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The factors that shaped Turkey's reaction to refugee crises: A Comparison between Iraq and Syria cases with respect to changing foreign policy dynamics of Turkey and Europeanization.

Dissertation of

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London, September 2015

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ABSTRACT

The purpose of this dissertation is to explore the factors that affect Turkish migration and asylum policy. Over the last 20 years, Turkey has become a transition route for immigration. Due to reason Turkey had a story of emigration to European Union countries, Turkey was not ready for a massive refugee attack. Turkey is often criticized with the lack of policy framework for refugees by European Union. Therefore, a study which will focus on Turkey's immigration policies is needed. Turkey faced three major refugee crises in the recent history: Iraq crisis in 1988 and 1991 and Syria crisis in 2011. This paper aims to argue that Turkish policy makers handle those crises in different ways as there has been a shift in Turkish Foreign Policy and Turkey entered into a Europeanization phase. Therefore, a comparative analysis is needed in order to show the changes in Turkish foreign policy dynamics.

KEY WORDS: AKP, TURKISH FOREIGN POLICY, MIGRATION POLICY, TURKEY, REFUGEE CRISES, IRAQ REFUGEE CRISIS, SYRIA REFUGEE CRISIS, EUROPEANIZATION

1. INTRODUCTION

Every country in the world may be affected from mass refugee movements as the nature of migration movements changed in today's international environment. According to the United Nations Global Migration Data, 3.2% of the world's population are transnational migrants (Öztürk 2015). After the Cold War and with the problems started in the Balkans, European Union members realized that the refugee influxes would affect all world, therefore a common asylum policy was necessary. Then, it is possible to claim that the changing international context with the end of the Cold War changed the nature of asylum and refugee attacks in the world.

As a candidate country, Turkey creates a challenge for European Union several aspects. Over the last 20 years, Turkey has become a transition route for immigration due to its geographical location. Turkey's geopolitical position forms a bridge between Middle East and Europe therefore Turkey is located at the center of the migration road for the migrants who want to go to Europe. As the instability in the Eastern countries increased, Turkey's role as a hub also increased and Turkey started to suffer from massive migration movements.

It is necessary to understand the right to asylum. According to The Universal Declaration of Human Rights (UDHR) Article 14 asylum is a basic human right and it is stated that "Everyone has the right to seek and to enjoy in other countries asylum from persecution. This right may not be invoked in the case of prosecutions genuinely

arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations (Öztürk 2015)”. However, when it comes to the practice, it is evident that millions of people have suffered from lack of international interest on the subject. 1951 Convention, also known as The Convention Relating To the Status of Refugees, was based on Article 14 of the Universal Declaration of Human Rights and is the international treaty regulating asylum policies between the signatory countries. 1951 Convention aims to increase international responsibility by introducing “non-refoulement” clause by which people who are seeking asylum as a refugee will not be rejected. However, the reality may be different as the recent Syrian crisis shows.

As a result of the Syrian Civil War, 6.45 million Syrians were forced to leave their home and more than 4 million Syrians are seeking asylum in the neighbor countries (Öztürk 2015). Although Turkey implemented open door policy against Syrians, Turkey has only granted Syrians temporary protection status whereas European Union countries have recently started to accept them as refugees. Öztürk (2015) claims that “Turkey is to host more than 1.6 million Syrian citizens of which about 220.000 Syrians live in 22 shelter centers which Turkish Disaster and Emergency Management Directorate (AFAD) established and managed in 10 provinces. Approximately 1.35 million Syrians are sustaining their lives outside of the shelter centers”. This was not the first refugee influx Turkey faced in the last 25 years however, Turkey for the first time implemented open door policy. Then, it is possible to claim that Turkish perspective towards migration changed during Syria crisis.

The aim of this paper is to argue the change in Turkish asylum system and migration policy. Turkey suffered two major refugee influxes from Middle East before the Syria crisis; first one happened in 1989 during Iran-Iraq War and the second one happened during Gulf Crisis in 1991. Due to the reason Turkey was a country of emigration to Europe, Turkey was not prepared for major refugee influxes. The existing legislation of Turkey before Syria crisis was inadequate to address the problems (Açıkgöz and Ariner 2014). According to 2014 UNCHR Report Turkey is the biggest refugee-hosting country in Europe which requires Turkey to adopt European legislation to the current developments (European Migration Network 2014). During previous crises Turkey closed its doors to Iraqi refugees and attracted criticism from international community. Yet, the Iraqi crises were not as complex as Syria crisis. Turkey is facing a bigger problem today. However, during Syria crisis, Turkey implemented open door policy and it is possible to claim that Europeanization and the shift in Turkish Foreign Policy have an important role in this policy shift. Therefore, this paper will present the concept of Europeanization and its effects on Turkish Asylum System. Furthermore, Turkish Foreign Policy entered into a new phase with the Justice and Development Party. Justice and Development Party's new foreign policy vision of *Strategic Depth* will be introduced and it will be claimed that Turkish Foreign Policy is also influential on the shift in the Turkish asylum policy. It is not possible to differentiate migration policy from foreign policy. However, in Turkey, domestic politics were also important for migration policies. According to Tolay (2012), "In the case of Turkey, foreign policy concerns seem to have always played a central role in the decisions made over migration policies. However, those concerns would often be intermixed with domestic policy concerns or considered to be at the margins of domestic politics". Therefore,

governmental party and how it handles the foreign policy are important determinant of asylum policy.

2.METHODOLOGICAL APPROACH

The structure of the research consists of three parts: the theoretical framework on Europeanization and its effects on Turkish asylum and refugee policy, the shift in Turkish Foreign Policy and the comparison of Turkish response to Syrian refugee crisis and Iraq refugee crises.

The theoretical framework is introduced in order to question the relation and interaction between Turkish and European immigration and asylum policies. In this part, the aim is to introduce the concept of Europeanization and the steps taken by Turkish government in order to comply with European framework. This section aims to question the impact of Europeanization on Turkish legislation. In this study, Europeanization is presented as an important catalyst of asylum policy change in Turkey because Turkey did not have a legal framework on immigration and asylum policy until 2014. The legal framework is institutionalized in accordance with Europeanization.

In the second part, this study acknowledges the relationship between Turkey's response to migration crisis and Turkish Foreign Policy. The study acknowledges that Europeanization cannot alone explain Turkey's attitude towards Syrian refugees. Turkish Foreign Policy entered into a transition period with Justice and Political Party government. Turkey's changing Foreign Policy is an important determinant against its

refugee and asylum policy. Turkey's new foreign policy is based on 'humanitarian diplomacy'. This hypothesis rests on the official statements made by Turkish government and policy differences between Iraq and Syria refugee crises. It is possible to define 'humanitarian policy' as "to generate awareness for severe humanitarian conditions and/or political conflict that is lacking global attention (Çevik 2014)". The International Federation of Red Cross and Red Crescent Societies define humanitarian diplomacy as "persuading decision makers and opinion leaders to act, at all times, in the interests of vulnerable people, and with full respect for fundamental humanitarian principles (Çevik 2014)". Turkey's former foreign affairs minister Davutoğlu claims that Turkey's aid to Syrian refugees may be accepted as an example of Turkey's new foreign policy dynamics (Davutoğlu 2013). Turkey's humanitarian policy has three dimensions which are; citizens of the Turkish Republic, country's human-oriented attitude in crisis zones and lastly humanitarian perspective at the global level (Davutoğlu 2013). This thesis will show that Turkey has adopted a more humanitarian approach during Syria crisis. Before Syrian crisis, security concerns were much more important for Turkey.

The third part of the study aims to apply the impact of new legislative framework and new Turkish Foreign Policy dynamics into the Syrian refugee crisis Turkey is facing. This part will present the refugee crises in detail. The aim is to explore the rationale of Turkish attitude towards Syrian refugees by comparing Turkey's attitude towards a previous refugee crisis.

This paper aims to argue Europeanization is the main catalyzer that transformed Turkey's asylum and refugee policy. However Europeanization alone cannot explain the shift in Turkish Foreign Policy. There are other catalysts which are performing with the process of Europeanization. In the literature, the factors that affect Turkey's asylum policy are in a relationship with European Union (Kirişçi 2003; Bayraktar 2011) and the shift in Turkish Foreign Policy. Turkey's refugee and asylum policy is closely related with Turkish Foreign Policy. Therefore, the aim is to show immigration and asylum policies of Turkey are determined at both national level (Turkish Foreign Policy) and international level (Europeanization). This paper also aims to show that EU legal framework has an impact on Turkey's migration policies.

3. THEORETICAL FRAMEWORK

In this part, the aim is to introduce important concepts such as migration, asylum and asylum seeker. In order to understand migration and asylum policies, the difference in the meaning needs to be introduced. Furthermore, Europeanization as a concept will be introduced in order to argue its effects on migration and asylum policies.

3.1. Defining Migration

It is essential to introduce the concepts in order to understand the difference in their meanings for further analysis. It is possible to define migration as “a process of moving, either across an international border, or within a State (Öztürk 2015)”. Migration does not only affect the state of origin but also it affects the country of settlement as well. Therefore, migration is an international issue. According to Article 1 of the 1951 Convention as amended by the 1967 Protocol, a refugee is defined as “A person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it (Öztürk 2015)”. It is possible to define asylum as “the protection granted by a State to an alien on its own territory against the exercise of jurisdiction by the state of origin, based on the principle of non-refoulement, leading to the enjoyment of certain internationally recognized rights

(Öztürk 2015)”. Furthermore, “Asylum seekers are the persons seeking to be admitted into a country as refugees and awaiting decision on their application for refugee status under relevant international and national instruments (Öztürk 2015)”. Lastly, it is also important to introduce the concept of temporary protection because migrants who are not granted refugee status may be protected under temporary protection policy. During 1990’s, as mass migration influxes peaked across Europe, European Union introduced the concept of Temporary Protection in order to cope with extraordinary circumstances (European Commission 2015). Temporary Protection is a “Procedure of exceptional character to provide, in the event of a mass influx or imminent mass influx of persons from third countries who are unable to return to their country of origin, immediate and temporary protection to such persons, in particular if there exists also a risk that the asylum system will be unable to process this influx without adverse effects for its efficient operation, in the interests of the persons concerned and other persons requesting protection (Öztürk 2015)”. Due to the fact that nature of migration changed and major influxes started to be common, countries needed to obtain extraordinary measures.

