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CHALLENGING PARTNERS

TURKEY AS A PARTNER AND CHALLENGE FOR EUROPEAN SECURITY, MIGRATION AND ASYLUM

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M. Murat Erdoğan*, Markos Papakonstantis**

The concept of state security from the Peace of Westphalia until the late 1990s was mainly defined on the basis of military conflicts between states, and permanent or temporary supranational ensembles. This has considerably changed since the end of the Cold War. The issues that have been attracting attention most especially in the West, have been non-state armed organizations and uncontrolled human mobility.

Conflicts that are based on ethnic, cultural and religious differences have been particularly emerging almost overnight in the course of the last thirty years, which has started to undermine the notion of a multi-cultural society, in a way validating Huntington's "clash of civilizations" prediction (1993). Concerns have increased over societies with resident immigrants or people with immigration origins, and related political rhetoric was developed therefrom. The formation of extremist right-wing political parties, as well as the extension of middle-class movements, such as PEGIDA, in addition to radical small-scale political formations followed suit. Both the process of European identity building and especially the 9/11 attacks in the US,

targeting civilians, were instrumental in strengthening the conviction of a connection between migration and security. Thus, migration and immigrants have become "soft security" issues and "hard security" when associated with terror attacks in the name of religion. Although EU countries receive immigration to the tune of 2 million people per year from non-EU countries, resistance and externalization policies have come into play.

The "Arab Uprisings", since December 2010, have not only created tension in the region, but also increased instability. It was estimated at the time that this would result in a significant increase in the movements of migration and asylum targeting the EU. The geographical proximity of North African countries like Tunisia, Morocco, Libya and Egypt to Europe was worrisome for European countries in terms of mass migration, immigration and refugee inflows (Fiott, 2020). Indeed, the initial unease started to turn into a real threat when anti-regime protests that started in March 2011 in Syria got out of control, and Syrian refugees in numbers quite high above what was originally expected started to

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seek refuge in neighboring countries. The Syrian Civil War turned into a even greater crisis in 2013, when the Islamic State of Iraq and Levant (ISIL) came into play, and Turkey, which has a 911-kilometer-long border with Syria applied an "open door policy" for those fleeing from the war zone, starting from 29 April 2011. However, this decision has turned Turkey into the country hosting the largest number of refugees in the world in a very short time.

2014 was a milestone for millions of Syrians who were present in Turkey and expecting the war to come to an end so as to return to their country. The emergence of ISIL as an important player in the Syrian Civil War changed the priority of international public opinion regarding Bashar Assad's withdrawal from his presidency in order to restore peace in Syria in the short to medium term. It also brought Turkey, the US, Russia and Iran into play with their varying interests, making the situation more complicated. As a result, since 2014, this situation has given rise to the attempts by Syrian refugees to travel from Turkey over the sea to the Greek islands first, and to the rest of Europe from there. Interestingly, this path opened up by the Syrians was soon followed by others, and irregular migrants, too. While this challenging and dangerous path claimed the lives of a minimum 1,500 people between 2014 and 2019, 1.2 million people, half of whom were Syrians, managed to reach Europe in the same period. Concerning this significant "security issue" for Europe in the post-Cold War period, the "secondary country of origin" - i.e., Turkey - and the first country of arrival en route for European destinations of the refugees - i.e., the EU member state Greece - held particular

positions. Therefore, in 2015, when the EU member states were deeply engaged in framing a policy to stop this refugee flow, it was clear that cooperation with Turkey in the process of its ongoing EU membership negotiations was a priority. The text of cooperation that transformed into a statement on 18 March 2016, between the EU and Turkey, was of critical importance to stop ongoing migration flows into Europe.

The approach of the EU to migration and refugees, and its relations with Turkey will be evaluated within the framework of the developments since 2011. The paper will particularly focus on reflections on the refugee flow through Turkey to Greece and from there deeper into Europe, especially after 2014, as well as the Turkey-EU deal of 18 March 2016 and its effects on this relationship. It will also discuss the current situation and future of the "externalization" policy of Europe and the "instrumentalization" policy of Turkey, as well as the current status of refugees in Turkey and Greece. The paper also addresses the refugee issue from the aspect of the logic, *modus operandi* and future of Turkey-EU cooperation, as well as its areas of success and failures from a security perspective.

EU Asylum Policy

The EU legislature, both in primary and secondary law, emphasizes its commitment to the principles set out in the 1951 Geneva Refugee Convention, and the Protocol of 31 January 1967 relating to the Status of Refugees. As the Court of Justice of the European Union (CJEU) has designated the 1951 Convention as the "cornerstone of international refugee

protection" (C 175/08, C 176/08, C 178/08 and C 179/08, Abdulla, 2.3. 2010, ECLI :EU:C:2010:105, par. 52), it forms the basis of member states' cooperation on asylum matters. As a result, member states have built their cooperation on asylum on these provisions, with a common asylum procedure and a uniform status existing throughout the EU. The ultimate objective pursued at EU level is to establish a system which guarantees to persons genuinely in need of protection, access to a high level of protection under equivalent conditions in all member states, while at the same time dealing fairly and efficiently with those found not to be in need of protection. At the same time, the creation of a free movement area, where entry into the territory of one member state creates the right of entry into the territory of the other member states, imposes the need for cooperation between national administrations on asylum matters, in order to avoid the possibility that the conduct of one member would burden others and force the beneficiaries of international protection to become hostages to national administrative procedures or choices.

The course of creating an asylum policy for the EU has not been an easy task, as asylum is a sensitive issue that touches on the hard core of the state, and the basic legal traditions of individual member states. The EU asylum policy has been evolving for three decades. The starting point for cooperation within the Union began with the Dublin Convention of 1990 (OJ C 254, 19.8.1997), which entered into force on 1 September 1997, creating a framework for cooperation which commits member states to the joint management of asylum applications on the basis of the criteria listed. The Maastricht Treaty of 1992 placed asylum under its 3rd pillar

(Title VI) and declared it as a "matter of common interest" that will contribute to the achievement of the free movement of persons (art. K.1) in the EU. The Treaty of Amsterdam of 1997 added among the objectives for the Union's cooperation, the development and maintenance of the Union as an area of "freedom, security and justice, in which the free movement of persons is ensured together with appropriate measures relating to external border controls, asylum, immigration and the prevention and suppression of crime" (art. 2 TEU).

With the signing of the Treaty of Amsterdam, issues of asylum, immigration and external border control lost their intergovernmental character and were "communitized". This made it easier to circumvent state constraints, to strengthen the EU's international influence on the relevant issues, and to tighten the judicial and democratic control of asylum policy, by strengthening the role of the European Commission and the European Parliament. The Tampere Program (1999-2004), a text of the European Council that began the implementation of the Area of Freedom, Security and Justice, established the Common European Asylum System (CEAS), and produced the first-generation rules for asylum procedures. The aim of the first stage was to harmonize the legal frameworks of the member states on the basis of minimum common requirements to ensure impartiality, efficiency and transparency.

The Lisbon Treaty provides the legal basis for the development of the second phase of the CEAS. It was a major milestone in the evolution, as it transformed fragmented asylum practices into a

common policy (art. 67 para. 2 TFEU and 78 para. 1 TFEU). The aim was no longer just to establish minimum standards, but to create a common system which includes a single regime and common procedures. Particularly important is the explicit recognition in Article 6 (1) TEU of the inclusion of the EU Charter of Fundamental Rights. This appertains where there is a justified fear of persecution or a real risk of being subjected to torture or other inhuman and degrading treatment or punishment (principle of non-refoulement).

