in 2013 by the new *Law on Foreigners and International Protection*, clarified conditions for submitting an asylum claim in Turkey, but maintained the geographic limitation of the 1951 Geneva Convention.<sup>15</sup> Thus, most non-European asylum seekers were still not entitled to stay in Turkey, even after gaining recognized refugee status through UN High Commissioner for Refugees (UNHCR) procedures. Instead, the law granted them temporary protection while their claim for refugee status was evaluated by UNHCR and Turkey's Ministry of the Interior. If they were recognized as refugees, they were eligible for resettlement out of Turkey to other countries. During the status determination process, applicants were granted limited rights of access to health, education, and other social services, and to the labor market. No clear limit was set on the duration of temporary protection status.

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Despite domestic and international criticism, the Turkish government has maintained this same geographic limitation on asylum (and procedures for granting protection) in its most recent legislation. In practice, however, the mass flows of Syrian refugees over the last five years and the difficulties in resettling individually recognized convention refugees make this limitation challenging to maintain. Likewise, immigration policies in Turkey have been slow to legally recognize the immigration of people who fall outside the parameters of “Turkish descent and culture,” despite recent and growing migration challenges. There are some signs of progress. Beginning in the early 2000s a process that has been referred to as “EU-ization” led to several revisions to Turkey's migration and asylum legislation.<sup>16</sup> As a result of the EU preaccession requirements, Turkey must harmonize its legislation with that of the European Union in a number of areas, including migration and asylum.<sup>17</sup> In March 2005 the government adopted the Action Plan on Asylum and Migration, which laid out the steps required—and a timetable—for Turkey to bring its national legislation in line with EU directives on asylum and migration policies. The legislation passed in support of this process so far includes:

The *Law on Work Permits of Foreigners (Law No. 4817)* of 2003, which enabled labor migrants to obtain their documents in Turkey more easily, facilitating foreign nationals' search for work and employment. This heralded the state's more welcoming attitude toward its migrant labor force. The law did not, however,

14 Kemal Kirişçi, *Syrian Refugees and Turkey's Challenge: Going Beyond Hospitality* (Washington, DC: Brookings Institution, 2013), [www.crisisgroup.org/en/regions/europe/turkey-cyprus/turkey/225-blurring-the-borders-syrian-spillover-risks-for-turkey.aspx](http://www.crisisgroup.org/en/regions/europe/turkey-cyprus/turkey/225-blurring-the-borders-syrian-spillover-risks-for-turkey.aspx).

15 Kemal Kirişçi, “UNHCR and Turkey: Cooperating Toward an Improved Implementation of the 1951 Convention,” *International Journal of Refugee Law* 13, no. 1/2 (2001): 38–55, [http://ijrl.oxfordjournals.org/content/13/1\\_and\\_2/71](http://ijrl.oxfordjournals.org/content/13/1_and_2/71); Kemal Kirişçi, *Border Management and EU-Turkish Relations: Convergence or Deadlock*, CARIM Research Reports 2007/03 (Florence, Italy: Robert Schuman Centre for Advanced Studies, European University Institute, 2007), <http://cadmus.eui.eu/handle/1814/7988>.

16 As noted by Flockhart in 2010, “EU-ization is different from ‘Europeanization’ because of its focus on the EU and because it is predominantly concerned with ‘political encounters,’ where specific political entities such as the European Union (EU) and Member State representatives engage in the transfer of institutional and organizational practices and policies.” See Trine Flockhart, “Europeanization or EU-ization? The Transfer of European Norms across Time and Space,” *Journal of Common Market Studies* 48, no. 4 (2010): 787–810. In the context of the EU-ization of migration policies in Turkey, see Ahmet İçduygu, “EU-ization Matters: Changes in Immigration and Asylum Practices in Turkey,” in *The Europeanization of National Policies and Politics of Immigration*, eds. Thomas Faist and Andreas Ette (London: Palgrave MacMillan Publishers, 2007), 201–22; Ahmet İçduygu and Fuat Keyman, “Globalization, Security, and Migration: The Turkish Case,” *Global Governance* 6, no. 3 (2000): 383–98, <http://home.ku.edu.tr/~aicduygu/article%2012.pdf>.

17 “Accession Partnership” documents lay down the tasks that Turkey must implement to harmonize its laws and policies with that of the EU *acquis*. There is a whole section relating to issues under immigration. The most recent of these is European Union, “Council Decision of 18 February 2008 on the Principles, Priorities, and Conditions Contained in the Accession Partnership with the Republic of Turkey and Repealing Decision 2006/35/EC,” *Official Journal* 2008 51/4, February 26, 2008, <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32008D0157>.



include any specific provisions for asylum seekers, temporary protection beneficiaries, and recognized refugees.

