A NEW PHASE IN TURKEY-EU RELATIONS:

THE REFUGEE DEAL

by

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Submitted to the Institute of Social Sciences
in partial fulfillment of
the requirements for the degree of
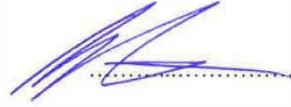Master of Arts in European Studies

Sabancı University

July 2017

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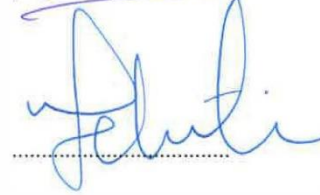
THE REFUGEE DEAL

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DATE OF APPROVAL: 28.07. 2017

ABSTRACT

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M.A. Thesis, July 2017

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Keywords: Syrian refugees crisis, the Migration Policy of the EU, the refugee deal, the role of Turkey

The process of a common migration policy of the European Union goes back to 1980s. It has started with the Single European Act and Schengen Agreement. The migration policy strengthened with further agreements- the Maastricht Treaty and the Amsterdam Treaty. However, these regulations did not create a desirable solution to Syrian refugee crisis. Even though the EU imposed new policies to the crisis such as resettlement and relocation with hotspots, the crisis continued. Therefore a new policy such as the refugee deal was introduced. The deal seems to be an outcome of negotiations of various actors on the same crisis with separate interest. Upon the data taken from ESI, it seems that the deal was successful for following months however future consequences of the deal are not predictable. All these initiatives of the EU for Syrian refugee crisis indicate that the EU has a migration policy that needed to be updated with in accordance with the current crisis. With each crisis, the EU experiences its missing point which led to new policies for further integration for the EU. Syrian refugee crisis would also lead to such an integration process.

ÖZET

TÜRKİYE-AB İLİŞKİLERİNDE YENİ DÖNEM:

MÜLTECİ ANLAŞMASI

YETER BAKIŞ

Yüksek Lisans Tezi, Temmuz 2017

Danışman: Prof. Dr. Meltem Müftüler-Baç

Anahtar Kelimeler: Suriyeli mülteci krizi, Avrupa Birliği Göç Politikası, mülteci anlaşması, Türkiye'nin rolü.

Avrupa Birliği'nin ortak bir göç politikası oluşturma süreci 1980'lere kadar gitmektedir. Bu süreç Tek Avrupa Senedi ve Schengen Antlaşması ile başladı. Göç Politikası sonraki gelen antlaşmalarla daha da güçlendirildi- Maastricht Antlaşması ve Amsterdam Antlaşması. Fakat bu düzenlemeler Suriyeli mülteci krizinde istenilen sonucu getirmediler. AB yeniden iskan ve hotspotlarla yeniden yerleştirme gibi yeni politikalar uygulamasına rağmen kriz devam etti. Bundan dolayı yeni bir politika olan mülteci anlaşması oluşturuldu. Bu anlaşma aynı krizde farklı çıkarları olan tarafların müzakerelerinin bir sonucu gibi gözükmektedir. ESI'den alınan data doğrultusunda anlaşmanın izleyen aylarda başarılı olduğu görülmektedir ancak anlaşmanın gelecek sonuçları tahmin edilememektedir. Tüm bu düzenlemeler gösteriyorki, AB göç politikasını değişen yeni krizlere göre değiştirmelidir. Her krizle AB eksik noktalarını deneyimleyip, daha fazla entegrasyon için yeni politikalar üretmektedir. Suriyeli mülteci krizide bölye bir entegrasyonun yolunu açacaktır.

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List of Abbreviations

(CEPOL) European Police College

(CSDP) Common Security and Defense Policy

(EASO) European Asylum Support Office

(EEC) European Economic Community

(EMA) European Migration Agenda

(ENP) European Neighborhood Policy

(EUROJUST) The European Union Judicial Cooperation Agency

(EUROPOL) The European Union Cooperation Agency

(EUROSUR) European External Border Surveillance System

(FRONTEX) The Management of Operational Cooperation at the External Borders

(GAMM) Global Approach on Migration and Mobility

(HLWG) High Level Working Group

(LFIP) The Law on Foreigners and International Protection

(MPC) Migration Policy Center

(SEF) Syrian Economic Forum

(VIS) Visa Information System

(TP) Temporary Protection

INTRODUCTION

Migration especially forced migration of people is not an unusual phenomenon for the modern world. According to UNHCR (2016), there are 65.3 million forcibly displaced people. Persecution, conflict, generalized violence, and human rights violations are some of the reasons behind the forced migration. Effects of this displacement are not only in neighboring countries but also the EU. For the first time in the history of the EU, the number of asylum applications has reached more than 1 million in 2015- 1.3 million- most of these applications came from citizens of Syria (29%), Afghanistan (15%) and Iraq (10%). (Holtug,2016, p.279). The influx of migrants became unpredictable with Syrian migrants in 2015, when the civil war in Syria got intense. It was the peak of migration crisis. Syrians continually have migrated not only to Europe but also neighboring countries such as Turkey, Lebanon, Jordan, and Egypt. There are significant numbers of Syrian migrant in these countries such as Turkey (more than 3 million), Lebanon (more than 1 million) and Jordan (close to 1 million). The war in Syria did not just cause external migration similarly Syrians changed places with in Syria. The number of internal migrants is more than 7 million. Such a mobilization includes millions of people has become a crisis for many countries.

The high number of Syrian migrants and the death of some of them on the way to Europe evolved the situation of migrants as a crisis. It became a crisis that the solution needed to be found in possible early time because as time passed the number of migrants increased so did deaths of them. According to the International Organization for Migration, in 2015 more than 3,770 refugees died when they were trying to across the Mediterranean Sea. (BBC,2016). With deaths of refugees, humanitarian concerns and criticisms increased against both host countries of Syrians and the EU. It was one of these tragic cases that made the crisis more visible. The picture of Aylan Kurdi, whose lifeless body was found on one of the beaches of Turkey, jogged many people's memory. The picture itself is a kind of proof of the difficulties of Syrians refugees faced while they are going to Europe. As the picture has became one of the symbols of the refugee crisis, the critiques against the policies of the EU increased, because the incident occurred while the family was trying to go to Europe. The main focus of this research is about the refugee deal between the EU and Turkey. The

deal seems to be a new policy of the EU that can produce a solution in order to prevent further migration influx to Europe.

Europe has a long history of migration. Since it has been a popular place for people to migrate or to settle, it became clearer for member states that a migration policy for the EU is needed. The formation of a common migration policy for the union goes back to 1980s. The process started with The Single European Act and the Schengen Agreement and followed with other agreements such as Maastricht and Amsterdam. Although treaties have provided legal ground for a common policy, implementation of the migration policy has strengthened with further initiatives as in the policies of High-Level Working Group, Mobility Agreement, and Readmission Agreements. Despite these increased policy implementations of the EU over time, the EU cannot overcome the refugee crisis especially after 2015 when the crisis got worse and the disagreement between member states became unpredictable. The 2015 refugee crisis indicated that the EU needs new partners added to previous ones in order to find a solution to the crisis. Because the crisis in 2015 was a new crisis for the EU and new policies should be implemented. The deal is the product of the EU's new policy about the management of the crisis. The main question in this research is what is the relation between the refugee deal and the numbers of cross bordering refugees between the EU and Turkey? What is the role of Turkey in the refugee crisis as an external player or as an outsourcing policy of the EU due to the EU' lack of a common migration policy? The refugee deal between the EU and Turkey is an outcome of the necessity of the EU due to its lack of common response to the crisis. The main argument of this research is based on the proposition that the EU needs another partner in finding a solution – a third country- in current refugee crisis, because of its lack of institutional capacity about the management of the common migration policy. For the purpose of to test the proposition, the migration policy of the EU is explained first. The evolution of the migration policy is detailed by important dates and significant policy initiatives during the evolution process. It is continued with the preferences and policies of member states about the current refugee crisis and their unwillingness about the policies of the union. The main cause of behind the preferences of member states about the crisis is exemplified with two different points of view, the opposing member states, and the supporting member states.

Since Turkey is the other part of the deal, the policies of Turkey for current crisis are explained. Currently, Turkey has largest Syrian population compared to other host countries. That is the reason why Turkey appears as a significant partner for the EU in terms of a common solution for Syrian refugees. Lastly, it is continued with the refugee deal between the EU and Turkey and the consequences of the deal. Upon the data taken from European Stability Initiative and the Migration Authority of Turkey, the refugee deal seems to be successful for a short period of time. The future consequences of the deal are not predictable.

Chapter 1.

Migration Policy of the European Union

Migration is not a new phenomenon for most parts of the world anymore. Because of many diversified reasons such as demographic changes (high fertility rate), high unemployment, political instabilities (civil wars, regime changes), people change places where they can find new opportunities for a better life. According to data which is taken from United Nations (2015), Eurostat (2016), and OECD (2016), the annual flow of migration increased from 150 million to 200 million people between 1990 and 2015. (Ritzen& Kahanec, 2017, p.9). Although migration has a long history, mass migration is the product of high industrialization and high mobility of people via improved transportation and communication. In general, there are pull and push factors for migration. Push factors lead people to leave their home country because of poverty, insecurity, poor working conditions, high unemployment rates, low wages and low expectations. Push factors are related to the home countries of migrants whereas pull factors are about receiving countries. Pull factors are aging populations and high demand for labor in the market coupled with low fertility rates. (Çankaya, 2016, p.302). These factors explain causes behind migration and the benefits of migration for receiving countries. According to Migration Policy Center (2014) and the EU Commission (2014) if people do not migrate to Europe for next 20 years:

- Total population will decrease in the EU.
- The EU will lose workforce. If people do not migrate to Europe up to 2030, the EU will lose 33 million working age population, which is 11% of the EU population.
- The old age dependency ratio will increase by 12%- from 28 to 40. (The old age population is people above 65 years)
- The young workers' portion will decrease by 25%, while population aged 60-70 will increase by 29%. (Çankaya, 2016, p. 305).

Both MPC and the Commission have accepted that the EU needs migrants, who will be significant for their economy and society. In other words, it is a fact also accepted by the EU

that Europe will suffer from lack of human labor in the long run and they need migrant's labor power. However, the flow of Syrian refugee to Europe has brought some problems for the EU. These problems such as either refugees' bad conditions at the borders of the EU or deaths of some these refugees on the way to Europe have created critiques against the EU and its migration policy. In order to understand the EU' migration policy, first migration history of the union is needed to be understood and then the evolution of its migration policy. This chapter is about the evolution of migration policy of the EU.

1.1. Migration History of the EU

Migration to Europe goes back to the late 1940s. After WWII Europe went under reconstruction of the economy, they needed human labor more than they had. Since they lost some of their labor force in the war and they needed more workers than they had, they started to accept workers from outside of Europe. Years following the war had witnessed mass migration flows. It was not just workers that changed their places there were also others who had to migrate because of territorial changes after the war. Around 15 million people were forced to change places due to boundary changes specifically between Germany and Poland, and the Czech Republic. For Borrie, 30% of the population of West Germany was refugees by the end of 1950. (Stalker, p.152). Especially in the 1950s, it was an economic boom for Western Europe and they started to recruit workers outside of Europe. Countries which had former colonies resourced their labor demands from former colonies whereas countries like Germany which does not have colonial background had to find workers from other countries. The UK brought workers from Commonwealth countries, France brought from North Africa and Sub-Saharan Africa, Portugal brought from Latin America and Africa, Spain brought from Latin America and Africa, Belgium brought from the Democratic Republic of the Congo and the Netherlands brought from Indonesia and Suriname. Germany is an exceptional case at that time which recruited its demand from former Yugoslavia and Turkey. In the first place, Europe regarded these migrants as 'guest workers'. Because countries regarded that they could send back these migrants to their home countries whenever they

want. That is the reason why Europe did not see workers as a problem or characterize workers as a threat. (Çankaya, 2016, p. 301) However, migrant workers in Europe have caused further migration to Europe due to family reunification in the 1970s.

After oil crisis (1973), countries started to restrict migration since the economy was in crisis and there was no need for more workers. The European Economic Community started to restrict migrant to Europe because of the crisis. This triggered more migration to Europe as family reunifications. According to Menz, the crisis forced migrants to bring their family to Europe before the gates are closed. The essential labor work force migration came to end due to the crisis. The EEC also had high unemployment and the union tried to encourage migrants to return their home countries. OECD (2003) claims that migrants who came for a short period of time did not return their home because of better living conditions and generally gaining the same social rights as native residents. Due to the crisis and reactions of migrants to the crisis, Samur argues that the EU realized that migration would not stop just because the EU wanted. (Çankaya, 2016, p. 301).

Another phase of migration to Europe was in the late 1980s. Many people migrated to Europe as refugees and asylum seekers because of political turbulence. The dissolution of Yugoslavia, dismantling of USSR, and wars in Iraq and Afghanistan were main causes of this migration flow. Due to the data of Salt which is taken between 1989-1998, more than 4 million people applied for asylum in Europe, 43% of them came from elsewhere in Europe, 35% from Asia and 19% from Africa.(Stalker, p.153). During the 1980s, it was first that all EU countries were receiving migrants. People were coming not only from former colonies but also from other parts of the EU. Düvell ve Vollmer claims that Europe had to face migration in and of itself. (Çankaya, 2016, p.301). The number of migrants in the EU is increasing even higher because of Syrian War which started in 2011 and still continues. The situation of Syrian refugees is different than previous migration flows. Because of changing causes of migration, the meaning of the concept of mixed migration has changed. In the past, the term mixed migration referred to refugees and asylum seekers, and economic migrants, but now it refers to people experience survival needs and escape from various problems such as droughts and famines, wars and persecutions, poverty and lack of resources for life.

(Attina, 2016, p.16). It is understood that even if causes behind migration have changed, people would continue to migrate to Europe for various reasons.