Europe, due to its geographical location and the fact that it is an area of democracy, justice and freedom, represents a magnet for asylum-seekers and migrants, amid growing international and internal conflicts, climate change and global poverty. In recent years, Europe has had to respond to its most severe migratory challenge since the end of the Second World War (European Parliament, 2020). The massive and uncontrolled arrival of refugees has put great pressure on the asylum systems of both the EU and its member states. The Union's ability to operate an effective CEAS was called into question. The pressure exerted by the refugee crisis has also put the cohesion of the EU to the test (Schulz 2016, Mogherini, 2016). It provoked unilateral actions by some member states (Hungary, the Czech Republic, Slovakia, Poland and some Baltic republics); reinforcing the concept of "Fortress Europe" as the primary concern of member states appeared to strengthen the means of managing/guarding external borders.

The migration and refugee crisis of 2015 revealed two significant structural weaknesses in the design and implementation of the CEAS. The first has

been the difference in national approaches, which in turn fueled a search for the most favorable state for applicants who were looking for easier and less time-consuming procedures. The second problem has been the absence of a fair asylum system for both member states and refugees. Reflecting these deficits, the European Commission proposed the so-called "fairness mechanism" in April 2016, as a way for member states to share responsibility for refugees based on wealth and population size (COM)2016, 197 final, 06.04.2016). In its Communication, the Commission identified five areas for structural improvements in the CEAS: (a) establishing a viable and equitable system of designating member states responsible for asylum seekers; b) achieving greater policy convergence and limiting the search for the most favorable host country; c) prevention of secondary travel within the EU; d) extension of European Asylum Support Office (EASO) responsibilities; and e) strengthening of the European Asylum Dactyloscopy Database (Eurodac) system (Papakonstantis, 2018: 185-189).

The negotiations on the Dublin Regulation, proposed by the Commission on 4 May 2016, stalled due to the lack of a common approach on the proposal between the member states. Finally, with a view to restarting the negotiation process and the need to resort to coordination and solidarity mechanisms, the Commission presented a "New Pact on Migration and Asylum" on 23 September 2020. The asylum and return reforms proposed by the Commission in 2016 and 2018, and on many of which the co-legislators (Council and European Parliament) found political agreement but did not conclude negotiations, are part of the New Pact on Migration and Asylum. Building on the

progress already made by the co-legislators, the Pact sets out a way forward with a view to making procedures more efficient and giving stronger guarantees to the people affected. The New Pact recognizes that no member state should shoulder a disproportionate responsibility for the reception of refugees, and that all members should constantly contribute to solidarity with refugee host countries. Member states may also contribute voluntarily at any time, under the coordination of the Commission. The new proposal also foresees, in situations where a national migration management system is at risk of pressure, that a solidarity mechanism will be created (Kirişci, Erdoğan, Eminoğlu, 2020). It should be noted that article 80 of the Treaty on the Functioning of the European Union (TFEU) states that the Union's policies on border controls, asylum and immigration are governed by the principles of solidarity and the fair sharing of responsibilities between member states. It also emphasizes that the Union needs to adopt such policies that contain appropriate measures for the implementation of these principles. This clause, as long as it is not framed by any specific trigger mechanism, such as the clause in Article 222 of the TFEU for member states that have suffered a terrorist attack or suffered a natural or man-made disaster, is more symbolic than substantive, and exists only in response to the protests of the border member states that bear the brunt of the refugee flows. The clause in Article 80 of the TFEU is weaker than the reference in Article 67(1), which states that, among other policies, the asylum policy is "based on solidarity between member states". At the same time, the activation of the solidarity process is also provided for in Council Directive 2001/55/EC, while the

development of union solidarity toward members whose asylum and reception systems are under special and disproportionate pressure, is among the tasks of the European Asylum Support Office (EASO) (art. 2, para. 2, Regulation (EE) 439/2010).

The Dublin Regulation also determined which EU country is responsible for processing applications for international protection. The issue of responsibility for examining an asylum application is one of the major issues in EU asylum policy. This was originally the subject of the Dublin Convention of 1990, which was replaced by Dublin II in 2003 (Regulation (EC) 343/2003) and Dublin III (Regulation (EU) 604/2013) which, in turn, was adopted in 2013, replacing Dublin II.

The Dublin III Regulation identifies the EU country responsible for examining an asylum application by using a hierarchy of criteria such as family unity, possession of residence documents or visas, irregular entry or stay, and visa-waived entry. In practice, however, the most frequently applied criterion is that of irregular entry, meaning that the member state through which the asylum-seeker first entered the EU is responsible for examining his/her asylum claim. According to the last criterion, the one and only competent state for the examination of an asylum claim is determined in order to avoid "asylum shopping". The assumption of this responsibility creates a commitment of cooperation between an incompetent and a competent state, a cooperation which extends to the communication of the reasons relied on by the applicant in the first state for filing the application. The criterion of the competent state examining the request for international protection has a threefold purpose. First,

the resolution of the issue of refugees "in orbit", that is those third-country nationals who fail to be admitted to any country with the immediate consequence of constantly wandering from one country to another until someone grants them political asylum or some organization helps them migrate elsewhere. Secondly, to avoid the phenomenon of seeking the most "favorable" to the requesting state (regardless of the admitted or invented truth of this conjecture), whether it concerns the time of processing the request or the reception conditions. Thirdly, ensuring the obligation for a contracting party to examine the application in accordance with the procedures laid down in the Geneva Convention.

Developments regarding refugees in the last few years have highlighted the fact that the EU member states have conflicting interests in this area. As a result, the EU is increasingly distancing itself from an approach involving a compulsory mechanism for the allocation of refugees to all member states. In essence, the summit talks are moving toward the adoption of a system for the reception of refugees by as many member states as possible on a voluntary basis. The Union is thus reverting to temporary, non-binding solutions to the refugee problem, while the Dublin Regulation initially aimed at resolving the issue on the basis of solidarity without exceptions. In the meantime, the member states responsible for initial reception are continuing to bear a disproportionate share of the burden, putting pressure on

local communities and triggering a whole range of reactions.

Moreover, as the 2015 refugee crisis coincided with a series of terror attacks in Europe, it has since acquired an internal security dimension. This happened as a result of the entry of foreign terrorist fighters, who utilized the refugee flows to enter EU territory. The emergence of this dimension, mainly in Poland, the Czech Republic and Hungary, has added another element to the refugee settlement, complicating discussions on its revision. It is therefore no coincidence that Poland and Hungary decided, according to their assessment of the risks posed by the possible relocation on their territory of dangerous and extremist persons who might carry out violent acts, that the relocation mechanism as provided for in article 5 of each of the relocation decisions 2015/1523 and/or 2015/1601 and as it was applied by the Greek and Italian authorities did not enable them to fully guarantee the maintenance of law and order and the safeguarding of internal security.

Turkey: Syrians, Other Asylum-Seekers and Irregular Migrants

Due to Turkey's open-door policy when the anti-government protests in Syria turned into a civil war after March 2011, more than half of the 6.6 million Syrians fleeing from their country came to Turkey. While about 700-900,000 Syrians have left

[1] In this paper, the concepts of "refugees" or "asylum-seekers" used for Syrians and non-Syrians are used independently of the legal-administrative context in Turkey. Despite being a party to the 1951 Geneva Convention, Turkey imposes "geographical restriction" and only accepts those incoming from Europe as "refugees", and issues "temporary protection" for Syrians, and provides "conditional refugee" or "secondary protection" statuses, which are different types of international protection for the other asylum-seekers.