- The *Law on Foreigners and International Protection*, which was adopted by Parliament in April 2013.<sup>18</sup> This law introduces some landmark reforms that provide Turkey with a modern, efficient, and fair management system in line with core international and European standards. The new law includes an emphasis on integrating immigrants into the country and treating asylum seekers and irregular migrants in accordance with international norms. Most importantly, the law does not limit migration to Turkey to people of “Turkish descent and culture.”
- In a year’s time the tasks outlined in these laws—now the domain of the Security General Directorate—will be carried out by a newly established General Directorate of Migration Management, a sign of genuine progress in the country’s public policy agenda.

The unanticipated mass flows of Syrians have also forced authorities to consider further new arrangements to respond to the needs of these refugees. As a result, the government has prepared new administrative and legal documents, including a new Temporary Protection (TP) Regulation (as discussed below). Nevertheless, Turkey continues to issue non-European refugees—including Syrians—a temporary protection status that precludes permanent settlement in Turkey. With limited opportunities for resettlement overseas, Syrians face years of uncertainty as the conflict back home spirals into a protracted crisis.

### III. The Syrian Refugee Crisis

Turkey quickly became embroiled in the Syrian crisis, taking a staunchly anti-Assad stance. This reflected the government’s concerns for the future of Syria—which is home to significant Kurdish and Turkmen populations—as well as its strategic goal of being seen as an important player in the region, with an active and direct role in the ongoing crisis.<sup>19</sup>

Initially, the influx of Syrian refugees entering Turkey was relatively small. It started in April 2011, when the Syrian government used lethal force to crack down on anti-government protests. By early July 2011, 15,000 Syrians had taken shelter in tent cities set up in Hatay Province near the border with Syria. Five thousand returned to Syria by the end of the month as conditions there temporarily stabilized,<sup>20</sup> and at the end of 2011, there were only 8,000 Syrian refugees in Turkey.<sup>21</sup>

While early arrivals ebbed and flowed, inflows of refugees gained enormous momentum in 2012 as efforts to negotiate a ceasefire failed.<sup>22</sup> There were around 15,000 registered displaced Syrians in Hatay Province, with possibly unregistered thousands more residing in other provinces by March 2012. Turkish officials began constructing additional tent cities in the southern provinces of Hatay, Kilis, Gaziantep, and Sanliurfa. When ceasefire talks collapsed in mid-2012, clashes escalated further, sending more than

18 For a detailed elaboration of this legal arrangement, see Esra Dardagan Kibar, “An Overview and Discussion of the New Turkish Law on Foreigners and International Protection,” *Perceptions* 18, no. 3 (2013): 109–28, <http://sam.gov.tr/an-overview-and-discussion-of-the-new-turkish-law-on-foreigners-and-international-protection-esra-dardagan-kibar>.

19 Kirişçi, *Syrian Refugees and Turkey’s Challenges: Going Beyond Hospitality*.

20 Data in this section on the numbers of Syrian refugees in camps are provided by Syria’s Disaster and Emergency Management Presidency (AFAD).

21 Estimates given in this section of the number of registered refugees (and those awaiting registration) in Turkey from the end of 2011 to the present are from UNHCR, “Syria Regional Refugee Response—Turkey.”

22 AFAD, *Population Influx from Syria to Turkey: Life in Turkey as a Syrian Guest* (Ankara: AFAD, 2014), [www.afad.gov.tr/Dokuman/TR/148-20150202172457-11549547929971633783.pdf](http://www.afad.gov.tr/Dokuman/TR/148-20150202172457-11549547929971633783.pdf).



20,000 Syrians to seek safety in Turkey every month. By the end of 2012, there were more than 170,000 registered refugees in Turkey. Monthly arrivals continued to rise throughout 2013. By late 2014, 55,000 people were seeking asylum in Turkey every month—fueled by increased violence in Syria and neighboring Iraq (tied to the emergence of the radical group ISIS, which seized large territories in both countries during the summer of 2014).<sup>23</sup>

As the number of Syrian refugees has risen, Turkish authorities have developed informal approaches to limit new arrivals for both political and practical reasons. For example, the government has provided support to NGOs that manage camps for internally displaced Syrians within Syria, near the Turkish border, where they provide humanitarian assistance such as clean water, sanitation, education, and emergency kits to tens of thousands of Syrians in need. Border authorities, meanwhile, utilize a policy of “passage with careful control” intended to restrict the number of entries, prevent unlawful and “dangerous” entries, and according to some reports, to control the arrival of members of particular ethnic, national, religious, and ideological groups.<sup>24</sup>

### A. Meeting the Needs of a Growing Refugee Population

Turkish policies toward Syrians were initially very welcoming (the displaced were, for example, officially referred to as “guests” and not “refugees”).<sup>25</sup> Authorities were quick to assume that the crisis would end soon and enable the displaced to return home—despite previous experiences with Kurdish refugees from Iraq. They therefore ignored the possibility of long-term or permanent stay and instead focused on providing aid and assistance to refugees in camps. Until early 2013, almost all Syrian refugees lived in camps, but changing conditions and greater flows have increased the number outside camps. At the start of 2014, almost half of Syrian refugees lived outside formal camps, and by late 2014 the vast majority—almost four out of five refugees—were sheltered in towns and cities.<sup>26</sup>

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The most recent report from the Disaster and Emergency Management Presidency (AFAD) on Syrian refugees in Turkey details 22 camps that are dispersed across southeastern Turkey, close to the Syrian border.<sup>27</sup> The conditions in the camps have been described by several domestic and international commentators, including UNHCR, as significantly more comfortable, standardized, and controlled than those

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23 Turkey is also aiming to support Iraqi Turkmens displaced by ISIS, through refugee camps in northern Iraq.

