

EU-TURKEY COOPERATION ON MIGRATION

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Introduction: Externalisation of EU Border and Migration Policies

The EU-Turkey joint statement can be analysed as the continuation of a trend towards externalising EU border and migration policies.

The 7th Euromed Survey conducted by the IEMed aims to capture the main trends and opinions on the Management of Human Movements and Migrations in the Euro-Mediterranean Region. This article will focus on Turkey and more precisely on how the respondents have assessed the issues and measures that the Turkish authorities should prioritise to manage human mobility and how the respondents have evaluated the cooperation between Turkey and the EU on migration.

As the EU invested in legal infrastructure in third countries, concepts such as “first country of asylum”, “irregular secondary movement”, “transit migrants” or “stranded migrants” gained currency in proposed policy measures.

The EU-Turkey Joint Action Plan (November 2015) and EU-Turkey joint statement on additional action points (March 2016) have been an outcome of the EU governments' panic due to an increasing number of migrants and refugees arriving in Europe during summer 2015. The measures envisaged in the context of the EU-Turkey joint statement are to be understood as a continuation of the externalisation of EU migration and border policies. Restrictions towards migration and asylum have characterised the EU common policies since at least the mid-1980s. As border policy and visa policy domains have developed within the EU, cooperation with transit countries has been one of the primary policy tools to prevent irregular border crossings into the EU. This has led to increasing EU investment in the border infrastructure not only in member states but also in third countries at the EU periphery where ‘transit migrants’, who have left their country with the aim of arriving in Europe, remain. Another priority area for EU migration management has been to invest in the legal infrastructure of third countries to ensure that these countries embrace an adequate legal framework to provide protection for migrants and refugees. In this context, concepts such as “first country of asylum”, “irregular secondary movement”, “transit migrants” or “stranded migrants” have gained currency in proposed policy measures. Academics within and outside the EU have been critical of this approach to migration management for a long time, arguing that these measures fall short in preventing irregular migration into the EU and in addressing protection needs of migrants and refugees (Collyer, 2007; Collyer, 2010; Brigden & Mainwaring, 2016).

In light of this, we can see the Turkey-EU joint statement of March 2016 as a continuation of this trend towards externalising EU border and migration policies. Moreover, we should not neglect that Turkey's long-standing candidate status and its commitment to adopt the EU acquis have been major anchors for Turkey's cooperation with the EU on the issue of migration and asylum. In this respect, the statement can also be analysed as a continuation of migration diplomacy between Turkey and the EU (İçduygu & Üstübcü, 2014).

Turkey-EU Joint Statement of March 2016 and Survey Questions at a Glance

The Turkey-EU joint statement of March 2016 had three important components. The first involves the return of all new irregular migrants crossing from Turkey into the Greek islands as from 20 March 2016. Second, the statement declared the resettlement of one Syrian from Turkey to the EU for every Syrian being returned to Turkey from the Greek islands. Third, financial aid will be channelled to Turkey to improve living conditions of refugees in Turkey. In