Turkey for other countries since then, more than 55% of them still remain in the country. As of 31 December 2020, the number of Syrians under "temporary protection" status in Turkey was 3,641,370. Despite Turkish media coverage of some cases of "voluntary return" and those who were issued "citizenship" (about 150,000), the number of Syrians under temporary protection in Turkey has still been increasing according to the data updated by the Directorate General of Migration Management (DGMM), as a result of about 110,000 newborns per year in Turkey and the ongoing border crossings.

Turkey has also been exposed to a substantial influx of refugees from other countries since 2011, especially from Afghanistan and Iraq. In 2020, the figure given by the DGMM regarding non-Syrian asylum-seekers ("international protection" holders or applicants) was 330,000. Thus, the number of those under international protection in Turkey, which was 58,018 in 2011, is now over 4 million, considering only those who are officially registered. These figures, which exceed 5.02% of the population (82 million) suggest that the "open door policy" applied by Turkey for Syrians has been utilized by other asylum-seekers as well.

Although Turkey *de facto* ended the "open door policy" after 2016 - and has even built a wall that exceeds 900 km in the last two years on the Syrian, Iraqi and part of (88 km) the Iranian border, to combat both terrorism and irregular migration - crossing the Turkish borders remains very much a possibility. This constitutes a serious problem for the border security of Turkey despite the construction of walls. It can also be a problem for the EU.
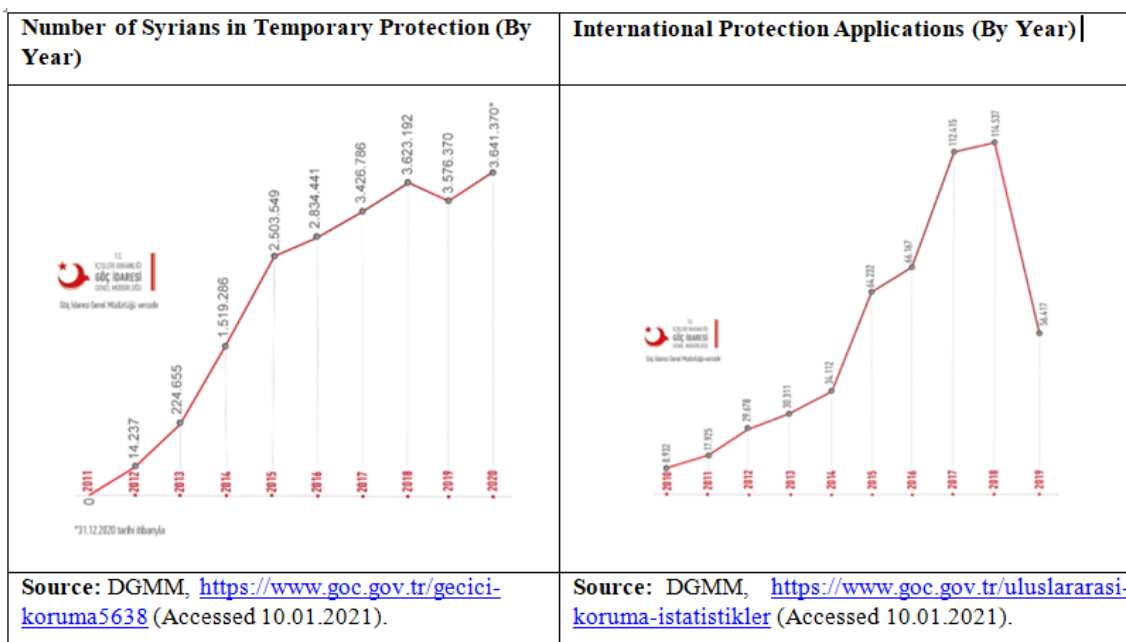
Undoubtedly, the responsibility for the developments in Syria and the massive influx of refugees cannot be put on the shoulders of the neighboring countries alone. Countries that pursue an open-door policy for those fleeing from a war zone with a humanitarian approach later become the "victim" of this policy. The situation in Turkey, Lebanon and Jordan - the countries where Syrian refugees headed for first - clearly portrays this fact. Pledges of global solidarity and the sharing of responsibility/burden in this respect remain unfulfilled. Although the "Global Compact on Refugees", developed by the UN and signed in 2018, includes a substantial level of flexibility, the objections to it, especially from developed/welfare states are quite significant. However, the developed/ welfare states seem to prefer just one instrument, i.e. financial support, which meets only a small part of the overall requirements, while the other political, social and economic aspects of the problem are only faced by the countries that accept the refugees.
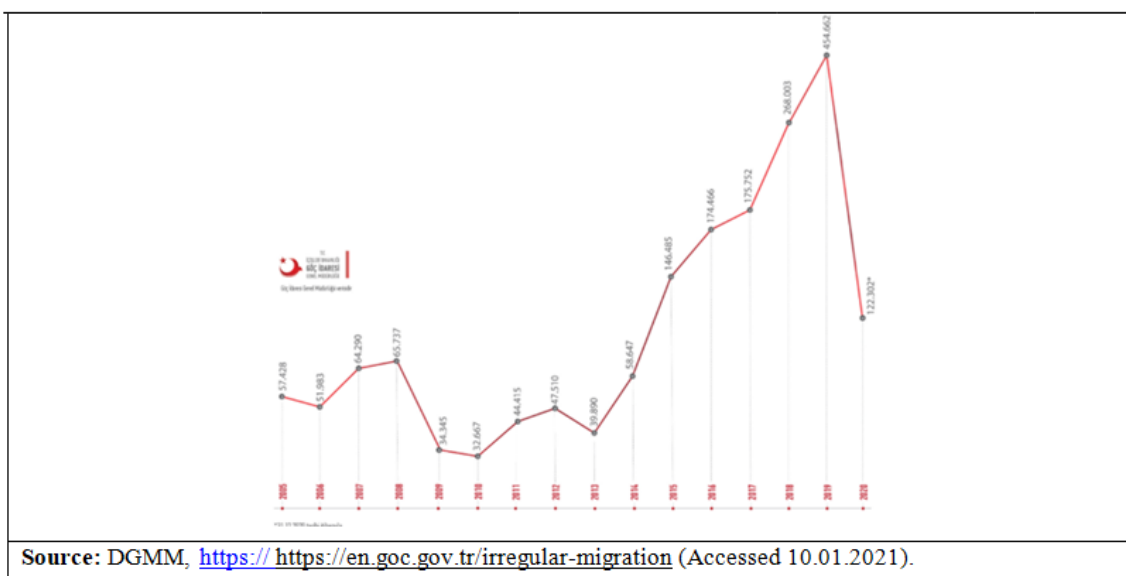
This situation manifests the need for a new form of understanding and cooperation at the global level. Voluntary return, the first one of the three solutions that the UN suggested for refugees, remains as low as 3% as the processes are prolonged and the conflict situations become chronic. Voluntary return is almost impossible except for in exceptional cases. "Resettlement", the second option, is not very promising either. Whereas there are 80 million refugees and asylum-seekers around the world, the quotas for annual resettlement have decreased below 100,000 in recent years. The third solution suggested by the UN, i.e, "local cohesion", means the performing of integration activities to ensure that refugees stay in their country

of refuge with the status of citizenship if possible; it seems to be the most realistic option, as the developed countries seem to limit their understanding of the sharing of responsibility/burden for refugees to providing financial support to the countries hosting them.