24 This policy has been simply a de facto reality and not officially announced; but occasionally some officials refer to the presence of such policies of control at the borders: for instance Veysel Dalmaz, Coordinator Governor of Syrian Refugees in Turkey, implied the existence of such policies in his talks in the following two conferences, first, the Conference on Syrian Refugees in Turkey, Istanbul Commerce University, Istanbul, December 18, 2013; and second, International Workshop: Syrians in Turkey – Social Acceptance and Integration, Hacettepe University, Ankara, March 27, 2014. The involvement of the Turkish government into the wider Syrian crisis does appear to have influenced the development of this selective admissions process. The political debates that took place in October 2014 following the ISIS attacks on Kobani in northern Syria clearly demonstrated how politics can intersect with policy responses to refugee flows. There was considerable pressure on the Turkish authorities to open the borders for the Kurdish and Yazidi refugees, based on an assumption that they were reluctant to do so.

25 Şenay Özden, *Syrian Refugees in Turkey* (Florence: Migration Policy Center, 2013), [www.migrationpolicycentre.eu/docs/MPC-RR-2013-05.pdf](http://www.migrationpolicycentre.eu/docs/MPC-RR-2013-05.pdf)

26 AFAD, *Population Influx from Syria to Turkey: Life in Turkey as a Syrian Guest*.

27 AFAD, *Syrian Refugees in Turkey 2013: Field Survey Results* (Ankara: AFAD, 2013), <http://reliefweb.int/report/turkey/syrian-refugees-turkey-2013-field-survey-results>.



in neighboring countries hosting Syrian refugees.<sup>28</sup> Recreational and educational activities are available, and security is provided by the Turkish armed forces to prevent petty crimes or quarrels among residents.<sup>29</sup> Conditions in urban areas are reportedly worse than in camps,<sup>30</sup> and many Syrians have faced difficulties finding housing, paying rent, obtaining employment, or accessing the education system or health services.

Despite the relative comfort and security of camps, more than 1 million Syrians have chosen to become urban refugees for several telling reasons: (1) the unprecedented number of refugees has exceeded overall camp capacity; (2) family ties and financial independence have enabled some refugees to access shelter in other ways, often arranged by relatives; and (3) those Syrians whose entry is considered illegal are not allowed to register to enter a camp.

Lacking work authorization (or, in some cases, legal status), most urban refugees must work either in the informal sector or in otherwise unacceptable conditions at very low wages. This in turn raises questions about child labor and illegal activities; meanwhile, the resulting wage deflation aggravates and ignites hostility among host populations as more and more Syrian refugees enter the labor market.<sup>31</sup>

Moreover, the fact that many Syrian refugees in cities are not registered—as they would be in camps—is becoming a challenging issue for Turkish authorities and civil organizations. AFAD’s latest report indicates that more than one-third of urban refugees, who are to be found in many cities across Turkey, are not registered.<sup>32</sup> This leaves them particularly vulnerable, both to lack of services and exploitation, since registration is the first step to ensuring access to basic services and protection.

## B. Policy Responses to the Changing Realities of the Syrian Refugee Crisis

Turkey’s open-door approach to the Syrian crisis has been accompanied by three other policy elements: (1) ensuring temporary protection, (2) upholding the principle of *nonrefoulement*, and (3) providing optimal humanitarian assistance. Although there is strong political will to apply these policies to Syrian refugees, the legal grounding of their application is somewhat weak. While this weakness may be seen in legislation dealing with mass influxes of refugees the world over, it also reflects the current transitional period in Turkish policies: the new *Law on Foreigners and International Protection* (LFIP) has only been in force since April 2014.

Although Turkish government authorities have declared that Syrian refugees are subject to temporary protection, the legal framework for granting this status has shifted throughout the crisis. Until the operation of the LFIP, the 1994 Regulation on Asylum had been the only valid legal administrative tool to offer some elements of temporary protection. The regulation’s scope, however, fell short of providing the open-door policy, *nonrefoulement* assurance, and optimal humanitarian assistance required by the current crisis. There have been reports that in March 2012 the government issued a circular on the

28 Ortadoğu Stratejik Araştırmalar Merkezi (ORSAM), *Suriye’ye Komşu Ülkelerde Suriyeli Mültecilerin Durumu: Bulgular, Sonuçlar ve Öneriler*; ORSAM Report No. 189 (Ankara: ORSAM, 2014); Mac McClelland, “How to Build a Perfect Refugee Camp,” *New York Times*, February 13, 2014, [www.nytimes.com/2014/02/16/magazine/how-to-build-a-perfect-refugee-camp.html](http://www.nytimes.com/2014/02/16/magazine/how-to-build-a-perfect-refugee-camp.html).

