

THE EFFECTS OF EUROPEAN UNION ILLEGAL IMMIGRATION POLICIES
ON THE CANDIDATE COUNTRIES: 'THE CASE OF TURKEY'

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ABSTRACT OF THE DISSERTATION

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Fighting against illegal immigration consumes a country’s financial sources which may lead to economic crisis; not fighting against illegal immigration, on the other hand, causes the emergence of identity and social fears. In other words, the struggle against illegal immigration not only costs a lot, but also poses risk in political terms to the countries that are involved in this process. Consequently, the illegal immigration policies could have the potential of ending in deadlock and becoming the reason of conflict between the related countries.

This study examines the nature of relationship between the EU and Turkey in terms of illegal immigration policies. It also investigates to what extent Turkey carries out its responsibilities to the EU regarding the fight against illegal immigration. This study also examines whether or not the EU is rightful about its allegations against Turkey on the issue of illegal immigration.

This study uses the following mixed method: The Content Analysis and Candidate Countries’ Eurobarometers (CCEB) Surveys. The data used in content

analysis are obtained from the EU Reports and Turkish Adaptation to Acquis Documents. The statements in the documents were coded on the basis of Turkey's progression status with a special focus on the topics. Another method used in the study is the CCEB Surveys obtained from the website of Interuniversity Consortium for Political and Social Research (ICPSR). These surveys were conducted in 2006 and 2007 in the EU member countries and candidate countries. The sample size of each survey was around 30.000.

According to the results of the content analysis, Turkey made adequate progress in the following two fields: Fighting against illegal immigration and human trafficking. Turkey made no progress in repealing the geographical limitation. Turkey makes limited or inadequate progress in nine fields including signing and ratifying readmission agreement, handling asylum-seekers and refugees, developing training programs, setting up and improving the reception and removal centers, setting up a migration and asylum authority, alignment to external border policy and Schengen Agreement, setting up an integrated border management unit, setting up a unified and professional border guard and aligning to the EU Visa Policy. These inadequate progresses show that Turkish policy on illegal immigration is fluctuated and reluctant.

According to the results of the Logistic Regression Analysis, the citizens of destination countries give almost three times higher priority on illegal immigration than the citizens of non-destination countries. Turkish citizens think that the EU should take collective responsibility on immigration policies, otherwise, they see the immigration as a risk for future integration to the EU. Turkish citizens are also less likely to support the joint EU efforts and they perceive immigration issues significantly less important than the citizens of destination countries. On the other hand, Turkey does not completely ignore the importance of fighting against illegal immigration. The citizens of non-

destination countries are more likely to think that the EU should take further joint-responsibility on immigration issues. In fact, the perception of importance of illegal immigration and perceived risks for integration confirm that the citizens of non-destination countries regard the immigration issue as a responsibility of the EU.

In conclusion, Turkey purposefully fights against illegal immigration in a limited way as it costs a lot and politically risky. Although illegal immigration is the problem of destination countries (Core EU countries), non-destination countries support destination countries on their fight against illegal immigration as well. Turkey prioritizes the problem but seems to be reluctant to take necessary actions. The EU and Turkey are in deadlock in terms of negotiations for fighting against illegal immigration in a full-fledged way.

Keywords: The European Union, Turkey, illegal immigration policy, fighting against illegal immigration, immigration, refugee, asylum.

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CHAPTER I

1.0. PREAMBLE

1.1. Introduction

The European Union was initially established to stop recurring bloody wars between neighboring countries in Western Europe. Between 1939 and 1945, Europe suffered for the last vicinal bloody and destructive war, the Second World War. The Council of Europe was first founded to stop these brutal wars between neighboring countries. The economic cooperation was thought as a remedy to secure a stable and sustainable peace beyond the political cooperation. Thus, six countries, France, Germany, Belgium, Italy, Luxembourg and the Netherlands, went a step further to built the European Coal and Steel Community by the Treaty of Paris in 1951. By reaping the lucrative yield of Coal and Steel Treaty, the six countries extended their cooperation to other economic and security fields. Afterwards, by the Treaty of Rome of 1957, they built the European Economic Community (EEC) or 'common market' and the European Atomic Energy Community. The period between 1945 and 1959 was an age of founding of economic cooperation; the next term between 1960 and 1969 became economic growth as well as continuation of cooperation for the Union. The Union launched the Common Agricultural Policy in 1962 and European Political Cooperation (foreign policy coordination) in 1970. They also completed custom union in 1968. So the community became prosperous economically, as well as liberal socially. Until the beginning of 1970s, economic growth continued. The United Kingdom, Denmark and Ireland joined the European Union on 1 January 1973. The number of members rose to nine. Because of Arab-Israeli War in October 1973, the energy crisis and economic

problems emerged in Europe.¹⁻² This economic crisis of 1973 was the beginning of end for liberal immigration policies.

After the Second World War, the rapid economic recovery and reconstruction in Europe led to more demand for manpower. The economic growth of OECD countries increased nearby 5% per year during the period of 1950 -1973. As the economies of Germany, France and the UK developed and expanded, the need for more workers increased in certain sectors such as heavy industry and service sector. Initially, they hired wartime displaced persons, and then headed to neighboring countries such as Portugal, Italy and Spain to recruit workers. But the workers who came from these countries were very costly to hire due to their higher economic expectations. Therefore, France and Germany developed policies to facilitate and encourage the inflow of workers from the poorest countries that had excessive manpower. While France headed to North Africa, especially to Algeria, the UK headed to the Indian subcontinent and the Caribbean. In compliance with state policies, around 65.000 in 1947 and around 265.000 in 1949 of the Algerian population immigrated to France. In the UK, according to population census from 1951 to 1961, the number of West Indians in the population increased from 15.300 to 171.800 (Collinson, 1994).³ Germany supplied needed manpower from Yugoslavia and Turkey. During this period, roughly 10 million emigrants reached to Western Europe.⁴

From the early 1950s to early 1970s, immigration policies in Europe were quite liberal. These policies were notably diverse and controlled by national governments on the basis of economic need.⁵ Just after the economic depression due to oil crisis during 1973 and 1974 in Europe, the diverse and liberal immigration policies suddenly turned into a united restrictive form in order to stop immigrants. Moreover, they expected

workers to leave and encouraged them to return home. But these policies were useless and just changed the forms of migration from contract workers into family unification and asylum seeking over time.⁶ As a result, during this term, West European countries, especially France, Germany, and the UK were intensively involved in developing migration-controlling policies. However, they could not curb the movement of immigrants. Beside the majority of immigrants were reluctant to go back to their original countries. Consequently, even though the postwar migration movements were seen a short and temporary economic phenomenon, politically and socially they resulted in permanent structural consequences in Europe.⁷

In 1979, the European Parliament increased its powers on EU matters and people first time had right to directly elect their representatives to the parliament. The 1980s experienced the second enlargement of the European Union by joining Greece, Spain and Portugal into the Union. The Single European Act was signed in 1986. This treaty launched the 'single market' program and extended common cooperation in the fields of environment, social, research and technology policies as well as economic and social integration. The 'single market' program aimed to sort out the problems relevant the free-flow of trade through the EU borders. Meanwhile, the Berlin Wall fell down in 1989. East and West Germany united in 1990.