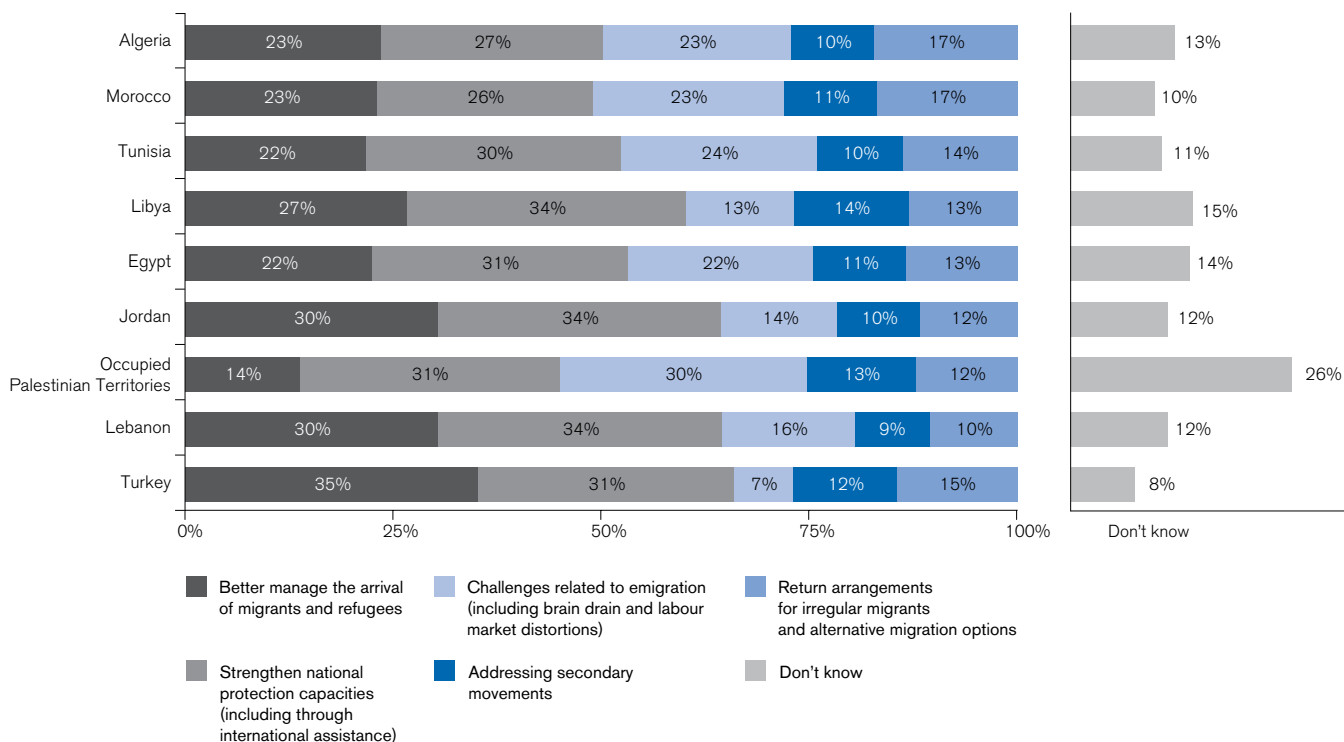
addition to these measures assessed by the 7th Euromed Survey, visa liberalisation for Turkish nationals' travel to the EU was again on the agenda, as was the case when Turkey signed the Readmission Agreement with the EU in December 2013 (İçduygu & Aksel, 2014). The EU promised to accelerate the visa liberalisation roadmap to lift visa requirements for Turkish nationals if Turkey met all benchmarks required for visa liberalisation.

From an optimistic perspective, as an immediate outcome of the Turkey-EU deal, the number of irregular entries into the Greek islands has significantly dropped since March 2016. However, returns from the Greek islands and the number of refugees resettled have remained modest. There is no evidence that the statement can provide a basis for a long-term solution to the issue of refugee protection beyond appeasing the EU panic on the arrival of migrants and refugees. Accordingly, the results of the survey reflect an already existing discontent with ongoing measures of externalisation. In light of this, the analysis first looks at the results of the 7th Euromed Survey on priority issues for governments when dealing with human movements and migrations (Q20) and on policy elements to be enhanced to better manage the arrival of migrants and refugees (Q21). For both questions only data on Turkey is analysed here and some comparisons are also provided when needed. Then, the analysis will turn to the measures set out in the EU-Turkey Joint Action Plan and EU-Turkey agreement that were the subject of Q24.

Priority Issues and Management of Arrivals

Q20 assesses priority issues for governments of Southern and Southeast Mediterranean countries when dealing with human movements and migrations. The need to strengthen national protection capacities is a common concern of Survey participants across the board.

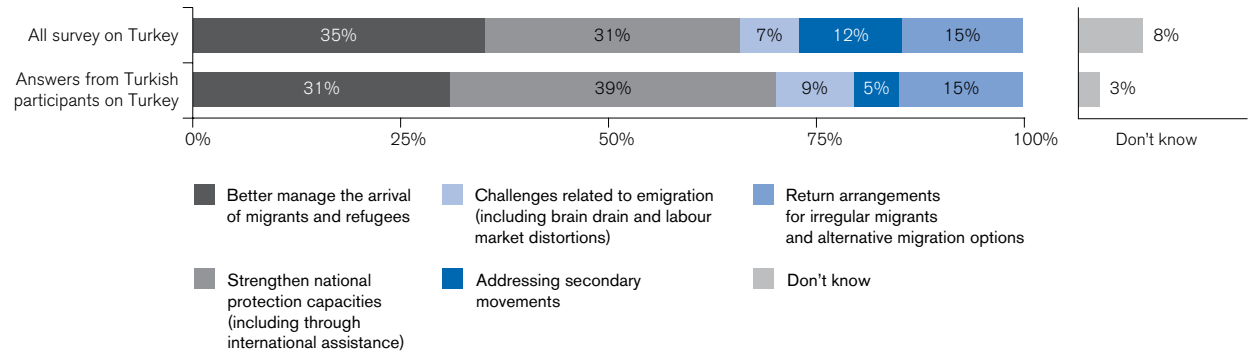
Graph 1: Assessing the main priority issues when dealing with human movements and migrations.



