

A Troubled Frontier:

Understanding the Migrant Crisis on the Turkish-Greek Border

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(Belal Khaled / TRTWorld)

On February 27, 2020, after Syrian regime airstrikes resulted in the death of 34 Turkish soldiers, Turkey announced that it would no longer stop migrants seeking to go to Europe. This has resulted in a wave of asylum seekers at Turkey's border with Greece. This announcement didn't come out of blue. It is a result of ongoing unease within Turkey regarding the refugee crisis. This policy outlook examines the motive of all three parties - Turkey, the refugees and Greece - to understand how things have unfolded. It provides insights on Turkey's asylum policies and the ongoing EU-Turkey migrant deal, as well as information from the field.

Background

In 2016, a [deal](#) was signed between the European Union (EU) and Turkey to stop the irregular crossing of refugees. In this context, Turkey tightly protected its borders with Europe, effectively [reducing](#) irregular migration from more than one million to a hundred thousand. Despite the deal, Europe has failed to share its part in the refugee crisis.

Turkey is currently hosting [4 million registered asylum seekers and refugees](#), 3.6 million of the refugees are from Syria. The number is expected to increase due to the rising number of Syrian refugees in Idlib who fled from the Syrian regime's bombardment. Although Turkey and Russia agreed to designate Idlib as a de-escalation zone, Russian and regime air strikes have intensified in the region since April 2019. This has led almost a million Syrians to flee towards the Turkish border.

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Why did Turkey act now?

After the so-called migrant crisis in the summer of 2015, the EU and Turkey reached a deal in March 2016 on measures to decrease the tension at the EU's borders. This deal was a part of the EU's "[Agenda on Migration](#)", which prioritises the protection of EU borders by seeking to prevent irregular crossings and contain asylum seekers in borderlands and third countries. In other words, the EU has expanded its border security by outsourcing third countries, such as Turkey, to prohibit irregular migrants and contain asylum seekers in their lands. In return, the EU would provide financial support and would begin to resettle refugees who are registered and examined there. The EU has been following similar border externalization measures with many countries that were preferred for irregular crossings such as [Libya](#) and [Belarus](#). While the EU partners [define](#) these bilateral deals as "strong joint efforts to manage migration in a comprehensive way", many human rights organizations, including the [Red Cross](#), are critical of the policy due to [violation](#) of human rights such as prohibition against refoulement.

As a condition of the deal, Turkey agreed to contain asylum seekers within the country. In return, Turkey would get visa-free travel for Turkish citizens, a fast-track of the long-awaited Turkey's bid for EU membership and most importantly, a 6 billion Euro fund for refugees.

Turkey agreed to receive irregular migrants who migrated from Turkey to the Greek islands, and for each irregular Syrian refugee returned to Turkey, the EU would accept one Syrian asylum seeker whose file is held by the UNHCR. A sharp decrease in the number of people who try to cross to Greece was seen following the agreement. However, the EU failed to do its share. So far, Turkey has spent \$40 billion on the housing and welfare of Syrians, while the EU earmarked [€4.7 billion](#) and disbursed only €3.2 billion.

Significant [investments](#) are made through those funds in the fields of education, housing and welfare. Not only is the fund insufficient compared with what Turkey has already spent, but also the process of receiving the money is slow due to the large bureaucracy behind it. This situation results in delays in the implementation of projects. It has also been criticized that the majority of those funds are channelled through international aid groups that generally subcontract local NGOs. Due to the costs of the implementing partner, much less has been spent on the aid and welfare projects than what was originally intended.

The EU has not only failed in providing the promised money but also dealing with the resettlement of refugees as conditioned by the agreement. Since April 2016, the EU has resettled [25,000](#) Syrians in Europe, 50,000 less than what it has [promised](#). In return, [2,117 people](#) have been sent to Turkey from Greece, and only 394 of them are Syrians. Tens of thousands of asylum seekers have been stranded in Greece for years, waiting for their files to be examined.

In addition to the failures of the EU-Turkey deal, the burden on Turkey is increasing due to the ongoing war in Syria. The regime attacks in Idlib have displaced more Syrians from their homes. Currently, in addition to the 3.6 million Syrians in Turkey, another million have settled in camps next to the Turkish border. Turkish aid groups have been building shelters and distributing humanitarian aid for those who settled in Idlib.