The 1990s was an era that pointed out a borderless Europe. The Single Market was completed in 1993 along with allowing the free movements of the four: goods, people, services and money. With the Maastricht Treaty on European Union in 1993 and the Treaty of Amsterdam in 1999, the European Union (EU) became more integrated in its economic and political matters. The Treaty on European Union enhanced political integration by building a European Union consisting of three pillars:

European communities, Common Foreign and Security Policy (CFSP) and police and judicial cooperation (Justice and Home Affairs, JHA) in criminal issues. Schengen Agreements (1990) allowed people to travel without passport control at the borders.⁸ The more internal borders became flexible, the more the union concerned on protection of external borders. Thus, the defense and security matters became important issues on acting together in order to deal with border security and control of illegal immigration in 1990s. During the 1990s, the European Union continued to enlarge with joining of Sweden, Austria and Finland in 1995. Meanwhile, due to the technological developments in communications, people have got chances to access mobile phone and Internet.⁹

The world was at the beginning of new millennium, a terrible terrorist attack occurred in the United States on 11 September 2001. Because of this unprecedented event in the history, the US started ‘War on Terror’. Similarly, EU countries started more intensively to fight against crime. Because of the origin of the perpetrators of September 11 were being immigrants; securitization of border and immigration became one of the crucial agenda in the EU. Meanwhile, the EU continued to enlarge with joining 12 countries between 2004 and 2007. In 2007, 27 EU countries signed the Treaty of Lisbon that amended previous treaties. This treaty designed the EU to efficiently challenge to global problems such as climate change, security and sustainable development. When the financial crisis hit the global economy in September 2008, the EU countries made closer cooperation each other.¹⁰

There had been some political signals that aimed to control or limit migration in the 1960s, but the 1973 Oil Crisis was a striking turning point to change postwar liberal immigration policies across Europe.¹¹ Because of the economic recession, all

countries closed their doors to further worker immigrants and anticipated the leaving of the current workers.¹² Contrary to the governments' expectations, the workers who had already become rooted opted to stay. Yet more, the further worker immigrants joined the existing immigrant worker population due to family reunification and marriages. Nonetheless, the total number of immigrant population in Europe did not increase at a significant level, because it was balanced by voluntary returnees to sending countries during the 1970s to the 1980s.¹³

During this period, the return encouraging policies for immigrants were seen as a viable remedy to solve the immigration problem, thus destination countries developed restrictive policies. For instance, in December 1982, Germany introduced visa requirements for foreigners from outside non-EC countries. France strengthened its controls over all non-EC immigrants during three years prior to the 1981 election year. Britain passed the British Nationality Act that aimed to define different classifications of British citizenship in order to decrease its responsibilities towards British subjects who had imperial status. Stringent immigration policies continued during the early 1980s through to the early 1990s, for instance, Germany adopted new laws, policies and procedures that intended to imprison, fine, and expel illegal immigrants, and it placed sanctions on employers and transportation companies who deployed or transported illegal immigrants. These new restrictive policies played an important role the change of characteristics of immigration to Europe. Guest workers applied for asylum, undocumented and unauthorized entrances were defined as illegal immigration status. For instance, 4 million people proceeded with applications for asylum from 1989 to 1998. In fact, this phenomenon became apparent as far back as 1980, when 108.000 Turkish citizens applied for asylum in West Germany (cited in Stalker, 2002).¹⁴ As the

number of asylum-seekers increased, Western European countries went over asylum applications with a fine-tooth comb. However, this did not prevent the influx of migrants. In this time, these migrants looked for new illegal ways to enter Europe. They travelled sometimes by their own initiatives and sometimes through the help of smugglers.

Turkey was established on the legacy of Ottoman Empire. Ottoman Empire not only socially, economically and politically influenced Europe, but also socially, economically and politically was influenced by Europe. Ottoman Empire and Europe had myriad interactions by wars, peaceful agreements and trading through sea and land. Thus, both sides had taken their part from these interactions by the movements of ideas, people and commodity. With the rising of European civilization worldwide, Ottoman Empire faced to Europe in order to get modernized ideas in the fields of science, technology, law and administration. The root of modernization or ‘westernizing’ of Ottoman Empire went back to 19th century. When the Republic of Turkey was established on the legacy of Ottoman Empire in 1923, it also faced to Europe to unite around common norms, principles and values of those were already settled in Western European Countries. For that purpose, Turkey applied for being apart of the European Economic Community (EEC) in 1959. Ankara Agreement was signed between EEC and Turkey in 1963. The Initial aim of Ankara Agreement was establishing a custom union with EEC. Thus, Turkey’s admission to the European Community had been started.

Turkey developed its early policies on the base of republic system as a newborn state. In this context, in the period of its establishment, even though Turkey was exposed population exchange with Greece and irregular and regular migratory

movement from Eastern Europe, it did not develop an effective immigration policy. Because Turkey did not think of itself as a nation of immigrants¹⁵

In order to deal with population exchange, Turkish government enacted the Settlement Law of 1934. This law was valid until 2006, and only allowed people who were from ‘Turkish breed and culture’ to migrate to Turkey.¹⁶

With the membership to NATO in 1952, Turkey became a front country against the Soviet Block. Therefore, Turkish immigration policy was largely based on ‘security concerns’ of the Cold War, which thus were shaped by security institutions.¹⁷ Turkish Government ratified the 1951 Geneva Refugee Convention in 1961. This convention is most influential texts that shaped Turkish immigration policy during the Cold War and later on. Turkish government limited the application of the Convention and its protocol of 1967 by the proscriptive rule of ‘geographical limitation’. That is, Turkish government only would accept refugees from Europe.

At the beginning of 1960s, Turkey became a source country for Europe, especially for Germany. During 1960s to 1970s, regular Turkish worker emigrants traveled to Europe to seek job on the basis of mutual agreements. As of 1970s, Turkish workers to Europe slowed down due to the economic crisis. Nevertheless, between the late 1970s and 1990s, the flow of emigration continued on the basis of family unification and marriages.¹⁸ The number of Turkish population in Europe reached around 1.7 million in 1980s.¹⁹ The family unifications and marriages, political reasons (military coup in 1980 and terrorist activities in Eastern part of country) and economic and demographic inequalities between Turkey and Europe increased the numbers of Turkish population from 1.7 million to 2 million in 1985, and then to around 4 million

in 1995. Therefore, European immigration policies failed to stop emigration movements from Turkey to Europe.²⁰

On the other hand, from the mid 1980s to 2000s, because of political instability in the surrounding, Turkey received immigrants from Afghanistan, Bulgaria, Iraqi Turkmen Region, Bosnia, Iran, Middle East,²¹ Africa (Ethiopia, Ghana, Nigeria, Somalia and Sudan), China, and Sri Lanka.²² Most of these immigrants' final destination was to Europe. As a result, in some extent, it can be said that Turkey shifted from the status of a source country to a destination and transit country.