3.2. Defining Europeanization

The aim is to show Europeanization of the asylum policy caused Turkey to transform existing policy framework adopted by 1951 *UN Geneva Convention*. Turkey was asked to change its asylum legislation and administration in compliance with European Community. Turkey adopted several reforms during the accession period. However, Turkey’s shift in foreign policy affects decision making process during a

migration crisis as Syrian case may be given as an example. It is possible to claim that accession process affects domestic policy making process of the candidate countries which Turkey is a role model. However, in case of practice domestic policies has an important role as Syrian case shows.

In order to assume Europeanization is a factor for Turkish migration dynamics, it is necessary to introduce Europeanization theory. For a long time, Europeanization and European Integration used to be identified with each other. However, social scientists such as Ashead (2002), Bulmer and Burch (2001), Dyson (2000) claim that European Integration theories are not sufficient to explain the dynamics of European Community therefore meta-theories like Europeanization is necessary in order to adopt a top down approach (Howell 2002). Europeanization became a necessity when European Community policy and dynamics started to be effective in national policy making process (Howell 2002). In other words, European studies used to have a bottom-up approach in which the member states are the main players (Börzel 2003). Börzel (2003) claims that “Intergovernmentalist approaches take the Member States and their governments as the principal agents driving European integration and policy-making to protect their geographical interests and the economic concerns of their constituencies”. Then, European Integration grand theories are insufficient because they argue that the member states influence the European Community and disregard the influence of European Community on member states and candidate states afterwards. After 1990s, social scientists started to explore the impact of European integration on member states and Europeanization emerged. Furthermore, Howell

(2002) claims that European Integration may be accepted as the source of the change in the state level however Europeanization may be accepted as the outcome of the change.

The Europeanization theory started to be popular in recent years and it has explanatory power when analyzing policy, institutional and sociological changes which that with EU candidacy (Sandrin 2010, Moga 2010, Kirişçi 2007). To start with, Kale (2005) claims that “Europeanization is understood as an important catalyst of policy change in the pre-accession process allowing an increased pace of transformation of the Turkish legislative, administrative and political system”. Therefore, Europeanization is defined differently by different scholars as the concept is used for several aspects like European integration or institutional building. For instance, Héritier (2001) defines Europeanization as “the process of influence deriving from European decisions and impacting member states’ policies and political and administrative structures”. Kale (2005) claims that according to this definition Europeanization is presented as institutional framework which is affecting domestic policies. Candidate countries are expected to comply with European administrative framework.

Featherstone and Radaelli define Europeanization as follows and it is the most common definition used in the literature (Moga 2010, Sandrin 2010, Genc 2009, Icduygu 2007, Bulmer and Radaelli 2004, Vink 2002).

...construction, diffusion and institutionalization of formal and informal rules,

procedures, policy paradigms, styles, ‘ways of doing things’ and shared beliefs and norms which are first defined and consolidated in the EU policy process and then incorporated in the logic of domestic (national and subnational) discourse, political structures and public policies.

According to this definition, EU norms and policies are incorporated to the member countries. This definition claims Europeanization is a top-down process. Edsbäcker (2011) argues that this definition explains Turkey’s asylum and immigration policy because “Turkey is a key example of a nation state where the domestic immigration and asylum policies and practices are founded on a strong historical heritage, cultural notions, social validity and political incitements which in turn, especially after its candidature in 1999, are highly contested by the EU. The definition takes formal changes in terms of “direct” Europeanization of domestic *policies* as well as informal changes or “indirect” Europeanization of *norms* and *practices* of domestic actors into account”. Therefore, Turkey’s heritage and cultural notions are subject to change as a result of Europeanization.

There are three dimensions of Europeanization. Faist and Ette (2007) claim that “the process of Europeanization starts with the development of a governmental system and particular policies at European level. In the second step, these political structures and European policies generate adaptational pressures for domestic policy and policy making processes. The third-stage, or endpoint, of this process consists of national policies and politics adapting to EU level developments”. Europeanization may happen at legislative, administrative, institutional and ideational level. The member

countries adopt their legislative, administrative and institutional policies in accordance with European norms.

Furthermore, the topic of asylum is especially important for the European community therefore European standards started to be realizable in migration and asylum law of the member and candidate countries. Edsbäcker (2011) indicates that “The topic of asylum and migration within the EU has emerged from being a truly sovereign realm to include more cooperative practices between member states and between the EU and candidate states. As a result of this development, Europeanization has started to become highly noticeable within this policy area”. Then, asylum is an important topic because it requires the cooperation of the member states.

Yet, Europeanization is a multi-level task, as at the domestic level, member states may adopt policies according to their domestic policy setting (Kale 2005). The European sets of norms are adapted to domestic politics. Howell (2002) supports this argument by claiming that “there is a cross-loading of the process where there is a linkage between the macro level (member state) and micro level (sub-national interests) for vertical policy transfer”. Also, Kale (2005) claims that “When Europeanization is defined in terms of a process of change in national institutional and policy practices that can be attributed to European integration then its dynamics can be explored in the non-member states’ various policies. Therefore the development of common policies in the Union generates a strong impact for member and non-member states as well as

other actors in the global arena”. So, Europeanization is influential for national policies.

Europeanization in Turkey is in line with Héritier’s (2001) definition and it may be summarized as the European Union’s impact on Turkish domestic policies and administration (Kale 2005). It is assumed that asylum policies of Turkey are not only decided on national level but also it is affected from EU level as well. This paper will argue that Turkey attempted for Europeanization yet the legal framework was weak. Turkey adopted several reforms in order to be in compliance with EU legislation. “The direct influence of the EU is evident in the some of the 2002-2005 reforms, which were adopted in order to satisfy the Copenhagen political criteria. Subsequently, the adoption of National Action Plan is a clear outcome of the EU’s conditionality and demands for harmonization (Tolay 2014)”. National Action Plan states that “lifting the geographical reservation...will be considered in a manner that would not encourage large scale inflows from the East, when the legislative and infrastructural measures are introduced and in the light of the EU Member States on the issue of burden-sharing (Keser 2006)”. Then, Europeanization has an effect on Turkey’s policy framework. The aim is to show the relationship between Europeanization and Turkey’s recent legal framework on the subject of migration.

3.3. Europeanization in Non-Member States

Europeanization is effective in non-member states as well. It is not possible to expect Europeanization to affect only member states. As candidate countries are expected to

comply with European norms and standards, they are subject to Europeanization throughout the candidacy process. According to Kale (2005) “In practice Europeanization through the pre-accession and accession processes in the last decade have been influential in shaping and transforming policies of the candidate countries in the EU”. In this respect, conditionality occurs as an important criteria (Kale 2005). Through conditionality mechanism, European Union can force candidate countries to reach certain standards on several issues. Kale (2005) claims that candidate countries comply with European standards in order to be a member. “The pre-accession strategy and opening of accession negotiations are both powerful periods when candidate states experience the impact of Europeanization in their domestic policies and policy structures. In these processes European modes of governance are introduced to the candidate states with the requirement to comply with the policies decided at the European level”. However, the member states are decision makers in making European policies, yet candidate countries are “decision takers” (Kale 2005). In other words, in order to be a member state, they need to comply European policies.

3.4. Europeanization of Refugee Policies

It is not possible to differentiate asylum and refugee policies from the process of Europeanization as they are also subject to common policy establishment of EU. “The intergovernmental framework of cooperation in migration and refugee related issues within EU gradually involved supranational elements for common actions. Starting from intergovernmental efforts the EU’s initiative to develop a common migration regime is a priority which is explicitly expressed in the Amsterdam Treaty (Kale 2005). Then, building a common policy on migration is influential on member states

and candidate states as well. According to Tolay (2014) “Since 1999, the EU has committed to developing a Common European Asylum system, ultimately aiming at moving the issue of asylum from an intergovernmental to a supranational level of governance”. Therefore it is important for EU to establish a common migration policy. For instance, Kale (2005) claims that common policy on the issue of migration underlines the “territorial identity” of the Union. Furthermore, creating a common migration policy means being a political actor instead of just being an economic actor (Kale 2005). Therefore, asylum policy is an important condition for European Community because it underlines European Union’s role as a political actor.

3.4.Limitations

This paper will rely on qualitative methodology which will mainly rely on historical analysis. Therefore, it will be difficult to draw generalizations. This research aims to make a comparison of three different refugee crises Turkey faced by taking into consideration Turkish Foreign Policy. The study will mainly rely on secondary sources. It is essential to differentiate between subjective and objective resources as foreign policy analysis requires content analysis. Due to the security concerns, it would be difficult to travel to the refugee camps established in Turkey which will limit my ability to reach to the primary sources. Furthermore, eligibility of data may be a concern for the research. There are sufficient sources regarding Syria refugee crisis and Turkish Foreign Policy however there are lack of resources regarding Iraq refugee crisis. This may limit the scope of analysis. Also, it is not possible to reach primary sources on Iraq refugee crises as there is lack of possibility finding Iraqi refugees and contacting with them.

4. EUROPEANIZATION OF ASYLUM POLICY: TURKISH CASE

In this part, historical development of Turkish Asylum Policy will be introduced in order to discuss the effects of Europeanization on Turkish policymaking. It is possible to claim that the change in Turkey's migration and asylum policy may be associated with Europeanization. In the literature one of the factors that affects Turkey's asylum policy is Turkey's relationship with European Union (Kirişçi 2003; Bayraktar 2011). Turkey's refugee and asylum policy is closely related with Turkish Foreign Policy. Keser (2006) argues that after Turkey's candidacy declaration, EU gained a powerful authority on Turkish asylum and refugee policy. Turkey took several steps in the post-Helsinki period when Turkish European Union candidacy was announced.

It is possible to claim that Turkey underwent several reforms in order to comply with European standards. After Helsinki Summit in 1999, new programs and national action plans are put into force by Turkey (Bayraktar 2011). Bayraktar (2011) claims that "A new frame of reference on Europeanization has been transfused Turkish public and collective actions by a series of rules, procedure". Migration and asylum policy of Turkey were among the areas that were affected from Europeanization. The effect of Europeanization may be observed in Turkey's migration policy framework.