Anticipating the possibility of another refugee wave into the country, Turkey has been stressing the necessity of a safe zone in Idlib to guard the safety of Syrian refugees and allow them to voluntarily return. However, Turkey's plan did not receive the expected support from the EU.

The recent Russian-backed regime airstrikes that resulted in the deaths of 34 Turkish soldiers was the last straw and Turkey announced that it would no longer stop migrants seeking to go to Europe.

Turkey's migration policies and practices

It is important to note that it is not the first time that migrants have used Turkey as base from which to cross into Europe. Since the beginning of the Republic, Turkey has been a route for migrants either as a transit country or a final destination due to its geographical location. Those migrants range from the Balkans and the Caucasus, to eastern neighbours like Iran and Iraq. Turkey's policies have changed and evolved according to their experiences.

From the beginning of the republic to the early 21st century, Turkey has not had an immigration policy bounded by specific legislation. The settlement law (iskan kanunu) has been the primary reference for policymakers to refer to immigrants. This law was originally conceived to enable the settlement of immigrants who were 'descendants of Turkish ethnicity and affiliated with Turkish culture', namely Circassians, Bosniaks, Albanians, Pomaks and Tatars who lived in the Caucasus, Crimea, Balkans and Mediterranean Islands. Turkey is also a signatory of the 1951 Geneva Convention, however it has a geographical limitation. Therefore, while European refugees were recognised legally and entitled to rights such as access to the labour market, travel documents, legal services and real estate purchases, non-European refugees were not recognised legally as "refugees" and were subsequently not entitled with the same rights.

This has resulted in contrasting reactions to mass refugee movements in the late 20th century. In 1989, 350,000 refugees arrived in Turkey from Bulgaria over two months. The mass migration was a result of the severe assimilation policies under the presidency of Todor Zhivkov. The Turkish government managed to have an instant response to thousands of people entering from the borders. With the cooperation of international aid agencies, people were settled to camps in the first place, and free transportation was provided for the ones who have relatives in Turkey. The state arguably managed a successful integration policy. The refugees were provided with furnished homes, allocated lands, and granted credits in a short time frame. Funds were granted to families with children and bureaucratic obstacles to granting citizenship were removed. Refugees who completed secondary degrees were easily integrated into the labour market.

In 1991, more than 500,000 Iraqi refugees had fled to Turkey from Northern Iraq as a result of the Gulf War. The initial reaction of the Turkish republic was quite the opposite of the one towards the refugees from Bulgaria. Turkey did not open its gates for the Iraqi asylum seekers and contained them near the border. When the government faced both national and international [pressure](#), the refugees were settled in camps near the border. They were not

provided with temporary protection law and integration opportunities, and soon the majority of the refugees were repatriated.

In 1994, a [Regulation on Asylum](#) was adopted to grant non-European asylum seekers with a temporary residence permit in Turkey. The outstanding feature of this law was its emphasis on temporality; non-European asylum seekers were only allowed to stay in the country until their case was examined and were subsequently resettled in a third country. If the application was rejected, the failed applicant could either appeal against the first rejection decision within 15 days, or they would be required to leave the country. With this law, unlike the previous practices, Turkey began screening refugee claims with the UNHCR. This law included restrictive conditions for non-European refugees, such as sheltering near the border.

When the Syrian refugee crisis began in 2011, Turkey was undergoing significant changes regarding asylum regulations. When the negotiations on accession to the European Union (EU) started in 2005, revision in migration and asylum regulations was required for harmonisation with EU standards. The first serious step that was taken to develop asylum and migration policies was the [Action Plan on Asylum and Migration](#) that was adopted by the Turkish government to fulfil requirements on border and visa regulations, human trafficking, and other asylum and migration issues. The [Law on Foreigners and International Protection](#) (LFIP), which was passed by the parliament in 2013 as the most recent regulation regarding the migration and asylum process, is a result of this process.

The increase in the number of Syrians who sought asylum in Turkey has led to a search for long-term solutions. In 2014, the "[Temporary Protection Regulation](#)" (TPR) was issued for further developments regarding the larger groups whose application cannot be taken under individual assessment. While LFIP included legal and administrative issues such as definition and categories of asylum seekers, non-refoulement principle, integration policies and the entitlement of optimal humanitarian assistance for individual applications of asylum seekers, the TPR was issued to provide legal protection to refugees who arrived in groups, in other words specifically for Syrian refugees.