Due to adopting 'geographical limitation' policy towards Geneva Convention, Turkey treated people who came from Europe as refugees or asylum-seekers and others as 'transitory visitors'.²³ Nevertheless, Turkey did not implement a stiff policy against the immigrants who came from the East; and some of these migrants were allowed to settle in Turkey, some voluntarily left Turkey to go to the West or back to their own countries. Because of these diverse and unfamiliar immigration movements, Turkey had to review its migration policies. Thus, Turkey enacted a Ministerial Resolution in 1994. This regulation is also known as the 1994 Turkish Asylum Regulation. It was mainly designed on identity and security concerns against Iranian extremist Shia ideology and terroristic activities in the southeast of country.

It was a milestone for Turkey, when the Helsinki European Council declared Turkey as a candidate country to the European Union in 1999. After that date, the EU pressured Turkey to effectively fight against unwanted or illegal immigration.²⁴ Because of Turkey is situated between Europe, Asia and Africa, the large numbers of immigrant moves to Europe by using Turkey as a transit country. This transformed Turkey from a source country to a destination and transit country. Turkey needed huge

financial resources to stop illegal immigration. In turn, Turkey will not gain any economic benefit from this struggle against illegal immigration. With bearing EU pressure in mind, it is believed that the EU wants to get rid of problem by a 'shift burden' policy rather than through an effective struggle, which is costly. Even though Turkey has realized stopping unwanted migrations, Turkey will be a 'buffer zone' and the EU will be seen as 'Fortress Europe'. In this regard, Turkey adapts and supports the 'burden sharing' policies, rather than the 'burden shifting' policies.

When French and Italian security forces captured the large groups of illegal transit migrants, Turkey was blamed for doing nothing to stop these migrants. Thus, the matter of illegal immigration has been continued to discuss between the EU and Turkey during the early 2000s. Turkey defended itself by stating that a prosperous Europe and strict European visa policy were causes of illegal immigration.²⁵ Turkey also stated that it was not the source of illegal immigration rather the sufferer of it. Meanwhile, discussions and politics tensions continued. Meanwhile, Turkey amended its Penal Criminal Code, which allowed prosecutors and polices to effectively fight against human trafficking in 2002. Turkey also passed a new law that permits foreigners to work domestically in 2003, and it amended the Penal Code that prohibits and heavily punishes human trafficking, enacted a regulation that provides free medical treatments and six months' temporary permits for the victims of trafficking, and enacted a new Road Transportation Law that punishes the transportation of illegal immigrants in 2002. As a result, the number of seized illegal immigration were 146.000 in the period of 1995-1999, this number increased 387.000 in the next period of 2000-2004.²⁶

In addition, as of 2001, Turkey trained 553 police officers, 600 judges and prosecutors, and 73 officials who work in the Ministry of the Interior on the issue of

human trafficking. Turkey also signed readmission agreements with third countries such as Syria and Greece in 2001, Kyrgyzstan in 2003, Romania in 2004 and Ukraine in 2005. The negotiations and interactions concerning these readmission agreements continue between Turkey and Bangladesh, Pakistan, Sri Lanka, India, China, Iraq, Israel, Jordan, Lebanon, Egypt, Sudan, Nigeria, Morocco, Ethiopia, Tunisia, Libya, Algeria, Kazakhstan, Uzbekistan, Mongolia, Bulgaria, the Russia Federation, Belarus and Georgia.²⁷ In 2005 at Brussels Summit, on the ground of Turkey fulfilled the political criteria; The EU decided to open the accession negotiation process with Turkey. With starting of the accession negotiation, the relationship between the EU and Turkey had a great impetus. However, the accession negotiation process brought many obstacles to Turkey. The main obstacle is Cyprus Problem. Because of Cyprus problem, the relationship between the Parties came to a standstill. However, Turkey decided to continue the reforms in the frame of European acquis by the virtue of believing that the acquis is for benefit of its citizens.²⁸

1.2. Statement of Problem

European politics has been affected Turkish politics over the past two hundred years. While the transformation of European politics and economics has followed its own evolving path from nation-state to supranational form, these evolutions in Turkey have being occurred one step back from Europe. That is, it is time for Turkey to be member of a supranational organization, the EU. Thus, Turkey is required to align and practice regulations in order to be admitted into the union.

On one hand Turkey is building and enhancing its national government structure, on the other hand Europe enforces Turkey to become a member of supranational organization on the basis of admission to the Union. In 2005, negotiation

process to membership was officially started between two political entities, Turkey and the EU. As for immigration issues in Europe, member states of European Union have developed national politics on the basis of national interests²⁹ and EU member governments have been reluctant to transfer their authorities to the European Parliament and the European Court of Justice.³⁰ In this context, even though member states follow national politics on immigration issues, how does Turkey, as a candidate country to the EU, develop a policy on immigration issues that compatible with the *acquis*? Moreover, the EU is questioning Turkey's commitment to EU *acquis* in terms of fighting against illegal immigration. Thus, Illegal immigration is recently hot topic among the union and member states as well as Turkey.

In order to effectively evaluate and define the nature of relationship between the EU and Turkey, the agenda of illegal immigration has been emerging as a striking phenomenon between the parties. For that reason, the illegal immigration policies of Turkey and the EU will be the topic of this research.

1.3. Significant of the Proposed Study

This study will examine the nature of relationship between the EU and Turkey in terms of illegal immigration policies. To what extent Turkey carries out its responsibilities to the EU on the fight against illegal immigration. This study also attempts to examine whether or not the EU is legitimate for its allegations against Turkey on the issue of illegal immigration. Whether the EU has a kind of dilemma for its immigration policies. While the EU tries to enhance its power as a supranational power in the region and world, does it the hamper its members and candidate countries against certain topics that may harm their national interests? One of the main topics in the EU that creates dilemma is immigration issue. Immigration related issues have not

been completely resolved among the members of the EU, which would this lead the organization to be a really supranational player in terms of fighting against illegal immigration? Relevant to the policy discrepancies between the parties, which party has right arguments and which side has false argument? Given this context, this study will be among the rare studies that explore EU immigration related issues from the perspective of a candidate country, which is Turkey in this case.

CHAPTER II

2.0. LITERATURE REVIEW

Iancu (2012) states that “yes, the nation states are still there. But not because nothing else exists, but rather it does exist: multi-level arrangements seem to have proliferated in the international arena.”

Ulusoy (2009) states that Europeanization process poses a significant challenge to the nation-state and demands a transformation of basic governing structures and notions. When it comes to immigration policies, the governments have been reluctant to transfer their authorities to the European Parliament and the European Court of Justice.³¹ At Laeken Conference of the European Council in December 2001, while the heads of governments issued a call for closer cooperation to protect external borders, they refused a proposal to establish a common united body which would patrol and guard external borders.

Despite Turkey tend to be agreeing on safety measures against illegal flows of people to Europe, Turkey develops its policies on burden sharing and mutual concession due to heavy burden on its economy.³² Thus, policy discrepancies emerged between Turkey and the EU. As a result, abovementioned statements indicate that immigration policies including preventing illegal immigration to Europe will be one of hot agenda between Turkey and the EU. In order to comprehend the situation, first it would be better to glance at the emergence of concept of international immigration in general, and then the occurrence of international movements in Europe. Later, the following chapter would shed light on the emergence of concept of illegal immigration in Europe and Turkey.