1.2. Evolution of Common Migration policy

Migrants are using both legal and illegal ways to reach Europe. The problem is raised from illegal migrants and integration of them. The illegality of migrants has created further problems in the receiving countries. Therefore the EU has started to create a common migration policy with member states, transition countries and home countries, especially after the 1980s. Cooperation of member states about the movement of people who are either citizens or migrants has started with the Single European Act in 1986 which became operational in 1987. It has provided a border free area for member states. Another significant agreement about free movement of citizens is the Schengen Agreement. It was signed in 1885 and became operational in 1995. At the beginning, five countries signed the agreement-Belgium, France, Germany, Holland, and Luxemburg. These regulations have ensured that the EU can limit the numbers of migrants and it can control movements of its own citizens. (Boswell, 2003, p. 622). Currently, the Schengen area has 26 countries, 22 of them are the EU countries and four of them are non-EU countries: Iceland, Norway, Switzerland, and Liechtenstein. Six of the EU members are not in the Schengen area: Bulgaria, Croatia, Cyprus, Ireland, Romania and the UK. (Çankaya, 2016, p. 306). Initiatives of the EU followed with Treaty of Maastricht in 1992 became operational in 1993, which has created three pillar structure of the EU. The first pillar is supranational pillar which is bounded by the decisions of the EU court. The second pillar is Common Security and Foreign Policy which is an intergovernmental pillar. Lastly, Justice and Home Affairs is also an intergovernmental pillar. The significance of the treaty is that asylum and migration issues were regulated under the third pillar. In the first pillar decisions of the court is supranational and decisions are binding for every member whereas in the second and third pillar, decisions of nation states-member states-matters. Therefore, it is hard to take a decision unanimously in the second and third pillar. Later with Treaty of Amsterdam which is signed in 1997 and

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became operational in 1999, asylum and migration moved to the first pillar in which decisions are regulated by supranational principles. This transition was significant in two senses. First, it means a more robust role for the European Commission in terms of not just proposing policy but also negotiating with third countries about migration and asylum. The second implication is about measures to be taken within two years and country specific action plans. It also means information campaigns in transit countries and in the countries of origin in order to discourage illegal migration. (Boswell,2003, p. 627). In the late 1990s, it was made clear by the Council arrangements were not working under the treaty of Maastricht. It was claimed in an Action plan which was prepared by the Council and the Commission, the instruments of the EU accepted up until now suffers from two weaknesses. They are based on soft law such as resolutions or recommendations that are not legally binding. And the treaty of Amsterdam is committed to using the instruments of the EU in order to create the opportunities to correct against these weaknesses. (Scipioni, 2017, p. 5). However, the legal regulations with treaties did not guarantee a common policy for member states. Towards the end of the 1990s, the Dublin Regulation which is important in terms of the role of member states was not working effectively. The Dublin Regulation is about right of refugees in order to seek asylum. According to this regulation, asylum seekers can apply for asylum in the first EU country in which he or she enters. Since the right to seek asylum is a universal right under the Universal Declaration of Human Rights of 1948, countries need to administer legal conditions. (Ritzen& Kahanec, 2017, p.12).

Moreover, treaties were not just the EU's policies for migration in the1990s. Other additional proposals for prevention of migration were introduced. First is the strategic plan which is introduced by Austria in 1998. In this plan, some policies were suggested to reduce the number of migrants such as intervention in conflict regions, extended development aid and economic cooperation, and the promotion of human right in order to reduce the migration pressure in the main countries of migration. Such a comprehensive cooperation would be done with the collaboration of three major circles. The first circle is the EU member states, the second circle is neighboring countries and prospective EU members and the last circle would be the major migrant sending countries. Building on Austrian paper, Dutch government proposed a new paper. The suggestion was the formation of a high-level working group in the Council of Ministers. HLWG would serve to 'prepare cross-pillar Action Plans

for selected countries of origin and transit of asylum seekers and migrants'. In December 1998, the proposal accepted by the General Affairs Council. Action plans in HLWG would be prepared for six countries: Afghanistan, Albania, Morocco, Somalia, Sri Lanka and Iraq. The idea behind HLWG was based on 'preventive approach' which tries to struggle against forced displacement of migrants and migration pressures. In other words idea of the HLWG was to keep migrants in their home country. However, HLWG has failed due to various reasons such as 'blunt instruments' of them, lacking know how experience and the capacity to react rapidly. Another reason was officials in HLWG. Officials were mainly composed of Justice and Home Affairs, they had limited experience in dealing with third countries and they had less expertise on questions of development and conflict prevention. The failure became visible in the case of Action Plan for Morocco. The Moroccan government refused the plan claiming that they had not been consulted in the preparation of the plan. (Boswell,2003, p.631).

After experiencing failure in HLWG, the EU imposed new policies with the same intention. The EU developed five years programs. It started with Tampere Agreement in 1999. For Geddes, the intention of this agreement was a partnership with the countries of origin, a common asylum policy and fair treatment of third country nationals, and the management of migration flow. The second program was Hague Program which prepared for the following five years 2005-2010. (Çankaya, 2016, p.305). Under Hague program FRONTEX (the Management of Operational Cooperation at the External Borders), which will be explained below, was developed. It was under second program that a common migration policy has become very significant for the EU. The regulation of migration and asylum were moved to a separate pillar with the Lisbon Treaty in 2009. The title of the pillar became 'Freedom and Security, Justice'. Lastly, the third program was Stockholm Program which was operational in between 2010-2014. Similar to previous programs, this program also focused on borders of the union, border management, asylum and migration policies. As it was developed after Lisbon Treaty, priorities or aims of the EU were discussed under the area of freedom and security, justice. Unlike previous programs, external management and visa policy were argued separately. The focus of the program was on the cooperation with third countries.

The process for a common migration policy and solutions for refugee crisis has continued. Since Syrian war still continues, people continue to migrate to Europe or other neighboring countries. The number of migrants has become unbearable because they are already high in number and it continues to increase. This leads to a contradiction of liberal states in which states try to restrict the numbers of illegal migrants while try to not violate human rights and civil liberties. (Dimitriadi, 2014, p.149). After tragic incidents in 9/11in the US, Madrid (2004) and London (2005), it has become more visible in the language of the EU that securitization of migration has increased. Concepts of migration and security have become intermingled, but determination of who is 'threat' is shaped by countries own specific history (Dimitriadi, 2014, p.150), and it is reflected in the 29 measures of the Justice and Home Affairs Council in 2010 in order to strengthen external borders and to strive irregular migration.(Desmond, p.251). In addition to agreements with the EU and policies as HLWG which regulated migration (refugee and asylum policies), the union has developed various types of policies or measures to combat against irregular migration and possible terrorist attacks. All these measures can be classified into three major areas: externalized border controls with third countries, agencies, and systems that created by the EU to control its borders and the Schengen area (internal border control). First, external migration policy is issued with Global Approach on Migration and Mobility (GAMM) which introduces mobility partnership with third countries. For Carrera et al., the GAMM was reframed around new Migration and Mobility Dialogues which differentiate between those are willing to cooperate with the EU about migration would be offered Mobility Partnership and those who are not ready to do so would be offered to soft forms of cooperation which include information exchange and capacity- building measures. (Dimitriadi, 2014, p.152). These agreements can be done in the format of Mobility Partnerships and Readmission Agreements which can be signed bilaterally between member states or with the EU and third countries. These are developed under European Neighborhood Policy. ENP includes at the east Ukraine, Belarus and Moldova, further east Georgia and Azerbaijan and to the south Morocco and Syria. The idea behind this policy is that good neighbor makes good fences. According to UN Special Rapporteur in 2013, the EU shifts the responsibility of preventing migration flow into the EU to the third countries-departure countries. (Dimitriadi,2014, p.153). Externalization policy first appeared in Tampere Council Conclusion (1999) and was

emphasized again in the Seville Council Conclusions (2002). Both documents stated that agreements with third countries need to include 'joint management of migration flows and on compulsory readmission in the event of illegal immigration' and management of migration flow has become one of the main pillars with third countries. (Dimitriadi,2014, p. 153). Under GAMM, mobility partnerships are significant. Agreements are special documents with third countries in terms of prevention of illegal migration to Europe. In return the EU needs to fulfill its commitments under four categories: improved opportunities for legal migration for nationals of the third country, assistance to help third countries develop their capacity to manage migration, measures at address the risk of the brain drain and promote circular migration and improvement of the procedures for issuing visas to nationals of the third country. Some of these agreements were done with Moldova, Cape Verde, and Georgia. (Reslow, 2012, p.224). Second, the EU also has some agencies to control its own borders. The FRONTEX agency which is created in 2004 is about cooperation between member states in the management of external borders. Eurodac is an EU-wide fingerprint identification system. For third country nationals, the EU has Visa Information System (VIS) in terms of border management. Another important agency that needed to be mentioned is European External Border Surveillance System (EUROSUR) created in 2013. Its purpose is to increase the surveillance system of the European external borders. (Attina, 2016, p.20).

Lastly, Schengen accords which were signed in 1985 and formalized as the Schengen Convention in 1990 transformed the EU to a more borderless area and to implement common policies about migration and asylum. In order to remove internal borders, the EU strengthened its external borders. It is referred as 'fortress Europe'. (Stalker, p. 168). The first two measures are about external or measure that goes beyond the EU physical borders but last one Schengen accords are about the EU's inward-looking securities. Schengen accords have the Visa Information System for the third country nationals. VIS is about fingerprints and biometric data about third country nationals who apply for asylum. The EU has all these mechanisms to control its borders but still, there are many migrants who go to Europe for better conditions from the Middle East, especially from Syria because of the civil war.

Since Syrian refugee crisis is a different crisis which has not experienced before, the EU had to propose new policies in addition to revised previous ones such as the Dublin Regulation and the Schengen Agreement. The refugee crisis has led to disagreements among members states on the basis of new policies, not every member states willing to imply policies for refugee, they regard refugee as a burden on their own national wealth. Apart from common regulations of the EU, notions of member states matter also regarding the implementation of these common policies. It is the conceptualization of very own member states that change their rhetoric about refugees.

1.3.The EU's Syrian Policy

The ongoing war in Syria makes it impossible for refugees to return to their country. Most of the refugees want to reach Europe because they think that they could find better living opportunities in Europe. The situation of refugees has got more complex, because of deaths of some refugees on the way to Europe. In April 2016, more than 800 people died in a single boat in the Mediterranean Sea. (Trauner, 2016, p.319). The EU has applied some policies from the beginning of the refugee crisis, but later these policies did not cover the magnitude of the crisis due to a high number of refugees. The EU's first sanction to Syria was the suspension of the bilateral cooperation programs. However, the EU has taken further initiatives because refugees have increased in number and some of them died on the way to Europe which increased criticism against the EU. Attitudes of member states have changed over time. First, the EU used conventional responses to the crisis. It was seen that migrants would make economic crisis deeper and increase unemployment. Second, Italy responded humanitarian tragedy in the Mediterranean Sea while the EU institutions were against such interventions. Mostly refugees did not stay in Italy, they continued they way to the Germany of other north countries such as Sweden. Third, the EU has changed its policy after Italy' policy of Mare Nostrum. Lastly, the process of fencing Europe started especially among eastern and central Europe countries. They increased security checks at the borders. However, the policy of fencing Europe without any change in the visa, asylum and migration

policy did not discourage the migrants to go to Europe. (Attina, 2016, p.27). In the spring of 2015, the number of asylum seekers was close to 89.000 and by the end of October, the number reached to 507.000. The Dublin Convention's 'first- country-of-entry' has not been applied totally because frontline member states did not prevent the flow of migrants to northern countries.(Heisbourg, 2015, p. 9). Therefore, Germany announced that they suspend the Dublin rules for refugees coming from Syria. But later, the EU tried to apply 'frontline policy' for entry counties. In that policy, there would be some hotspots both in the EU and third countries of origin. The EU and countries of origin would exchange migrants in a legal way. By doing so the EU would control its refugee flow and it would decrease illegal migrations also. The frontline member states would be Hungary, Italy, and Greece. The major opposition came from the Hungarian government of Viktor Orban. He opposed the idea of registration of refugees and distributions of newly arrived ones. Afterward, Hungary started to build fences to its border which led to migration flow to Slovenia. Later the Czech Republic, Romania, and Slovakia also rejected the Commission's plans about open door policy for frontline states. (Trauner, 2016, pp.320-1). However, Germany which has one of low rejection rate of asylum in the EU (27%) continued to pursue more positive policies for refugees. The phrase of Angela Merkel, the chancellor of Germany 'we can do this' became a symbol for the countries which are willing to take Syrian refugees. (Trauner, 2016,p. 321). It can be inferred that the member states do not have a common policy about current refugee crisis. It is obvious also that member states do not want to transfer their decision making power to an upper body- supranational institutions- about an issue such as migration policy that would direct impacts on their economy and politics. Most of the members see decisions about migration policy as decisions linked to their sovereignty. It is clear that even such an integrated union like the EU is not prepared for such complex policy structures.

Concluding Remarks

To conclude, migration policy of the EU, which has a long history, has changed over time due to changed economic and political conditions. It is understood that Europe did not

try to restrict migrants up until the1980s when economies started to shrink and numbers of migrants increased unpredictably. Despite many attempts of the EU to decrease the number of migrants or to prevent further migration, the number of migrants increased over time. It seemed that the EU lacks in its policies. Numerous programs and institutions were established as explained above, yet the EU has faced Syrian refugee crisis. According to Scipioni, the combination of low harmonization, weak monitoring, low solidarity and lack of strong institutions in the EU migration policy became unsustainable in the time of 2015 crisis. In the absence of strong institutions combined with an internal borderless area, the flow of migrants in the EU would be smooth once they enter. (Scipioni,2017, p. 9). The EU still suffers from the lack of a common migration policy against the influx of Syrians. Territories of the union have expanded over time that is why it became more difficult to control each border gate with a border free area internally. Therefore the policies of frontline member states of the current crisis and their dedication to applying common policies of the EU would shape future of both refugees and the EU. The Syrian refugee crisis made it more visible that the policies and willingness of member states are also significant for a common solution.

Chapter 2.