4.1. Turkish Refugee and Asylum Policy Before Helsinki Summit

In order to understand the effect of Europeanization on Turkish asylum and refugee policy, it is necessary to introduce Turkish asylum policy before Helsinki Summit when Turkey was accepted as an official candidate. Turkey's asylum and migration policy during candidacy was critical from several aspects. First of all, Turkey did not have a solid framework that regulated the migration and asylum. According to Bayraktar (2011) "Up until 1990s, the Turkish policies on migration and asylum were mostly based on the Settlement of Law of 1934 and United Nations' Geneva Conditions of 1951". Turkish refugee and asylum policy were based on Ottoman Empire heritage. At the last days of the Ottoman Empire and early years of Turkish Republic, different identities were merged in order to create one national identity. "As a result Turkishness, which was a search for ethnic, cultural, literary and linguistic roots of the Turks' identity, had changed into Turkism which state used to define the identity of the Turkish national state (Kale 2005)". The new concept of Turkishness affected Turkish asylum and refugee policy. Therefore, newly established Republic had more strict immigration policy compared to Ottoman Empire. Kale (2005) claims that "Even though there was a continuum in policies from the late Ottoman to the new Republic, the Turkish Republic emphasis on immigration of persons with the "Turkish descent and culture" became deliberate." Therefore, Turkish Republic aimed to create asylum and refugee policy based on Turkish descent and culture.

In the early years of Turkish Republic, The Law of Settlement (No.885) of 1926 was the main document regulating immigration. “According to Article 2 of this piece of legislation individuals who do not belong to the Turkish culture could not be admitted to Turkey (Kale 2005)”. The Law did not specify who belongs to Turkish culture explicitly therefore “Memorandum of Settlement” was issued on 1926 which specified “Pomaks, Bosnians, Tatars are deemed as bounded to Turkish culture and applications of the Albanians, who came to Turkey before and were registered with respect to the admission of their families are being granted (Kale 2005)”. Therefore, people from Balkans were accepted as Turks.

In 1934, A New Law of Settlement (No.2510) was accepted by the Turkish Grand National Assembly. According to this Law; only persons with “Turkish descent and culture” were accepted as migrants to Turkey. According to Ülker (2008) Minister of Interior Şükrü Kaya stated that “This law will create a country speaking with one language, thinking in the same way and sharing the same sentiment”. Therefore, Turkey granted immigrant status with the criteria of language. “The 1934 Law clearly indicated that individuals who did not have bounds with Turkish culture cannot be admitted to the country as immigrants (Kale 2005)”. Turkish speaking people living in Balkans and Caucasus also granted with migrant status. The immigrants coming to Turkey were granted with ‘settled immigrant’ status (Kale 2005). People coming from Balkans were welcomed to Turkey during the early times of the Republic. According to Kirişçi (2000), people from Balkans were granted with settled immigrant because it was believed that they will integrate to Turkish society easily.

In addition, *The Circular Regarding Rapid Completion of Settlement and Demographic Actions* which was adopted in 7 August 1934 listed different categories of migration status. At the top of the list the individuals “of Turkish race or individuals that are bounded to Turkish culture who speak Turkish and who do not know any other language (Kale 2005)”. Second category of individuals composed of “Georgian Muslims, Lezgis, Chechens, Circassians, Abkhazians and other Muslims (Ülker 2008)”. These individuals were investigated before they were accepted to Turkey. Third category of people were the ones which do not have a connection with Turkish culture namely “Foreign Kurds, Arabs, Albanians, other Muslims who speak languages other than Turkish and all foreign Christians and Jews (Ülker 2008)”. People in the third category were not granted with migrant status and they were accepted as foreigners (Ülker 2008). Therefore according to 1934 Law of Settlement, refugee status were granted only to people who had the bound with Turkish culture and decent. Kale (2005) claims that priority was given to Turkish speaking individuals and on the second category people who were Muslim may be accepted as migrants based on the investigation. Furthermore, people only in the first category had the right to settle in any part of the country. However, settlements from other categories were controlled by government for security issues (Kale 2005).

Until the acceptance of 1951 Convention, Law No. 2510 was the only document that regulated the refugee and asylum policy of Turkey (Kale 2005). This document may be accepted as a national legal document which governed the refugee and asylum

policy. 1951 Convention was accepted because of the changing global climate. Due to the reason Turkey was a transit country, Turkey suffered from illegal immigration during the Cold War. As Kale claims “During the Cold War period Turkey was accepted as a buffer and safety zone for the Western countries against a possible Soviet threat. Its role also involved performing a “stability zone” accessing to the Middle East and the Caucasus. This “buffer zone” function also involved immigration and refugee movements. Consequently, in the post-Cold War era, Turkey began to function as a transit country for illegal immigrants, refugees and asylum seekers from its turbulent neighborhood (Kale 2005)”. Therefore, Law No. 2510 was inadequate for regulating Turkish asylum policy because mass influx to Turkey increased.

In this respect, Turkey adopted national and international laws in order to govern Turkey’s asylum policy such as *1951 Convention* and *1967 Protocol*. “Turkey signed the *1951 Convention* while taking an active role in defining refugee concept. Turkey was among the twenty six participant countries to the UN Conference of Plenipotentiaries on the Status of Refugees and Stateless Persons held in Geneva on 1951 (Kale 2005)”. The Convention gave the right to accept the scope of the Convention with geographical limitation which Turkey did as (Kale 2005). There were both geographical limitation and time limitation in the Convention because the Convention was adopted to protect people running away from the Western and Eastern Bloc of Europe. On the other hand, 1951 Geneva Convention enables Turkey to grant the right of asylum to the persons of European origin only (Keser 2006; Ihlamur Öner 2013). The initial convention was limited with the political events that happened in

Eastern and Western blocs of Europe but the geographical limit was removed with the New York Protocol of 1967 (Keser 2006). However, Turkey preferred to keep the option of geographical limitation. The geographical limitation may be accepted as the central characteristic of Turkish asylum policy and it drew several criticism from international community (Kirişçi 2003) The geographical limitation caused Turkey to adopt a two-tiered asylum policy as "Convention Refugees" and "Non-Convention Refugees" (Kirişçi 2003). Turkey did not adopt a policy that governs Non-Convention Refugees for a long time until the Iraq Crisis.

After Iraqi government made military intervention to Kurdish rebellions in the Northern Iraq, there was massive influx to Turkey. However, Turkey closed its doors to half a million of refugees (Kirişçi 2003). After Iraqi crisis, Turkey adopted first national legislation which emphasized on national security over human rights considerations (Kirişçi 2014). Turkey's immigration law after Cold War may be accepted as incomplete and inconsistent. Turkey adopted 1994 regulation after Iraq crisis prior to that there was no regulation for non-European migrants in Turkey. 1994 regulation did not change the existing asylum policy but it only formalized the procedures (Kale 2005). According to Su (2008) "The 1994 Regulation was an attempt to bring status determination procedures under the responsibility of the Ministry of Interior without lifting geographical limitation. Prior to introduction of the Regulation, Turkey did not have national legislation regulating the status of asylum seekers and refugees coming outside of Europe, it was on the UNCHR's responsibility to conduct status determination interviews and to resettle them to a third country". Therefore, as

Turkey was subject to mass influxes, Turkish Republic desired to regulate the procedures.

It is possible to introduce procedures that were introduced with 1994 regulation. Tolay (2014) claims that “The 1994 regulation granted rights to non-European refugees to apply for asylum in Turkey, with the condition that, once recognized with a refugee status, they would have to be resettled in a third country”. According to Kale (2005) “Prior to the acceptance of the 1994 Bylaw on Asylum Turkey did not have any national legal provision to cover the status of people coming from outside of Europe”. Therefore, Turkey did not grant refugee status people outside Europe after 1994 Bylaw but Bylaw just regulated the status of non-European asylum seekers.

Turkey had to regulate non-European asylum seekers because there is no *refoulement* clause in 1951 Convention which means that Turkish authorities cannot force the asylum seeker, who is from any other country besides Europe, to return to his country. Kale (2005) claims that “In order to respect the principle of *non-refoulement*, asylum seekers who were not officially recognized as refugees for substantive reasons were permitted to remain in Turkey. They kept an alien’s residence permit stamped as “refugee status under consideration”. In case of a need to travel to a third country, they were issued an alien’s passport by the MOI which would normally be valid for 6 months”. Therefore, Turkey had to regulate non-European asylum seekers even though she did not accept refugee from non-European territories.

However, despite international community criticisms; 1994 Bylaw on Asylum may be accepted as a major breakthrough for Turkish asylum policy. It is the national legal document which governs Turkey's asylum and refugee policy. 1994 Bylaw made a distinction between "European refugees" and "non-European refugees". Kale (2005) claims that "The 1994 Bylaw makes the distinction between a 'refugee' and an 'asylum seeker' under Turkish legislation. In this respect, a 'refugee' is defined in terms of the *1951 Convention* definition of Article A (1) for foreigner/alien fleeing persecution with geographic preference within the scope of Europe. Similarly, an 'asylum seeker' is a person as defined by Bylaw as a foreigner/alien seeking asylum while fleeing persecution from regions outside Europe". Therefore, Turkey made a distinction between the concept of a refugee and asylum seeker. People from outside the Europe were not accepted as refugees but they were categorized as asylum seekers. Furthermore, the Bylaw created "temporary protection" mechanism. Both European and Non-European asylum seekers will apply to Department of Foreigners for a residence permit in order to be eligible for resettlement in a third country via UNHCR (Soykan 2012). Bylaw attracted criticisms from international agencies as non-European refugees were not granted with refugee status.

4.2. Turkish Asylum and Refugee Policies After Helsinki Summit

After 1999 Helsinki Summit, Turkey became an official European Union candidate. In the pre-Accession period with the declaration of *Accession Partnership Document* on November 2000, it was expected from Turkey to change her asylum and refugee policy as there was no law that would govern the asylum policy. The problem with pre-Helsinki asylum legislation is regarding the fact that it is regulated by secondary legislation. “One of the inadequacies of the current situation in Turkey is that there is no asylum law enacted by the Parliament. The current system is based on the 1994 Regulation and 2006 Circular. Both instruments lack a statutory base (Kaya 2009)”. According to Kaya (2009) Turkey’s asylum reform is related with EU membership process. European Union affected Turkey’s asylum policy through direct ways with conditionality and indirect means by using a third actor such as ECHR (European Court of Human Rights). (Tolay 2014). In the next section, the direct and indirect means of Europeanization is introduced.

4.2.1. Direct Means of Europeanization

EU can impact candidate countries by direct means by requesting to fulfill certain conditions. It was asked from Turkey to fulfill Copenhagen political criterias (Tolay 2014). With this purpose, On March 2001 EU issued Accession Partnership for Turkey which may be accepted as the main guideline for Turkey prior to its accession (Su 2008).