2.1. INTERNATIONAL IMMIGRATION

While Europeans were living in the grip of the brutal war caused millions of dislocations, Eugene Kulischer (1943) stated, “The migratory movement is at once perpetual, partial, and universal. It never ceases, it affects every people...[and although] at a given moment it sets in motion only a small number of each population... in fact there is never a moment of immobility for any people, because no migration remains isolated (cited in Collinson, 1994).”³³ That is to say, almost every sorts of migration were felt by Europeans, either they were displaced forcibly or voluntarily, economically or politically, temporarily or permanently, and regionally or inter-continently. Even though the flow of populations from European lands was not first *ex post*, and people elsewhere in the world had experienced similar migratory movements.³⁴ The thing makes the uniqueness of the flow of population from the European is that it has closely influenced economic, social and cultural changes around the world over a few centuries.

Recent international migration movements have occurred in larger scale, more complicated way, and more varied forms than previous times. The globalization has enhanced communications between people and enabled travel easier between different parts of the world. In addition, due to ongoing wars, conflicts, persecutions, natural disasters, ecological degradation, poverty and unemployment, millions of people have been displaced within countries or across boundaries. Some forms of these migrations have occurred legally, others have occurred illegally; some have been temporary, some have been permanent; some have intended to migrate and work in agriculture, some in industry; and some have been skilled, and some have been unskilled; and some forms have occurred for purposes of family unification, outwardly or inwardly.³⁵

2.1.1. Taxonomy of International Migratory Movements

The complex structure and machinery of international migration makes migratory phenomena difficult to classify precisely. Nonetheless, a sort of taxonomy is needed in efforts to discuss and analyze immigration, even though this classification may involve an oversimplified reductionist approach. For this purpose, policy taxonomies of migration have mostly been based on the cause and intention of the movement. Therefore, the causal (push) factors are mostly defined as political, whereas the motivational or intentional (pull) factors are mostly defined as economic factors. For example, the intention of a migrant may provide a useful tool for distinguishing a refugee from other forms of migration. Refugees involuntarily migrate from one place to another for security reasons, whereas other kinds of migrants voluntarily migrate for economic reasons. Moreover, the combination of economic and political (motivational) factors of migration (voluntarily or involuntarily) helps us to differentiate the various forms of migration. For example, on one extreme side, worker migrants are strongly classified as being economic in cause and voluntary in motivation; on other extreme side, refugees are strongly classified as being political in cause and involuntary in motivation (Collinson, 1994).³⁶

Table 1 The Matrix of the Diversity and Causes of Migrations

| | Strongly voluntary | Strongly involuntary |
|--------------------|--|---|
| Strongly economic | -Migrant workers, -Professional and unskilled workers, -Documented and undocumented (illegal or irregular) immigrants, | -Refugee due to ecological degradation, |
| Strongly political | -Jews to Israel | -Refugee (political) -Asylum-seekers |

In addition to above matrix, social and cultural factors significantly affect the patterns of immigration. For example, even though the migrant families and their members may mostly migrate for economic reasons, this kind of migration is generally defined as a social movement. Likewise, the similarity of the social networks between countries impacts the pattern of migration between sending and receiving countries.³⁷

In response to Collision's classification, Lahav (2006) developed a taxonomy consisting of four main components: labor migration (temporary and permanent), family reunification, forced or humanitarian migration (refugees and asylum-seekers), and illegal (or irregular) migration. Lahav argued that Collinson's classification was inadequate for specifying the complex nature of immigration phenomenon. Thus, Lahav categorized four components of immigration and explained how the components of immigration affect the decision-making calculations of the major immigrant-receiving countries in order to better represent the full range of policy obstacles posed

by the various dimensions of immigration. Lahav also aimed to explain the causes of international immigration based on push and pull factors. The push factors generally refer to miseries (famine, poverty, disaster etc.) and persecutions that threaten people's life in origin countries. People's survival concerns have played an important role in migration and have helped them improve their chances of survival. In cases where there are threatening conditions in the country of origin (push factors) has play a more important role in influencing migration than the conditions expected in the country of destination. Conversely, the pull factors generally refer to the country of destination where the quality of life (such as better income, security, education, health etc.) tends to be a more important drive for migrants.

2.1.2. Global Migratory Trends

Martin and Widgren (2002) argued that the numbers concerning international migration are often 'fairylike' and 'prejudiced'. Contrary to what is believed, even though international migration rates increased from 75 million to 120 million from 1965 to 1990, when the increase of world's population is taken into account over the last 40 years, the migrant stock of the world's population remained steady at a level of 2.3% until 1990.³⁸

According to the United Nations Department of Economic and Social Affairs (UNDESA), approximately 214 million people lived outside of their country of origin as of 2010. While roughly 156 million people lived outside of their native country in 1990, this figure increased to 214 million people in 2010. Percentage increases in international migration occurred at a rate of 37% from 1990 to 2010. On the other hand, the world's population was 5.3 billion in 1990, and this number increased to 7 billion in 2010. The percentage increase in the world's population rose approximately 30%

from 1990 to 2010. These ostensible percentages increases could mislead us however, and lead to mistaken assumptions about international migration. But, when the number migrating are compared to the numbers of the world's population (approximately 7 billion), the aggregated stock of international migrants of 214 million represents only 3% of the world's population.³⁹ As Martin and Widgren (2002) claimed, the migrant proportion of the world's population has remained steady at 3% over the past several decades.

In addition, half of these global migrants have been female migrants; and the proportion of migrant females in the world has remained steady over time. The number of refugees has decreased over time. Refugees constituted 12% of the aggregated world migrants in 1990, whereas this number decreased roughly 8% in 2010 (UNDESA, 2012).

The collapse of the Soviet Union and the disintegration of Yugoslavia greatly impacted the increase in the numbers of migratory movements in the 1990s. Many Asian countries emerged as economic powers also increased the numbers of these migration movements.⁴⁰ Because of the aforementioned reasons, despite there were increases in migratory movements; the global migratory figures did not dramatically increase over the last several decades.

However, due to the development and proliferation of modern communication and transportation, the expansion of international economic activities, and the increase in economic inequalities and demographic disparities, each continent of the world has been affected by international migratory flows. That is, the world has witnessed a significant enlargement and diversification in transcontinental migrations over the last few decades, such as from Asia to Middle East to North America and from Caribbean

and Africa to Europe. Economic and political factors have a considerable role to play in these migratory movements that, in one way, follow the changing world trade and capital patterns. However, despite the fact that international migratory movements are seen as a global phenomenon, it is important to note that the process also reflects a degree of regionalization. For example, migratory movements between the US and Mexico and between countries in West Africa reflect the regional characterization of the flow of people across neighboring countries. Similarly, regional economic groups where are relatively developed or expected to develop can attract a flow of migrants. For example, East and South East Asian countries have witnessed a significant diversification and increase in numbers of migrants in recent years.