Source: Compiled by the IEMed based on the results of the 7th Euromed Survey/Question 20

Strengthening national protection capacity has a particular importance for Turkey, Lebanon and Jordan, which are amongst the countries with highest number of refugees in the world because of the conflict in Syria. 39% of respondents from Turkey indicates strengthening the protection capacity of Turkey in dealing with human migration as a priority area, whereas 31% of all respondents who have completed the questionnaire share this opinion (see Graph 2).

Graph 2: Assessing the main priority issues when dealing with human movements and migrations.



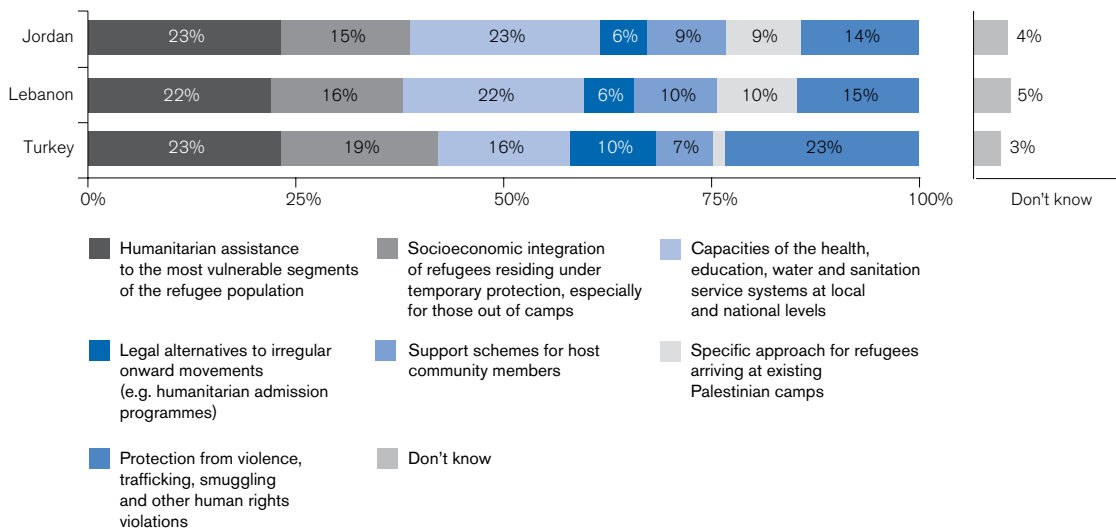
Source: Compiled by the IEMed based on the results of the 7th Euromed Survey/Question 20

The protection policies and implementation in Turkey fall short of providing a durable solution for Syrian and other groups of asylum seekers and migrants.

There may be several reasons why respondents from Turkey place more emphasis on measures for international protection in Turkey than their respondents outside Turkey. First, asylum seekers who are fleeing from conflict and arrive in Turkey to seek asylum do not receive refugee status in Turkey due to the fact that Turkey retains the geographical limitation of the 1951 Geneva Convention on the Status of Refugees. In other words, only asylum seekers from Europe can acquire refugee status in Turkey. Asylum seekers from Syria were initially called “guests”. They were granted “temporary protection status” (TPS) once the government realised that the conflict was not likely to be resolved soon. The Regulation on Temporary Protection, introduced in 2014, provided a legal basis for Syrians’ access to basic health services and education. Since January 2016, the Regulation on Work Permit of Refugees under Temporary Protection has enabled easier access to work permit procedures for Syrians with TPS. However, even for Syrian asylum seekers whose protection needs are prioritised in comparison to other groups of asylum seekers, there are problems in implementation despite government efforts. In short, the protection policies and implementation in Turkey fall short of providing a durable solution for Syrian and other groups of asylum seekers and migrants as already indicated by several sources (see, for instance, Amnesty International, 2016).