Graph 1: Syrians in Temporary Protection and International Protection Applications

Number of Syrians in Temporary Protection (By Year)	International Protection Applications (By Year)
Source: DGMM, https://www.goc.gov.tr/gecici-koruma5638 (Accessed 10.01.2021).	Source: DGMM, https://www.goc.gov.tr/uluslararasi-koruma-istatistikler (Accessed 10.01.2021).

Graph 2: Number of Irregular Migration (By Year)

Source: DGMM, https:// https://en.goc.gov.tr/irregular-migration (Accessed 10.01.2021).

Migration in Turkey-EU Relations (1999-2015)

The declaration of Turkey as a candidate state during the EU Helsinki Summit in December 1999 was significant for the restructuring of activities under border management and asylum in Turkey, in close cooperation with the EU. The Accession Partnership Document (APD), developed by the EU for Turkey's candidacy status, first in 2001 and then updated in 2003, 2006 and 2008, broadly included issues relating to common frontiers and migration management. The National Program for the Adoption of the Acquis (NPAA), developed by Turkey in 2001 and updated in 2006 and 2008 (https://www.ab.gov.tr/46225_en.html), also set forth the common intention for cooperation and restructuring in this matter.

The issue broadly covered by the APD under the title "Justice, Freedom and Security" (Title 24) outlines the integrated border and migration management:

"Adopt the EU acquis in the field of data protection so as to be able to fully participate in the Schengen information system and in Europol.
Start alignment of visa legislation and practice with those of the EU.
Adopt and implement the EU acquis and practices on migration (admission, readmission, expulsion) so as to prevent illegal migrations.
Continue strengthening border management and prepare for full implementation of the Schengen Convention.
Lift the geographical reservation to the 1951 Geneva Convention in the field of asylum and develop accommodation facilities and social support for refugees.
Improve the capacity of public administration to adopt, to implement and to manage the acquis in particular through training and appropriate coordination between ministries, including the development of effective border control to prevent illegal immigration and illegal trafficking in human beings and drugs." (Accession Partnership Docs, 2001, Chpt. 24).

The National Programs for the Adoption of the Acquis (NPAA), which specified the answers by Turkey to the requests of the EU under the APD, as well as its political processes, covered the following issues in terms of border and migration:

"Border controls will be further strengthened, and preparations will be made to fully implement the Schengen acquis.
Work will be undertaken to harmonize the legislation and practices with the EU acquis on visa policy.
In order to prevent illegal immigration, the EU acquis and practices on migration (admission, readmission, expulsion) will be adopted.
Lifting the geographical limitation to the 1951 United Nations Convention Relating to the Status of Refugees will be considered in a manner that would not encourage large scale refugee inflows from the East, when the necessary legislative and infra-structural measures are undertaken, and in the light of the attitudes of the EU Member States on the issue of burden-sharing." (NPAA 2001).

The common intention set forth between Turkey and the EU was declared along

with the consideration of Turkey as a candidate state, and later as a member state. In this respect, regulations on mutual migration and border management, based on the eastern and western borders of Turkey becoming the EU borders, were included in all official documents. The issue of Turkey renouncing the "geographical restriction" of the Geneva Convention as requested by the EU, has been the issue where most differences between the two sides exist. It is observed that "sharing the burden and responsibility" and full membership of the EU were brought forward in the National Program in order to have this reservation removed. However, the process of rapprochement with the EU seriously influenced the development of the relevant legislation in Turkey, with acceptance of the readmission agreement and demilitarization and the development of migration management in Turkey. Especially important developments were the passage of Law 6458 *on Foreigners and International Protection (YUKK)* in 2013, and the establishment of the General Directorate of Migration Management (DGMM) under the same law.

The Syrian Crisis, Refugees and Turkey-EU Relations

One of the most critical issues in recent EU-Turkey relations has been the massive migration flows as a result of the developments in Syria since 2011. The initial open-door policy pursued by Turkey from April 2011 onwards for Syrians fleeing from the war resulted in numbers that had not been anticipated. The open-door policy of Turkey, which has also been supported by the EU (Deutsche Welle, 2011) resulted in millions of people crossing the Turkish border in a

very short time. Although the YUKK law was passed in April 2013, and the DGMM was established in April 2014, a *de facto* situation that surpassed all expectations arose from 29 April 2011, when Syrian refugees started to arrive in Turkey. By late 2011, the number of Syrian refugees in Turkey had increased to 14,000, reaching 224,000 in 2012. As ISIL joined the Syrian civil war in 2013, the number of people fleeing Syria escalated and reached 2.5 million in Turkey by the end of 2014 (DGMM, 2021).

Meanwhile, a steady flow of non-Syrian refugees and irregular migrants also started to arrive in Turkey from 2012 onwards, especially from Afghanistan, Pakistan, Iraq and Iran. As a result, whereas the total number of asylum-seekers or refugees (foreigners under international protection) in Turkey was 58.000 in 2011, it exceeded 300,000 in 2016, reaching 330,000 in 2020. At the same time, the number of detected or detained irregular migrants reached 146,000 in 2015, 174,000 in 2016, 175,000 in 2017, 268,000 in 2018, 454,000 in 2019 and 122,000 in 2020 despite the pandemic. It is understood that currently over 1.5 million irregular migrants live in Turkey, despite all efforts to send them back to their countries of origin. According to data from the Migration Data Portal, developed by the IOM, the size of the foreign population in Turkey is 6.1 million. Foreigners other than the 875,000 legal residents are comprised of refugees or irregular migrants (IOM Migration Portal, 2021).

Since April 2011, the Syrians arriving Turkey have moved further away from the border zone as the situation deteriorated in their country and the war has become permanent, and they started to build new

lives in Turkey. Although 26 camps with a capacity of 250,000 were built for the Syrians in Turkey in an attempt to keep them there, this fell short, and the Syrian refugees were allowed to move freely from 2013 without any planning. As a result, they mostly moved to the Western provinces of Turkey, some aiming to get to Europe via the Greek islands. The refugees who were able to get to the Greek islands by dinghy then aimed to move to the Greek mainland, and leave Greece, which has also become a transit country for Syrians on their journey to final destinations in Central and Western Europe, especially Germany. Thus, the EU member states lost the luxury of watching from a distance the civil war that has been ongoing since 2011, and defined this massive refugee influx from 2014 onwards as the "refugee crisis".

A total of 41,038 of the Syrian and other refugees who left Turkey for the Greek islands on small boats heading for Europe, successfully completed their trip in 2014 (ESI, 2020), while 2,280 refugees entered Greece over land in the same year. 2015 has to date seen the largest inflow of refugees to Greece, with 856,000 arriving on the Greek islands and 4,907 people reaching the country by land. Although the refugee influx has been associated with Syrians in general, only 53% (640,000) of those transiting were actually Syrians, and the remaining 46% (555,000) were from other countries, including 305,000 from Afghanistan, 135,000 from Iraq, 35,000 from Pakistan, 30,000 from Iran, and 50,000 from other countries.

The number of those who died or were lost during their attempt to cross to Greece by sea exceeded 2,000 between 2014 and 2019. However, the number of those transiting to Greece between 2014

and 2016 reached 1.2 million (45,000 by land and 1 million 50 thousand by sea). Since the general destination target of the refugees in Europe has been Germany, Chancellor Angela Merkel's political preferences became important. In this process, two significant developments seriously affected public opinion in Europe. The first one was the determination expressed by Angela Merkel during her speech on 31 August 2015, where she declared that Germany was to accept 1 million refugees by September 2015 (Bpb, 2015; Haberler.com, 2015), despite strong criticism even from within her own party (Die Welt, 2017). The second development that paved the way for Merkel's statements stemmed from a tragedy, causing a sentimental reaction from the whole world: the image of the inanimate body of a 3-year-old Syrian boy, Aylan Kurdi, washed ashore on 2 September 2015, as a result of an attempt to cross to Greece by sea, had an extraordinary effect, resulting in protests by many NGOs, human rights associations, humanitarian aid organizations, and politicians.