In addition to the process of regionalization of migratory movements, a prominent shift in the direction of migration occurred in the south-north direction. According to 2007-2010 data of World Bank, international migrants were concentrated in the countries of the Northern Hemisphere. The top ten countries that had the most significant international migration stocks received 110 million migrants out of total 214 million migrants. The top ten countries were the United States, Russia Federation, Germany, Saudi Arabia, Canada, France, United Kingdom, Spain, India, and the Ukraine. As seen from this list, eight of the top ten countries were northern countries. If we exclude Saudi Arabia and India, the top eight northern countries (North America, Western Europe and Russia) have roughly 98 million migrants. 50 million migrants alone are concentrated in North America: the US houses 43 million migrants and Canada houses 7 million migrants. The US absorbs a significant part of the international migration stock. The US received 23 million migrants in 1990, and this number dramatically increased to 43 million in 2010. The closest country to the US is the

Russian Federation, where has only 12 million migrants received. The US also received more migrants than entire countries in Western Europe.⁴¹

2.2. INTERNATIONAL IMMIGRATION IN EUROPE

2.2.1. Impacts of Migratory Trends on Western Europe

In recent decades, all three global trends, globalization, regionalization and escalation, in international migration were correspondingly experienced by Western Europe. However, the migratory movement of workers was not the first large-scale transcontinental migration that was experienced by Europe after the Second World War. Western Europe was exposed to two larger intercontinental migratory movements in its history. The first was the Atlantic slave trade and the second was the migratory outflow to the New World. Therefore, the arrival of new workers from Eastern and Central Europe after the Second World War was not a new phenomenon for Europe. Meanwhile Europe was already involving in escalated international labor movements prior to the two World Wars.

Even though, West European countries had experienced large-scale migratory movements of foreign workers from culturally, ethnically and geographically different locations outside Europe, the phenomenon of globalization with its contributions of regionalization significantly changed the patterns of migratory movements into Europe. These migratory movements not only led to the emergence of a new region of immigration, but also brought along new migration patterns. For example, the labor markets of Western Europe where isolated from poor Mediterranean states became connected with the migration networks in Western Europe. These networks caused an increase in immigrant numbers from North Africa to Southern Europe. Despite the migration movements to Europe after the postwar years were similar to those of earlier

years, the consequences of these migrations were markedly distinctive. Because these migrant patterns shifted political, economic, and social circumstances in both the source and destination countries.⁴²

Recently, Western Europe become ambiguous about its future migration policies. On the one hand, it wants to deal with the influx of people fleeing from famine, war, and natural disasters as humanitarian concerns; on other hand it wants to build a more secure Europe referring to the 'Fortress Europe'. In addition, the eastern enlargement of the European Union caused people to worry, especially those in Germany and Austria, who believes that there was a strong flows of migrants from the states admitted to the EU. The other industrially developed countries similarly have been in a state of fear and discomfort due to the enlargement.

In addition to individual motivations, political instabilities, natural disasters and demographic changes will determine the trends of future migration movements. According to the UN's prediction on migratory movements from 2000 to 2050, migratory flows will continue to occur from the less developed areas to the more developed areas. But these flows will not happen dramatically. Approximately 2 million people will move from the less developed areas to the more developed areas per year until 2050. Only 10% of migrants from the least developed areas will constitute the total movement. The inflow of this migration movement will tend to migrate towards Europe, North America, New Zealand and Australia, while the outflow migration movements will tend to originate from Asia, Africa, the Caribbean and Latin America. For example, 1.3 million migrants will be destined to come to North America until 2050, whereas 650.000 migrants will destine to Western Europe and 90.000 will go to Australia and New Zealand every year. In terms of the origin of continent, Asia

will be main source of the migrants with 1.2 million people till 2050. According to the migration forecast, not including Africa, due to relieving the push factors' role on immigration and positive improvements in source countries, the numbers of migrants will decrease slightly in future.⁴³ In addition, on the basis of the UN's forecast, Lahav (2006) states dramatic increase of migration flows to developed countries will not be expected.⁴⁴

2.2.2. Characteristics of Migrations to Europe

Despite its complex and diverse characteristics in terms of modern migration, the postwar migrant movements to Western Europe can be roughly divided into four broad phases. These four phases span for last 60 years, from the end of the Second World War to today. The first phase is described as the labor migration movement that is composed of long and short-term immigrants and seasonal workers. The second phase is described as the family reunification that is composed of close family members of those relatives who were granted long-standing settlement privileges. The third phase is described as illegal immigrants or undocumented workers who come into country illegally or with a tourist visa and overstay, usually to work without authorization. The fourth phase is described as asylum-seekers who are refugees who may be granted asylum.⁴⁵

2.2.2.1. Period I: Late 1940s and early 1950s – mass refugee movements

Because of conflicts and boundary changes in Europe, around 15 million people migrated from one country to another during the Second World War. Most were forced to move or were displaced due to boundary adjustments between Poland, Germany and the former Czechoslovakia. Thirty percent of the German population consisted of refugees in 1950 (cited in Stalker, 2002).⁴⁶ Because of these refugees from East and

Central Europe, Germany did not need to look for labor sources abroad. Moreover, Germany benefited considerably from these migration movements from East to West until the construction of the Berlin Wall in 1961. During this period, displaced persons and prisoners of war became sources of manpower for Western countries, especially for France, Germany and the UK. For example, even though it was reluctant, French government accepted German prisoners of war as free workers in compliance with the agreement on resettlement of refugees of 1947 by the International Refugee Organization.⁴⁷

2.2.2.2. Period II: From early 1950s to 1973-open doors to labor immigrations

At first, the economic recovery and reconstruction of the region resulted in more demand for manpower, later the rapid economic escalation resulted in more sectorial demand of manpower in Europe. The economic growth of OECD countries increased nearby 5 percent per year during the period 1950 to 1973. As the economies in Germany, France and the UK developed and expanded, the need for more workers increased in certain sectors such as heavy industry and the yet growing sector of service. In addition, in Germany and France, it was difficult to attract local people to work in the agricultural sector. Initially, they hired displaced persons, and then headed to neighboring countries such as Portugal, Italy and Spain to recruit workers. But the workers who came from these countries were very expensive to hire due to their higher economic expectations. Therefore, French and German state authorities developed policies to facilitate and encourage the inflow of workers from the poorest countries that had excessive manpower. Most of the poorer countries already had colonial ties with receiving countries. While France headed to North Africa, especially to Algeria, the UK headed to the Indian subcontinent and the Caribbean. In compliance with state

policies, around 65.000 in 1947 and around 265.000 in 1949 of the Algerian population immigrated to France. In the UK, according to population censuses from 1951 to 1961, the number of West Indians in the population increased from 15.300 to 171.800 (Collinson, 1994).⁴⁸ Because of lacking of colonial human reservoir, Germany headed to adjacent countries such as Yugoslavia and Turkey in order to supply its shortage of manpower. During this period, roughly 10 million emigrants reached Western Europe. This number is two and half times larger than the total number of emigrants (4 million) who departed from Western Europe to the new world between 1914 and 1949.⁴⁹ As a result, during this term, West European countries, especially France, Germany, and the UK were intensively involved in developing migration policies and controlling population inflows. All noticed the fact that they did not have the full control over the movement of immigrants. The majority of immigrants were reluctant to go back to their original countries; despite the labor market did not demand them. Consequently, the postwar migration movements to Europe were seen as a short-term and temporary economic incident, politically and socially they resulted in permanent structural consequences.⁵⁰