Survey participants from Turkey have given less priority to addressing secondary movements from Turkey (5%) when compared to all survey participants (12%). This may be because secondary movements are rather seen as a result of conditions in countries of origin and lack of protection and durable solutions in the first country of asylum, rather than a priority area in itself.

Graph 3: Measures for the better management of the arrival of migrants and refugees.



Source: Compiled by the IEMed based on the results of the 7th Euromed Survey/Question 21

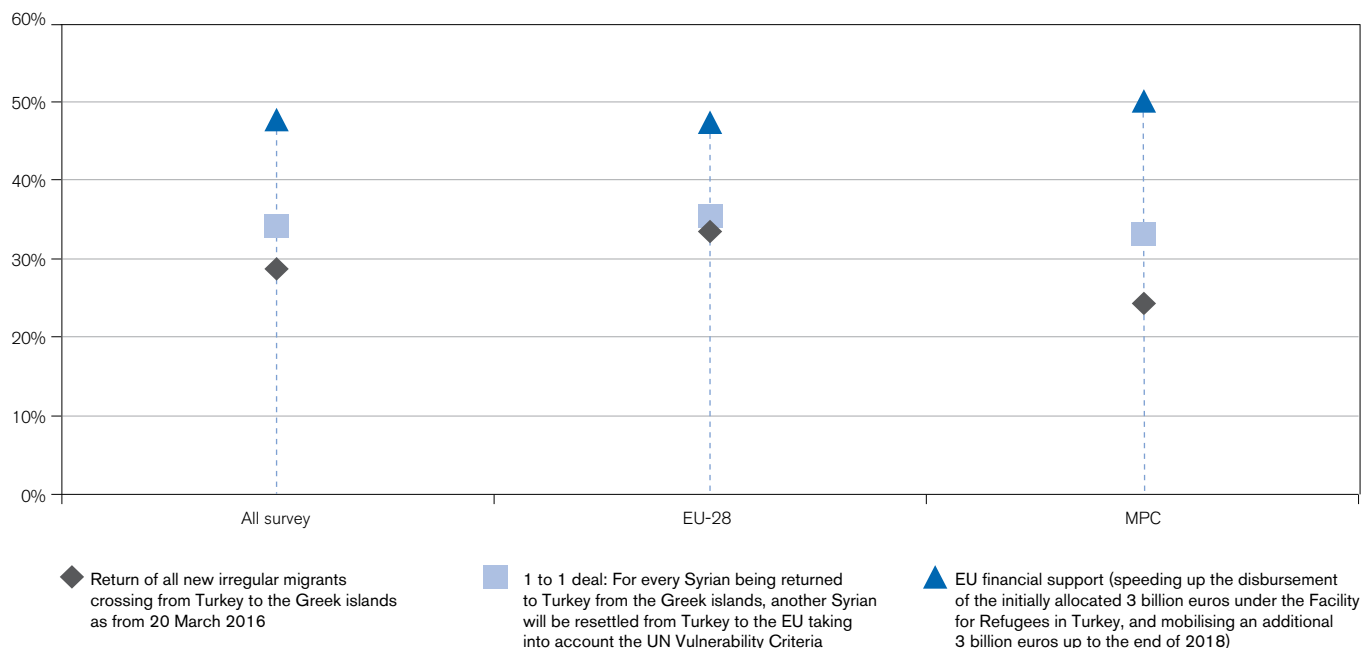
Question 21 of the Survey asks about the elements to be enhanced in order to better manage the arrival of migrants and refugees in Jordan, Lebanon and Turkey. Accordingly, protection from violence, trafficking, smuggling and other human rights violations is a priority area to be enhanced in Turkey to a much greater extent than is the case for Jordan and Lebanon (see Graph 3). In a similar way, legal alternatives to irregular onward movements are seen as part of the solution for migration management to a greater extent in Turkey when compared with other frontline countries. Because of the strict border controls along the Turkey-EU border, migrants and refugees, struggling to reach the EU, face violence and violations of their rights in the hands of smugglers and traffickers. This result resonates with the general concerns on the externalisation of EU migration and border management on the prevention of irregular migration.

Due to strict border controls along the Turkey-EU border, migrants and refugees struggling to reach the EU may face violence and violations of their rights in the hands of smugglers and even traffickers.