Shaping Rhetoric of Syrian Refugees

As the migration of Syrian refugees has increased to both Europe and host states such as Turkey and Jordan, and Lebanon countries have understood that refugee crisis would not be solved in the near future not at least when the war still continues. Numbers of Syrian refugees have increased unpredictably especially after 2015 when the conflict between opposition groups got intense. Syrian refugees generate 6 million refugees of the world's 15 million refugees additionally 7 million has been displaced within Syria. Before the war Syrian population was 21.5 million, the number of refugees has shown that more than half of the population has been displaced either internally or externally. (Byman & Speakman, 2016, p. 45). Currently, there are refugees in Turkey, Lebanon, and Jordan. Also, Germany accepted almost 500.000 refugees in 2015 and there are fewer than 2000 Syrians in the US. With the spread of Syrian refugees to so diversified countries, the refugee crisis emerges as a world crisis. Because refugees are dispersed to different regions, they could expose to the risks of 'unjustified, excessive or inadequate detention' if not detained, they could face a lack of even basic protection such as minimum health care. (Trauner,2016, p. 313).

Since every country implements its own refugee policy, differences between policies of countries raise some questions about human rights or refugee rights. Nonetheless, it is hard to coordinate for so many countries about a common crisis. Similar to nation states, the EU also has coordination problems within itself. Member states are divided on the basis of implementation of a common refugee policy. States that favor Syrian refugees insist on humanitarian concerns and they are favor of open door policy for refugees with a limited number- via resettlement and hotspots which are explained in the last chapter. Whereas opposition to open door policy defends that their economies cannot handle so many refugees and they support the idea that the EU should deal with refugee crisis outside of European territory- like third safe countries. Adding to supportive and preventive approaches of states, how Syrian refugees have depicted in the media is also important because it is the media that affects the understanding of society about refugees. As the number of refugees increased both in host countries and in Europe, as one of very common conceptualization, the metaphor of water began to referring the refugees. The concepts of flood, tide, and flow are used for the arrivals of refugees. The implication about these metaphors is that Europe would be overwhelmed or inundated or drown as a consequence of the migration of refugees. Another water related metaphor is the iceberg. Especially some media institutions showed the arrivals

of Syrian refugees in 2015 as 'tip of the iceberg' which meant the largest part is yet to come. Syrians were seen as a threat to life which Europe needs to protect itself from. Some extremists politicians in Europe and US regarded Syrian refugees as 'ISIS Trojan horse' in the various press such as UK Daily Mail, US News, and World Report.(Holmes & Castaneda, 2016, p.18).

Figure 1: Host countries

(Nath, 2013)

Figure 2: Host countries

(Nath, 2012). *Source: Özdemir et.al, 2017, p. 42*
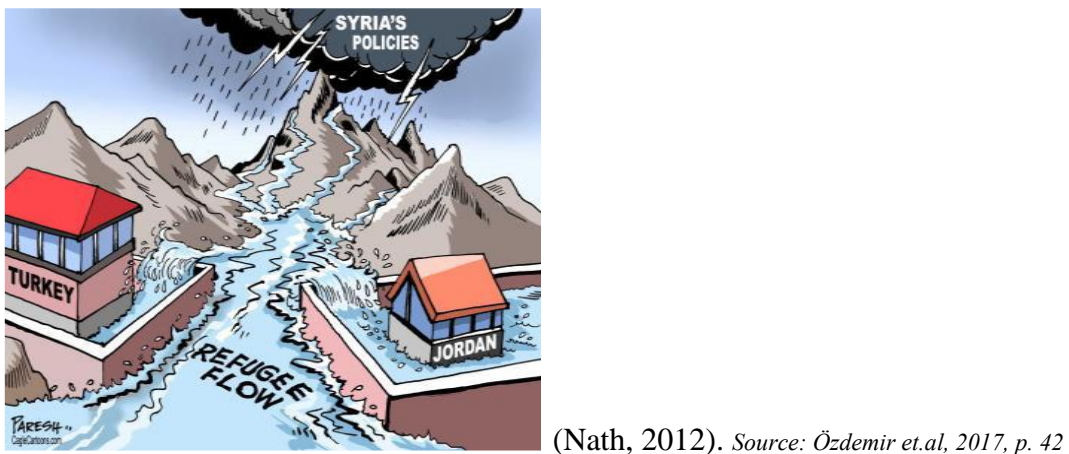
In figure 1, the wall presents the border of host countries. Countries are lifting up their hands to stop the wave. Representatives of countries stand knee-deep in the water meaning they are already hosting some Syrian refugees. Even the coloring in cartoon signals the positions of states against refugees. Lebanon, Turkey, and Iraq are in black whereas Jordan is in dark blue, implying that Jordan has already provided shelters for refugees from Syria, Somalia,

Sudan and Iraq. Jordan has a history of taking more refugees compared to others. (Özdemir et.al,2017, p.42-43). There are numerous other cartoons in the media that show the policies and approaches of states against refugees. This chapter is about the position of member states for refugee crisis by giving specific examples from two separate points of view, supporting member states and opposing member states. Even implementation of policies of the EU has shaped by positions of member states. Different policies of member states are explained by two specific examples that became most visible in the crisis. The supporting arguments are illustrated with the declaration of Germany whereas the arguments of the opposition member states are depicted with arguments of Hungary which became more vocal in the crisis compared to other opposing parts such as Poland, Czech Republic, and Slovakia.

2.1.The Supporting Member States (Germany)

In December 2015, the number of Syrian asylum application to the EU has reached almost 900.000.(Byman & Speakman, 2016, p.51). It was the highest point since the beginning of the crisis. Such high number of refugees not only caused problems for receiving countries but also refugees themselves faced problems such as being abused by human smugglers, inadequate humanitarian aid in the camps where they wait to go to Europe. In the worst case, some of these refugees died in the Mediterranean Sea while they were trying to go to Europe. All these concerns about refugees such as dead, lack of humanitarian conditions, abuses of refugees on the road to Europe and refugee rights have paved the way of many critiques about the EU and one of its very notion of human rights. By the time the EU reached a high number of an asylum application and constantly increasing refugees at the borders, the policies of the EU implemented did not produce a desirable solution to the crisis. In order to decrease the dead of refugees and to eliminate other humanitarian concern member states started to impose their own national policies. *Mare Nostrum* was launched by Italian Government in October 2013 after a tragic event in Lampedusa where more than 360 refugees died. Italian government took refugees but they cannot handle problems of refugee due to lack of organization and proper working conditions. Therefore many of refugees left these centers in

a short period of time. Refugees continued their journey to Germany. (Attina, 2016, p.26). Later, in June 2014, the EU Home Affairs Commissioner Cecilia Malmström said that she was full of admiration of *Mare Nostrum* but replacing it with a Frontex operation is not possible. The EU did not have money (Trauner, 2016, p.318) and president of the European Council constantly repeated in his public speeches to migrants not dream about Europe. (Attina,2016, p.27). However, it was not that Europe did not create a fund for refugees on the contrary at a fundraising conference in London on February 4, 2016, European Nations increased more than 5.8 billion dollars for 2016 and pledged an additional 5.4 billion dollars through 2020. UN Secretary- General Ban Ki-moon claimed that it was the first time UN increased so much in a single day for a single issue. Such a funding can be used for short term problems such as medical aid, sanitation, and shelter or for long term aims such as education and building infrastructure. On the other side, UNHCR High Commissioner Filippo Grandi told donors in London, *'A tragedy of this scale demands solidarity beyond funding. Put simply, we need more countries to share the load by taking a greater share of refugees from what has become the biggest displacement crisis of a generation'*. (Byman&Speakman,2016, p.51, p.49). Though many initiatives of the EU and funding, the flow of refugees has continued. The Dublin Regulation is a ground for processing of the flow of refugees. The baseline for member states would be the regulation which is based on the principle first-country-of-entry meaning that refugees have right to seek asylum in the first country they enter. The EU Commission insisted on the Dublin as a baseline in 2015. It was said that for the relocation of refugees, a limited and temporary derogation from certain provisions of the Dublin system would be implemented but still, the Dublin Regulation remains applicable and valid as a general rule for all asylum applications lodged in the European Union. (Trauner,2016, p.320). The Dublin system put frontline states under obligations of processing the asylum applications namely Italy, Greece, and Hungary. Lack of control mechanisms in these countries has caused further problems in northern countries Germany and Sweden. Germany has imposed its own policies since 2015 because Germany is the main recipient of refugees. In spite of oppositions in the EU such as Hungary, the Czech Republic, Romania and Slovakia, Germany supported open door policy and took some of the refugees.

It is considered that Germany is responding crisis a unique manner due to her tragic past and memories of xenophobia and fascism. The German president voiced the intention behind hospitality of Germany in the first World Refugee Day in August 2015 in Germany. He said that Germany has a 'moral duty' to provide safe refuge because Germans were refugees themselves after WWII. (Holmes & Castaneda,2016, p.15). Criticisms against Merkel, the chancellor of Germany has raised both her own political party and from other political parties. Opposition to Merkel claimed that Germany is being too generous and it would cause to a 'national catastrophe' for Germany. In response, she said that 'we will make it' which became the motto of other supporters in the EU and she continued 'if we now have to start apologizing for showing a friendly face to the emergency situation, then this is not my country'. (Holmes&Castanede,2016, p.14). With her response to criticisms, Merkel showed not only her dedication to support the open door policy for refugees within a limited number but also she gave clues about the future policies of Germany. However, even if Germany is a strong country in terms of its economy and its position in the EU, Germany also has some limits. As Merkel said during her talk with teenagers in the northern city of Rostock, she told there are thousands and thousands of refugees outside and Germany cannot manage to help them all while she was responded the question of a Palestinian girl who had been threatened with deportation. In August 2015, Merkel announced that Germany is suspending the Dublin Regulations unilaterally and is going to admit refugees even if they do not claim asylum in the first EU country. During the same time, 'solidarity', 'responsibility' and 'Willkommenskultur' (culture of welcome) were main themes of the German press. This welcoming language of German leaders and states' initiatives has found its impacts on grassroots eventually. People worked in voluntary aid campaigns which provide health care, translations services, bureaucratic registrations and housing even the bars were organizing 'solidarity parties' in order to raise money for refugees. The German constitution has been translated into Arabic to 'aid integration' and German newspapers have published special supplements in Arabic to welcome refugees to the country. (Holmes&Castaneda,2016, p.19). Merkel's initiatives for a solution for the refugee crisis and attitudes of others member states is well caricatured by Janssen.

Figure 3: The approach of Germany

(Janssen, 2015)

Source: Özdemir et.al, 2017, p.46

In the cartoon, Merkel is depicted in her red jacket refer to contradictory policies of Merkel in the European bureaucracy. Also, it is shown that she cannot find any supporters for her positive attitudes for the refugees while other male representatives of members are running in their black suits.

It is not just the cartoon of artists explained the refugee crisis, sometimes real life examples explain more about refugees than the artificial works. An incident occurred in September 2015 has become one of the symbols of Syrian refugees. A three years old lifeless body was found on a Turkish beach- the body of Aylan Kurdi. The picture of three years old boy has become not only one of the symbols of the tragedy of Syrian refugees in the Aegean Sea it had a significant impact on the concept of refugees. The picture had affected politics even in a country as far Canada during its federal elections. (Holmes&Castaneda,2016, p.17). The image of Syrian boy was so effective, it raised even questions about who really needs help. Because refugees are not just Syrians, they also come from Iraq, Eritrean, Somalia, and Afghanistan. Some refugees from Syria claimed that other refugees are not refugee because they do not come from Syria. But Germany already has declared in the Kretschmer Deal that Germany would not accept asylum from the countries it had declared as safe countries. (Holmes&Castaneda,2016, p.18). Therefore it seems like Germany has already framed its

own refugee and asylum policy. With all their policies and depictions, it seems that supporters have a more positive approach to refugees and base their arguments on the more humanitarian side of the crisis. Deaths of refugees and their problems in overall as shelter, food are concerns for supportive states. However, there are some member states that do not want to open their borders to refugees as mentioned above mainly central and eastern European countries.

Figure 4:

The picture of Aylan Kurdi at the shore of Turkey

Source: Asia Times, 2015

2.2. The Opposing Member States (Hungary)

The arguments of opposition to refugees are exemplified best by arguments and policies of Hungary. Hungary is located between Serbia and Austria, which is an important location for refugees. Because Hungary is also a member of the EU, it is on the way of Germany –transition point –for refugees. During peak days of the refugee crisis, Hungary

suddenly saw more than 350.000 refugees moving through its territory. Some of them could leave Hungary, but some of them had to stay because of financial issues or family matters. When the Commission imposed the policy of 'front line states' for relocation after processing of the Dublin Regulations the strongest opposition came from Hungary. The reaction of Hungary followed by the Czech Republic, Romania and Slovakia, refused the Commission's policy on the ground that they do not want to open their borders to refugees. One of striking reaction came from a Baltic state- Poland which refused plan of the Commission by claiming that their economy is not strong enough to take refugees and they do not want to accept deeply alien outsiders to their society. The leader of Poland's Law and Justice Party – Jaroslaw Kaczynski- said that 'In Slovakia, we do not have mosques, we only want to choose the Christians'. Even if Hungary rejected the plans of the Commission, they still continued to follow the EU rules, unlike Slovakia. (Heisbourg,2015, p.10-11). But, the religion of Syrian refugees seems to be a problem for opposition countries as in the cartoon, figure 5. In the cartoon there are two flags, the black one represents ISIL (The Islamic State of Iraq and the Levant), the other one is Hungarian. The cartoon is an artificial work of an unfortunate event at the Hungarian border when the camerawoman tripled a male Syrian refugee while he was escaping from security guards at the border. In the cartoon, refugees are escaping from ISIL who have knives in their hands representing life threat for refugees. The 'tripling' action implies the preventive policies of Hungary at the border against refugees such as fences, the arrest of refugees at borders and the state of emergency in Hungary. (Özdemir et.al,2017, p.47)

Figure 5: The approach of Hungary

Another point about the policy of Hungary against refugees was the rhetoric of 'crisis' when they referred to Syrian refugees. The 'crisis' rhetoric has caused the distinction between citizen and foreign which led to the legitimization of states' actions against refugees. In the further situation, labeling can cause to the criminalization of a certain- in this case Syrian refugees. Construction of border fence is the most visible action of criminalization of refugees. (Kallius et. al, 2015, p.27). Construction of fences enabled Hungary to control the flow of refugees and also their internal movements in Hungary. In other words, Hungary can control the internal movement of refugees, can control immobilization of refugees. For Hungary, the main problem about other is not just Syrian refugees. The Prime Minister Viktor Orban stated that they are already not quite good with internal foreigners- Roma. He criticized the quota system of the EU and said:

'Hungary's historical given is that we live together with a few hundred thousands of Roma. This was decided by someone, somewhere. This is what we inherited. This is our situation, this is our predetermined condition… We are the ones who have to live with this, but we do not demand from anyone, especially not in the direction of the west, that they should live together with a large Roma minority.' (Kallius et. al, 2015, p. 32).