The Accession Partnership document stated short term and medium term objectives for Turkey. The topic of asylum was included to medium term objectives which should be

completed in one year time horizon (Su 2008). The Accession Partnership Document stated that “alignment in the field of asylum will be ensured, activities striving for lifting the geographical limitation to the 1951 field of asylum will commence, the system for evaluating and deciding on the asylum claims will be strengthened and accommodation centers and social assistance will provided for asylum seekers and refugees (Kaya 2009)”. Turkey was expected to adopt a *National Programme*. European Union insisted on asylum policy as a pre-condition for membership because as a political union European Union wants to control the future policies of member countries and asylum policy is also included in Europeanization. “The European Union’s interest on the issue of migration and asylum as a communitarian problem is not very deep-rooted even though since the 1970s the European countries have been affected from the migration waves from “Eastern” countries such as Turkey. Since 1999, there is an increasing trend to harmonize national migration and asylum policies with the European standards in order to control the current and future immigration at the borders of the EU (Kaya 2009)”. The request was regarding lifting the geographical limitation, illegal immigration, border controls and developing facilities for the asylum seekers (Kale 2005). According to Kale (2005) *Accession Partnership* was the first official document between Turkey and European Union on the matter of asylum. This document underlined the conditions that Commission demand for the membership. Turkey had to include lifting geographical limitation to National Programme.

Turkey performed several reforms in order to comply with EU legislation (Table 1). The National Programme of 2003 stated the conditions of Turkey for lifting geographical limitation. “The 2003 NP set forth two conditions for lifting the limitation: (i). Necessary amendments to legislation and infrastructure should be made in order to prevent the direct influx of refugees to Turkey during the accession phase, and (ii). EU countries should demonstrate their sensitivity in burden sharing (Kaya 2009)”. Turkey was skeptical regarding EU’s burden sharing ability and willingness in case of a massive influx.

Turkey adopted 2005 Nation Action Plan, and established a task force named Asylum and Migration Unit in 2008 in line with the Nation Action Plan. The aim of the task force is to draft a new legislation on asylum. Su (2008) claims the purpose of the task force as to align Turkish legislation with EU system. This task force is important to understand change in Turkey’s mindset against migration (Tolay 2014). Turkey aimed to establish a sustainable migration policy framework. “The direct influence of the EU is evident in the some of the 2002-2005 reforms, which were adopted in order to satisfy the Copenhagen political criteria. Subsequently, the adoption of National Action Plan is a clear outcome of the EU’s conditionality and demands for harmonization (Tolay 2014)”. National Action Plan of 2008 stated that “lifting the geographical reservation...will be considered in a manner that would not encourage large scale inflows from the East, when the legislative and infrastructural measures are introduced and in the light of the EU Member States on the issue of burden-sharing (Keser 2006)”. Furthermore, National Programme underlines the necessity of an

Asylum Law with a deadline of 2012. Kaya (2009) claims that deciding a deadline should be accepted as a positive step.

After Syria crisis, Turkey managed to adopt a migration law for the first time in history; The Law on Foreigners and International Protection of 2013 (Law No: 6458) also known as LFIP and came in force in April 2014 (Ümit 2014). Kibar (2013) claims that this Law shows Turkey's desire to bring Turkish asylum policy in line with European standards. It is the first national law issued by Turkey on the subject of asylum. European Union issued a joint statement regarding the Law on Foreigners and International Protection which states that (2013) "The law is a clear sign of Turkey's efforts to establish a sound legal and institutional framework for migration and asylum. This law and the institutions that it provides for indicate Turkey's clear commitment to build an effective migration management system in line with EU and international standards". The law still preserves geographical limitation, however it grants temporary refugee status to non-European asylum seekers. However, Syrian refugees are not granted with the title of "temporary refugee", they are still under temporary protection. Prior to the LFIP, Turkey did not have a regulation for the refugees outside the Europe. With this new Law, the concept 'conditional refugees' introduced and 'refugee' definition of 1951 Convention was kept in the new law as well. Conditional refugees are expected to be resettled to third countries by UNCHR however, European refugees can seek asylum in Turkey. The law is accepted as "one of its kind" when the history of Turkish asylum policy is taken into consideration (Açıkgöz and Ariner 2014).

Another direct means adopted by EU was “twinning projects” by which EU officials wanted to investigate Turkish plans on the subject of asylum. Tolay (2014) claims that “In the period 2003-2004, no less than eight twinning projects were initiated on issues such as strengthening institutions in the fight against trafficking in human beings, visa police and practice, asylum, border protection, law enforcement and migration issues”. There were two twinning projects on asylum which are namely “supporting Turkey’s capacity in combating irregular migration through establishment of removal centres” and establishing a system of reception, screening and accommodation for asylum seekers and refugees”. (Tolay 2014) Therefore EU aimed to investigate the developments via twinning projects.

4.2.2. Indirect Means of Europeanization

European Union affected Turkish asylum policy through indirect means like decisions taken by ECHR and civil society (Tolay 2014). Turkey has been with trial with ECHR on the issue of asylum and Turkey often lost the cases on the issue of asylum (Tolay 2014). Tolay (2014) argues that Turkish officials took ECHR’s decisions seriously and claims that “Recently, Turkish officials within the Task Force have admitted that they have been “hit hard” by the most recent 2010 decisions of the Court, and that they were determined to put into place a new asylum system that would eschew altogether any such condemnation from the Court in the future (Tolay 2014)”. Although EU and ECHR are different institutions, it is expected from Turkey to take the decisions of ECHR seriously (Kale 2005 and Tolay 2014). Also civil society is another important

indirect means adopted by European Union. EU took active role in financing civil projects on asylum. According to Tolay (2014) there was very limited number of organizations which were interested in asylum before 2000's, however with EU involvement NGO's started to be active in asylum and refugee projects.

3. Europeanization and Turkish Asylum Policy

Tolay argues that the effect of Europeanization is evident in Turkey's asylum policy and claims (2014) that "In the 1990s, Turkey used to have an outdated, incomplete and largely ad-hoc policy towards immigration into country, including asylum, regular and irregular migration and border management. By 2011, the picture is quite different: in all domains, different reform packages have been passed recently, and a comprehensive new immigration policy has been drafted". Therefore, it is possible to claim that Turkish asylum and migration policy is affected from Europeanization.

Table 1. Reforms Undertaken by Turkey

2003	Strategy Paper on Activities Foreseen in the Field of Asylum within the Process of Turkey's Accession to the European Union
2003	Adoption of EU <i>acquis Communautaire</i>

2005	Action Plan for Asylum and Immigration
2006	Investment Project on Supporting the Development of an Asylum and Country of Information System and Training of the Personnel of the Future Asylum Authority
2007	Establishment of the Development and Implementation Office on Asylum and Migration Legislation and Administrative Capacity
2008	Draft National Program
2013	Turkey adopted the Law on Foreigners and International Protection

Although Turkey wants to lift geographical limitation, yet Turkey cannot rely on EU's commitment to the burden sharing. Therefore, the recent law adopted on Foreigners and International Protection preserves geographical limitation. Turkey argued that Turkey will lift geographical limitation if Turkey is accepted as a member of European Union. According to Kaya (2009) "In principle Turkey agrees with the lifting of its geographical limitation and is fully aware that is an obstacle in EU membership negotiations. Turkey maintains that the issue should be resolved without harming Turkey's economic, social and cultural conditions and tries to make a connection between lifting of the geographical limitation and full membership. In other words, in the absence of the EU membership, Turkey does not want to lift the limitation". National Program was also referring to the burden sharing aspect of asylum and migration. "The NAP always makes a reference to burden sharing. According to the NAP Turkey "should not be expected to handle issues of asylum and irregular migration on its own (Kaya 2009)". Therefore, Turkey afraid from EU's commitment on mass migration movements.

4. Critique of Europeanization

Europeanization should not be given too much credit as it is incomplete from two dimensions namely: Turkey could not apply all the reforms which were stated in the National Action Plan and majority of Turkish population did not accept the values of EU (Tolay 2014). EU norms and principles found acceptance by the Turkish political elites but not the majority of whole. Therefore, it is possible to claim that there is partial Europeanization in Turkey on the subject of asylum (Tolay 2014). In the next section, the effects of shift in Turkish Foreign Policy will be introduced in order to argue its impact on Turkish asylum and refugee policy.

5. TURKISH FOREIGN POLICY AND ITS REFLECTIONS ON TURKISH MIGRATION POLICY

In this part, the aim is to introduce new Turkish Foreign Policy under Justice and Development Party in order to discuss the impact of Turkish Foreign Policy on Turkish migration and asylum policy.

5.1. New Turkish Foreign Policy

It is possible to claim that in the last decade there has been a remarkable change in Turkish Foreign Policy when Middle East is considered. Since Justice and Development Party government established, Turkey's Foreign Policy has entered into a transition period. Turkish Foreign Policy used to be aligned with Western interests and relationship with non-Western world used to be limited. As Şenol (2010) claims "For the most of the Republican Period, Turkey remained aloof from the Middle East politics and even when engaged, it was perceived as the advocate of Western interest in the region". However, with Justice and Development Party period, Turkish Foreign Policy started to be associated with a proactive approach and Middle East started to be perceived as "an area of opportunity" instead of "a source of risk" (Ihlamur Öner 2014).

Justice and Development Party rose to the power in 2002 and established the first single party government in Turkey since 1987. Ahmet Davutoğlu, former Foreign Affairs Minister is the author of the new Turkish Foreign Policy. Davutoğlu served as

Chief Advisor to the Prime Minister and since 2009 he became Minister of Foreign Affairs (Ihlamur Öner 2014). The new Turkish Foreign Policy was established on the *Strategic Depth* Doctrine. One of the main concepts which was introduced through *Strategic Depth Doctrine* is “center state” and it may be summarized by stating that “Turkey opts for being “the center” of a new civilization based on its history, culture and internal strength stemming from its transformation (Ihlamur Öner 2014)”. Center state concepts challenges previous foreign policy dynamics such as Turkey being a bridge between East and West (Ihlamur Öner 2014). The concept prioritizes the idea of having a central role in its region which is compose of Middle East, the Balkans, Caucasus, Central Asia, the Mediterranean and the Black Sea (Ihlamur Öner 2014). The reason of this shift may be aligned with the disagreement Turkey faced with United States and European Union during Second Gulf War (Murinson 2012). Therefore, Turkey’s new foreign policy was designed on the idea of accepting the historical responsibility against her neighbors (Ihlamur Öner 2014). The concept of “zero problems with neighbors” derived from central state approach of Turkey. According to Ihlamur Öner (2014), the new principles of Turkish foreign policy are “zero problems with neighbors in the Middle East”, “balance between security and democracy”, “multi-dimensional foreign policy”, “rhythmic diplomacy” and “vision oriented foreign policy” which require taking an active role in the developments and crises that may happen in neighboring regions and “order-building actor”.