The EU-Turkey Statement of 18 March 2016

Two main policies came to the fore during intense negotiations held by the EU, in order to regulate the migration flow and to restrict it as much as possible. The first one was to block the route for the refugees trying to get to Europe using the Balkans from Turkey via Greece. The second one was to make a deal with Turkey. The EU has also tried to bring NATO into play to stop the migration flow. With the consent of both Greece and Turkey, NATO assumed the mission of protecting Europe from the refugee inflow

from Turkey. One of the most critical issues for the EU has been to stop the routes heading into Europe from the Greek mainland. Talks not only with the EU member states, but also non-member Balkan states on closing the Balkan route yielded some results, and the Balkan Route was completely closed on 9 March 2016 (Deutsche Welle, 2021); thus, the possibility for the refugees who managed to get to Greece to continue their journey was physically prevented.

However, this was not enough as long as there was no agreement with Turkey, the secondary country of origin. In this respect, efforts started in late 2014 to reach a comprehensive deal with Turkey, and the first prominent step was the European Parliament's resolution on 17 December 2014. This was followed by a decision by the EU Commission on 25 April 2015 (http://europa.eu/rapid/press-release_IP-15-4813_en.htm), which was then followed by the decision in "A European Agenda on Migration", dated 13 May 2015. With these, it was agreed on to develop close cooperation with Turkey as the key country, and to provide the country with financial support. Turkey and the EU reconfirmed their commitment to the implementation of their joint action plan activated on 29 November 2015. While it was decided at this point to convene a Turkey-EU Summit in Brussels with a view to agreeing on a framework, the EU insisted that the deal should be made between the individual EU member states - not the EU - and Turkey, presumably in order not to undertake an institutional responsibility in terms of political provisions. In point of fact, the EU envisioned right from the start that there would be problems with the political cooperation part of this package, and took steps to protect itself institutionally.

As a result, the EU-Turkey Statement was announced between Turkey and the Members of the European Council on 18 March 2016 (http://www.consilium. europa.eu/en/press/press-releases/2016 /03/18-eu-turkey-statement/). Solidarity with Turkey on the "migration crisis" was emphasized, as the EU "begun disbursing the 3 billion euro of the Facility for Refugees in Turkey for concrete projects and work has advanced on visa liberalization and in the accession talks, including the opening of Chapter 17 last December". In return, Turkey agreed "to accept the rapid return of all migrants not in need of international protection crossing from Turkey into Greece and to take back all irregular migrants intercepted in Turkish waters." Relevant clauses of the agreement are reproduced below:

1. "All new irregular migrants crossing from Turkey into Greek islands as from 20 March 2016 will be returned to Turkey. ...Turkey and Greece, assisted by EU institutions and agencies, will take the necessary steps and agree any necessary bilateral arrangements, including the presence of Turkish officials on Greek islands and Greek officials in Turkey...to ensure liaison and thereby facilitate the smooth functioning of these arrangements.
2. For every Syrian being returned to Turkey from Greek islands, another Syrian will be resettled from Turkey to the EU taking into account the UN Vulnerability Criteria...
3. Turkey will take any necessary measures to prevent new sea or land routes for illegal migration opening from Turkey to the EU...
4. The fulfillment of the visa liberalization road map will be accelerated vis-à-vis all participating Member States with a view to lifting the visa requirements for

Turkish citizens at the latest by the end of June 2016, provided that all benchmarks have been met...

5.The EU, in close cooperation with Turkey, will further speed up the disbursement of the initially allocated 3 billion Euro under the Facility for Refugees in Turkey and ensure funding of further projects for persons under temporary protection identified with swift input from Turkey before the end of March... Once these resources are about to be used to the full...the EU will mobilize additional funding for the Facility of an additional 3 billion euro up to the end of 2018.

6.The EU and Turkey welcomed the ongoing work on the upgrading of the Customs Union.

7.The EU and Turkey reconfirmed their commitment to re-energize the accession process as set out in their joint statement of 29 November 2015. They welcomed the opening of Chapter 17 on 14 December 2015 and decided, as a next step, to open Chapter 33 during the Netherlands presidency..."

The most striking regulation in the deal was the issue of returning anyone reaching the Greek islands back to Turkey after 20 March 2016. Turkey accepted this arrangement as part of the "readmission agreement" and the EU accepted the "1 to 1" rule (Article 2) concerning Syrians, in return for Turkey's assent. Accordingly, Syrian persons detected on the Greek islands arriving after March 20 would be sent back to Turkey and the same number of Syrians would be taken from Turkey legally. The aim of this arrangement was to stop irregular crossings by breaking the motivation to do so. However, between 2016 and 2020, the number of Syrians sent from Turkey in line with this "one to one"

rule was 27,795,[2] while the number of Syrians leaving Turkey for Greece has been much higher. More interestingly, the number of those sent from Greece to Turkey after 2016 was 2,001 (ESI, 2020). This means that there has been essentially a failure to implement the arrangement, which was in any case quite controversial due to its structure, legal grounds, and inhumane approach.

Another significant part of the deal was that Turkey would agree to re-admit all non-Syrian irregular migrants and refugees. In practice, this agreement was not implemented as a result of justified objections of refugees to whom NGOs provide legal support, and their rights arising from international law. Here, the principle of non-refoulement and debates as to whether Turkey is a safe third country came to the fore. For all these reasons, although the number of people who went to the Greek Islands from Turkey after April 2016 was more than 150 thousand, the number of those who were sent back to Turkey remained below ten thousand. In 2019, Turkey took an important step in this regard, and unilaterally suspended the readmission agreement on 22 July 2019, on the grounds that visa liberalization was not provided to the citizens of the Republic of Turkey as foreseen in the agreement.

For Turkey, the significant meaning of the March 18 Agreement was its aim to start a rapprochement process with the EU. Also, the 6 billion Euros to be received from the EU in 4 years was another clear motivation. It is evident that the financial support of the EU to Turkey for the refugees was critical for the latter, and it has provided a significant contribution to many projects in the areas of education,

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[2] The 27,795 people sent from Turkey to the EU as part of "One to One" rule reached 20 different EU countries, Germany being the country with the largest figure of 10,157, which was followed by France with 4,779, Holland with 4,538, Finland with 2,207, Sweden with 2,171 and Belgium with1,344, and the remaining 14 countries received Syrians in figures of less than 1,000. See DGMM, https://en.goc.gov.tr/temporary-protection27 (Accessed 16.02.2021).

health and protection. More importantly, although the main objective of the deal was to protect the EU from the flow of refugees, no other significant financial support has been provided to Turkey from the rest of the world as a subvention for its refugees.

The Effects of the EU-Turkey Deal

The refugee agreement between Turkey and the EU can actually be interpreted as a security agreement. The EU managed to stop uncontrolled human mobility that it regarded as a serious security threat, in return for 6 billion Euros worth of financial support over 4 years. Undoubtedly, the deal can be evaluated as "successful" in this respect, as many EU officials have already expressed (Anadolu Agency, 2019). Although such an achievement is usually linked with the decreasing incidents of deaths in the Mediterranean, it is evident that the main achievement is the EU being freed from the refugee pressure. Before April 2016, when the deal went into force, the number of those who died or were lost in the Mediterranean was 1,645 in 2.5 years, while the figure was 303 in the 3.5 years since the deal. Similarly, the number of refugees crossing EU territory, which was 1,049,213 before the deal, decreased to 143,936 after that. In 2016, the number of daily crossings before April was 1,683, while it decreased to 80 after the deal.