This argument of the leader of Hungary supports the rhetoric of 'crisis' and they see refugee as a situation that they need to get over within the possible early time. It also refers to the disconnection between domestic communities. In other words, it means that Orban would not integrate refugees into Hungarian society while he is not regarding Roma as an integral part of Hungarian society who even has historical connections with Hungary. Building fences to the borders, declaration of a state of emergency under refugee 'crisis' give

the clues about future policies of Hungary which are not close to humanitarian concerns but rather nationalist-populist arguments. Countries as Hungary and Poland and other Eastern Europe supported these arguments and they mentioned the protection mechanisms for the EU. The fence at the border of Hungary is the best example of their arguments. All these arguments and policies of states have had impacts on society. A research conducted by the PEW Research Center indicated that in Europe, people think that refugees became a burden not just in terms of social relations such as religion but also they became a burden in an economic sense.

Figure 6: PEW's research

Many in EU Want Less Immigration

Percent saying their country should allow fewer immigrants

UK 55%
Poland 40%
Germany 44%
France 57%
Spain 47%
Italy 80%
86% Greece

	Immigrants today are a burden on our country because they take our jobs and social benefits	Immigrants in our country today are more to blame for crime than other groups	Immigrants in our country today want to be distinct from our society
Greece	70%	51%	48%
Italy	69	45	77
France	52	36	54
Poland	52	21	42
Spain	46	25	48
UK	37	20	47
Germany	29	48	59

Source: Spring 2014 Global Attitudes survey.
PEW RESEARCH CENTER

Source: Cooper, 2016,p.110

According to the research, 70% of Grecian see refugee as an economic burden because it is regarded as refugees are taking jobs and social benefits while 69% of Italians think the same. Refugees are seen as criminals with 51% in Greece and 48% in Germany, compared to others groups in the EU. Economic burden of refugees is important in Greece which had a recent deep economic crisis. With the refugee influx, Greece has put more constraints on its economy which needs more funding from the EU compared to Germany which has a strong economy and can deal with refugee burden with fewer funds from the EU. (Cooper, 2016, p.111) In the research there are three questions, first one is the economic burden of refugees second and last questions are about the criminalization and the culture of refugees. Therefore, it seems that the identity-based concerns became more visible than economic concerns. In economic burden, member states think that the EU would provide funds for refugee, which is actually the case. The European Commission had decided to spend €9.2 billion in total on the refugee crisis for 2015 and 2016. (Cooper, 2016, p.111) That is the reason why arguments of oppositions in terms of social burden such as cultural and religious determine more the agenda of the media. Therefore, the rhetoric of opposing member states is shaped by these concerns.

Concluding Remarks

The situation of Syrian refugees whether calling it a crisis or not has become a worldwide problem. Refugees have spread many countries and they are high in numbers to a certain point that a possible solution is still missing. Countries including member states of the EU, misread the magnitude of refugee flows and its possible immediate and later consequences on their society. Because of this misconception, they were already late not only to generate a solution to refugees in their territory but also cannot prevent further migration flows. When neighbor countries applied open door policy to refugees, they thought that Syrian government was in its last days and refugees would return their country as soon as conflicts resolved. However currently, the return of Syrian refugee to their homeland is not foreseen in the near future. This was not predicted by countries, it was considered that refugee problems were for short terms and they would be returned their countries very soon. Now few are optimistic about the possible return of refugees while the conflicts are still continuing. Under such circumstances, new approaches as a solution to the crisis were sought. Turkey appeared a

suitable partner for a deal between the EU and Turkey about the refugee crisis. With including Turkey to the solution of the crisis, it proved the point that the EU still suffers from the lack of a common migration policy which can create a solution to the current crisis. Therefore the solution to the crisis would be outsourcing new policies with a third party in the shape of a deal- the Refugee Deal with Turkey.

Chapter 3.

The Position of Turkey in Syrian Refugee Crisis

Since the beginning of Syrian war, Turkey has been an important location for Syrian refugees. From the first flow of migrants up until now, Turkey has welcomed more than 3 million refugees. There are also many refugees in other host countries such as Jordan, Lebanon, and Egypt. Millions of refugees have created problems such as accommodation, health problems and education- as major problems- and there will be more problems in terms of human rights/refugee rights. In others words, it would be very hard to provide all the services from their own budgets for host countries. Solutions to Syrian refugee crisis that found until now are limited and they need to be extended as the crisis continues. Because of its geographical proximity, Turkey is the main recipient of refugees mainly because of two reasons. First, Turkey has a long border line with Syria that is the reason why it is hard to control illegal entrances. Second, some of the refugees want to go to Europe and Turkey seems to be a transition country between Syria and Europe. Because of the geographical proximity of Turkey to the conflict region and the high Syrian population in Turkey and main transition route between Turkey and the EU, Turkey appeared as a suitable partner for the refugee deal with the EU. The lack of common response and low willingness of some of the member states about taking refugees paved the way for the other member states (Germany) to initiate the process of the Refugee deal.

3.1.The role of Germany in the refugee deal

In 2015, the asylum application in Europe was so high that the Secretary General of the Council of Europe, ThorbjØrn Jagland asserts that the principles of Europe such as human rights, democracy and the rule of law are facing a crisis unprecedented since the end of Cold War. (Trauner, 2016, p. 313) The number of asylum application to Europe which is shown in table 2, has been proving that some of the refugees want to go to Europe. Because the application rates to member states vary, some member states support initiatives for common refugee policy while others which do not receive asylum applications or the ones reluctant

about receiving refugees as Hungary are against common policies of the EU. Separate positions of member states affected their policies for refugees. However, the situation of refugees has not been better while member states were struggling for a common policy.

Table 1:

Syrian refugees under Temporary Protection in Turkey from 2011 to 2017
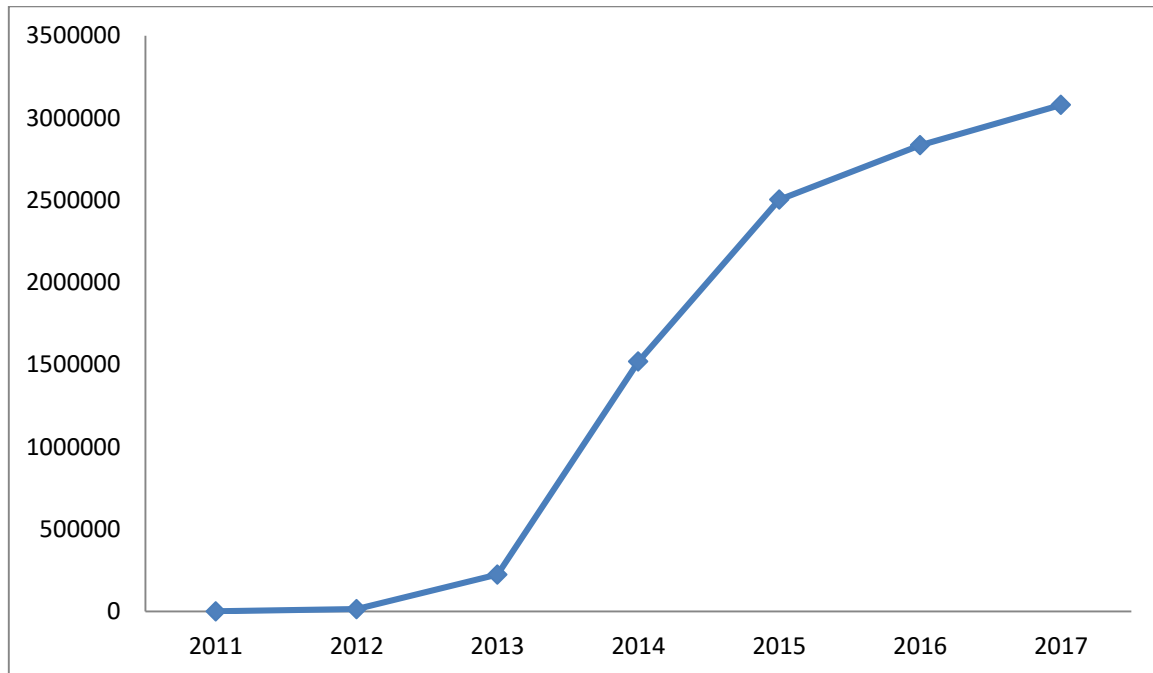
Source: Göç İdaresi, 2017

Table 2: Asylum applications- top 10 Countries

Country	Number
Serbia(and Kosovo)	205,578
Germany	153,655
Sweden	93,268
Hungary	71,845
Austria	27,379
Netherlands	22,159
Bulgaria	16,167
Denmark	14,553

Belgium	12,030
Norway	11,246

Source: Aydın, 2016, p.109

What makes the refugee crisis worse is the death of the refugees on the way to reach Europe. Syrians have been dying because of war and they are also dying while they are trying to go to Europe. It is been estimated that more than 250.000 Syrians have died including both deaths of war and death during migration. The first reaction of the EU to refugee crisis was not protectionist, it was assumed that refugees could be controlled by common border control areas-Frontex and Schengen. Some of the member states argued that receiving refugee could damage further their already vulnerable economic and job market aftermath of 2008/2009 crisis- Eurozone crisis. (Attina, 2016, p.26). While some of the European states- such as Hungary- do not want to receive migrants whatever has caused them to migrate, Europe is accused being the cause of the migration in the first place. Zygmunt Bauman claims that Syrian migration is the outcome of 'seemingly prospect less destabilization of the Middle-Eastern area in the aftermath of miscalculated, foolishly myopic and admittedly abortive policies and military ventures of Western powers. (Erder, 2016, pp.122-123) Bauman's argument might be interpretive however, it is certain that refugee crisis is not a local crisis that just concerns neighbor countries. The EU's lack of appropriate response to the crisis at the beginning led the way of member states to develop their own policies. Nation states' policies for the refugee crisis have started with Italy's *Mare Nostrum* which postponed the rules of the EU and has caused to spread of illegal migrant throughout Europe. (Attina, 2016, p. 25) Member states were not free while they were imposing their own policies. They are bounded by 1951 Geneva Convention and Dublin Regulation both of which regulate the rights of the refugees. Dublin Regulation proposes the principle of the first- country- of-enter, which means that refugees can apply for asylum the first country they enter in Europe. The Dublin Regulation becomes crucial in terms of frontline states such as Greece, Italy, Hungary and some other eastern countries. The Commission's decision about front line states which was about the processing of asylum applications in those countries under the Dublin Regulation, rejected by eastern countries especially Hungary. Hungary not only rejected the policy of the Commission but also erected a new fence on its border to Croatia and Serbia.

The flow of refugees moved to Slovenia from Hungary because of its prevention mechanisms to decrease the flow of refugees. (Trauner, 2016, p.320) These policies decreased the number of refugees but could not prevent the flow of refugees. Because Germany is the main place where most of the refugees want to go, Germany started to take initiatives in the refugee crisis.

The EU with initiatives of Germany tried to include Turkey which has a high percentage of Syrian refugees in order to achieve its aims- to decrease refugee flow to Europe. Turkey is an important country in the crisis because it has largest Syrian refugee population and it is on the way of one of migration route to Europe. At this point, the important point that should not be disregarded is the interests of Germany and the EU and also the interests of Turkey out of the deal. According to Eralp, there are several answers to these questions. For Germany, aims behind its leading role are that Germany is already carrying the bulk of refugees and in order to prevent an existential solidarity crisis about a common migration policy in the union, Merkel the chancellor of Germany tries to find a common solution to the crisis in spite of oppositions against her. Lastly, Germany tries to decrease xenophobia and anti immigrant sentiments in the EU, which strengthened extreme-right in Germany and also other parts of the EU. Likewise, Turkey has some goals to attain from cooperation with the EU. For Turkey, cooperation with the EU could provide close relations with West once again. Turkey would not feel isolated in the unstable region which is vulnerable to ISIS and Russia. To increase the speed of economy, the EU anchor would be vital. This would give the impression of the revitalization of the accession process. Visa liberalization which is a kind of 'psychological threshold' for Turkish citizens would be good for Turkey's domestic policy. Turkish people would see themselves as recognized citizens of a respected EU partner. Lastly, Turkey would welcome additional EU funds for refugees. (Eralp,2016, p.21-22). As compiled by Eralp, a common ground could be found in the negotiations between Germany and Turkey even if goals are different. It can be said Germany has tried to find a solution to the crisis and included the parts that have interests in it. The refugee deal is a product of the convergence of interests between actors. The refugee crisis is a real life problem for both the EU and hosts countries of refugee as much as it is a humanitarian crisis. However, Germany was not the only actor in the process led the deal. The key representative EU institutions such as the president of the European Commission-

Jean-Claude Juncker and the president of the European Council- Donald Tusk, and heads of state and government of member states and third countries were included in the meeting previous to the deal. As it is shown in Table 3, there were a significant meetings between different actors chronologically. The table also depicts the role of Germany in the whole process before the deal.