Davutoğlu claims that Turkey adopted a proactive foreign policy and as a result of this approach, Turkey’s status in international arena became more important. Davutoğlu (2013) stated that “Turkey’s status in international relations has risen in

recent years, thanks to its new foreign policy. To comprehend the multidimensional proactive foreign policy of Turkey, we need to consider new analytical approaches and concepts". In line with this statement, it is possible to claim that the concept of humanitarian diplomacy may be accepted as the new vision of Turkish Foreign Policy. It is possible to define 'humanitarian policy' as "to generate awareness for severe humanitarian conditions and/or political conflict that is lacking global attention (Çevik 2014)". The International Federation of Red Cross and Red Crescent Societies define humanitarian diplomacy as "persuading decision makers and opinion leaders to act, at all times, in the interests of vulnerable people, and with full respect for fundamental humanitarian principles (Çevik 2014)". Turkey's former foreign affairs minister Davutoğlu claims that Turkey's aid to Syrian refugees may be accepted as an example of Turkey's new foreign policy dynamics (Davutoğlu 2013). Turkey's humanitarian policy has three dimensions which are: citizens of the Turkish Republic, country's human-oriented attitude in crisis zones and lastly humanitarian perspective at the global level (Davutoğlu 2013).

Turkey started to increase its regional impact as it became a regional soft power with humanitarian policy agenda. According to Çevik (2014) "Turkey's credibility has significantly increased in the regions by establishing a base for soft power. Together with the value-based humanitarian political narrative, that has an Islamic tone, it can be argued that Turkey has been able to generate a sense of trust and brotherhood in Africa and Middle East". Thus, Turkey is committed to becoming a key player in mediating conflicts such as Israeli-Palestinian peace talks, the Iranian nuclear talks, Somalia crisis and most recently Syrian civil war.

With the Justice and Development Party, the impact of military in Turkish Foreign Policy diminished (Murinson 2012). Furthermore, the effect of European Union is also observable in Turkish Foreign Policy. Europeanization affected Turkey's domestic politics and caused Turkey to adopt a humanitarian approach. Şenol (2010) claims that "With the help of EU anchor, Turkey experienced a transformation in domestic politics. Turkey has become more democratized, more sensitive on human rights and rule of law. There is no doubt that this transformation in domestic sphere has some reflections on its foreign policy. In contrast to the traditional bureaucratic-authoritarian, reactive foreign policies of the past, Justice and Development Party decision makers have developed a new pro-active and visionary foreign policy for Turkey". Therefore, Europeanization is also a catalyst in Turkish Foreign Policy as domestic politics and foreign policy are in relation with each other.

5.2. Turkish Foreign Policy Prior to Justice and Development Party Period

In order to understand the shift in Turkish Foreign Policy during the Justice and Development Party, past Turkish Foreign Policy dynamics need to be introduced. After the collapse of Ottoman Empire, Turkish Republic was established with the ambition of reestablishing a nation with structural reforms. There were two ambitions; establishing a new nation and promoting secularism. Turkish political elites aimed to create a new nation state from a multinational Ottoman Empire (Şenol 2010). However, this was not an easy task. Turkish political elite defined being Turk as everyone living in the Turkish Republic (Şenol 2010). In order to promote Western

secular state, Turkish elites adopted several reforms like caliphate was abolished (Şenol 2010). At the early years of the new Republic, Turkey had high threat perception from West which may be called as *Sevres Syndrome* (Şenol 2010). Therefore, Turkish Foreign Policy at the early times of the Republic was characterized as defensive and inward looking (Şenol 2010). Şenol (2010) claims that “Official nationalist discourse depicted Turkey as “a nation surrounded by enemies” was prevalent and also conveyed through the national curriculum”. Therefore, Turkish foreign policy was defensive at the early years of the Republic.

During the Cold War period, Turkey placed itself into the Western Bloc. OECD Membership, The Council of Europe (1949), NATO (1952) and associate membership of EEC (1963) support Turkey’s Western camp membership. During Cold War, Turkish Foreign Policy was characterized as uni-dimensional by Davutoğlu (Aktaş 2010). Turkey was Western dependent during Cold War period and Turkish Foreign Policy had the goal of keeping the status quo. However, with the end of the Cold War Turkish Foreign Policy entered into a period of transition. According to Aktaş (2010) “From the early 1990s onwards, Turkish Foreign Policy has entered into a new process of adaptation to the international and domestic transformations”. Turkey started to move towards a multi-dimensional foreign policy by the end of the Cold War.

5.3. Turkey Foreign Policy Towards Middle East

Turkey’s foreign policy against Middle East was distant until World War II. “Until the World War II, Turkey followed a policy of non-interference and remained distant from

the region. Except for a brief period, when Turkey had problems with Iraq over the issue of Mosul (1925-1926) and with Syria over the Alaxandretta (Hatay) question (1939) and 1937 Turkey initiated Sadabat Pact, Turkey mostly did not get involved in Middle Eastern Affairs (Şenol 2010)".

However, after the WWII and at the beginning of the Cold War Turkey's foreign policy towards the region was changed (Şenol 2010). It is possible to claim that in the 1950's, Turkey's attitude towards Middle East was related with communist threat. Turkey wanted to act as a Western role model for the Middle Eastern countries. For this reason Bagdad Pact between Turkey, Iraq, Iran, Pakistan and United Kingdom was established (Şenol 2010). However, instead of unifying against communism threat, Middle Eastern countries started alienate themselves from Turkey because Middle East was seeing Israel as the biggest threat (Şenol 2010). Şenol (2010) claims that "the Pact strengthened the image of Turkey in the eyes of the Middle Eastern states as "the spokesman of the imperialism"; "as an agent of American policy"; as a "pawn of the West". Therefore, Middle Eastern countries started to see Turkey as an ally of Israel instead of a partner for communist threat. Therefore, during 1950's starting with NATO membership and initiation of Cold War, Turkey started to be perceived as an agent of West.

Furthermore, Turkey pursued Western interests at that time so Turkey's foreign policy may be accepted as one-dimensional (Şenol 2010). According to Altunışık (2009), from mid-1960's Turkish Foreign Policy may be described as "equidistance", which aims to keep Turkey at an equal distance to Western and Eastern parties. Although

Turkey favored status quo, Turkey did not consider itself belonging to Middle East. Altunışık (2009) claims that “Behind these principles, one entrenched norm continued to guide the dominant perspective among the foreign policy elite: Whether Turkey opted to become active or not, it did not consider itself part of the Middle East sub-region. The Middle East represented what Turkey was, and not what Turkey wanted to be”. Therefore Turkey did not want to identify herself with Middle East.

However, starting with 1970’s Turkey’s attitude towards Middle East started to change. According to Şenol (2010) most important reason of the change was related with Turkey’s willingness to get Arab support for Cyprus issue. Also, during Arab-Israeli conflict in 1973, Turkey did not allow US to use Turkish military facilities for giving aid to Israel. Although Turkey tried to strengthen the ties with Middle East, Altunışık claims (2009) that Middle East policies of Turkey may be accepted as an extension of the relations with West because “Even when it was involved (in the region), Turkey did not consider itself as part of the Middle East regional system. This perception was due to the Turkey’s Western historical orientation and the definition of its identity”. Turkey did not want to associate herself with Middle East because there was Western orientation.

In 1983 Turgut Özal became Prime Minister and he served as president from 1989 until 1993. Turgut Özal gave special emphasis to enhancing Turkey’s ties with Middle East and Caucasus (Şenol 2010). Özal was Prime Minister during Iran-Iraq war and he was the president of Turkish Republic during Gulf Crisis. Özal tried to establish a bond with Middle East by emphasizing on Islamic identity of Turkey and he promoted

Neo-Ottomanism which aims to re-establish Ottoman cultural diversity (Hale 2014). He argued that Turkey was not alienated from East however Turkey should act as a bridge between Middle East and West. Altunışık (2009) claims that; “Özal also emphasized a shared Islamic identity in Turkey’s relations with Middle East, but more as an instrument to bolster Turkey’s role in the region. Indeed Özal promoted that Islamic world should adopt “secularism, liberal democracy and pro-Western outlook. For Özal, Turkey was a bridge between Western and Islamic civilizations”. Therefore, Özal had a positive approach towards Middle East in order to enhance Turkey’s relations with West. From another perspective, end of Cold War may also be accepted as a trigger for the change in Turkish Foreign Policy. According to Tolay (2012) “With the end of the Cold War, the foreign policy environment of Turkey was practically reset. The rationale behind the long Turkish isolation and non-engagement in the region disappeared, and under the initial leadership of Prime Minister and then President Turgut Özal, a new foreign policy of opening toward the country’s immediate neighborhood was put into place”. Therefore, as the international environment was changing so did Turkey’s foreign policy dynamics. According to Hale (2014), Gulf Crisis may be accepted as a turning point for Özal’s policy against Middle East. Hale claims that (2014) “Turkey’s traditional foreign policy making mechanism, which assumed the forging of consensus between the President, the government, the foreign ministry and the armed forces of commanders, was poorly adopted to coping with this situation, especially there were disagreements between them. As head of state, and a more experienced politician than any other member of the government, Özal emerged as a powerful foreign policy maker”. Therefore, Özal became the final decision maker during the Gulf Crisis.

Gulf crisis may be accepted as a turning point for Turkey's geopolitical importance. Şenol claims that (2010) "With the end of the Cold War, Turkey began to concern about possibility of decreasing its strategic importance to the West. At that point, the Gulf Crisis (1990-1991) gave the opportunity to Turkey to show its continuing importance to the West by supporting US's Iraq policy". However, the consequences of Iraq war were challenging for Turkey because security problems occurred. The major results may be introduced as; Northern Iraq was out of central government's control and Kurdish ruling started to dominate the area. Furthermore, Kurdish terrorist organization *PKK* started to attack Turkey from Northern Iraq (Şenol 2010). Therefore, security concerns started to be an agenda for Turkey and Turkey's attitude towards Middle East worsened. After Iraq War, Özal acted for the benefit of Turkey because he acted proactively by asking UN's help for refugee crisis. Also, Altunışık (2009) argues that "the retreat of Iraqi sovereignty and the emergence of Kurdish nationalism as an opportunity to project Turkey's powers outwards". For Özal, Middle East had opportunities for Turkey. He saw Gulf crisis as an opportunity for proving Turkey's geopolitical importance. Özal criticized the Foreign Ministry by accusing them being "pro status-quo" and he argued the necessity of being more active in foreign policy in order to seize the opportunities (Altunışık 2009). It is possible to claim Özal government was the first government which questioned the structure of foreign ministry (Aktaş 2010). Therefore, Özal had the vision to being pro-active in foreign policy and he saw Middle East as an opportunity instead of a threat.