29 ORSAM, *Suriye’ye Komşu Ülkelerde Suriyeli Mültecilerin Durumu*, 12–23; Suna Gülfer İhlamur-Öner, “Turkey’s Refugee Regime Stretched to the Limit? The Case of Iraqi and Syrian Refugee Flows,” *Perceptions* 18, no. 3 (2013): 204–5, <http://sam.gov.tr/turkeys-refugee-regime-stretched-to-the-limit-the-case-of-iraqi-and-syrian-refugee-flows/>; Osman Bahadır Dinçer, Vittoria Federici, Elizabeth Ferris, Sema Karaca, Kemal Kirişçi, and Elif Özmenek Çarmıklı, *Turkey and Syrian Refugees: The Limits of Hospitality* (Washington, DC and Ankara: Brookings Institution and International Strategic Research Organization, 2013), 13–4, [www.brookings.edu/research/reports/2013/11/14-syria-turkey-refugees-ferris-kirischi-federici](http://www.brookings.edu/research/reports/2013/11/14-syria-turkey-refugees-ferris-kirischi-federici).

30 ORSAM, *Effects of the Syrian Refugees on Turkey*, Orsam Report No: 195 (Ankara: ORSAM, 2015), [www.tesev.org.tr/assets/publications/file/09012015103629.pdf](http://www.tesev.org.tr/assets/publications/file/09012015103629.pdf); Kirişçi, *Syrian Refugees and Turkey’s Challenges: Going Beyond Hospitality*.

31 Soney Cagaptay, “The Impact of Syria’s Refugees on Southern Turkey” (Policy Focus 130, The Washington Institute for Near East Policy, Washington, DC, July 2014), 15–9, [www.washingtoninstitute.org/policy-analysis/view/the-impact-of-syrias-refugees-on-southern-turkey](http://www.washingtoninstitute.org/policy-analysis/view/the-impact-of-syrias-refugees-on-southern-turkey); ORSAM, *Suriye’ye Komşu Ülkelerde Suriyeli Mültecilerin Durumu*, 18–9.

32 AFAD, *Syrian Refugees in Turkey 2013: Field Survey Results*, 21.



treatment of the Syrian refugees, though this was never published.<sup>33</sup> The legal status of Syrians became more clear with new legislation in 2014. Alongside the LFIP, a new Temporary Protection (TP) Regulation that came into effect on October 22, 2014 is expected to create an effective, legally established system that will provide Syrian refugees with satisfactory protection and humanitarian assistance.

The new TP regulation sets out specific provisions for registration and documentation procedures; provides refugees with the right to a lawful stay in the country until safe return conditions are established in Syria, regulates the TP identification document, and grants access to social benefits and services such as health, education, and entry to the labor market.<sup>34</sup> According to the regulation, persons in possession of TP identification documents can apply for a work permit in certain sectors, professions, or geographic areas and they have been issued new biometric identity cards by the authorities. Psychological and social support and rehabilitation services are prioritized for groups with special needs, such as children, women, and the elderly.<sup>35</sup>

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*The Syrian refugee crisis has pushed the Turkish state to reassess its legal framework for asylum and international protection, and to accelerate pre-existing reform efforts.*

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The government has also revised policy in other areas, in response to the changing realities of the Syrian refugee crisis and refugee communities already residing in the country. Authorities have, for example, shifted from an earlier, state-centered approach to the management of refugee issues to better reflect the principles of “good (global) governance”<sup>36</sup> by involving international organizations and civil-society organizations. Likewise, there has been a shift from emergency response to long-term planning. This is reflected in that fact that, initially, Syrian refugees’ reception and assistance were left to the initiative of organizations such as the Turkish Red Crescent and AFAD, whose primary responsibility is to address emergency cases. As has been noted, the creation of a General Directorate of Migration Management is a sign of tremendous change—and the recognition of the need for long-term planning.

While the Syrian refugee crisis has pushed the Turkish state to reassess its legal framework for asylum and international protection, and to accelerate pre-existing reform efforts, there have been gaps in management of the crisis on the ground. Most technical and financial capacity has been devoted to establishing new institutions—such as the General Directorate of Migration Management—and implementing new legislation. The on-the-ground management of the Syrian refugee crisis has therefore been left in the hands of those national organizations working actively in the camps.

## IV. Looking Ahead: Turkey’s Policy Priorities and Challenges

Turkey’s policy reactions to the Syrian refugee crisis have been complicated both by its expectation of a short-lived crisis and its parallel attempts to align its asylum and protection regime as part of its process

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33 Kirişçi, *Syrian Refugees and Turkey’s Challenge: Going Beyond Hospitality*, 2.