Table 3:

Bilateral/ mini- lateral talks between Germany and member states/ Turkey/ top EU officials of EU/EU-Turkey summits on the management of the refugee crisis

7 October 2015 Merkel-Hollande in the European Parl./ Speech on how to tackle the refugee crisis Merkel:' Turkey plays a key role'.	15 October 2015 European Council agrees on the Joint Action Plan Merkel: 'EU is ready to open New chapters'	18 October 2015 Merkel's Turkey visit 'Germany is ready to open Chapter 17 and make preparations for Chapters 23&24
29 November 2015 EU-Turkey Summit, Activation of the Joint Action Plan	25 October 2015 Merkel-Juncker mini summit with Member states on Balkan route	23 October 2015 Merkel-Anastasiades meeting to discuss chapters to be opened
17 December 2015 Merkel- Juncker mini summit with Turkey&8 member states	22 January 2016 1st German-Turkish Intergovernmental consultations	8 February 2016 Merkel's visit to Turkey
7&18 March 2016 EU-Turkey Summits/EU-Turkey 'deal' of 18 March 2016	6 March 2016 Merkel-Davutoğlu-Rutte meeting preparation of a 'tri lateral' proposal for EU-Turkey cooperation on the management of irregular migration	4 March 2016 Merkel-Hollande meeting/joint Press conference

Source: Turhan, 2016, p.28

The table shows negotiations chronologically between important actors and Germany's role in the formation of the deal. According to Turhan, there are some significant points in the table which needs to be highlighted. Behind closed doors with bilateral and mini lateral negotiations, Germany prepared the ground of the refugee deal. Actually, the refugee deal of 18 March was largely prepared by the meeting between Merkel-Davutoğlu, the prime

minister of Turkey and Mark Rutte, the leading representative of the Dutch Presidency in the Council. Second, Germany collaborated with the European Commission President Juncker, rather than with the European Council President Tusk. It was criticized by many EU politicians and officials but in the essence, it depicts the policy of Germany- the readiness to go it alone (*Alleingang*) in the European Council. Third, the Franco-German axis was not a 'steering wheel' in the negotiation process of the deal. Merkel and Hollande, the president of France, met only twice and Hollande did not participate mini summit meeting between Merkel and Juncker. Fourth, Germany unilaterally announced the opening of new chapters which did not follow by the European Commission or the Council. It implies that Germany' leaderships in defining relations between Brussels and Ankara. Lastly, Germany does not act as a 'reluctant hegemon' in the EU anymore. It exercises leadership that is more or less limited by economic sphere while imposing over cautious and hesitant approach during the crisis.(Turhan,2016, p.28-29). The efforts of Germany and after numerous negotiations, Turkey and the EU have come to an agreement. The refugee deal signed on 18 March 2016. The deal and its impact on refugees are discussed in next chapter. As it is mentioned previously Turkey has largest Syrian refugees and Turkey is an important partner for the EU in the refugee crisis. The policies of Turkey for refugees in general and the specific policies for Syrians have become significant also.


3.2.The policies of Turkey for Syrian refugees

Turkey has had to develop its migration policy because it has largest Syrian refugee among other host countries- Jordan, Lebanon, Egypt. Before its own regulations and laws, first Turkey has bounded by 1951 Geneva Convention. However, Turkey added a special geographical limitation clause to the agreement. In its specific geographical limitation, Turkey specified that it accepts only refugees come from Europe. Non-European can stay in Turkey for a limited period of time and receives temporary protection. (Baban, et al.,2017, pp. 41-2). The geographical limitation has come from the War of Independence- early republic period. This policy was implemented to protect the ethnicity of Turkishness or Muslim Turks. Actually, Kirişçi reminds us that special care was taken to keep out 'non-Muslim Turks and non-Turkish Muslims'. (Erder, 2016, p. 123). This geographical limitation

can be interpreted that Turkey wants to protect nothing but its homogeneity in the society. However, Turkey could not reject Syrian refugees, when Syrian War erupted. First, Turkish government imposed open door policy for refugees. The number of refugees increased in short period of time to a certain point that could not be foreseen by the government. Therefore, both the policies of the government and rhetoric of the Turkish officials have changed over time as the numbers of refugees increased. At the beginning, refugees were regarded as 'guests' who can enjoy the temporary protection of the state. The concept of 'guest' is not a legal concept and it implies that refugees would return to their homeland eventually. It is not going to happen at least not in the near future due to continuing war in Syria. Eventually, politicians realized it and even the president of Turkey, Recep Tayyip Erdoğan said that refugees living in Turkey can be granted citizenship. Even though possible results of this policy change cannot be predictable, it is a visible depiction of policy change about refugees who live in Turkey. Table 4 indicates the policies of Turkish government over time as the numbers of refugees increased.

Table 4:

The policies of Turkish Government for Syrian refugees
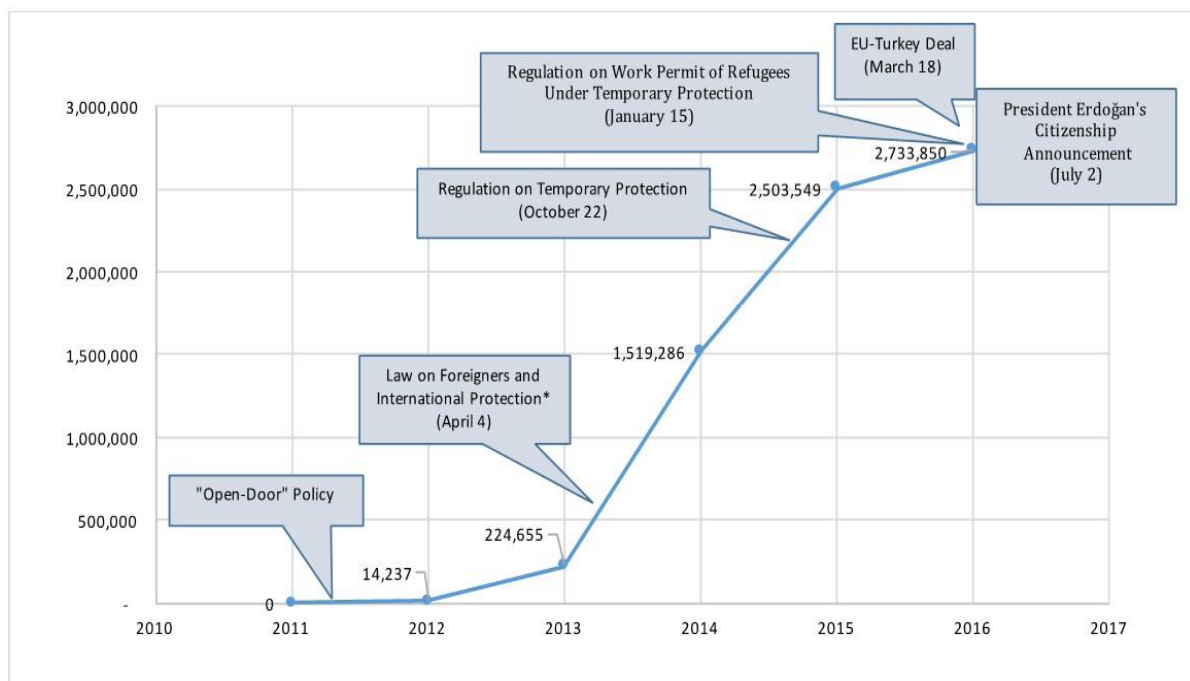
Source: İçduygu & Millet, 2016,p. 4.

Policy changes about migration policies have been implemented since the early 2000s. In order to harmonize its laws with *acquis communautaire*, Turkey adopted the Action Plan on Asylum and Migration in 2005 and the Law on the Work Permit for Foreigners in 2003. It enabled labor migrants to get their work permits more easily. After Syrian refugees in 2013, the Law on Foreigners and International Protection (LFIP) was implemented, which combined two previous laws the Law on Aliens and the Law on Asylum. The LFIP offered temporary protection for refugees but it was still bounded by the 1951 Geneva Convention-with geographical limitations. Since Turkey does not willing to eliminate its special limitation in Geneva Convention, temporary protection rights of refugees were extended by Regulation on Temporary Protection in 2014. The TP is about collecting information about refugees through their fingerprints, pictures and others biometric measures. TP includes humanitarian aids that granted to refugees as temporary protection in terms of their access to health, education, labor market and social assistance. Though rights of refugees are regulated with laws, it does not imply that they hold a residence permit or citizenship or long-term residence permit. (İçduygu & Millet, 2016, p. 4-5). Moreover, Turkey passed another important law for working conditions of refugees. The Regulation on Work Permit of Refugees under Temporary Protection provides work permits for six months for those who are 'under temporary protection'. They can benefit from the law, once they register under the status of temporary protection. These laws regulate some rights of Syrian refugees but do not provide legal status to them. So it can be understood that these laws introduce short-term solutions to the refugee crisis. For more reliable and durable solutions cooperation with others nations and the EU is significant.

As expressed by Johannes Hahn, Commissioner for European Neighbourhood Policy and Enlargement Negotiations: '*The current refugee crisis is a challenge of global dimensions. We have to work hand in hand with our partners and neighboring countries beyond EU borders which are most affected*'.*(European Commission, 2017). Cooperation in different dimensions such as health, education, and accommodation* is significant because these services can be a burden for nation states- host countries. In one of his interview, President Erdoğan said that Turkish Government has already spent $8.5 million for refugees. (Aydın, 2016, p. 107). Turkey cannot maintain to fund refugees from its own budget for a long time. The refugee deal offers funds for refugees in Turkey. These funds would be used

for refugees and their needs such as health, education, and food supply. Turkey would receive €3 billion in exchange of preventing further refugee migration to Europe and to accept refugees as of 20 March 2016 who previously entered Greek islands. Turkish citizens would get visa liberalization also.(İçduygu & Millet,2016, p. 5) and (Baban et al.,2017, p. 43).

Right after the deal criticisms have raised regarding whether Turkey is a safe country. In Geneva Convention, it is stated that refugees cannot be sent back to their countries where they have a threat for their lives. They can only be sent to 'safe countries'. The criticisms against Turkey are about whether Turkey is a safe country or not. Those who claim that Turkey is not a safe country based their criticisms to the EU Asylum Procedures Directive for three reasons. First, special geographical limitation of Turkey in both the 1951 Geneva Convention and 1967 Protocol which accept only migrants from Europe as refugees is an obstacle for Syrian migrants. Second, the continuous terrorist attacks occurred on Turkish territory and the conflict between the Turkish army and Kurdish fighters which can bring the risk of execution, torture and inhuman treatments in Turkey can cause its own migration flow. Third, occasional claims about the ones, who are trying to cross Turkish borders in terms of deportation, pushbacks, arbitrary detention and physical violence against asylum seekers. Despite these criticisms, Turkey declared as a safe country. For the EU, a country needs to have a democratic system under international law (the Geneva Convention) and EU law (the Asylum Procedures Directive). Alongside democratic system, if there is no persecution, no torture (or inhuman or degrading treatment or punishment), and no threat of violence and no armed conflict, the country would be considered as a safe country. Turkey is regarded as a safe country with Albania, Bosnia Herzegovina, the former Yugoslavia Republic of Macedonia, Kosovo, Montenegro, and Serbia. (European Commission, 2017). Even if Turkey has geographical limitation for the status of refugees, non-Europeans can still benefit from temporary protection and refugee status with the condition of resettling in a third country. For third criticism, Turkey announces its principle of nonrefoulement which signals refugees would not be sent back to their countries where there is a threat to refugees' life. The fight between Kurdish fighters and army force of Turkey may impose some threats to refugees or local people who live in those conflict areas but still, this conflict does not cause to further migration flow. In other words, Turkey is not a country that produces its own refugees currently which is one of the main criteria for UN to be regarded as a safe country.

(İçduygu & Millet, 2016, p. 6) Declaration Turkey as a safe country enabled the EU to negotiate the refugee deal with Turkey because the EU cannot send refugees to a country which has life threatening conditions. The EU can send refugees to safe third countries under the Geneva Convention.

In Turkey numerous camps have established for refugees, 25 refugee camps- including 16 tent and 6 containers camps- throughout southern border of itself were established. Even though there are many refugee camps but still there is no place for ever Syrian in Turkey in those camps. As mentioned earlier there are more than 3 million Syrians in Turkey. Nearly one tenth of all refugees just live in camps and rest of them live outside of the camps others are distributed almost every city of Turkey.