2.2.2.3. Period III: From 1974 to mid 1980s-closing the doors

Back to 1960s some controlling and preventive political signals over immigration flows were observable in Europe. For instance, in 1962 the UK passed the Commonwealth Immigrants Act that intended to regulate the arrival of workers who previously entered the country with employment vouchers. But the oil crisis in 1973 became a striking turning point to change postwar immigration policies across Europe.⁵¹ Because of the economic recession of the oil crisis, all countries efficiently closed their doors to more worker immigrants. Furthermore they anticipated the leaving

of the current workers.⁵² In those days, 16% of the Swiss population, 5% of German population, 6.5% of French population, 7.5% of British population, 7 % Belgian population and 2% Dutch population was composed of foreigners and a significant proportion of those came from outside Europe.⁵³ Contrary to the governments' expectations, the workers who had already become rooted opted to stay. In addition, due to family reunification policies, the family members continued to join the existing immigrant worker population. But, during the 1970s to the 1980s, despite the family reunification movement, the total population of Europe did not increase at a significant level due to the voluntary returnees to the source countries for Europe. Before and during this period Italy and Southern Europe became destinations for immigrants. Especially as a result of their economic development by virtue of their unification with the European Community, Greece, Portugal and Spain became attractive destination for immigrants.⁵⁴

During this period, return encouraging policies for immigrants were seen as a feasible remedy for solving the immigration problem, and destination countries thus developed restrictive policies. For instance, in December 1982, Germany introduced visa requirements for foreigners from outside non-EC countries. France strengthened its controls over all non-EC immigrants during three years prior to the 1981 election year. Britain passed the British Nationality Act that aimed to define different classifications of British citizenship in order to decrease its responsibilities towards British subjects who had imperial status. Stringent regulations related to the control of the movement of immigration continued and these regulations became more and more restrictive between the period of the early 1980s through to the early 1990s in France, Germany, and Britain. For instance, during this period Germany adopted new laws,

policies and procedures that intended to imprison, fine, and expel illegal immigrants, and it imposed sanctions on employers and transportation companies who deployed or transported illegal immigrants. These new restrictive policies played an important role in increasing the number of illegal immigrants and asylum-seekers in Western Europe.⁵⁵

2.2.2.4. Period IV: From mid 1980s to 2001, refugees, asylum-seekers and illegal immigrants

Despite the fact that undocumented immigrants and asylum-seekers increasingly distressed West European governments during the 1980s, the seriousness of the issue only became a political debate in the region as late as the 1990s. The collapse of the Eastern bloc had a significant impact on the mobility of people in Europe. Because of the collapse of the barriers between Eastern and Western Europe and the changing geopolitical and economic map throughout Europe, more than 1 million people migrated from the East to the West in just a few months during 1990s.⁵⁶

When policy changes on immigration occurred throughout the Europe, the attitudes of/towards immigrants also changed. For instance, the demand for family reunification and asylum applications increased. 4 million people proceeded applications for asylum from 1989 to 1998 in Europe. In fact, this phenomenon became apparent as far back as 1980, when 108.000 Turkish citizens applied for asylum in West Germany (cited in Stalker, 2002).⁵⁷ As the pressure of asylum request increased, Western European countries went over asylum applications with a fine-tooth comb, however this did not prevent the influx of migrants. These migrants looked for new illegal ways to enter Europe. They voluntarily travelled sometimes by their own initiatives and sometimes through the help of smugglers.

In September 1991, when the previous measurements such as visa requirements and border controls became useless, the Fourth Council of Europe Conference of European Ministers for Migration Affairs accepted a resolution to develop bilateral and multilateral cooperative efforts that targeted increasing economic investments between the origin and host countries. This resolution did not only foresee collaboration within Western European countries, but also Eastern European Countries. While previously, labor and immigration ministries were chiefly responsible for immigration issues, now they became primary issues for the chiefs of states, the council of ministries and ministries including homeland, foreign and defense ministries. As a result, despite their unwillingness to institute tighter measures against migration inflows, Western European migration policies started to evolve from a national form into a supranational form in a way of developing harmonization process.⁵⁸

2.2.3. Refugees and Asylum Issues in Europe

Illegal migration and asylum/refugee mobility are now a global problem, which also poses challenges to Western Countries. However, it not easy to compare the conditions and consequences in one particular region with that another in a straightforward manner, because Western Europe has experienced idiosyncratic problems in connection with refugee and asylum flows.

Due to its liberal migration policies for attracting needed labor forces, the documented (legal) worker immigrants flowed into Western Europe after the postwar period. Because of their rising numbers in a crisis economy, in the following years all Western European countries adopted restrictive policies against legal and voluntary worker immigrants. For this reason, the flows driven by family unification, asylum and refugee have recently dominated the processes of documented immigration in Western

Europe. When the restrictive policies failed to prevent the flow of (legal or illegal) migration to Europe, the concerns emerged over the state's sovereignty, economic and social order, and national identity. And this led to rise of a state of fear about the immigration. Consequently, all these led to emergence of the concept of the illegal immigration. In order to control illegal immigrants, European countries did not welcome the expulsion policies due to conflict with their liberal values and democracies, instead they promulgated tightened preventive measures such as border controls, stricter visa requirements, sanctions to carriers and deterrent penalties to traffickers etc. Because of the new political developments in Eastern and Central Europe such as the collapse of the Berlin Wall, the disintegration of the Soviet Union, and the conflicts and disagreements in Yugoslavia, the influx of refugee targeted to Western Europe. And so, this led to an increasing sense of insecurity again. What is more, with the collapse of the Eastern communist bloc, Western Europe understood that they could no longer isolate themselves from the problems located on their doorsteps. The majority of asylum-seekers were coming from Eastern neighboring countries since.

2.2.4. The Flows of Asylum-seekers to Western Europe

Since the great number of unmanaged asylum-seekers targeted Western Europe during the early mid-1980s, the spectre over the matter of asylum rose up in the region. For example, the numbers of asylum-seekers in 1983 was 70.500, whereas this number increased sharply to 290.650 in the next five years. It is not easy to pinpoint a specific reason for the increase in the number of asylum-seekers; however, it is clear that there was a strong similarity between the number of asylum-seekers and the number of then world refugee population. For example, the global refugee population was 10 million in 1985, this figure increased to 17 million in 1991.⁵⁹ The recent data show that the

number of global refugees decreased from 17 million to 10.4 million in 2011.⁶⁰ Similarly, when the total figure of asylum-seekers to Western Europe was examined, the trend observed was a declining one. For example, the total number of asylum applicants was 670.000 in 1992, and this number decreased to 300.000 in 2011 for the EU-27.⁶¹ However, the decreasing global trend in the numbers of refugees was insufficient for fully explaining the decrease in the number of asylum-seekers in Europe. European restrictive immigration and asylum policies clearly played an influential role in decreasing the number of asylum-seekers.