In 1990's Turkey started to use military power to attack PKK which worsened Turkey's relations with Syria, Iran and Iraq as they were supporting PKK. Şenol (2010) claims that "Northern Iraq issue has captured Turkey's Iraq policy and even more its whole Middle East policy". In the mid-1990s, Turkey identified the Middle East as its main source of threats and balance this threat perception, Turkey become closer to Israel and signed agreements with Israel for military cooperation". As Altunışık (2009) claims with the increasing threat from Middle East, Turkey's foreign policy shifted from stable policy to a pluralistic policy.

5.4. Middle East Policy During Justice and Development Party Government

Justice and Development Party criticized Turkish Foreign Policy as being “defensive, static and passive (Altunışık 2009)”. It is believed by Justice and Development Party that Turkey was alienated from the regional developments therefore Turkey needs to adopt a new regional vision in her relations with Middle East. Justice and Development Party and Davutoğlu argued that after the dissolution of USSSR, Turkish geopolitical role needs to be redefined (European Stability Initiative 2009). Justice and Development Party also claimed that there was a prejudice against Arabs originated from Ottoman heritage is at the center of Turkish Foreign Policy. In the words of Davutoğlu, “Turkey has historical, strategic and geographic depth in the Middle East. As such, Turkey not holds a central position, but also has it in its best interest to engage in this region. This engagement, however, should be dynamic and pro-active as well as Ankara-centered, meaning that it should not only be an extension of Turkey’s relations with the West (Altunışık 2009)”. Therefore, Turkey’s attitude towards Middle East should change because it will be for the interest of Turkey to be active in the region.

Turkey adopted several policies in order to develop new regional vision. First of all, the main policy principle is “zero problems with its neighbors in the Middle East”. Davutoğlu introduces a detailed explanation for the zero problems doctrine by claiming; “It is impossible for a country experiencing constant crises with neighboring

states to produce a regional and global foreign policy. A comprehensive peace plan and a package to develop economic and cultural relations have to be put into place simultaneously to overcome security crises (European Stability Initiative 2009)". As a result of this policy; Turkey engaged in closer relations with Syria, Iran and Iraq (Altunışık 2009). Turkey did not just establish closer relations with Iraq but paid attention to what was going on in Northern Iraq by establishing relations with Shiite and Sunni groups.

Furthermore, Turkey aimed to establish institutionalized regional presence in the Middle East. Altunışık (2009) claims that "The initiative of Iraq's Neighbors Forum, which meets at the level of foreign and interior ministers, aim to tackle the Iraqi issues on a regional basis and foster confidence building measures in the region". Furthermore, Turkey played a leading role in the Organization of Islamic Conference (Öniş and Yılmaz 2009). By being present in institutional establishments, Turkey wanted to show its interest in the region as a partner. Another policy tool Justice and Development Party adopted was to be playing a third-party role in the regional conflicts like Palestinian-Israeli conflict (Altunışık 2009). Turkey aimed to be a role model for the region and in order to achieve this goal Turkey created a new Turkish identity. Altunışık (2009) claims that "Traditionally, Turkey has defined itself as a modern secular state with its ideological commitment to the West. The AKP, on the other hand has developed a new and rival identity of Turkey, with particular implications for Turkish Foreign Policy towards the Middle East. This new definition emphasizes Muslim and democratic identity and places Turkey in a different civilization-that is, Islamic-and yet in harmony with western civilization". Therefore,

Justice and Development Party aimed to change the perception of Turkey in the eyes of Middle East countries.

5.5. Comparison of Middle East Policies and Shift in Turkish Foreign Policy

Turkey's foreign policy towards Middle East may be evaluated from main international relations theories. It is possible to claim that from mid 1980s to the beginning of 1990s, Turkish foreign policy towards Middle East was liberal (Altunışık 2009). For instance, during the Iraqi crisis Özal adopted a liberal attitude in order to transform a crisis into an opportunity (Altunışık 2009). Liberalism did not take into consideration security and politics according to Altunışık. However, after Iraqi crisis in late 1990s, Turkish Foreign Policy towards Middle East was realist because Turkey started to perceive Middle East as a threat because Middle East countries were supporting the terrorist activities in Turkey. As security becomes the priority, other policy tools are not used efficiently. When it is looked to Justice and Development Party, Altunışık (2009) argues that there are both constructivist perspective and liberal perspective.

After 2002, with the AKP government the constructivist perspective has dominated, but there are also elements of the liberal perspective in the AKP and the constructivist perspective competing with the realist perspective of other institutions mainly the military and political parties (Altunışık 2008). In fact, it can be argued that historical

functionalism has not worked well in the Middle East. Political problems needed to be solved first. Turkish and Syrian relations may be given as an example for the soft power of resources. During 1990s, Syria and Turkey used to have unreliable relations as Turkey accused Syria providing support to terrorist organization PKK. Syria was concerned about Turkey's ambitions on South East Anatolia Regional Development Project which may be problematic for its water sources. Öniş and Yılmaz (2009) claims that "Although the official foreign policy line of Turkey maintained the separation of water issue from terrorism, according to analysts, in this period, Syria played the "terror card" against the "water card" of Turkey". In 1998-1999, Turkey threatened to invade Syrian territory if Syria continues to support PKK. However, after Öcalan's capture, during AKP's government and Bashar al-Asad's presidency, bilateral relations improved. Turkey's zero problems with the neighbors policy led to trade agreements, high-level political meetings and infrastructure agreements (International Crisis Group 2013). However, when the uprisings started in Syria, relations started to be worsened. Therefore, security issues and political issues are interdependent to each other as it may be seen from the bilateral relations between Turkey and Syria.

Then, it is possible to argue that Turkish Foreign Policy entered into a transition period during Justice and Development Party. The main conclusions that may be derived from post- Justice and Development Party Period are: Turkey started to oriented towards East in accordance with its new regional vision, Turkey adopted "zero problems with neighbors policy", new foreign policy has the vision of "humanitarian diplomacy" which started to give value humanitarian concerns. Furthermore EU membership is at the center of the Turkish Foreign Policy. These remarks are enough

to support the claim that Turkish Foreign Policy is influential on migration policy determination as Turkish orientation has shifted in the last decade so does the Turkish vision against migration.

6.COMPARISON OF REFUGEE CRISES: SYRIA AND IRAQ

According to literature, three refugee crises namely 1st Iraq Crisis, Gulf War Iraq Crisis and Syria, are important in order to understand what had changed from then to today. However, the literature which compares two crises is very limited which requires making comparison in order to argue Turkey's attitude had changed. İhlamur Öner claims that (2013) both of the Iraq and Syria crises are important because they represent the shifting nature of refugee crises and how Turkey changed its refugee and asylum policy in accordance with its Turkish foreign policy. However, Syrian crisis may be accepted as a massive and complex influx compared to Iraqi crises. This means Turkey is facing with a major crisis compared to Iraqi crises.

6.1. The 1988 and 1991 Iraqi Refugees Influxes

Turkey faced with two major influxes from Iraq; one was after Iraq-Iran War in 1988 and the second one was after Gulf War in 1991. During Iraq-Iran War Turgut Özal was Prime Minister and during Gulf War he was the President. Therefore Turgut Özal was

at the scene during both of the crises and his decision making was influential on how Turkey handled the crises.

6.1.1. 1988 Crisis

At the end of the Iraq-Iran war in 1988, Iraqi Kurds took the control of Halabja and Hurmalin. In return, Iraqi government started a military campaign against Kurdish population and killed approximately 100.000 Kurds. Iraqi forces forced Kurds to Iran and Turkish border. In response, Turkey closed its doors initially to Iraqi refugees with the initiative of military (Ihlamur Öner 2013). Turkey's response was related with security concerns because Turkey was afraid that PKK militants (Kurdish Terrorist Organization) will enter to Turkey along with innocent Kurdish refugees (Ihlamur Öner 2013). Kurdish question was at the agenda of Turkey during Iran-Iraq War which made the Iraq refugees a delicate problem for Turkey. Taşpınar (2011) argues that Kurdish question shifted from being an internal question of Iraq to a security concern for Turkey. Turkey relied on Article 9 of *1951 Convention* and argued that Convention allows a state to take provisional measures during war and circumstances that are important for national security (Kale 2005). Therefore, Turkey's refusal for opening the borders against Iraqi refugees were related with national security concerns.

However, as the number of refugees increased, international pressure on Turkey to accept refugees into Turkey also increased (Ihlamur Öner 2013). At the beginning of the crisis, Turkish Defence Ministry was reluctant to open the doors. However, Prime Minister Turgut Özal intervened to the crisis because he wanted to establish good

relations between Ankara and Kurdish communities. Furthermore, Turgut Özal was afraid that failure to open the borders may prevent Turkish engagement to European Economic Community (Taşpınar 2011). Also, as international pressure increased and after thousands of Iraqis died, Turkey opened its doors to the refugees (Latif 2002). However, Turkey accepted refugees with hesitation and Turkey did not refer them as Kurds or refugees. They were accepted as “guests” (Sert 2014). Iraqi guests were located to three separate camps and at the end of the crisis, they either went to Iran, returned to northern Iraq or resettled to third countries (Sert 2014). According to Ihlamur Öner (2013) 51,542 Iraqi passed the border. Turkish-Iraqi relations worsened and Iraq cancelled the hot security protocol, which was signed between two countries in 1984, and both countries granted each other the right of hot pursuit up to 5 km in their territories (Ihlamur Öner 2013). Furthermore, Iraq started to behave aggressively towards Turkmen minority in Iraq (Ihlamur Öner 2013). During 1988 refugee influx, Turkey seek for international share burden however Turkey did not collaborate with UNHCR. United Nations asked from Turkey to define Iraqi people as refugees, however Turkey did not accept that offer by relying on 1951 Convention’s geographical limitation (Ihlamur Öner 2013). Therefore, during first Iraqi crisis, Turkey did not open the doors initially and caused thousands of people to die. Furthermore, Turkey was cautious about the nature of the relationship with Iraq.