Table 1: Sea arrivals Greece (UNHCR)[3]

Year	Arrivals	Daily	Death in East Mediterranean[4]	Ratio of Deaths to Arrivals
2014	41,038	112	59	0.14
2015	856,723	2,347	803	0.09
2016 (before EU-Turkey Statement)	151,452	1,683	434	0.25
Until EU-Turkey Statement	**1,049,213**	**1,279**		
2016 (after EU-Turkey Statement)	21,998	80		
2017	29,718	81	62	0.20
2018	32,494	89	174	0.53
2019	59,726	164	71	0.11
2020	9,714	102	106	1.09
2021	3,156	11	64	2.02
Since EU-TR Statement	**156,806**	**78**		
TOTAL	**1,359,669**		**1,773**	**0.13**

Source: European Stability Initiative, *The Aegean Tragedy, Key facts and key steps and UNHCR*

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[3] Before the Turkey-EU agreement (2014-2016), 11.000 people went to Greece over land, which increased to 40,000 from the end of the agreement until 2020. IOM, https://missingmigrants.iom.int/region/mediterraneanregion_incident=All&route=3891&year%5B%5D=2500&month=All. 2021 data are up to 31 October 2021. The number of daily crossings was calculated over 294 days. http://data2.unhcr.org/en/situations/mediterranean/location/5179.

[4] Https://missingmigrants.iom.int/region/mediterraneanregion_incident=All&route=3891&year%5B%5D=2500&month=All.

The experience of 4 years proved that cooperation between Turkey and the EU can be achieved, despite the increasing number of refugees and irregular migrants in Turkey and the distress among society at large. However, this does not change the fact that the deal was an "externalization instrument" for the EU, and the Turkish government also used it as an element of instrumentalization (Dudden and Üstün, 2017). Nevertheless, even during the massing of refugees at the Pazarkule border area in February 2020, Turkey showed that it continued to abide by the deal (by not opening the sea path) on the one hand, but also that it may sanction the EU if it does not cooperate with Turkey or does not fulfill its commitments. Although the policy of "opening/failing to control the borders" resulted in a serious crisis with long-term effects, it would not be a surprise if this was repeated if the Turkish government is assured that opening the EU path to refugees, instead of cooperation with the EU, brings further advantages in internal politics and/or financial gains.

Another important element here is that non-Syrian foreigners, especially irregular migrants under deportation risk, seem to be more eager to carry out border crossings. Only a few Syrians, who have settled in Turkey, show a tendency to move on to Europe through illegal means. On the other hand, transition to Europe still seems to be very attractive for irregular migrants, whose number exceeds 1.5 million. Therefore, Turkey and the EU need to address the issue of irregular migrants that was not covered by the March 18 Agreement for both border security and uncontrolled human mobility. It is evident that measures such as the "Floating Protection System" (BBC, 2020)

planned for the Aegean could only provide partial protection without cooperation with Turkey.

The efforts of the EU to provide a solution to the problem only through financial support also seem to have come to an end. Although the 6 billion Euros provided by the EU was a significant financial contribution, the real cost of hosting the refugees is multi-faceted and much larger. Thus, even the countries that welcome refugees try to avoid these costs. In this respect, the countries that provide financial support also intend to get free from refugee pressure in this way. As uncontrolled human mobility not only poses financial risks but also social, political, security-related and economic ones, it is not possible to assume that allocating a 1.5 million Euros fund on average per year would suffice to pay for the well-being of the refugees in Turkey. What is worse, this externalization policy has strengthened anti-Western, anti-European discourses in Turkey.[5]

While the EU described the deal as an "achievement" and a "model", despite it fundamentally being an externalization policy, Turkey cared about cooperation with the EU more, and especially emphasized the visa exemption promises in declarations to the Turkish society. However, then Prime Minister Ahmet Davutoğlu resigned from his post only two months after signing the deal, and the EU by that time had moved on to criticizing the practices in Turkey after the 15 July 2016 coup attempt, as well as avoiding political commitments to Turkey. All these transformed the cooperation on refugees into mere financial cooperation, which was then increasingly criticized by the Turkish public as a strategy to give refugees

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[5] "Cumhurbaşkanı Erdoğan: 'Ey Avrupa Birliği kendinize gelin'." ("Hey European Union, come to your senses"), *Haberler.com*, 10.10.2019, https://www.haberler.com/cumhurbaskani-erdogan-ey-avrupa-birligi-kendinize-12514211-haberi/

permanent status in Turkey by imposing integration policies.

The most significant part of the Turkey-EU deal was the Readmission Agreement, dealing with the irregular migrants and refugees. Turkey signed the Readmission Agreement with the EU on 16 December 2013, in parallel with the official initiation of the Visa Liberalization Dialogue (http://www.madde14.org/images/3/31/EUTR Readmission.pdf). Thus, the readmission clause was linked to "providing visa exemption to the citizens of the Republic of Turkey by late June 2016 at the latest". However, as there was no progress in terms of visa liberalization, Turkey suspended the Readmission Agreement on 22 July 2019 (Karakoç Dora, 2020: 100-112).

The most discussed and criticized element of the Turkey-EU deal has been that it led to the risks taken by asylum-seekers so as to be sent to Turkey in violation of their rights that arise from international law, as they may be considered collectively without following individual procedures. Although the ECHR clearly stated that collective proceedings were against the law, the deal with Turkey half opened the door to this. Amnesty International and other NGOs and human rights organizations often stated that they considered the deal as unlawful and risky for refugees. In this regard, it has become a chronic debate as to whether Turkey could be considered a "safe third country" or not (*Deutsche Welle*, 2016). According to the safe third country definition of the EU Directive of Asylum Procedures, it is possible to make a substantive evaluation of the applications by asylum-seekers that

have come from countries assumed to be safe, and to send them back.[6] The geographical reservation that Turkey included in the 1951 Geneva Convention is considered a serious threat per se by human rights organizations as it can be considered a "safe" country with regards to the protection of refugee rights. Therefore, the concept introduced by the Turkey-EU deal received criticism from the UN High Commissioner for Human Rights Zeyd Raad el Hüseyin, who put forward the idea that refugees may be sent to Turkey without being permitted to make an application for asylum in Greece, as envisaged in the agreement, which contradicts the guarantees given for individual evaluations (Deutsche Welle, 2016).

An application for asylum by any person needs to be evaluated individually according to international law. UNHCR spokesperson Melissa Fleming also stated that the asylum centers were turned into *de facto* prisons following the EU-Turkey deal, noting that the refugees were not allowed to leave the camps on the Greek islands. As the practice was against UNHCR principles, it decided to withdraw its personnel working at asylum centers on the Greek islands (UNHCR, 2016). Also, Human Rights Watch declared on similar grounds that Turkey could not be considered a safe third country, arguing that, despite having approved the 1951 Refugee Convention and the 1967 additional Protocol, Turkey could not provide efficient protection to non-European refugees, since it does not abolish the geographical restriction that exempts non-Europeans from the asylum system, and called attention to the

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[6] The term "safe third country" that was not included in 1951 Geneva Convention was introduced as part of the quest for the EE Joint Asylum System and brought serious criticisms. If the country where the refugee stayed, even for a short while, as s/he passed to the EU member states is considered "safe", the request of the applicant may be rejected before substantive evaluation. This approach based on the presumption that the person can make the application for asylum in the safe country as well, not only ignores the personal story of the applicant, but also brings about critical problems such as "standard setting", i.e., which country could be considered "safe" according to which criteria. Although all the countries that use this definition have defined their own notion of "safe third country" within their respective legislations, they are far from achieving a common standard.

principle that according to EU law a country can only be considered safe if "it has approved the provisions of the Geneva Convention without imposing any geographical restrictions" (HRW, 2016).