Assessing the EU-Turkey Joint Statement

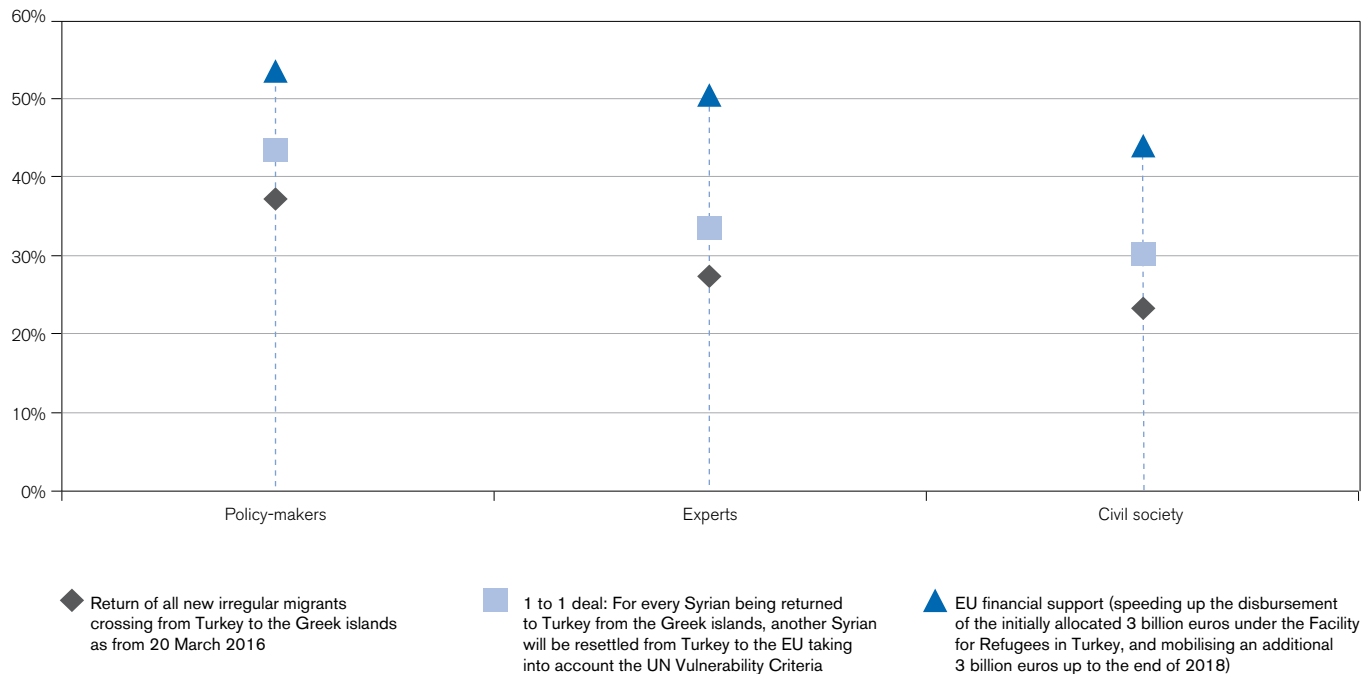
Q24 reveals the views on the three measures set out in the EU-Turkey joint statement on additional action points (March 2016). These are return of all irregular migrants from the Greek islands to Turkey, 1-to-1 deal for resettlement and EU financial support. Accordingly, EU financial support to be channelled for the integration of refugees is seen as the least problematic aspect of the statement, whereas the return of migrants from the Greek islands is the most problematic aspect. For the latter, the rate of approval is even lower among respondents from Mediterranean Partner Countries (MPC) (see Graph 4). Even for EU financial support, the most approved measure in the statement, the rate of people who consider this measure as highly or very highly adequate is below 50%. We can conclude that at least half of the respondents of the Survey have been sceptical about the adequacy of any measures in the statement. Furthermore, there is a considerable difference between the views of policy-makers and representatives of civil society. The latter, not surprisingly, have far more negative views.

Graph 4: Adequacy of measures set out in EU-Turkey joint statement.



Source: Compiled by the IEMed based on the results of the 7th Euromed Survey/Question 24

Graph 5: Adequacy of measures set out in EU-Turkey joint statement.



Source: Compiled by the IEMed based on the results of the 7th Euromed Survey/Question 24

Albeit short, over sixty open-ended answers by the respondents of the Survey provide a rich ground to further analyse the assessment of the EU-Turkey joint statement. Respondents who replied to the open-ended question expressed concerns with the adequacy of the

measures envisaged in the statement, from both ethical and empirical perspectives. Several respondents question the ethical responsibility of the EU in managing migration and highlight the contradiction between ongoing rights violations and the EU emphasis on human rights as a fundamental value. There is also some anxiety expressed over the EU's preference for managing human mobility as a diplomatic tool where the lives of refugees are exchanged with promises of visa-free travel for Turkish nationals. Last, the fact that the statement envisages putting the responsibility for protection on a country where Syrians and other refugee groups lack protection has given rise to widespread criticism.