34 The 1994 Regulation on Asylum did not offer any labor rights.

35 This regulation is generally applicable to all populations in Turkey, though it is currently most relevant for Syrians.

36 The United Nations provides the following definition of good governance: “Good governance promotes equity, participation, pluralism, transparency, accountability, and the rule of law, in a manner that is effective, efficient, and enduring.” United Nations, “Global Issues—Governance,” accessed March 30, 2015, [www.un.org/en/globalissues/governance](http://www.un.org/en/globalissues/governance).





of so-called EU-ization. As a result, Syrian refugees have been subject to a transitioning asylum and protection regime as policymakers try to simultaneously implement broad legislative overhauls, while responding to increasing evidence of a long-term humanitarian crisis on the ground.

## A. Challenges to the Settlement and Integration of Syrian Refugees

As the protracted displacement of a significant number of Syrian refugees seems increasingly inevitable,<sup>37</sup> earlier notions of Syrian refugees as temporary “guests” are being replaced by a focus on the difficulties of integration.

Apart from historical ties, the demographic characteristics of the host city or district—especially the ethnic component—determine the prevailing conditions for Syrians who live in urban areas and the corresponding attitudes towards those Syrians by the host population.<sup>38</sup> In some cases, conflict is a distinct possibility: for example, the large Alawite population<sup>39</sup> in the border towns of Hatay strongly opposes the rising numbers of Sunni Syrians settling in the town.<sup>40</sup> Studies suggest that Syrian Kurds find it easiest to live in areas with significant Kurdish populations, while the majority of Turks sympathetically welcome fleeing Turkmens.<sup>41</sup>

Host communities’ attitudes toward Syrian refugees also depend on economic factors, like employment rates and wage levels, and on sociological factors such as the presence of anti-foreigner sentiment.<sup>42</sup> A recent study<sup>43</sup> found that host populations are particularly concerned by rising rent and housing costs; unemployment and economic competition (exacerbated by the low wages Syrians get in the informal market); competition from new, Syrian-owned businesses; and the poor living and social conditions of Syrians, who are forced into more visible roles like working as street vendors and begging, which negatively influence the host populations’ opinions of the general Syrian population. This is particularly true for urban refugees, especially those who are more visible in cities, smaller towns, and districts in the border regions—as demonstrated by the strikingly negative attitudes towards Syrian refugees in affected cities in south and southeast Turkey.<sup>44</sup> A recent poll found that 70 percent of the host population in the

37 Because of the nature of the armed conflict in Syria, the central government has lost power even in larger cities. The groups opposed to the central Syrian authority include a diverse selection of ethnically driven, Islamist, and growingly violent rebel groups such as al-Qaeda, Jabhat-al Nusra (JAN), and the Islamic State of Iraq and Sham (ISIS), which is currently one of the biggest and most hotly debated security threats to stability in the region. This polarization and growing extremism, along with the explicit sectarian nature of the conflict in Syria, forces the refugees into “not only. . . large-scale but also protracted displacement.” See Elizabeth Ferris, Kemal Kirişçi, and Salman Shaikh, *Syrian Crisis: Massive Displacement, Dire Needs and a Shortage of Solutions* (Washington, DC: Brookings Institution, 2013), [www.brookings.edu/~media/research/files/reports/2013/09/18-syria-ferris-shaikh-kirisci/syrian-crisismassive-displacement-dire-needs-and-shortage-of-solutions-sep-tember-18-2013.pdf](http://www.brookings.edu/~media/research/files/reports/2013/09/18-syria-ferris-shaikh-kirisci/syrian-crisismassive-displacement-dire-needs-and-shortage-of-solutions-sep-tember-18-2013.pdf). The ethnic and religious diversity of the refugee population adds complexity to the reception and settlement processes; Uluslararası Stratejik Araştırmalar Kurumu (USAK) Ortadoğu ve Afrika Araştırmaları Merkezi, *Suriye’de Kâbusa Doğru? Suriye’nin İçinde Bulunduğu Kritik Durum ve Olası Senaryolar*, USAK Report No 13-01 (Ankara: Türkiye Karınca Ajans Yayıncılık Matbaacılık, 2013), 17–19, 31–39, 45–50, [www.usak.org.tr/usak\\_det.php?id=1&cat=1464#\\_VEwYS5RI80](http://www.usak.org.tr/usak_det.php?id=1&cat=1464#_VEwYS5RI80); Constanze Letsch, “Syrian Refugees in Turkey Criticise US Air Strikes against ISIS,” *The Guardian*, September 24, 2014, [www.theguardian.com/world/2014/sep/24/syrian-refugees-turkey-us-air-strikes-isis](http://www.theguardian.com/world/2014/sep/24/syrian-refugees-turkey-us-air-strikes-isis); Ferris, Kirişçi, and Shaikh, *Syrian Crisis: Massive Displacement, Dire Needs, and A Shortage of Solutions*, 8; Kemal Kirişçi and Sema Karaca, “Türkiye’deki Suriyeli Mülteciler: Uzun Döneme Hazırlanmak,” March 3, 2014, [www.usak.org.tr/analiz\\_det.php?id=17&cat=365366672#\\_VGOMrPnF\\_Nu](http://www.usak.org.tr/analiz_det.php?id=17&cat=365366672#_VGOMrPnF_Nu).