Despite the higher numbers of global refugees, Western Europe hosted fewer than 5% of the total refugee population in the 1980s. Rather than moving to the Northern prosperous countries, 90% of them remained in the same region, in that, most refugees fled to neighboring countries. This trend did not change over time. For example, the 93% of European, 84% of Asian, 80% of African, and 75% of Latin American and Caribbean refugees remained in their regions.⁶²

Today, European, as well as international, refugee policies are mostly based on the United Nations Convention on the Status of Refugees of 1951 and its Protocol of 1967. This treaty reflects the characteristics of the succeeding years of the Second World War, which was also known as Cold War period. Recently, when Western Europe has been exposed to a great number of spontaneous asylum-seekers from inside and outside of the region, the UN Refugee Convention did not provide an adequate response for handling the asylum crisis in Western Europe. Because of it was designed for individual applicants rather than for mass immigration. In addition, the universal definition of refugee articulated based on 'persecution' and the political conflict between individual and state system, by considering the situation in the Eastern bloc.

Even though this had provided political gains for Western countries during the cold-war period, it has become insufficient for solving the problems in a socially and politically changing world due to there have been increases in the numbers of refugees of different types over time.⁶³ Similarly, James Hathaway (1992) stated, the Refugee Convention of 1951 and its 1967 Protocol were designed according to the political objectives of Western countries that rejected the notion of wide-ranging aid for all involuntarily displaced persons. He also added that the Convention excluded the refugees coming from less developed countries and formalized elastic statements that were not sufficient to protect forced migrant persons.⁶⁴

The first signs of inadequacy of the Refugee Convention of 1951 became apparent, when Western Europe countries adopted a case-by-case policy to overcome mass and spontaneous arrivals of asylum-seekers from the third world during mid-1980s. This policy caused an increase in the administrative and financial burden on states, as the number of refugees increased. For that reason, the states allowed asylum-seekers to stay within the state irrespective of whether they had been granted full refugee status or not. This policy gradually turned out to be too expensive and unsustainable for the states. For instance, the combined costs of asylum procedures and refugee handling fees was \$1 billion in 1983 for the OECD countries, this cost increased in 1990 to \$7 billion which was twelvefold greater than the total budget of the UN for refugees.⁶⁵

An Independent Commission on International Humanitarian Issue (ICIHI) gathered and argued to address the inadequacy of the 1951 Refugee Convention in 1986. They concluded the malleable characteristics of the convention led to inextricable administrative problems; Western European countries thus were not able to effort to

solve the issue of asylum-seekers and refugees. Some countries classified asylum-seekers as political and economic immigrants; some defined them as mandate refugees, some defined them as externally displaced persons. This diversity in the list stemmed from a lack of any clear definition for the criteria of asylum-seekers due the Refugee Convention of 1951 just outlined the definition of refugee.⁶⁶ Therefore, despite the asylum-seekers coming from poor countries did not have justifiable proof of persecution; most of them were granted status such as *de facto* refugee or refugee B status owing to humanitarian concerns during the 1980s. If the countries of origin did not have close ties with the destination countries of Western Europe, the asylum applicants were not treated in accordance with the 1951 Refugee Convention. Therefore, these asylum-seekers were labeled as economic migrants or bogus refugees. It was thought that they misused the asylum procedures in order to enter the Western affluent countries. Some European politicians used this idea in order to support more restrictive policies against the asylum-seekers.⁶⁷

Similarly, in 1989 when the number of asylum-seekers from Central and Eastern Europe increased, they were perceived as abusers who tried to get asylum rights in order to overcome restrictive immigration policies. Because their countries were evaluated as safe countries by the destination countries. As a result, the increasing cost of asylum-seekers and the change in perception of asylum-seekers and refugees played an important role in the development of more restrictive policies in Western Europe. In July 1993, Germany adjusted its Constitution in order to invalidate the unqualified right of asylum in Germany. This led to developments of new form of restrictive permission and made possible the expulsion of asylum-seekers. These new restrictive policies spread throughout Western Europe with *inter alia* visa requirements for citizens of

countries generating refugees, and the rejection of the applicant at the border and the taking into custody of asylum-seekers.⁶⁸ As a result, the number of asylum-seekers decreased during the 1993-1994 period. According to current data (2012) of the OECD, this decline continues. The number of asylum-seekers to OECD countries was 530.000 in 1999, this number decreased to 358.000 in 2009.⁶⁹ On the other hand, the humanitarian and non-governmental organizations heavily criticized European restrictive policies by alleging of these policies infringe the right of 'bonafide' refugees and asylum-seekers. People who believe in existence of an international humanitarian order had also been fearful of downward tendency of the human rights and refugee standards in Europe.⁷⁰

2.2.5. Policies on Refugees and Asylum-seekers in Western Europe

1951 United Nations Geneva Convention on the Status of Refugees and its 1967 Protocol has been used as basic criterion for dealing with refugee and asylum issues by all EU states. However, contrary to the spirit of the convention, on one hand EU countries has tightened their refugee and asylum policies due to the sharp increase in the numbers of refugee and asylum-seekers over time, on the other hand they have not rejected to abide by the written letter of the convention, which is basically based on the principles of 'persecution' and 'non-refoulement' principles.

Before going through the changes in asylum policies, it may be helpful to glance at the overall asylum application trend in Europe between 1982 and 2001.

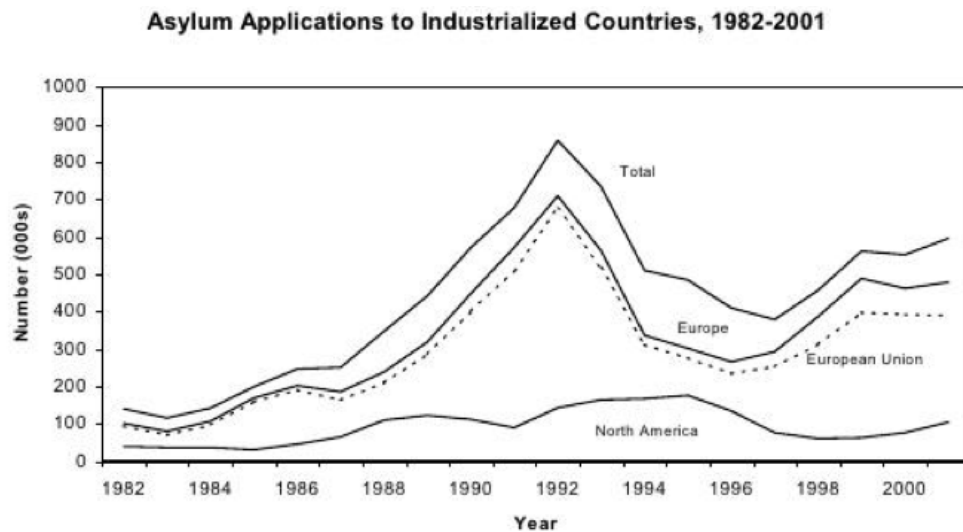


Figure 1 Asylum Applications to Industrialized Countries, 1982-2001

Source: UNHCR 2002 (cited in Hatton and Williamson, 2004)⁷¹

Political and economic circumstances caused the emergence of the most volatile groups of immigrants, namely refugees and asylum-seekers. For example, because of the armed conflicts, hundreds of thousands of Kosovars fled from their territories to seek asylum in Western Europe during 1999.⁷² Figure 1 shows the asylum trends to the industrialized countries in Europe and North American. It distinguishably illustrates that two dramatic increases occurred in the European zone during the 1990s and the early 2000s. These two peak times respectively depict the flows of asylum-seekers from Eastern Bloc during 1990s and Kosovo during early 2000s, due to collapse of the Eastern Bloc and the disintegration of Yugoslavia. On the one side, there was a gradual increasing trend during mid-1980s and reached the peak in the 1990s, on the other hand there was a sharp decrease from 1990s until the mid-1990s due to the restrictive policies implemented by European countries, especially by Germany. By an upsurge flow of asylum-seekers who were mostly German ethnic groups from the Eastern bloc, Germany was hit firstly during the 1990s. The second flow of asylum-seekers from