Table 5:

Number of refugees in camps and outside of camps in Turkey
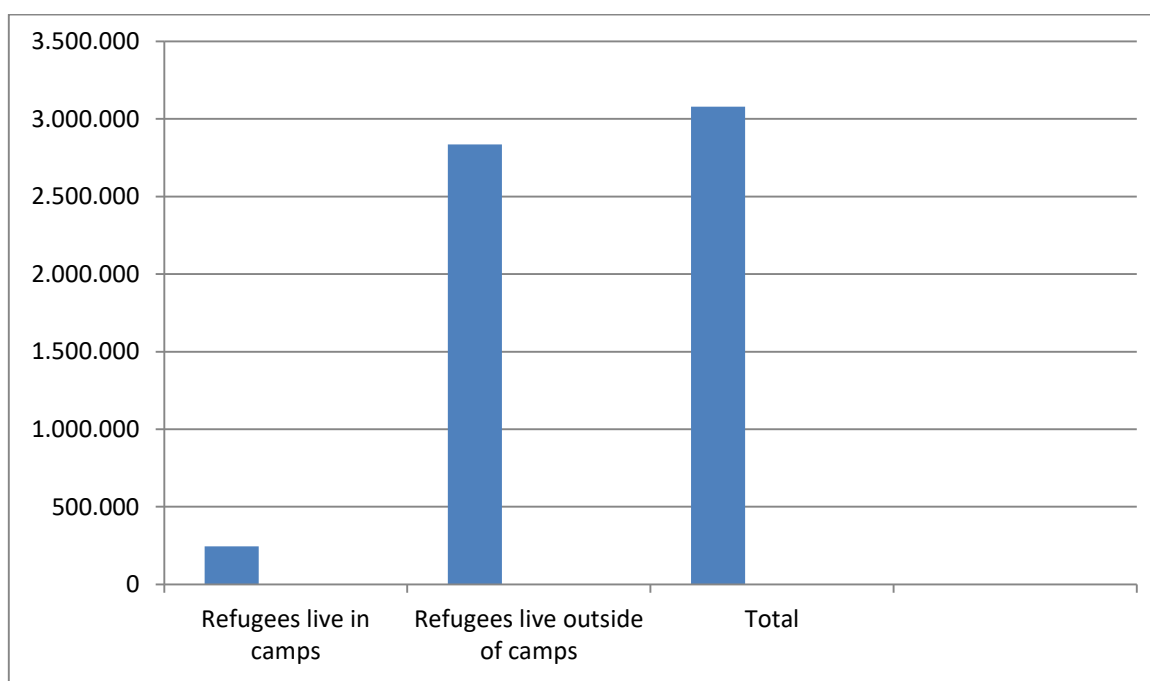
Source: Göç İdaresi, 2017

Table 6:

Refugees in the camps of different cities in Turkey (23 camps in 10 cities)

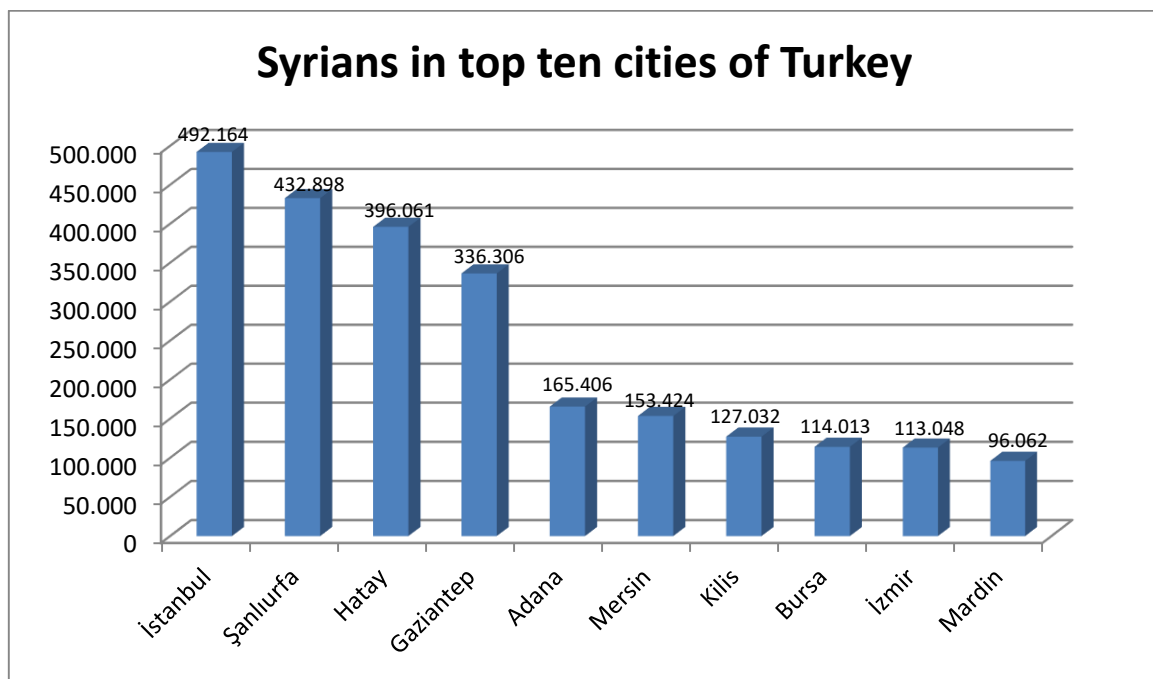| Şanlıurfa	99.733
Gaziantep	37.678

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Kilis	32.396
Kahramanmaraş	18.450
Mardin	2.738
Hatay	18.370
Adana	637
Adıyaman	9.490
Osmaniye	13.335
Malatya	10.112
Total	242.879
Syrians outside of camps	2.760.111
Total Syrians in Turkey	3.088.061

Source: Göç İdaresi, 2017

Refugees in the camps are under regulation of states authorities. The government can collect the information about refugees and can provide basic services more easily. Legal frameworks- laws and regulations provide some opportunities to benefit of refugees. The Regulation on Temporary Protection offers some working permits for refugees. Not just refugees in the camps, refugees who live outside of those camps also can benefit from these legal regulations. In order to benefit from this permit, Syrian must register to the Turkish government's Disaster and Emergency Management Agency (AFAD) in which city they live in. After they register, they would get an identity card (or kimlik in Turkish) by using this card they can get access to social services. If refugees want to move another city in Turkey, they need to cancel their identity card and they need to apply for a new card in which city they moved. According to Mazlumder –an Islamic human rights organization that provides legal support for Syrians, there are some major concerns among Syrians about this identity card. Syrians do not feel free in terms of their mobilization. Syrians think that information collected with identity card can be used for their deportation to Syria and can be used against refugees when they apply for asylum to Europe. (Baban, et al.,2017, p. 49). These regulations and concerns of Syrian imply that they do not feel secured in Turkey. It can be one of the reasons why they want to go Europe. Unlike Turkey, they would have a legal status provide legal services. It is voiced by a Syrian lawyer: 'According to Turkish law, I am not even a

refugee in Turkey, I am a guest, I do not even have the rights of a refugee here'. (Baban et al.,2017, p. 45). The feeling of insecurity may be one of the causes that Syrians' migration to Europe. With existing laws and regulations Turkey provides protection but for the short term. As the name suggests it is a 'temporal protection'. Major problems about Syrians rise from those who do not live in these camps. They are not under the control and regulations of the state and they are high in numbers compared to the ones living in the camps.
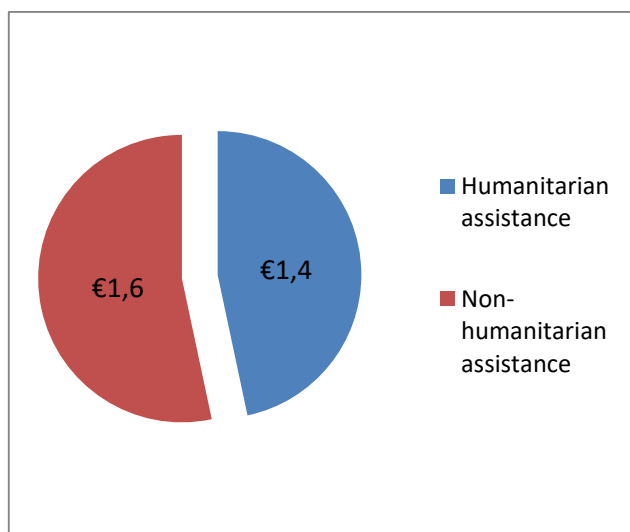
Table 7:

Syrians in top ten cities of Turkey

City	Number
İstanbul	492.164
Şanlıurfa	432.898
Hatay	396.061
Gaziantep	336.306
Adana	165.406
Mersin	153.424
Kilis	127.032
Bursa	114.013
İzmir	113.048
Mardin	96.062

Source: Göç İdaresi, 2017

Addition to Turkey's funding for refugees, the EU also provides funds for refugee both as declared with the refugee deal- as €3 billion and projects. As of June 2017, 48 projects were contracted worth more than €1.6 billion out of which €811 million has been disbursed. (European Commission,2017). Moreover, in the refugee deal, the EU determined how €3 billion would be spent on humanitarian and non-humanitarian assistance for refugees. Because spending of funds is as equal as important providing funds. Allocations of funds- especially on non-humanitarian assistance for refugee can create permanent solutions to

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prevent the influx of refugees to Europe for the long run. Therefore providing financial assistance for refugees can also generate both short and long term solutions to the crisis.
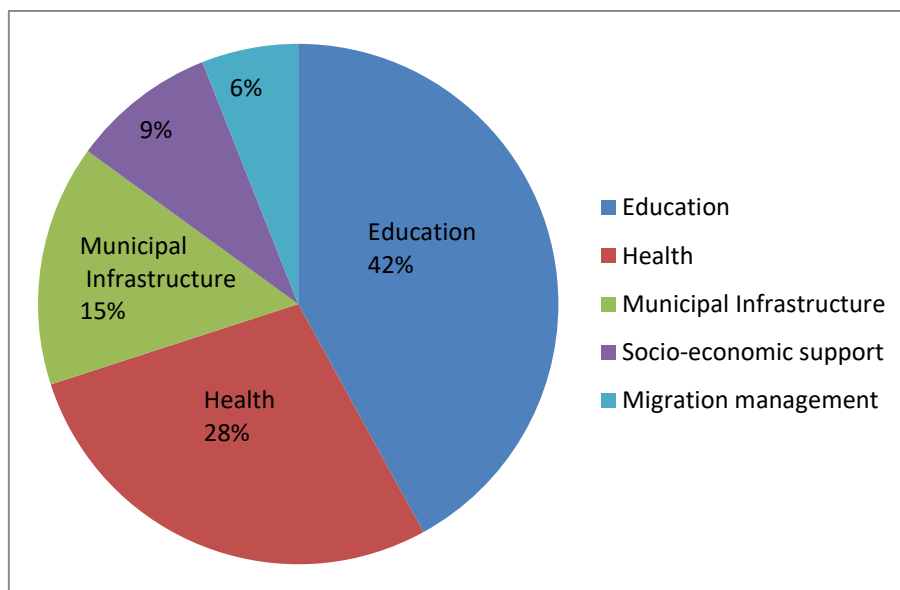
Table 8:

Distribution of €3 billion

Source: European Commission, 2017,p.7

Table 9:

Non-humanitarian assistance

Source: European Commission, 2017,p.10

Outsourcing basic needs of refugees is crucial but it is not adequate that can cover for all refugees. Some of refugees work in local jobs where they live in. An economic initiative

by refugees is the Syrian Economic Forum (SEF) which is a think tank that tried to establish economic opportunities for Syrian refugees in Gaziantep region. The production will be 85 % tax-free and produced for export outside of Turkey. The motivation behind this idea is to increase legal Syrian labor in the market and encourage them for further economic initiatives. A representative of SEF expressed their notions about the think tank. He said 'we do not need money from them. We need them to start work. When they start work that means our people work.' He added that because each of us has ten more people behind himself, employment of one would save at least half million people from food basket given every month. (Baban, et al.,2017, p. 52). It seems that establishing their own business is more substantial for some refugees. Establishing their own business can also integrate them into society more effectively because they would communicate with local people more legally and refugees can benefit from these economic initiatives both socially and economically.

Concluding Remarks

Syrian refugee crisis proved that the solution to the crisis should come from the cooperation of different actors. It is a problem of not just host countries but also countries neighboring these host countries. Syrian refugee crisis changed the accustomed understanding of migration pattern. Back then in other refugee crisis, it was seen that refugees were more prone to settle in the areas close to their homeland especially during Cold War according to the study of Zolberg, Suhrke, and Aguayo. The close settlement type was done because of socio cultural familiarity, political activism and hope for quick repatriation. (Erder, 2016, p.120). However, the move of Syrian refugees towards Europe indicates that they do not intend to return their home not at least in the near future. Turkey as being the main recipient of refugees and as having historical relations with the region, according to İçduygu and Millet Turkey should change its migration policy for long term successful integrations. Turkey could remove geographical limitation under 1951 Convention and could remove the principle of 'Turkish descent and culture' from the Settlement Law. Otherwise, the current situation of Turkey would create more problems for integration of Syrians. (İçduygu & Millet, 2016, p. 7). Turkey should change its migration policy due to changes in modern migration trends. Adoptions of the new law would facilitate integration in Turkey and would be profitable both for its economy and society.

Chapter 4.

The Deal between the EU-Turkey

Some of the refugees who do not want to stay in host countries such as Turkey, Lebanon, Jordan change places and cause further migration influx. The target of the second migration is mainly Europe. Because some of them want to reach Europe, there is a major refugee influx to Europe. Turkey, as discussed previously, seems to be a transition country for refugees after refugees have entered into Turkey they use two routes to reach Europe. The first route is the land route, which is in between the Thrace region of Turkey and two member states of the EU: Bulgaria and Greece. The second route is sea route. Refugees have been using small boats to get Greek islands in the Aegean Sea. The sea route is dangerous because boats are not well equipped and human smugglers have placed more refugees on these boats than boat's capacity. That is the reason why some of the refugees died in the Aegean Sea. Dying refugees in the Aegean and Mediterranean seas led to many criticisms against Europe and host countries. Especially the lack of a common refugee policy in the EU has increased criticism regarding the high number of Syrians in European territory and also in terms humanitarian concerns. Soon it became clearer that solution to such a comprehensive refugee crisis should be found with the cooperation of countries. The lack of a common migration policy became undeniable during 2015 crisis. Since all member states are not willing to accept Syrian refugees, other member states which are ready to accept refugees initiated the process of a solution for the crisis. Therefore the refugee deal between the EU and Turkey is the product of a new policy of the EU which is outsourcing a current problem with a third country which has a gain to be taken out of the deal. The refugee crisis is a humanitarian crisis also but for the EU and Turkey, it is a real life problem that the solution came with collaboration. This chapter is the refugee deal which is the outcome of negotiation between the EU and Turkey. The main focus of this research is the impact of the refugee deal on the influx of refugees to Europe. In orders words, the relation between the deal and cross-bordering between the EU and Turkey is measured. In order to find the relation between the deal and the number of cross bordering refugees, data have taken from European Stability Initiative and the Migration Authority in Turkey.

4.1.The EU' s policies

When the European Council met in Brussels on 23 April 2015, it was right the aftermath of a deadly shipwreck in the Mediterranean Sea. More than 800 hundred people died in one boat. (Carrera at all., 2015, p.3) The situation of Syrian refugees either in terms of their living conditions in host countries or their long journey to reach Europe and even dying on the way to Europe raised many criticisms against the EU. In 2015, asylum applications to Europe exceed 1.2 million for the first time.