The ESI, one of the pioneers of the EU-Turkey deal, considered the problem as the most critical element of the implementation of the deal in a report dated 17 October 2015, reiterating that it was not possible to consider Turkey a safe third country (ESI, 2015). There were especially heated debates in Germany in this regard, although Chancellor Merkel dismissed objections to listing Turkey as a safe country before her visit to Turkey in October 2016. Either the EU or Greece alone needed to make the decision to recognize Turkey as a safe third country, for the deal with Turkey to proceed, or to implement it directly. Finally, Greece stated in a court decision made in June 2016 that it considered Turkey a safe third country, and expressed the opinion that there was no obstacle to the return of the refugees to Turkey (*Deutsche Welle*, 2016).

A significant milestone for Turkey, Greece and the EU has been Turkey's decision on "not preventing the crossing of refugees or migrants to Europe" right after the attack of the Syrian regime forces against Turkish soldiers in Idlib on 28 February 2020. Although it was declared in the initial statement that the sea route was also open, it later became clear that this would not be open due to the high risk of death. In reality, the change in terms of the sea route could be interpreted as a diplomatic move by Turkey, so as not to depart from the framework of the 18 March 2016 deal, which was in any case developed to take into account only the crossings from Turkey to the Greek islands by sea. There was no provision

regarding land borders in the Agreement which would make it difficult to link the deal with the new policy.

Undoubtedly, the policy of "not to protect the borders" cannot be explained merely through the 2016 deal. It is evident that this decision has a broader framework linked to internal and foreign policy objectives. However, it is interesting to note that Turkey has only suspended border checks on the Greece section of its EU border (the Bulgarian border section continues to be protected) as part of this decision.

However, the EU rejected Turkey's move collectively in solidarity with Greece. The crisis was finally terminated by the uncompromising and sometimes violent resistance on the part of Greece, as well as the pandemic situation declared on 11 March 2020. Throughout the process, Turkey claimed that over 150,000 migrants/refugees crossed into Greece, while the EU declared no more than 1,000 did so. Nevertheless, the policy pursued by Turkey attracted substantial reaction from the EU, and was considered a security issue threatening Europe. The approach of the EU that "Greek borders are the EU borders, and therefore, what is done to Greece is also done to the EU" was adopted by the EU as a whole. It is also interesting to note that the EU ignored the overt violations of human rights and international law for migrants/refugees at this time on the part of Greece with a self-protection reflex (Amnesty International, 2020).

Although there were some problems in terms of The EU Facility for Refugees in Turkey (FRiT), described as the financial aspect of the 2016 deal, such as the insufficient involvement of the Turkish side and the slow progress of the process,

it can be argued that the program worked in general. However, the disfunction of the resettlement and political commitments framework of the deal has been quite a disappointment. It also failed in its envisioning of the opening of new chapters in Turkey-EU membership negotiations, updating the Customs Union, lifting visa requirements for Turkish citizens and receiving around 70,000 refugees per year from Turkey to settle in the EU. There was a failure to apply these articles in a way to satisfy Turkey, which resulted in the interpretation of the deal both by public opinion on refugee rights and on the Turkey issue being seen as a typical "externalization" and "securitization" policy by the EU. From this perspective, although the deal has decreased the number of refugees entering Europe, it fell quite a long way short of ensuring the sustainability of cooperation, and solving the problem. It has also increased the security threats in the medium and long term, as Turkey pursues its own "externalizing" policy regarding the EU, while the EU blames Turkey for "instrumentalizing" refugees. Thus, Turkey's decision in February 2020 not to prevent Greek border crossings created a critical tension in this regard, turning the issue into grounds for conflict rather than cooperation. Reactions such as Greece's plan for floating barriers on the sea and increased FRONTEX forces on the border, also show that the process seems to be addressed in terms of security rather than on humanitarian grounds.

Conclusions and Recommendations

The likelihood that the more than 3.6 million Syrians living in Turkey will return to Syria is fast disappearing. The possibility that the Syrians, most of whom have been living outside the camps and co-existing with the Turkish community for 5 years on average, having had more than 650,000 babies in Turkey and with 750,000 studying at school and 1.2 million working, will leave for a country in which no one knows when the war will end and stability will be restored, no longer seems to be a strong possibility. Their move to a third country also does not appear to be a likely outcome any more. Although the Syrians living in Turkey say that they can go back if peace and stability are restored in their country, they also accept that this has become impossible in the short and medium term. Thus, it is a fact that the vast majority of the Syrians living in Turkey - more than 80% - will not return and will live in Turkey more or less permanently (Erdoğan, 2020). Although the Turkish government occasionally floats the idea of creating "secure zones" inside Syria and encouraging Syrians to transfer there, if implemented, this will only work for a limited number of Syrians.

Turkey, whose number of asylum-seekers was 58,000 in 2011, and exceeded 4.1 million in only 4 years, has accomplished a remarkable achievement as a society and a state. A high degree - yet fragile - social acceptance is the most critical issue that remains to be dealt with. However, potential risks, weariness and concerns among the Turkish community are on the rise. Although Turkey has developed projects for solutions to many of the current problems in cooperation with their international partners, it is still not possible to talk about a comprehensive strategic decisiveness and planning on the part of the Turkish state. However, it creates yet another challenge, as Turkey is endeavoring to develop cohesive policies not for "migrants" but for "asylum-seekers," whose population runs into the millions and whose future is unpredictable

for all parties. The fact that the Turkish state has focused on the regime in Syria rather than the asylum-seekers for a long time and assumed that the solution lay in Damascus, in the short and medium term, means that it will not be surprising if Turkey further increases pressure on the EU concerning Syrians and other refugees. The EU needs to exert more effort, particularly to extend the deal and elaborate upon its contents. The Syrian refugee crisis has created discrepancies in Turkey-EU relations. On the one hand, grounds for cooperation have been established which protect the EU, and Turkey has proved to be a reliable partner in this respect. On the other hand, however, Turkey-EU relations have almost been reduced to nothing but the refugee issue, and Turkey seems to have assumed the function of "protecting the West" as it did during the Cold War, but this time against further refugee flows. The fact that Turkey is considered by the EU as "a cheap buffer zone" strengthens anti-European and anti-Western tendencies in Turkey and the externalization policy by the EU has been instrumentalized by Turkish political interests. As the instability and mass movements of people in the regions surrounding Turkey does not seem to be ending soon, this manifests the requirement of ensuring that Turkey-EU relations extend beyond partial sharing of the financial burden of refugees, and to the develop strategic cooperation on more comprehensive and realistic grounds.

As emphasized by the Copenhagen School, top-down securitization usually takes place in countries with an intensive population of migrants.[7] Massive and uncontrolled human mobility inevitably constitutes a security issue. It is inevitable that the EU, one of the most developed and welfare providing regions in the world becomes a target destination for refugees and migrants from all around the world, and especially from the countries in the south. Hence, in this context it is not a securitization problem but a security problem in its true sense that is taking place.