38 ORSAM, *Suriye’ye Komşu Ülkelerde Suriyeli Mültecilerin Durumu*, 15–8.

39 Hatay’s Alawite population—a Shia sect that includes the al-Assad family and much of the current regime’s political elite—has openly identified itself with the Assad regime in Syria.

40 Kirişçi, *Syrian Refugees and Turkey’s Challenge*, 30; International Crisis Group, *Blurring the Borders: Syrian Spillover Risks for Turkey*, Europe Report No. 225 (Brussels: International Crisis Group, 2013), 19–25, [www.crisisgroup.org/en/regions/europe/turkey-cyprus/turkey/225-blurring-the-borders-syrian-spillover-risks-for-turkey.aspx](http://www.crisisgroup.org/en/regions/europe/turkey-cyprus/turkey/225-blurring-the-borders-syrian-spillover-risks-for-turkey.aspx).

41 Ibid.

42 The chairman of Turkey’s main opposition party (the Republican People’s Party, CHP), Kemal Kılıçdaroğlu, criticized the JDP (Justice and Development Party) for paving the way for work permits for Syrian refugees, and compared the size of the refugee population with the number of currently unemployed Turkish youth. See Ajans Haber, “Kemal Kılıçdaroğlu ‘Suriyelilere değil Türklere iş bulun,’” November 16, 2014, <http://m.ajanshaber.com/kilicdaroglu-suriyelilere-degil-turklere-is-bulun-haberi/140016>.

43 Erdogan, *Türkiye’deki Suriyeliler: Toplumsal Kabul ve Uyum*.

44 HUGO, “Türkiye’deki Suriyeliler,” 1–3.



localities of the southeast Turkey with high percentage of Syrian refugees believed the Syrians constituted a security threat, while more than three-fifths of Turkey's overall population thought they committed crimes and were detrimental to public order and peace wherever they were settled.<sup>45</sup>

The cost of hosting large numbers in camps has further affected public opinion. For political and security reasons, Turkey, unlike other countries hosting Syrian refugees, has chosen to take full responsibility for funding and managing the camps through national organizations, rather than delegating it to international actors such as UNHCR.<sup>46</sup> This tendency was particularly strong in the earlier stages of the crisis, but the policy has become more relaxed as the crisis wears on. While this ensures that Turkish authorities at both the national and local levels have full control of camp conditions and security through AFAD and local municipalities,<sup>47</sup> it is a significant financial burden. By early 2015, the financial costs of the upkeep of these camps had reached \$5 billion, of which the international community covered some 3 percent.<sup>48</sup> This has had a powerful impact on public perception: more than 70 percent of respondents to a recent survey think that the refugees are damaging the Turkish economy, and more than 60 percent are opposed to aiding Syrians when there are Turkish citizens living in poverty.<sup>49</sup>

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These negative opinions reflect a shift: as the length of Syrian refugees' stay increases, public opinion has become more unwelcoming, even hostile.<sup>50</sup> Though more than 50 percent of respondents to another recent survey welcome Syrians as a historical and geographical obligation, 70-plus percent of them disagree with the proposition that Syrian refugees benefit Turkey.<sup>51</sup> In the early days of the conflict, Syrian refugees' ethnic and familial ties to traditional rural Turkish towns proved very beneficial, helping them to gain access to basic services in urban settings, for example. However, resident Turks have limited capacity to host refugee populations, particularly in smaller districts such as Reyhanlı, which has a population of 63,000 but is hosting an estimated 100,000 Syrians.<sup>52</sup> As the conflict in Syria persists, refugees find themselves in the uncomfortable position of overstaying their welcome.<sup>53</sup>

## B. Ongoing Policy Challenges

Recent liberalizing changes to Turkey's policies on international migration and protection—driven by EU-ization and the Syria crisis—have proved controversial. Those in support of more open policies must contend with older, more nationalist, and restrictive positions that run counter to the reality of current migration flows. Several paradoxical developments stem from this tension between traditional and modern political forces. In some policy areas, including residence and work permits for foreigners and the naturalization process, the prospects of Turkey loosening its traditional immigration policies seem less

45 Ibid., 17.

46 UNHCR, *Syria Regional Response Plan* (Geneva: UNHCR, 2012), 64-73, [www.unhcr.org/4f6c80a49.html](http://www.unhcr.org/4f6c80a49.html). The decision not to seek international support is also mentioned in Kirişçi, *Syrian Refugees and Turkey's Challenge: Going Beyond Hospitality*, 38.