Table 10: Asylum application to Europe
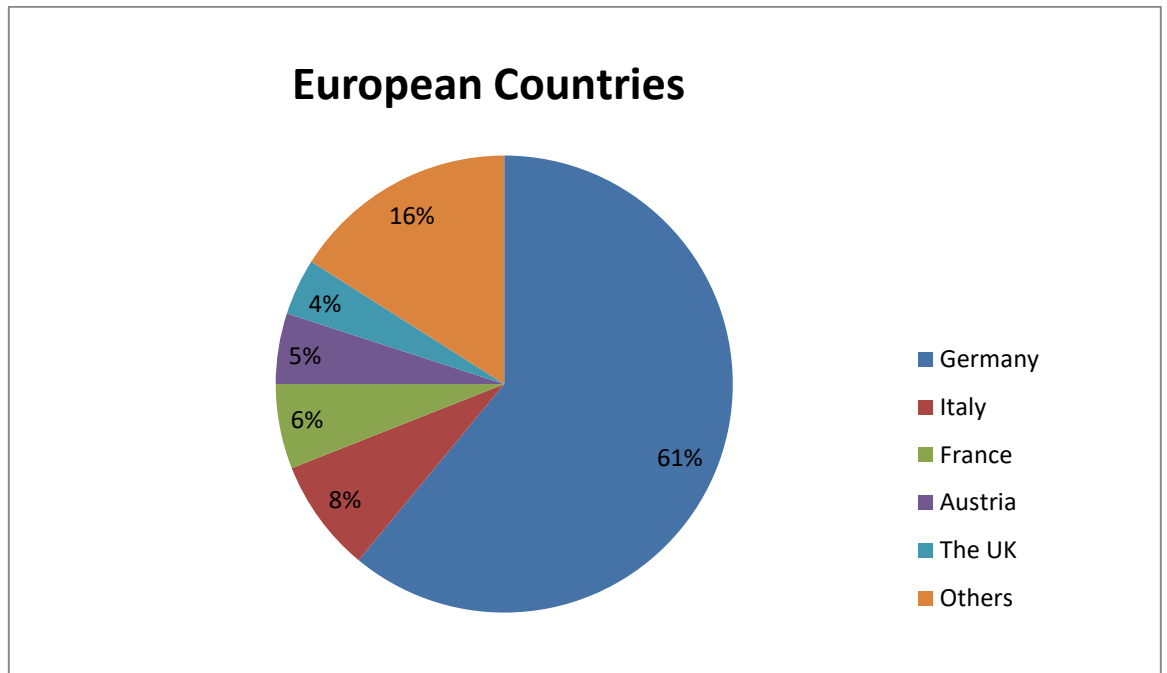
Source: Bordignon & Moriconi, 2017, p.6

According to Eurostat (2017), Germany (61%) is the main recipient of asylum applications followed by Italy (8%), France (6%), Austria (5%) and the United Kingdom (4%). These five countries receive 80 % of all asylum applications. (Bordignon & Moriconi, 2017, p.6). While the member states have received the bulk of asylum and refugee applications, there are significant differences between these countries regarding the processing of these applications. Germany grants refugee status to most of the asylum applicants under its obligation to Geneva Convention whereas in Italy, France and Austria, subsidiary protection status which means that they do not have refugee status but considered to face a real life risk in the case of returning home, is given to 9-12 % of all applicants. In

the United Kingdom, humanitarian status is granted to 5 % of applicants. It means that status is given for humanitarian reasons. (Bordignon & Moriconi, 2017, p.2). As member states differ in terms of their policies against refugee, it is clear the EU does not have a common policy with regard to the legal status of refugees in the union. According to Carrera and Guild, member states still think that migration and asylum policies are domestic issues and to what extent they are willing to give their authority to supranational institutions is not clear. (Carrera& Guild, 2017). In his speech Viktor Orban, the Prime Minister of Hungary said that '*Hungary does not need a single migrant for the economy to work, or the population to sustain itself, or for the country to have a future. This is why there is no need for a common European migration policy: whoever needs migrants can take them, but don't force them on us, we don't need them*'. (The Guardian, 2016). The ideas of the opposition in the EU against refugee can be seen clearly in the speech of Orban. These opposition countries oppose a common policy which would be imposed by the EU for member states. They regard such migration policy as internal policies of themselves. The problem of sovereignty not only is voiced and exaggerated by populist, right-wing political parties (Bordignon & Moriconi, 2017, p.2-3) but also these parties paved the way of attacks on migrants and foreigners, which contradict with liberal values of Europe. (Kirişçi, 2016, p.1). Therefore the EU has taken some initiatives that would create a collective solution to the problems and to protect liberal values of the EU which would overcome exaggerated arguments of the populist, right-wing political parties. In May 2015, the European Commission adopted European Migration Agenda which includes six immediate (short-term) policy actions:

1) A temporary and emergency-driven relocation mechanism for asylum-seekers within the EU for those member states confronting higher influx, based on a new redistribution key criteria for determining responsibility for assessing asylum applications; and the presentation of a legislative initiative for a permanent system before the end of 2015

2) A relocation mechanism for 20,000 refugees from outside the EU, and an extra €50 million budget 2015-16 to support this scheme

3) Tripling the capacities and budget of the EU External Border Agency (Frontex) joint border control and surveillance operations in the Mediterranean (called 'Triton' and 'Poseidon')

4) Increasing emergency funding to frontline EU member states by €60 million, and setting up a new 'hotspot approach' in which EU home affairs agencies like Frontex, Europol and the European Asylum Support Office (EASO) would work on the ground to support 'front line' member states in identifying, registering and fingerprinting migrants

5) Strengthening Europol's joint maritime information operation in the Mediterranean to deal with migrants' smuggling via CEPOL (European Police College)

6) Establishing a Common Security and Defense Policy (CSDP) Operation in the Mediterranean to dismantle traffickers' networks and the 'business model' of smugglers, so as to identify, capture and destroy vessels used by smugglers.

In addition to these six 'immediate' policy actions, the European Migration Agenda introduced four main pillars of medium term policies such as reducing the incentives for irregular migration, border management- saving lives and securing external borders, Europe's duty to protect- a strong common asylum policy and a legal policy on migration.(Carreta at all., 2015, p. 4). The introduction of these short and medium term policies of EMA indicates that the EU wants to enhance its purposes -of prevention of further migration and integration of already existing ones- with some policies. The purpose behind these short and medium goals became visible in three significant policy instruments. These instruments are temporal relocation, hotspots, and safe third countries. These instruments were mentioned in the policy action of the EMA such as relocation, hotspots approach and funds are for frontline member states. According to Carreta and Guild, the temporal relocation is one of the most controversial ideas about redistribution of asylum-seekers between member states. (Carreta& Guild, 2015). It can be said that temporal relocation is not a new phenomenon but a revised version of EU's Dublin system. The Dublin Regulation is significant regarding registration of refugees. The Dublin Regulation is based on the idea of first- country-of-entry, which proposes that asylum application is under the responsibility of the member state which refugees enter first in the EU. The relocation system is different than the Dublin Regulation because refugees would be distributed to other member states in relocation system. The distribution would be done due to some features of member states such as GDP, population, unemployment.

Table 11:

Refugees resettled in the EU 2010-2015, by country and year

	2010	2011	2012	2013	2014	2015	TOTAL
EU 28 total	4,925	4,050	4,945	4,905	6,550	8,155	33,530
Sweden	1,790	1,620	1,680	1,820	2,045	1,850	10,805
UK	720	455	1,040	965	785	1,865	5,830
Finland	545	585	730	675	1,090	1,005	4,630
Netherlands	430	540	430	310	790	450	2,950
Denmark	355	475	480	575	370	450	2,705
Germany	525	145	305	280	280	510	2,045
France	360	130	100	90	450	620	1,750
Austria	0	0	0	0	390	760	1,150
Ireland	20	45	50	85	95	175	470
Belgium	:	25	0	100	35	275	435
Spain	:	:	80	0	125	0	205
Italy	55	0	0	0	0	95	150
Portugal	35	30	15	0	15	40	135
Luxemburg	5	0	0	0	30	45	80
Romania	40	0	0	0	40	0	80
Czech Rep.	40	0	25	0	0	0	65
Hungary	:	0	0	0	10	5	15
Lithuania	:	0	5	0	0	5	10
Bulgaria	:	:	0	0	0	0	0
Croatia	:	:	:	0	0	0	0
Cyprus	0	:	:	0	0	0	0
Estonia	0	0	0	0	0	0	0
Greece	:	0	0	0	0	0	0
Latvia	0	0	0	0	0	0	0
Malta	0	0	0	0	0	0	0
Poland	:	:	0	0	0	0	0
Slovakia	0	0	0	0	0	0	0

Slovenia	0	0	0	0	0	0	0
Norway	1,095	1,270	1,230	955	1,285	2,375	8,210
Switzerland	0	0	0	0	0	610	610
Iceland	5	0	10	0	10	15	40
Liechtenstein	:	0	0	0	5	20	25

Source: European Stability Initiative

As table 11 shows the number of resettled refugees, it is clear that northern Europe is more hospitable compared to central and Eastern Europe. Even some of them did not accept any refugees over five years such as Bulgaria, Croatia, Cyprus, Greece so on. Despite some members, states are more active in relocation such as Sweden, Finland, Luxemburg, France and Germany, relocation of 160.000 asylum-seekers would take more than 750 years. (Carreta at all., 2015, p. 3-4). In order to increase the speed of relocation of migrants, in July 2015, member states decide to increase the number of resettlement on a voluntary based between 27 member states (except Hungary which did not offer any places). In return of resettlement, member states will receive 6,000 Euro per resettled refugee (or 10,000 in some special case). Additional and latest numbers of resettled refugees throughout the EU:

Table 12:

Resettlement from mid-2015 until 5 December 2016

Country	Resettled	Pledge	Main countries of departure
UK	2,200(+1,239)	2,200	Jordan, Lebanon, Turkey, Egypt, Iraq
France	1,739	2,375	Turkey, Lebanon, Jordan
Austria	1,501	1,900	Lebanon, Jordan, Turkey
Germany	1,060	1,600	Turkey
Netherlands	803	1,000	Turkey, Lebanon, Kenya
Italy	631	1,989	Lebanon, Turkey, Jordan, Egypt
Belgium	569	1,100	Lebanon, Turkey, Jordan, Egypt
Ireland	500	520	Lebanon
Sweden	491(+1,900)	491	Turkey, Sudan, Kenya
Denmark	481	1,000	Lebanon, Uganda

Finland	293(+140)	293	Lebanon, Turkey, Egypt
Spain	289	1,449	Lebanon, Turkey
Czech Rep.	52	400	Lebanon, Jordan
Lithuania	25	70	Turkey
Portugal	12(+39)	191	Turkey
Estonia	11	20	Turkey
Latvia	6	50	Turkey
Luxemburg	0 (+52)	30	Turkey
Poland	0	900	-
Greece	0	354	-
Croatia	0	150	-
Slovakia	0	100	-
Romania	0	80	-
Cyprus	0	69	-
Bulgaria	0	50	-
Slovenia	0	20	-
Malta	0	14	-
Hungary	0	0	-
EU 28 TOTAL	10, 663(+3,370)	18, 415	-
Norway	2,635	3,500	Lebanon, Turkey, Jordan
Switzerland	519	519	Lebanon, Syria
Iceland	50(+6)	50	Lebanon
Liechtenstein	20	20	Turkey
OVERALL	13,887(+3,376)	22,504	Including 2,761 from Turkey

Note: The numbers in brackets are resettlements under national schemes, outside the resettlements agreed in July 2015.

Source: European Stability Initiative

Both tables show the number of resettled refugees however the numbers are low compared to the promise of the relocation of 160,000 refugees in the first place. Tables are

evidence for a revision of the Dublin, because, relocation system relieved the burden of frontline member states such as Greece and Italy. In other words, with relation system, the burden of responsibility between member states has become equal compared to the Dublin Regulation, which put a front line or first country of entry under the responsibility of processing of refugees.

Second, hot spots policy is part of immediate action or policy of the EU against migration pressure at the frontline member states- external borders of the EU. In a hotspot, the European Asylum Support Office (EASO), EU Border Agency (FRONTEX), EU Police Cooperation Agency (EUROPOL) and EU Judicial Cooperation Agency (EUROJUST) will work with the authorities of frontline member states to help these countries to fulfill their obligations under EU law. In these spots identity information, registration and fingerprints of migrants would be collected and they would be used for temporal relocation of these migrants. Every institution in a hotspot has a separate task to serve. In EASO, asylum seekers who need protection will be processed immediately, in Frontex the return of illegal migrants will be processed. Europol and Eurojust will help host country against human trafficking and smuggling. In Italy, hotspot areas are in Augusta, Lampedusa, Porte Empedocle, Pozzallo, and Taranto, and Trapani likewise hotspot areas in Greece are Lesvos, Chios, Leros, Samos, and Kos. (Carreta at all., 2015,p. 7). Lastly, safe third countries became more crucial compared to two previous instruments. The EU starts to cooperate with these safe third countries so that asylum-seeker would stay in these countries and they would not go for Europe. One of these safe third countries is Turkey. The EU has increased its negotiations with Turkey in order to find a collective solution to the refugee crisis. The EU is trying to find a solution to refugee crisis with various ways. The union has developed not only internal policies such as relocation and hotspots but also external policies such as mobility partnerships and the readmission agreement as the agreement with Turkey. Mobility Partnerships indicate that the EU has tried to decrease the number of migrants for a long period of time. Therefore, the refugee deal with Turkey is not a new policy implementation but an additional policy of previous ones.

The Migration Partnership Framework has been implemented to strengthen the EU in order to deal with managing migration. They were introduced in 2007. These are special agreements of the EU with third countries which make certain commitments for prevention

of illegal migration. In return, the EU makes commitments in four areas that the EU will improve opportunities for nationals of the third country, to assist third countries to develop their capacity to manage migration, to measures to address the risk of brain drain and promote circular migration and to improve the procedures for issuing visas to nationals of the third country. Pilot partnerships were done with Moldova and Cape Verde and Georgia. (Reslow, 2012, p. 224). The Framework includes two important notions: the need for shared control of the external borders of the EU and for harmonized treatment of asylum requests. The Asylum Procedures Directive and the European Border and Coast Guard Agency established due to these two notions. These agencies would checks applications in Schengen area in crisis situations.