As the EU's New Migration and Asylum Pact has actually documented, the EU needs a minimum of 2 million migrants from non-EU countries per year, and this need will increase due to demographic disadvantages such as aging populations and decreasing birth rates. Thus, the new pact includes policies to encourage regular migration, especially to attract qualified migrants, while also including measures not to permit irregular migration and refugees into the EU (Kirşci, Erdoğan, Eminoğlu, 2020).The perspective of EU countries on migration and asylum is usually based on this understanding. Although in 2021 they have received the lowest number of asylum applications since 1998 with 1,547 persons, the declaration by the Prime Minister of Denmark, Mette Frederiksen, that "our country is under threat in terms of social integration and Denmark aims for zero asylum seekers" clearly portrays this attitude (Info-Migrants, 2021). Therefore, although the numbers of refugees and irregular migrants have tremendously increased throughout the world, as well as in the EU region, it would not be a surprise if the EU takes stricter measures in line with protective policies. The Common Security and Defense Policy has developed a context which appeared to reflect further caring about human mobility, especially after 2010. This acceptance necessitates bringing forward and strengthening the European Border and Coast Guard - FRONTEX, which became the first EU structure with

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[7] See Barry Buzan et al., *Security: A New Framework for Analysis*, London, Lynne Rienner Publishers, 1997.

uniforms bearing the EU logo, exemplifies this understanding, beyond its symbolic meaning.

It was estimated that the EU would be exposed to a serious influx of refugees after the Arab uprisings. However, the movements following the outbreak of the civil war in Syria have surpassed all estimates. The massive flow of refugees that started by late 2014 from Turkey to Greece and to central Europe brought about a serious panic and self-protection reflexes in the EU. This undoubtedly is the most critical situation the EU has been exposed to since the end of the Cold War and it was considered as a "security risk", which seems to be a persistent problem with serious potential for the coming years. Although it is an understandable reaction for the EU to fortify its borders faced with this "threat" and to further empower FRONTEX, it is also clear that this does not eradicate the problem. For the problem to be tackled, the EU needs to engage in closer cooperation with the primary and secondary countries of origin. In this respect, it is evident that the most critical cooperation must be made with Turkey, going beyond financial support alone.

Despite all its shortcomings and criticisms, the 18 March 2016 deal has been a significant model for cooperation between Turkey and the EU. Although the political concerns that were included in this deal and constituted the main motivating factor for cooperation on the part of Turkey have faded into the background, bringing financial support to the fore, the role Turkey plays for the security of the EU has been clear for all parties involved. Therefore, it is vitally

important for the security of the EU to sustain cooperation with Turkey. However, it is not possible to ensure the sustainability of this cooperation only with financial support. Although thanks are due to the EU taxpayers that provided the largest international financial support to Turkey in dealing with the refugees, so far, the process has been quite costly for the Turkish tax payers, as well.[8] More importantly, the political, economic and social burdens and risks that Turkey is exposed to are becoming overwhelming. As the EU cares about protection from refugees for its own safety, it should not neglect the burden that it creates for Turkey.

In this respect, the following recommendations should be discussed in order to cope with the refugee crisis and to ensure a more functional cooperation:

- The 18 March 2016 deal between the EU and Turkey needs to be updated, both in terms of its duration and contents.
- Endeavors are needed to decrease the financial burden that Turkey has assumed in connection with the refugees, and especially to transfer resources that would contribute to the local integration processes.
- Control mechanisms should be set up to ensure that the Turkish state and the NGOs in Turkey make a more efficient use of their resources.
- It is essential that the Customs Union with Turkey is updated, membership negotiations are continued, and tangible steps are taken with regard to political expectations such as visa liberalization.
- Considering the fact that the irregular migrant stock of Turkey has exceeded

[8] Research by the University of Cologne calculates the cost of one refugee for Germany as 15,000 Euros per year. The funds that the EU has made available for 4 million Syrian and other refugees in Turkey corresponds to around 375 Euros per year per capita. If a calculation is made based on 15,000 Euros, if the Syrians in Turkey were present in Germany instead after 2011, its cost to Germany would have exceeded 400 billion Euros in ten years.

1.5 million in the last 5 years, it is critical to include this issue in the new deal as well.

- Resources must be made available to improve cooperation on joint border safety.

- Particular importance must be given to cooperation between Turkey and Greece, and policies must be developed to ensure that the problems encountered within the context of the Eastern Mediterranean and Cyprus tend to affect the refugee cooperation to the least extent possible.

- The geographical restriction that was imposed by Turkey in the Geneva Convention is critical for the rights of the refugee. However, Turkey's lifting of the reservation alone does not solve the problem. It is a critical to question whether the EU is prepared for the costs of Turkey's waiver of the geographical restriction. It must reveal its plans about how far it will contribute to this process by increasing its quotas for resettlement, if over 4 million people in Turkey are given the status of refugee. Otherwise, Turkey cannot take the risk of being left with the problem all to itself. Although the situation is problematic in terms of human and refugee rights, it is evident that the attitude of the EU on this issue is quite problematic, too.

- Although the hopes for voluntary return have been exhausted, it is extremely valuable for all parties involved that a permanent peace is restored in Syria as soon as possible. Otherwise, new flows of refugees will continue. It is essential to look for reasonable common grounds with Turkey.

- The EU needs to take further actions to ensure the resettlement of refugees. The resistance shown on the part of EU

member countries to the resettlement of Syrian and other refugees who have lived in Turkey for about 5 years and are registered by the UNHCR, imposes a significant pressure on the Turkish government. Therefore, it should be planned that some part of the EU's need for over 2 million immigrants per year (at least 10-20% per year) comes from the refugees in Turkey.

- The argument that "the borders opened/failed to be protected since the EU does not fulfill its requirements" must be taken into account by the EU carefully. It should be kept in mind that the Turkish government is under increasing pressure every day, and the political cost of Syrian and other refugees tends to increase. This is especially challenging for the fragile Turkish economy. If a more stable deal fails to be established between Turkey and the EU, it is inevitable that similar incidents will happen in the near future. It is, therefore, essential that the EU takes into consideration the increase in irregular migration in Turkey, and endeavors to engage in a comprehensive and sustainable agreement with Turkey in this regard.

- It is a fact that Turkey has abided by the 18 March 2016 deal for the most part, despite the lack of progress on political matters. This is reflected in the decrease in the number of crossings. However, it should not be a surprise that Turkey will attempt to instrumentalize this issue from time to time. Turkey will object to being treated as a "cheap stock of refugees", and take strict political steps if needed. For Turkey to act as "the guardian of the EU", it needs cooperation with the EU within a different modality.

- The greatest victims of the refugee crisis - apart from the refugees themselves - have been Turkey, Jordan

and Lebanon primarily, while Greece can also be added to the list. Greece must no longer be used as a security zone by the EU. Due to domestic political reasons, excessive burden as a result of large number of refugees and applicants for international protection, protection of their rights might not always reach the standards. The EU could help Greece in this regard. However, it has sometimes been observed that the EU has moved away from its principles in these matters due to disagreements among member states. It is extremely important for the EU to be more careful about human and refugee rights and to guide the relevant countries in this regard. Greece also should not become the victim of the externalization policies of the other EU member states. It is critically important to provide Greece with further financial and political support.

The refugee problem will continue to exist and enlarge in magnitude in coming decades, and will persist on the European agenda as the most critical security issue.

Thus, comprehensive and sustainable cooperation channels must be developed and strengthened between Turkey, Greece and the EU. In this respect, it should be kept in mind that steps for the visa-free travel of Turkish citizens would be welcomed by the Turkish public, instilling the feeling among them that their sacrifice is being rewarded somehow.

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