TRP resulted in heterogeneity within Turkey's asylum law and practices. While Syrian refugees were placed as a group upon their arrival to Turkey, non-Syrian asylum seekers had to be examined individually by the UNHCR and Turkish authorities and attend interviews to prove that they are applicable for refugee status. Only after would the UNHCR resettle the person or family in a third country. However, due to the lack of facilities and high number of applicants, the process takes very long time. In the course of the examination of their files, non-Syrian asylum seek-

ers were granted temporary residence permits which did not let them work legally and leave their designated cities without permission from local authorities.

In 2018, the registration system was transferred from UNHCR to the Directorate General of Migration Management. According to the new system, it was decided that non-Syrian refugees would be registered through the local governorates and only after would they be able to work and access education and health. As a newly established system, some problematic aspects have been [reported](#) by human rights groups indicating the long periods of registration and inconsistent implications due to lack of a centralized referral mechanism.

Why are migrants leaving?

Even though Turkey has been improving its migration and asylum policies in the last decade, the current and increasing number of migrants and asylum seekers are too high for the country to handle on its own, let alone provide everyone equal assistance. Although measures are taken both by the state and the NGOs to avoid exploitation and mistreatment of asylum-seekers by their employers and encourage youth to enrol in local schools or vocational courses, the high number of migrants makes it more difficult to monitor every case.

In addition to the escalating number of Syrian refugees, Turkey is hosting another 1.5 million documented and undocumented migrants and refugees from different countries such as Afghanistan, Iraq, Iran and South Sudan. Despite the well-facilitated camps and reception centres, only [2 per cent](#) of refugees in Turkey reside in camps, with the rest living in urban areas.

According to field interviews conducted in Edirne and [other reports](#) from the field, the majority of the migrants at the border are from Afghanistan, followed by migrants from Syria, Pakistan, Egypt and Iraq. The refugees who want to cross into Greece consist mainly of young men or families who are seeking better job opportunities and living standards.

The majority of them do not have legal status in Turkey. The lack of legal status results in problems accessing work, health services and education. One of the reasons why they aim to seek refuge in Europe is the legal status that they would receive. Contrary to the practices in the EU and the US, refugees who are living under TPR or international protection do not get access to citizenship after a certain timeframe. While it takes 5 years for a residence permit holder in Turkey to gain the right to apply for Turkish citizenship, despite their length of stay, refugees in Turkey cannot apply for citizenship. The Ministry of Interior Af-

fairs [announced](#) in 2017 that they are working on entitling citizenship to those who would be beneficial to the nation in industry, science and education. Currently, registered refugees cannot apply for citizenship individually, but the Ministry of Interior Affairs chooses the candidates who can be interviewed for the naturalisation process. The lack of naturalisation process and receiving legal status is one of the reasons why refugees prefer to go to Europe.

Financial difficulties are also one of the main reasons why refugees are leaving. Reportedly, the majority of migrants are not registered by their employers and only [1.5% of working-age Syrian refugees](#) have work permits. This means that the majority of employers do not get work permits for their Syrian employees and hire them informally, which leaves Syrians in a vulnerable position to be exploited. Some young registered refugees interviewed for this report also expressed that they had to quit school as they need to work and support their families.

Many interviewees either have a relative or a friend in Europe or have internalised the narrative of the "European Dream" where they expect to have better living standards and working conditions. None of the migrants interviewed for this report expressed their intent to stay in Greece; they all want to reach central Europe, mainly Germany.

The basis of the hopes of many refugees lies in the 1951 Geneva Convention and following laws that were signed by EU countries, which enables the naturalisation of refugees, in addition to financial aid, free language courses and work placement. However, since Europe's migrant crisis, the EU has been prioritising its borders and trying to find solutions abroad. When we look at the numbers of refugees living in Europe, it remains limited with a million for even the most refugee-welcoming country, Germany. The majority of the refugees are contained in EU-frontier countries, namely Greece and Italy.