4.2. The Refugee Deal Between the EU- Turkey

Turkey has been an important player in dealing with the refugee crisis because of its geographical location. It is close to the EU- main recipient countries of the migrant flow and Syria- the main sender of the migrants. Since 2011, Turkey is faced with its own substantial flow of refugees, mostly came from Syria and found itself as a host country for Syrian refugees. There are more than3 million refugees in Turkey, which makes Turkey first among other host countries such as Lebanon, Jordan and Egypt and Iraq. Such huge migration influx creates many different problems for host countries. Accommodation, education, health and working rights are more visible problems among many others. The situation of refugees in Turkey is quite different than other host countries. In Turkey, most of the refugees live outside of refugee camps. One tenth of all refugee lives inside of camps (244. 609), others (2.835.305) live outside of camps in different cities of Turkey. The situation of refugees who do not live in the refugee camps is problematic because they are not under control of the legal authorities and they are more vulnerable to illegal treatments. Moreover, the situation of refugees becomes more complex in legally terms with international treaties Turkey signed. Turkey is a signatory to the 1951 Convention with a geographical limitation. Turkey grants refugee status to European migrants. Non-European migrants are granted with temporal protection. Turkey has always favored 'Turkish descent and culture' in its migration policy. Restrictions of refugee status are determined by descent and culture principle. European

migrant who seems eligible would be given refugee status whereas non-European migrants would be granted with temporary protection and would be resettled in third countries. (İçduygu, 2015, p. 5). That is the reason why Syrian refugees are not granted refugee status. It makes lives of refugees even harder because Syrian refugees do not have refugee status they cannot apply for jobs and their residence permit is also limited. Syrian refugees are under the responsibility of Law of Foreigners and International Protection Act (LFIP) which was passed in 2013 and the law was detailed with a further directive in 2014, Directive of Regulation on Temporary Protection. The law and its addition are detailed in the third chapter. Even if Turkey implements 'open door policy' towards Syrian refugees, they still have fear of refoulment. To not have any legal protection title as refugee or asylum seeker makes Syrian uncomfortable. Temporary protection under the law does not provide a guarantee for refugees. Uncertainty in Turkey's policies is one of the causes that led refugees to seek illegal ways in order to reach Europe. Similar to many other NGO reports, Baban and his colleagues interviewed refugees and they found out that restrictive framework and vagueness in Turkey in terms of their legal status is one of the major reasons that refugees migrate to Europe to get refugee status even if the route is dangerous. (Baban et al., 2016, p.317). As it is depicted in table 6, most of the refugees see Turkey as a transition country. Once they entered Turkey, they use two routes to go to the Europe. One is the land route by passing through border check-point in Edirne, the other one is sea route which is most dangerous one, which has caused the death of many refugees. In the end of 2015, refugee crisis has become a major problem for the EU because refugees reached Europe has been highest in the history of the EU.

Table 13:

Crossing of Greek-Turkey land and sea borders 2007-2016

Year	Crossing of all Greek-Turkish Borders	Of those, by sea	Of those, by land
2007	33,600	16,800	16,800
2008	44,600	30,100	14,500
2009	36,500	27,700	8,800
2010	53,300	6,200	47,100

2011	56,000	1,000	55,000
2012	34,100	3,700	30,400
2013	12,600	11,400	1,100
2014	45,400	43,500	1,900
2015	876,200	872,500	3,700
2016	182,500	174,400 (Jan.- Nov.)	3,100 (Jan.-Nov.)

Source: European Stability Initiative

Germany as being the member state which received most of the asylum applications which are shown in table 10, started to take some practical solution to this crisis. Since member states could not come up with a common policy or solution to the refugee crisis and the numbers of people has been increasing. In order to decrease refugee flow to Europe and also to prevent further deaths of migrants on the way to reach Europe, Merkel, the chancellor of Germany, constantly expressed the importance of coordination with Turkey. Turkey has more than 3 million of Syrians and it is the only host country which has the land border with the EU. The numbers of Syrians who used land route fluctuated by big differences however the number of Syrians who used sea route increased and reached at highest in 2015 so does deaths of migrants. Therefore, Germany took initiative and started to the negotiations with Prime Minister Ahmet Davutoğlu. 'Bilateral Strategic Consultation' meeting held in Berlin in January (2016), and a tentative plan to deal with refugee crisis was formulated during Merkel's visit to Ankara on 8 February 2016. Even if Germany initiated the deal, previously EU-Turkey Joint Action Plan was announced by the Commission in 2015 and it was confirmed by the Council. All efforts to find a collective solution to the crisis were followed by the EU-Turkey deal on 16 March 2016. According to deal, The EU pledged to provide 3 billion Euro for Turkey in 2016 and 2017- 1 billion would be financed by the EU budget and 2 billion Euro would be financed by member states. The second aim of the EU is to support Turkey in combating migrant smuggling and irregular migration in order to decrease the number of refugees who reach Europe. In exchange, Turkey would accept 'all new irregular migrants' to Turkey as of 20 March 2016. It is called one-to-one initiative. The EU would send refugees without authorized register back to Turkey in exchange member states would

resettle one Syrian from Turkey. Second, the EU would weaken restrictions on visas of Turkish Nationals and re-energizing the accession process with Turkey. (Heijer et al.,2016, p. 23-4). Also, Turkey promised to open its labor market to Syrian refugees increase the restriction on new possible routes from Turkey to the EU. (Baban, et al.2016, p.316).

Table 14:

The exit of Syrian refugees after one-to-one initiative

Countries	Total
Totals	7,059
Germany	2,528
Netherlands	1,606
France	850
Finland	532
Belgium	489
Sweden	451
Italy	233
Spain	174
Luxemburg	98
Latvia	30
Lithuania	25
Estonia	20
Portuguese	12
Romania	11

Source: Göç İdares, 2017

Table 14 shows the latest number of refugees who have been resettled by one-to-one initiative agreement. The agreement seems to be successful because it reduced the number of cross bordered refugees between the EU and Turkey. As the data shows, the numbers of cross bordering refugees dropped dramatically. The total refugees who reached Europe after the deal in nine months are almost seven times lower than compared to first three months before

the deal. Over all refugees reached Europe in 2016 are low compared to the numbers in 2015 which is almost 1 million.

Table 15:

Arrivals by sea in Greece in 2016, by month

Months	Arrivals	Totals
January	67,415	
February	57, 066	Jan.-March:
March	26,971	151,452
April	3,650	
May	1,721	
June	1,554	
July	1,920	April- Dec.:
August	3,447	21,995
September	3,080	
October	2,970	
November	1,991	
December	1,662	
TOTAL	173,447	173,447
TOTAL(2015)	856,723	

Source: European Stability Initiative

One of the purposes behind the deal is to decrease the number of refugees in Europe –preventing further migration. In that manner the refugee deal is successful but the problem is about the ones (refugees) managed to reach Europe despite the agreement. Because refugees still migrate to Europe and their living conditions and legal status has become a big problem in international politics. An important point that should not be forgotten about the refugee is the death of some of them in the Mediterranean Sea. The deal served its basic purpose, it decreased the number of refugees in Europe but it does not decrease the death of refugees.

Table 16:

Deaths in the Mediterranean 2015 and 2016

	Eastern Med. Route (Greece)	Central Med. Route (Italy)
2015 arrivals	885,400	154,000
2015 deaths	806 *(0.1%)*	2,869 *(1.9%)*
2016 arrivals	182,500	181,000
2016 deaths	434 *(0.2%)*	4,579 *(2.5%)*

Source: European Stability Initiative

Even if the number decreased drastically from 2015 to 2016 in Eastern Mediterranean, the number of refugees who use the Central Mediterranean route increased. Unfortunately, the rate of death of some refugees increased in both routes-the Eastern Mediterranean and the Central Mediterranean- from 2015 to 2016. Two implications can be drawn from this data. First migration route of refugee has switched from the eastern to the central route. After the deal, more refugees have started to use the central route which caused an increase in the death of refugees. The second implication is that refugees continued to migrate, Europe despite the deal and deadly route of the Central Mediterranean route. The deal seems to be disregarding the humanitarian concerns about refugees rather it serves material concerns of parts which have gained out of the deal.

Concluding Remarks

Refugee crisis and different policies of member states against crisis proved that the EU has not achieved an integrated migration policy. Separate policies of member states increased criticism against the EU because many refugees died on the way to the EU. Because the EU, which is bounded by 1951 Convention, should protect war wearies such as Syrians who escaped from a civil war. Member states' different policies may come from their varied understanding of societal perception. Some of them might see refugees as cultural richness for their nations but some might see refugee as detrimental for their economies and society. In general, continental European and Nordic countries such as Germany, Switzerland, Denmark and Finland, and Sweden have a positive approach against migrants whereas southern and central eastern countries such as Greece, Cyprus, Czech Republic and Latvia,

and Slovakia has a negative approach for migrants. (Bordignon & Moriconi, 2017, pp.7-8). Therefore the agreement between Turkey and the EU is crucial in terms of elimination of populist, right wing xenophobic arguments of rightist political parties as it is mentioned above. For Kirişçi, it was liberal Europe that accepted refugees and Turkey has an interest in protecting this liberal Europe against rising Islamophobia. (Kirişçi, 2016, p.3). Additionally, the deal is important for Turkey for the purpose of decreasing Islamophobia in Europe since Kirişçi reminds that it can be beneficial for Turkey, in the long run, to cooperate with liberal Europe for these two purposes- to decrease Islamophobia and to cooperate for refugees. Member states' separate approaches can be seen clearly from both table 11-first resettlement and table 12-voluntary resettlement of refugees. Their different perception became visible during discussions for a common refugee policy and the outcome was not satisfying. Before the refuge deal between the EU and Turkey in February 2016, a meeting held in between Croatia, Slovenia, Austria (Bulgaria as an observer) and with 'the Western Balkans' (Albania, Macedonia, Kosovo, Montenegro, Serbia and Bosnia & Herzegovina). The meeting was about border closure and less emphasis on refugee rights. The other conclusion of the meeting was 'it is not possible to process unlimited numbers of migrants and applications for asylum'. They were clearly rejecting the notion of Merkel 'We can do it' and they neglected the EU framework. (Heijer, 2016, p. 25). As Kirişçi claims in early 2016, Germany and Turkey need to cooperate with bilateral agreements rather than wait for a collective consensus from Brussels. He further claims that rather than a collective resettlement as the whole EU, they should collaborate with a group of 'willing countries'. (Kirişçi, 2016, p. 3). He has foreseen the agreement between the EU –Turkey which is actually the product of Germany's bilateral agreements with Turkey. Germany has been aware of the longer solution takes the more it will cost for the EU because a joint policy of borders, pooling of resources and common rules for asylum seekers are necessary conditions to prevent opportunistic behaviors of the member states. (Bordignon & Moriconi, 2017, p.3). Common policies have been implemented on the behalf of protection of liberal Europe and integration of Europe by preventing opportunistic behaviors of member states.

CONCLUSION

Syrian refugees have become a problem includes many states. Because they are high in number as explained previously, providing services to all of them on an equal basis is not achievable in the current situation. Refugees are dispersed to various countries, so every country imposes its own national refugee policy. That is the reason why from humanitarian aids to the legal status of refugees almost all aspects of refugees' lives change from one country to the other. As the situation of refugees gets more complex over time, a common solution to the crisis withdraws. First, the member states in the EU applied their own national policies but it seemed that these policies could not produce a durable solution to the crisis then common policies at the union level were developed such as resettlement of refugees and hotspots. As the crisis continued, it became clearer that the EU still suffers from the lack of

a common migration policy. In order to prevent deepening of the crisis, the EU started bilateral negotiations with other countries such as Turkey regarding its new policy of outsourcing its lacking institutional mechanism. The refugee deal between the EU and Turkey is the outcome of the negotiations between the EU and Turkey.

The deal seemed to be successful in the following months. But the question arises from the quota of the deal. According to the deal, the EU is going to accept maximum 72,000 refugees from Turkey under the one-to-one initiative.(Baban et.al, 2017, p.43). When the numbers of refugees both in the EU and Turkey mentioned above are considered, the quota of the deal is low. The situation of other refugees who cannot benefit from the deal is problematic. The policies of the EU for them the ones cannot benefit from the deal is not clear. It is considered that refugees would not return to their homeland in near future. Because of the ongoing war, even the war ends the structuring of the country would take some time. Therefore, the return of refugees can take longer than it is predicted. Due to the analysis made in previous chapters a policy for the integration of refugees, in the long run, does not seem to be on current agenda of the EU. Another point needs to be highlighted is the position of member states. Even if there is a refugee deal as a union policy, member states are still persistent in their own policies. On the one side, there are member states which are in favor of accepting refugees-Germany; on the other side, there are eastern European countries which reject open door policy of the union. The point disregarded by opposing member states is that Europe will need migrants in the future. Europe has low birth rate and an expanding economy which demands more labor supply. As explained in the first chapter, migrants are crucial both for the economy and aging society of Europe.

Currently, the debate over the refugee crisis is still ongoing. It seems that it will not end unless the refugee influx stops. These discussions are not new for the EU. Apparently, it is believed that -intergovernmental bargaining between states with diverging preferences and spillovers arising from incomplete agreements are two typical features of EU policies. (Scipioni, 2017,p.4). It means that intergovernmental bargaining principle with diverging preferences of the member states prepares the ground for further negotiation in order to increase integration within the EU. As mentioned before, Europe is facing a refugee crisis that has not been experienced since WWII. The refugee crisis is a new topic for the EU to

deal with. If they succeed to overcome the current problem, they can produce better solutions for future crisis. The integration process of the EU is about filling the gaps came from previous policies. That is why it is argued that the current refugee crisis could pave the way of a common refugee policy for the EU in the future.

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