47 The initial response of the Turkish government to crisis management was to keep it internal and "national," which has resulted in a significant financial burden. ORSAM, *Suriye'ye Komşu Ülkelerde Suriyeli Mültecilerin Durumu*, 11; USAK, Sosyal Araştırmalar Merkezi, *Sınırlar Arasında Yaşam Savaşı: Suriyeli Mülteciler Alan Araştırması*, USAK Report No. 13-04 (Ankara: Türkiye Karınca Ajans Yayıncılık Matbaacılık, 2013), 16, [www.usak.org.tr/usak\\_det.php?id=1&cat=1467#VMEr6y5RI80](http://www.usak.org.tr/usak_det.php?id=1&cat=1467#VMEr6y5RI80).

48 Erdoğan, *Türkiye'deki Suriyeliler: Toplumsal Kabul ve Uyum Araştırması*, 4.

49 Ibid., 12.

50 ORSAM, *Suriye'ye Komşu Ülkelerde Suriyeli Mültecilerin Durumu*, 19.

51 HUGO, "Türkiye'deki Suriyeliler," 11.

52 ORSAM, *Suriye'ye Komşu Ülkelerde Suriyeli Mültecilerin Durumu*, 18.

53 Ibid., 18-9.



likely. Although the *Settlement Law* of November 2006 has made some progress in liberalizing migration policies,<sup>54</sup> it continues to limit formal immigration to individuals and groups of “Turkish descent and culture.”<sup>55</sup>

As Turkey prepares for further refugee flows from Syria, it should build on its experiences of past mass flows (for example, those of Iraqi Kurdish refugees in 1988 and 1991) to calculate the long-term impacts. Turkey does not have unlimited resources to accept refugees, but it can strengthen its absorption capacity by seeking new ways to collaborate with local and international nongovernmental organizations that will provide new resources for the needs of refugees, for example.

### C. Future Policy Directions

The globalization and EU-ization of Turkey’s international migration policies do not mean that these policies are now completely aligned with modern international standards. Indeed, a number of scholars, policymakers, and activists criticize the policies for their failure to deal with migratory flows and provide services that promote the well-being of migrants.<sup>56</sup> Nevertheless, in recent years there has been a considerable shift toward a more proactive policymaking position on immigration and asylum issues.<sup>57</sup>

There is no doubt that the massive inflow of Syrian refugees and the presence of sizeable Syrian refugee communities in Turkey have influenced policy shifts over the past five years, and it is possible they will have even more of an impact on policy in the near future. The Syrian refugee crisis is an unprecedented case, making it difficult for Turkey to legally and financially manage it. There is neither an overarching national law nor a well-established functioning international legal framework to govern it. Moreover, the crisis is not a one-time incident, but rather a long-term issue that is too complicated to be solved through European instruments alone.

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*Turkish policymakers will need to make up their minds between conservative nationalist policies and new reforms in the area of migration and asylum.*

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Two significant policy changes seem likely. Turkey could lift the geographic limitation to its 1951 Convention obligations; already, this limitation is practically meaningless, as thousands of non-European refugees reside in the country on an indefinite basis. (The current “temporary protection” status does not necessarily reflect the reality on the ground.) Furthermore, policymakers could remove or revise the phrase in the *Settlement Law* that promotes the settlement of people with “Turkish descent and culture.” However, Turkish policymakers will need to make up their minds between conservative nationalist policies and new reforms in the area of migration and asylum. Currently, the country’s migration policymaking processes are caught up between “the politics of the past” (nationalist legacies) and “the politics of future” (globalist trajectories).<sup>58</sup>

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54 For instance, the previous *Settlement Law* of 1934 contained elements that discriminated against the Roma population and homosexuals—elements that were removed in the 2006 revision.

55 Ahmet İçduygu and Damla B. Aksel, “Turkish Migration Policies: A Critical Historical Retrospective,” *Perceptions* vol. XVIII no. 3 (2013): 167–90, <http://sam.gov.tr/perceptions-autumn-2013/>.

56 Seçil Paçacı Elitok, “Turkey’s Prospective EU Membership from a Migration Perspective: Two Steps Forward, One Step Back?” *Perceptions* 18, no. 3 (2013): 1–11, <http://sam.gov.tr/turkeys-prospective-eu-membership-from-a-migration-perspective-two-steps-forward-one-step-back-secil-pacaci-elitok/>; Alexander Bürgin, “European Commission’s Agency Meets Ankara’s Agenda: Why Turkey is Ready for a Readmission Agreement,” *Journal of European Public Policy* 19, no. 6 (2012): 883–99.

57 See the 2012 and 2014 Regulations on Temporary Protection (TP). Ministry of Interior, General Directorate for Migration, “Geçici Koruma Yönetmeliği,” accessed March 25, 2015, <http://goc.gov.tr/files/20141022-15-1.pdf>.

58 İçduygu and Aksel, “Turkish Migration Policies: A Critical Historical Retrospective.”