Although the EU-Turkey deal has eased the situation as the number of arrivals decreased significantly, Greece was still effectively left alone to deal with the crisis. The country is currently housing around 120,000 registered migrants. There are [74,400](#) refugees in the mainland and [41,600](#) on the Greek islands. Despite the decreasing number compared with 2015-2016, due to the lack of sufficient facilities and space, refugees in Greece are suffering from poor living conditions and a lack of access to legal services. They have been kept in Greece for years, living in small tents without any privacy, waiting for their asylum files to be examined. Due to the EU's externalisation policies, refugees are not permitted to leave the islands before their asylum cases are examined and accepted. If they leave without registering, they are sent back to the Greek Islands to register and wait for the results of their asylum claims.



A young man displays the marks left from torture he says he suffered at the hands of Greek police. He was beaten and stripped near Greece's Kastanies town. (Belal Khaled / TRTWorld)

The current situation at the border

For the last 20 days, thousands of refugees and migrants have been trying to get into Greece. In response, Greek authorities have taken aggressive measures to deter newcomers. Greek police have [reportedly](#) beaten and stripped migrants who crossed over the border. The police took the belongings of the refugees and pushed them back to the Turkish border.

Violating the 1951 Geneva Convention, Greek authorities [announced](#) that they had suspended the registration of asylum claims for a month. The Greek Migration Minister Notis Mitarachi [stated](#) further restrictions regarding the accommodation and benefits for the asylum seekers to make Greece “a less attractive destination for migration flows.” It was also [announced](#) that Greece will deport anyone who enters illegally after March 1, 2020.

Currently, what we are witnessing in Greece violates a number of rights agreed to be respected separately both by UN and the EU. Article 14 of the Universal Declaration of Human Rights states that “everyone has the right to seek and to enjoy in other countries asylum from persecution.” There is no exception for any suspension for the contracting countries. Article 18 and 19 of the Charter of Fundamental Rights of the European Union also conditions the right to apply for asylum to the member countries of the EU and bans refoulement.

The [reported physical violence](#) by Greek soldiers and police is also against the second and third articles of the European Convention on Human Rights (ECHR), as well as the 6th and 7th articles of The International Covenant on Civil and Political Rights and 3rd article of United Nations Convention against Torture.

After the violent repelling, refugees have been deterred from crossing and instead are waiting at the Pazarkule border gate along the Turkish-Greek border for an official statement by the Greek authorities.

What are the possible outcomes?

Turkish President Recep Tayyip Erdogan, the President of the European Council Charles Michel and Ursula Von der Leyen, the head of the European Commission, had a meeting on March 8 in Brussels a week after the refugee influx at the borders. They did not reach an agreement.

On March 16, 2020, a video conference was conducted between four parties; Turkish President Recep Tayyip Erdogan, French President Emmanuel Macron, German Chancellor Angela Merkel and U.K. Prime Minister Boris Johnson. President Erdogan [tweeted](#) that the leaders discussed the Syrian crisis, Idlib, refugees at the Greek border and the coronavirus threat.

According to the [German press](#), Chancellor Merkel stated her willingness to increase EU funds for the care of refugees in Turkey in return for applying the previously agreed-upon conditions of the EU-Turkey deal.

Turkey has been demanding a sustainable, long-term solution for the migration crisis since the beginning. The increasing tension in Syria has also made support on maintaining the ceasefire in Idlib essential, as well as the creation of a safe zone in North-Eastern Syria.

The ongoing meetings indicate that the EU and Turkey are on their way towards a revision of the previous deal with increased funds and a higher number of replacement of asylum seekers within the EU. An improved EU-Turkey deal is crucial both for Greece and Turkey to not be left alone dealing with a high number of asylum seekers and refugees. Therefore, fairness and responsibility-sharing are crucial for the sustainability of the agreement.

Without an agreement, it is undeniable that the EU will face the prospect of a renewed migration crisis. To avoid a higher number of stranded refugees and increased attempts of sea arrivals, it is crucial to develop the ongoing EU-Turkey deal to prioritise the individual rights and wellness of the refugees. It is essential to consider that people in the border are waiting to cross Europe legally; therefore, the registration facilities and staff should be increased at hotspots and legal procedures should be provided for those who are waiting at the border.

Of course, it should not be assumed that changing policies of the EU and Turkey would decrease the actual number of asylum seekers, rather these agreements are only meant to put things in order and ensure fair and just treatment of refugees. Finding a long-term, sustainable solution to the refugee crisis is only possible by changing the circumstances in the refugees' countries of origin. Without political and humanitarian solutions in refugee-producing countries, people will continue to seek other options for themselves and their families.