In May 1989, Turkey faced a major influx from Bulgaria and Turkey granted Turkish citizenship to 245,000 Bulgarian Turks (Ihlamur Öner 2013). Therefore, Turkey treated differently against Iraqi asylum seekers and Bulgarian asylum seekers which

attracted criticism from international community. Parliamentary Assembly of the Council of Europe issued “Recommendation 1151” on 1991 which compared Turkish treatment against Bulgarian asylum seekers and Iraqi asylum seekers and demands from Turkey to lift geographical limitation and to treat people from different origins in an equal manner (Ihlamur Öner 2013). Iraq refugee crisis was a sign for Turkey to change its refugee policy (Kale 2005). To sum up, during the first major influx from Middle East Turkey did not want to open its doors because of the security concerns. However, as international pressure increased on Turkey regarding the worsening situation Turkey was forced to open to its doors. Due to the fact that asylum and migration policies were regulated by 1951 Convention, Turkey did not recognize Iraqis as refugees but they were accepted as guests.

6.1.2. Gulf Crisis

Yet, a bigger influx came during Gulf War from Iraq to Turkey in 1991. When Iraq invaded Kuwait in 1990, United States started military operation against Iraq. After the defeat of Iraqi forces, United States declared cease fire on February 1991. However, after the cease fire Kurdish rebellion started in the Northern Iraq (Ihlamur Öner 2013). Iraq started military operation in order to end the rebellion and this military operation forced Iraqi Kurds to leave their country (Ihlamur Öner 2013). It was estimated 500.000 Iraqi Kurds were trapped between Iraq-Turkish border

(Ihlamur Öner 2013). One more time Turkey closed its doors because of the security concerns. Turkey was suffering from terrorist activities in the southern east part of Turkey which made refugee influx a delicate issue. Furthermore, Turkey hesitated from international community's desire to share burden. Therefore, Turkey closed its doors to Iraqi refugees because the situation was accepted as a direct threat to Turkish national security. Furthermore, Iraq declared that it would use military means in order to prevent Kurdish outflow from Iraq which caused UN to take action (Latif 2002). Turkish Minister of State, Kamuran Inan claimed that "The world did not help us to house and feed the refugees. At the outset of the 1991 crises, the Turkish government decided not to repeat what they saw as their mistake in 1988 (Latif 2002)." So, Turkey accepted 1988 as a mistake because the international burden sharing failure, terrorist inflow and worsening relations with Iraq. Turkish government announced that border will be closed and military will take necessary steps in order to prevent refugee influx to Turkey (Latif 2002). Yet, military could not stop the influx. According to Latif (2002), "The fact that the area along the Iraqi frontier is "inhabited by a population that through ethnic and family ties was strongly sympathetic to the plight of the refugees" created a domestic pressure on the government to change its policy. Therefore, the ethnic and family affiliation between refugees and Turkish population around the border areas, accompanied with the international pressures, created flexibility in the policies of Turkish government". Although the official decision was to close the borders, Turkish population along the Turkish border prevented this decision to become real. During the Gulf Crisis there was not a consensus of opinion between bureaucracy, military and president Özal which prevented Turkey to handle the crisis efficiently.

UN Security Council passed resolution 688 on April 1991 and in the end, Turkey was forced to open its doors after UN Resolution. Ihlamur Öner (2013) claims that “UN for the first time interpreted Article 39 of the UN Charter in the light of a humanitarian crisis and authorized intervention in a state’s domestic jurisdiction against the violation of human rights-rights of its own nationals- if it poses a threat to international peace”. Therefore, UN took an action against a humanitarian crisis because the crisis interpreted as it is a direct threat to international peace and security. UN asked from Iraq to end the repression however Iraq refused to accept the Resolution (Ihlamur Öner 2013). After the resolution, Turkey allowed Iraqi refugees to pass the border.

Turkey asked from U.N. to establish a safe zone in Northern Iraq for Kurdish refugees (Ihlamur Öner 2013). President Turgut Özal argued the necessity of establishing a safe zone. He claimed that a safety zone should be created in Iraqi border under international surveillance (Latif 2002). Hale (2014) claims that “On April 17, the coalition powers launched what became known as ‘Operation Provide Comfort’, under which an international force of 20.000 troops was established at Silopi, near the border with Iraq, and the ‘safe haven’ was established in the north-east of the country. This allowed virtually all the refugees to return to their homes by the end of May”. Latif (2002) claims that Turkey was more successful during 1991 crisis when compared with 1988 crisis because Turkey managed to attract the attention of international community. However, Turkey’s motivation may be associated with the treat of terrorist

flow to Turkey. Turkey initially evaluated the Iraq crisis as a national security issue and denied to assist to the refugees (Kirişçi 2014). Keser claims that (2006) Turkey was reluctant to apply asylum procedure for Iraqis instead, Turkey preferred to create 'safe haven' for refugees in northern Iraq. United States launched Operation Provide Comfort in order to establish a safe haven in Zakhu (Ihlamur Öner 2013). By April 1991, 250.000 Kurdish refugees passed Turkish borders (Taşpınar 2005) and it was estimated one and half million Iraqi refugees came to Turkey (Ihlamur Öner 2013). However Turkey did not grant refugee status to them (Ihlamur Öner 2013). During the crisis Turkey did not collaborate with UNHCR because UNCHR defined Iraqis in Turkey as refugees and Turkey did not want to accept them as refugees (Ihlamur Öner 2013). Turkey claimed that according to 1951 Convention Turkey had the right to close her doors by national security concerns and secondly Turkey criticized international community for not sharing the burden (Kale 2005). Instead Turkey accepted Iraqi Kurds as 'temporary guests' under temporary protection regime. After 1991 Iraqi refugee influx, Turkey issued 1994 By Law in order to regulate asylum policy in Turkey. However, it is possible to claim that during Iraqi refugee crisis Turkish security concerns were more important for Turkey than refugee rights and humanitarian aspect of the crisis (Ihlamur Öner 2013). Therefore, although Turkey handled 1991 crisis in a more humanitarian manner compared to 1988 crisis, Turkey was reluctant to open its door and Turkey did not grant refugee status to the Iraqis. Instead Turkey wanted to settle the refugees in a safe zone far from Turkey. From another aspect, Iraqi refugees were not asked whether they wanted to stay in Turkey or live in the safe zone. They were forced to move to the safe zones without giving them any choice.

In the below presented Table 2, it is possible to see the comparison of Turkish policy making during both Iraqi refugee crises and Bulgaria crisis. Turkey did only granted refugee status and adopted open door policy to Bulgarians. However, during the Gulf crisis Turkey managed to attract the attention of international environment in order to find a solution for the crisis.

Table 2: Turkish Response to Previous Refugee Crises

	1988 Crisis	Gulf Crisis	Bulgaria Crisis
Open-Door Policy	No	No	Yes
Refugee Status	Guests	Safe Zones	Refugee
Collaboration with IO's	No	Yes	Yes

6.2. Syria Crisis

When it is looked to the Syria crisis, it is possible to claim that Turkey was more active compared to the previous crises and Syrian crisis is a more complex crisis in terms of refugee and foreign policy. According to Sert (2014), Turkey's response against Syria crisis was different from its policies in the past. Syrian crisis started in 2011 with the beginning of public protests in the country against Bashar al-Assad regime. In 2011, Syrian army attacked civilians who participated to the demonstrations. Two years of civil war caused growing unrest in the country (Ihlamur Öner 2013). At first, Turkey tried to convince Assad to take necessary steps, but it was

denied by Assad (Ihlamur Öner 2013). In the second step, Turkey applied to UN and Arab League to find a solution for the crisis. Thirdly, Turkey started to support Syrian opposition and asked from UN Security Council to create a buffer zone (Ihlamur Öner 2013). However, all of those efforts failed.

Turkey adopted open door policy for the Syrian refugees and the refugees coming to Turkey were relatively small at the beginning of the crisis. In early 2011, 15.000 Syrians entered to Turkey and started to live in tent cities in Hatay. At the end of 2011, only 8.000 Syrians remained in Turkey (İçduygu 2015). However, when cease-fire talks failed and violence against civilians increased; 55.000 Syrians started to seek asylum in Turkey every month (İçduygu 2014). According to UN figures as of 2013; 5 million Syrian people displaced (Ihlamur Öner 2013). Turkey is one of the major recipients of Syrian refugees. Ihlamur Öner (2013) claims that “As of September 2013, the number of Syrian refugees in Turkey has reached half a million, with 200.000 staying in camps and 300.000 staying outside”. Syrians who are staying at the camps are provided with the basic needs such as shelter, food and non-food items and health care (Ihlamur Öner 2013). At the beginning of the crisis, Turkey’s attitude towards Syrian asylum seekers were welcoming because authorities expected refugees to return their country quickly when the crisis ends like the previous two Iraqi crises (İçduygu 2014). However, the situation worsened and the refugee influx increased every day.

Initially, Syrian refugees were accepted as guests according to 1994 Bylaw and 1951 Convention, however when the numbers of Syrians increased in Turkey, other policy

elements were incorporated. However, the term “guests” do not have a meaning for international refugee law (Ihlamur Öner 2013). Therefore, Turkey started to attract criticism from international community. In response, on October 2011, Turkish government declared Temporary Protection for all Syrians and declared that no one will be forced to return to Syria (UNHCR 2014). Compared to previous Iraqi crises, Turkey opened its doors to the Syrian refugees. However, Turkey did not accept Syrian people as refugees but they were accepted under the temporary protection regime. When Syrians started to come to Turkey, they were recognized as “guests” not “refugees”. Furthermore, they do not have the right to seek asylum in a third country according to 1994 regulation (Özden 2013). At the beginning of the crisis, Turkish authorities assumed that Syrian refugees would return to their country when the civil war ended in Syria. Therefore, Turkey was confident with her open door policy and temporary protection regime. Temporary protection regime was accepted as suitable to international law and humanitarian concerns. However, when the legal status of temporary protection is evaluated, prior to the Law on Foreigners and International Protection, Syrian refugees did not have any legal rights at all.