With respect to the responsibilities of the international community, there is a clear need for global governance burden sharing and a new legal framework. While the Turkish government was reluctant to seek international support in the initial stages of the Syrian crisis, recently there have been strong calls for the international community to play a larger role through increased resettlement in other countries and more direct aid. Turkey's role in the Syrian refugee crisis should not be taken for granted by the international community. Turkey is not a country with unlimited resources, and faces its own economic challenges. Thus, the Syrian refugee crisis should be governed at the global level, with collaboration among states, international organizations, and NGOs to integrate resources and processes related to various economic, political, social and cultural aspects of the Syrian refugee crisis.

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Countries like Lebanon and Jordan represent ideal opportunities for the “burden sharing” so often mentioned in international asylum regimes; however, wealthy Arab Gulf countries and several EU states have so far fallen short in their response.<sup>59</sup> Though the definition of “burden sharing” remains rather vague (and the words are arguably nothing more than a buzzphrase), the Syrian refugee crisis presents an opportunity for the international community to experiment. How to best welcome and protect refugees amid mass influxes remains a difficult question. Although the international and national legal arrangements on the protection of refugees are well established (based on the 1951 Geneva Convention and the 1967 Additional Protocol), they are effective when applied to individual refugee arrivals, not mass flows. Given the difficulties of accommodating large numbers of refugees, states are understandably wary of the mass movement of refugees. As demonstrated by the Syrian refugee crisis, neither the Geneva Convention nor the EU directives are sufficient to respond to the needs of refugees and states in cases of mass refugee inflows.

## V. Conclusion and Policy Recommendations

Turkey's transition from a country of emigration to a transit and hosting country has been accompanied by “EU-ization” and the general alignment of its institutions and legal frameworks with international norms and standards. As outlined in this report, the legal transition is still very much a work in progress. The Syrian refugee crisis coincided—and interacted—with ongoing changes to Turkey's migration policy. On the one hand, the refugee crisis shaped the new *Law on Foreigners and International Protection* to some extent, whereby new forms of refugee statuses and labels were incorporated into the law. On the other hand, the establishment of the General Directorate of Migration Management and drafting of the new law limited Turkish authorities' capacity to manage the refugee crisis. Due to the protracted nature of the crisis and an ever-increasing number of refugees, Turkey has had difficulty sustaining current policy and implementing new regulations.

While Turkey's open-door policy has been universally praised, as have the high standards of its refugee camps, it has also received criticism for legal uncertainties and administrative drawbacks. In this context, both Turkey and the international community should reassess their policies through a long-term lens by:

- **Redefining the status of Syrian refugees.** There is an urgent need to clearly redefine the status

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<sup>59</sup> As of March 12, 2015, UNHCR reported 84,717 confirmed pledges for resettlement or other forms of admission for Syrian refugees worldwide. As of March 26, 2015, this total comprised around 2 percent of the registered Syrian refugee population living in Turkey, Lebanon, and Jordan. UNHCR, “Resettlement and Other Forms of Admission for Syrian Refugees,” last updated March 12, 2015, [www.unhcr.org/52b2febafc5.pdf](http://www.unhcr.org/52b2febafc5.pdf); UNHCR, *Syria Regional Refugee Response*.



of Syrian refugees in Turkey, taking into account the likelihood of permanent or long-term displacement and the possibility of further arrivals. In this regard, practical solutions for Turkey would be revising two main legal documents: namely, lifting the geographic limitation on the 1951 Geneva Convention and rephrasing the traditional requirement of “Turkishness” in the *Settlement Law* of 2006.

- **Prioritizing integration policies.** Anti-migrant sentiment is growing as Syrians’ displacement becomes protracted, particularly in regions hosting nonregistered refugees. Turkey can help mitigate hostility by introducing sociocultural and labor market integration policies.
- **Preparing for further refugee flows.** Turkey should work with local and international NGOs to strengthen its absorption capacity.
- **Sharing the burden of refugee flows with the international community.** The Syrian refugee crisis should be governed at the global level, with states, international organizations, and NGOs working together to share the burden of refugee flows with the primary receiving countries.
- **Addressing the shortcomings of the international protection system.** The current crisis illustrates the shortcomings of the Geneva Convention and the EU directives in dealing with mass refugee inflows—and refugees’ and states’ subsequent needs.

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*The crisis presents an opportunity for the international community to show solidarity with Turkey and other primary receiving countries.*

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In the early phases of the refugee crisis, Turkey’s policy reflected more traditionalist cultural values of generosity and hospitality, as Syrian refugees were wholeheartedly welcomed as guests. However, all evidence points to Syrians’ protracted displacement: there is little if any tangible prospect for an end to the conflict, and expectations of voluntary repatriation diminish day by day. The current crisis necessitates an international response that shares the considerable burden of receiving, caring for, and integrating a mass influx of refugees. In this way, the crisis presents an opportunity for the international community to show solidarity with Turkey and other primary receiving countries.



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