These ethical concerns are coupled with empirical concerns with both the short-term viability of this cooperation as well as with its potential to bring about long-term solutions to the challenge ahead. Short-term concerns relate to the content of the text. The 1-to-1 resettlement scheme in the agreement conceptualises the resettlement, as one of the durable solutions of displacement, in a problematic way. The possible resettlement of Syrian refugees is linked to the forced return of others who had risked their lives to reach Europe. The planned resettlement of Syrian refugees is very low. There are also concerns about how financial aid will be distributed and used. One respondent remarks: "The special aid to Turkey is unfair given the needs of Jordan and Lebanon who have both supported a much larger percentage of refugees to total local population than Turkey."

One short-term outcome of this agreement has been a decreasing number of human beings crossing to the Aegean islands. However, as stated by respondents, the securitisation of the borders at the Aegean led to increasing numbers of refugees and migrants using the Central Mediterranean route, known as a riskier, more securitised and criminalised migration route. As reported by the Danish Refugee Council, the level of irregular migration originating from African countries to the EU using the Central Mediterranean route increased in 2016. However, they did not necessarily observe an increase in the number of Syrian refugees using the Central Mediterranean smuggling route because of the closure in the Aegean.

Conclusions and Recommendations

The analysis of the results of the Survey on the policy priorities and adequacy of existing measures in Turkey shows that a majority of respondents are concerned with the adequacy of existing refugee protection and migration management measures in Turkey as well as in other frontline countries. As is clear from answers to Q21, Turkey and the EU should put more effort into preventing violations of the rights of migrants and refugees. As implied in the open-ended answers and results of the Survey, one way to achieve this aim would be to acknowledge the protracted nature of the refugee situation in the region and to engage in large-scale resettlement schemes with sustainable integration components. The other would be to contribute towards conflict resolution and re-structuring for the establishment of self-sufficient, independent, democratic regimes in the region which can provide for the security and welfare of their citizens.

There are ethical concerns on the EU-Turkey joint statement, which are coupled with empirical concerns about whether this cooperation is viable in the short term and whether it will provide a long-term solution to the challenge ahead.

Respondents are concerned with the adequacy of existing refugee protection and migration management measures in Turkey as well as in other frontline countries.

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Bibliography

AMNESTY INTERNATIONAL (2016). *No safe refuge: Asylum-seekers and refugees denied effective protection in Turkey*. London: Amnesty International.

BRIGDEN, N., & MAINWARING, C. (2016). Matryoshka journeys: im/mobility during migration. *Geopolitics*, 21(2), 407-434.

COLLYER, M. (2007). In-Between Places: Trans-Saharan Transit Migrants in Morocco and the Fragmented Journey to Europe. *Antipode*, 39(4), 668-690.

COLLYER, M. (2010). Stranded Migrants and the Fragmented Journey. *Journal of Refugee Studies*, 23(3), 273-293. doi: 10.1093/jrs/feq026.

DANISH REFUGEE COUNCIL (2016). Closing Borders, Shifting Routes: Summary of Regional Migration Trends Middle East. Retrieved from <http://reliefweb.int/report/world/closing-borders-shifting-routes-summary-regional-migration-trends-middle-east-may-2016>.

EC (2016). Managing the Refugee Crisis, EU-Turkey Statement: Progress Report September 2016, *European Commission Factsheet*, 04.11.2016. Retrieved from http://europa.eu/rapid/press-release_MEMO-16-3218_en.pdf.

İÇDUYGU, A., & ÜSTÜBİCİ, A. (2014). Negotiating Mobility, Debating Borders: Migration Diplomacy in Turkey-EU Relations. In H. Schwenken & S. Ruß-Sattar (Eds.), *New Border and Citizenship Politics* (pp. 44-59). London: Palgrave Macmillan.

İÇDUYGU, A., & AKSEL, D.B. (2014). Two-to-Tango in Migration Diplomacy: Negotiating Readmission Agreement between the EU and Turkey. *European Journal of Migration and Law*, 16(3), 337-363.