Turkish state has implemented “temporary protection regime” since 2013 for Syrians which ensures an open border policy, no forcible returns and registration with Turkish authorities (Özden 2013). According to Ihlamur Öner (2013) “This regime (temporary protection) entails unobstructed entry of Syrians into Turkey without any travel document or ID, no forcible return (non-refoulement), no individual status determination process, and accommodation and provision of basic services in camps.”

It is possible to claim that Turkish response to Syrian refugees met the minimum international and European standards (Ihlamur Öner 2013). However, due to the reason they are under temporary protection, they cannot legally be transferred to the third countries as UN-recognized refugees because they are not recognized as refugees (International Crisis Group 2013).

6.3. Comparison of Two Refugee Crises by Considering Turkish Foreign Policy and Europeanization

In order to understand Turkey's attitude towards refugee crises, a comparative approach needs to be adopted. This study will compare both of the Iraqi crises and Syria crisis. According to literature review, there are similarities and differences between two crises. First of all, both of the crises were related with establishing a balance between security concerns and allowing refugees to cross border for humanitarian concerns (Ihlamur Öner 2013). However, Syria is a more complex crisis compared to both of the Iraq crises (Ihlamur Öner 2013). Turkey was cautious for not to alienate Iraqi regime however Turkey was against Syrian violence during the crisis (Ihlamur Öner 2013). In the Iraq crisis, United States and international community played an active role however in Syria crisis international community could not become successful in intervention (Ihlamur Öner 2013). Thirdly, Iraqi refugees were accepted as guests by the Turkish government however Syrian refugees are given temporary protection which ensures no forced return to Syria and no limit on the duration of the stay in 2011 (Ümit 2014). Turkey did not grant refugee status in both

crises. According to Sert (2014) “While immediate response to the “non-convention” refugees from Iran or Iraq has been repatriation, the “national refugees” from Bulgaria were presented with the chance to settle in Turkey. To date, Syrians were presented with neither of choices”. However, during Syria crisis Turkey opened its borders immediately and granted temporary protection status to Syrian refugee seekers which were not present during the Iraqi crises. Therefore, when compared to Iraqi crises Turkey’s attitude is welcoming however it is still an action with distance compared to European asylum seekers.

Fourthly, Syria is the country which Turkey has its longest border, approximately 900 km, which makes the situation more delicate (Ümit 2014). Everyday more than 500 people pass the border which makes the situation fragile for Turkey (Ümit 2014). Also, Syrian refugees have been of all different ethnic and religious backgrounds including Kurds, Arabs and Turkmen and Sunnis, Nusayris and Syriac Christians (Ümit 2014). During Iraq refugee crisis, Turkey did not show any enthusiasm to pressure on Iraqi government because Turkey did not want refugee crisis to affect her relationship with Iraq (Ihlamur Öner 2013). During Syria crisis, Turkey cut her diplomatic ties with Syria in 2011, Turkey supported regional and international initiatives against Syria (Ihlamur Öner 2013). Therefore, Turkey did not take a side against Iraq however Turkey called for international response against Syria crisis.

When the impact of Turkish Foreign Policy taken into consideration; Turkey used to alienate herself with West and stay at a distance against Middle East Countries. The foreign policy dynamics before Justice and Development Party was not proactive. Turkey did not want to take an active role in Middle East politics. Therefore, Turkey's attitude towards asylum seekers from Middle East were evaluated by emphasizing on other criteria's. During both Iraqi crises, Turkey was suffering from Kurdish question and terrorist attacks. Therefore, Turkish Foreign Policy was dominated with a negative stance towards a Kurdish influx. Therefore Turkey closed its doors towards Kurdish refugees. However, Turkey's attitude towards Iraqi's in 1991 was also different from previous Iraq crisis as well. During 1991 crisis, Turkish military did not want to open the doors to the refugees however President Özal saw the crisis as a foreign policy opportunity. As Tolay claims (2012) "The decision to open border with Iraq during the influx of Iraqi Kurds in 1991, which Turkey had been very hesitant to do in 1988, was also signaling Turkey's emerging feeling of connection with the developments in the region". Therefore, during 1991 crisis Turkey was more active compared to 1988 crisis. Military and bureaucracy were at the opposite sides during the second Iraqi refugee crisis. Turkish military did not want to open the borders however Turgut Özal, who was the Prime Minister during Gulf War, argued the necessity of establishing a safe zone for Iraqi refugees. From another foreign policy perspective, Turkey was unprepared to Iraq refugee crisis which happened soon after Cold War. However, Turkey managed to attract the attention of international community and urged Operation Comfort during the second Iraqi crisis. However it is possible to see the shift in Turkish Foreign Policy during the Syria crisis. First of all, Turkey was involved to the crisis since the beginning. Turkey tried to attract the attention of the

international communities in order to stop the violence. Secondly, as the new vision of Turkish Foreign Policy is based on humanitarian policy, Turkey opened its doors to the Syrian refugees by ignoring the possibility of terrorist influx. It is possible to claim that Syrian refugee crisis motivated Turkey to handle the crisis in a humanitarian manner compared to the previous crises. “The management of the Syrian refugee crisis has been the reflection of both basic tenets of the decade-old active and effective Turkish foreign policy in the Middle East and worldwide in general and also how Turkish decision makers have been approaching the Syrian crisis the outset in particular (Ümit 2014)”. For instance, establishment of General Directorate of Migration Management may be accepted as an important milestone for Turkey’s asylum and migration policy in the future (İçduygu 2015).

When Europeanization is taken into consideration, Turkey did not have any legal document which was regulating Turkish migration and asylum system. European Union urged Turkey to regulate Turkish asylum system. Therefore, prior to Syria crisis Turkey had taken several steps in order to create a migration and asylum system which is in line with European standards. It is possible to see the impacts of Europeanization on Turkish Policy. As argued Europeanization may happen on four level. The Table 3. summarizes the legislative, administrative, ideational and systematic transformation on the subject of migration.

Table 3: Europeanization of Turkish Legal Framework

Legislative Transformation	Administrative Transformation	Cognitive (Ideational) Transformation	Systematic Transformation
Harmonization with the EU <i>acquis</i>	Institutionalization	Linkage between Migration and Asylum	Lifting Geographical Limitation
Draft Bill on Asylum	Asylum and Migration Specialization Unit	Creating Awareness in Society	Personnel Selection, Appointment, Career Development
Administrative and Judicial Appeals	Training of existing and prospective personnel	Administrative and Judicial Appeals	Focus on Illegal Migration
Applying to Administrative Justice Asylum Decisions	Language Training Courses for Refugees	Applying Administrative Justice against Asylum Decisions	Institutional and Administrative Reform
Long-term Policy Planning	Return Centers	Emphasis on Non-Refoulement	Involvement of NGOs and academics in the process

Source: Kale (2005)

For instance, legislative transformation requires harmonization with EU *acquis*. In order to reach this aim Turkey adopted National Action Programme and reached to the conclusion (systematic transformation) that Turkey will lift geographical limitation only if EU membership happens. In summary, Turkey took several steps in order to start the process of Europeanization. For instance, Turkey adopted the Law on Foreigners and International Protection. It is the first national law issued by Turkey on the subject of asylum. European Union issued a joint statement regarding the Law on

Foreigners and International Protection in order to appreciate the progress of Turkey regarding migration and asylum. The legal framework was institutionalized in accordance with Europeanization. Furthermore, Turkey's decision to open the borders and grant temporary protection status to the Syrians is related with Turkey's commitment to European Union because temporary protection fulfils the minimum international and humanitarian requirements.

To sum up, when Turkish Foreign Policy and Europeanization taken into consideration Turkish response to Syrian crisis differ from previous Iraqi refugee crisis. Therefore it is possible to see the impact of EU and shift in Turkish Foreign Policy regarding Turkish policy on Syrian crisis.

7.SUGGESTIONS FOR FURTHER ANALYSIS

While this study was concluded, Syrian crisis was not resolved. Turkey has been hosting approximately 2 million Syrian refugees who are granted with temporary protection. In the coming period a further study may be conducted in order to explore the burden sharing capability of international community and the new solutions proposed for the problem.

Furthermore, Turkish Prime Minister proposed an establishment of a safe zone for the Syrian refugees on September 2015 (TRT WORLD 2015). However, this proposition was not taken seriously by world leaders. It is necessary to conduct a study in order to explore the developments in the crisis and Turkey's response to those developments.

8. CONCLUSION

It is possible to claim that Syrian crisis is the one of the major refugee crisis' the world ever faced. Turkey as a neighbour country is subject to a major burden. According to European Migration Network (2014), Turkey is the biggest refugee hosting country. Yet, Syria crisis is different from the previous refugee crises because;

- Syrian crisis is more massive and complex when it is compared with the previous Iraqi crisis because Iraqi refugees returned to their homes eventually and the size of Iraqi refugees was smaller,

- Until Syrian refugee crisis, Turkey did not have a law on asylum. The law was accepted as Turkey's commitment to establish an effective migration management system in line with European standards,

- For the first time Turkey opened its borders to refugees unconditionally,

- International community was more helpful during the Iraqi crises, however during Syria crisis international actors are not helpful. For instance, although other actors are criticizing Turkey, European Union applies closed door policy against Syrian refugees for a long time.

Syria crisis is a complex crisis and it is handled in a different manner by Turkey. It is possible to claim that immigration and asylum policies of Turkey are determined at both national level (Turkish Foreign Policy) and international level (Europeanization). According to Tolay (2012), there are several factors that may be introduced for changing nature of migration policies in Turkey, foreign policy environment and

foreign policy decisions. First of all, the migration landscape of Turkey had changed which caused Turkey to take asylum policy seriously such as The Islamic Revolution in Iran, Gulf War and disintegration of Yugoslavia (Tolay 2012). However, changing nature of migration landscape cannot explain Turkey's attitude. Therefore, in order to understand the shift in asylum policies of Turkey, Turkish Foreign Policy needs to be considered as it is introduced in this study. Former Foreign Minister and recent Prime Minister Davutoğlu claims Turkey's policy against Syrians should be accepted as an example of Turkey's new Foreign Policy. With the Justice and Development Party, Turkey started to take into consideration its historical roots with Middle East and contrary to rest of the world opened its doors to the Syrian refugees.

As a last comment, during the preparation period of this study European Union announced that they will accept 120.000 refugees. Furthermore public demonstrations are organized in the European capitals in order to attract the attention of the politicians. However, when the scope of the crisis is considered, the number announced by the European Union is not enough to find a permanent solution to the refugee crisis. Therefore, European Union shares the burden in a limited manner of this study conducted.

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