Kosovo occurred during 1999 and initially hit the UK and later Germany, the Netherlands, and Belgium.⁷³

Timothy J. Hatton (2005) divides the EU asylum policies into three categories depending on the degree of prevailed coordination. In connection with the dramatic changes in asylum policies, the first phase up to 1999, the second phase was from 1999 to 2004 and the third was from 2004 to 2010.⁷⁴

2.2.5.1. Asylum policies during 1990s-toward harmonization

When the EU countries were exposed to the dramatic flows of asylum-seekers during the 1990s, they began to endorse tough regulations in order to deter asylum-seekers. Regulations were devised to restrict potential asylum-seekers at country borders, and the assessment of the conditions and procedures of asylum were clarified, changes in the management of asylum-seekers during the evaluating of their claims were introduced to change the outcomes of the problem.

When the Schengen Convention of 1990 and the Maastricht Treaty of 1993 abolished internal borders, the efforts regarding the tightening of the measures were directed to the external borders. Sanctions for the carriers were first introduced by the national governments, the UK and Germany, and then became applicable to whole union. Secondly, the Schengen signatory countries developed a visa restriction policy targeted initially 73 countries in 1993, and later 150 countries in 1998.

1990 Dublin Convention and the resolutions of a ministerial conference in 1992 had a significant impact on the processing of asylum applications. According to the Dublin Convention, an asylum application would be addressed by only one state, especially the state of first entrance, in order to avoid 'asylum shopping'. At 1992 ministerial conference of London, the common consent reached on more three matters.

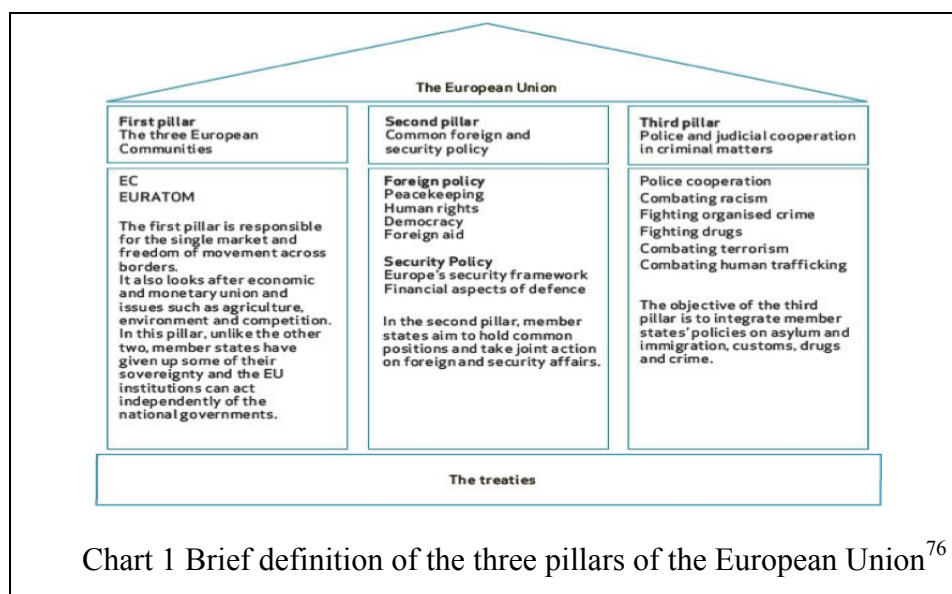
The first matter focused on the ‘safe third country’ that meant a member state had a right to refuse any asylum applicant from a supposed safe country where the applicant could seek asylum. The second matter focused on ‘manifestly unfounded claim’ that meant any asylum claim would be declined without the right of appeal if it was clearly groundless. The third consent was on ‘safe countries of origin’ that meant if an asylum applicant came from a country where no risk of persecution, the procedure would be speeded up for those applicant coming from such countries. The ministerial resolutions of 1992 did not bind member states, but they slowly spread across the EU and resulted in the enactment of new restrictive immigration regulations. For example, Germany amended one of its constitutional articles that deal with the right to asylum.

During the 1990s, despite some degree of harmonization developed among the EU countries on asylum policies, the governments were not obliged to follow the rules which had been shaped by the inter-governmental meetings and the EU Council of Ministries. Due to the lack of obligation to follow the asylum policies between the EU countries, national governments thus developed their own individual policies in order to deal with the flows of asylum-seekers by confining accession, tightening producers and treating asylum-seekers harshly.⁷⁵

2.2.5.2. Asylum Policies from 1999 to 2004-harmonization

1997 Amsterdam Treaty and 1999 Tampere Meeting had an essential influence on improving EU harmonized asylum approach. The Treaty of Amsterdam moved immigration and asylum policy from the Third Pillar, which dealing with inter-governmental accords such as justice and policing, to the First Pillar which dealing with the rules of establishing common policies on the free movement of services, goods and people. In this way, as a supranational authority, the EU gained the right to create

binding rules under the First Pillar. The European Commission thus proposed a set of harmonized asylum policies that could be employed in the coming years. As stated in Chart 1, the member states acknowledged and delegated the EU to independently deal with asylum issues.



At the beginning of this period, the Tampere Agreement was endorsed in 1999 by EU Ministries in Finland. The European Council of Ministries joined in this meeting, which were another notable development as well as a concerted attempt for harmonizing the EU asylum policies. After the Tampere Meeting, EU ministries reaffirmed that the UN Refugee Convention would be basic criterion, especially its 'non-refoulement' principle, to EU common policies. The meeting envisioned building a Common European Asylum System (CEAS) in two stages. The first intended step promoted by the CEAS was to harmonize the current national asylum policies. The second intended step to build a comprehensive integrated asylum system throughout the EU. In line with the first step, the Directive on Reception Conditions (Jan., 2003) that defined the basic standards for admitting of asylum-seekers and Dublin II

Regulation (Feb., 2003) was discussed. And then the Qualification Directive (Apr., 2004) designed to modify the responsibility and common criteria for member states in processing asylum applications. In addition, the Directive on Asylum Procedures (Dec., 2005) defined the procedures under what conditions asylum claims would be pursued. That is, by referring the definitions of ‘manifestly unfounded claims’, and ‘safe third country’, it clarified the situation for the parties how they would figure out asylum claims. These regulations and standards consensually generated the building blocks and set minimum standards on how the EU countries treat the asylum-seekers.⁷⁷

2.2.5.3. Asylum Policies from 2004 to 2010-toward integrating

During this period, despite the requirements of the first step of CEAS had been legally completed, the national policies were not completely harmonized in practice. However, the discussions continued in an attempt to improve the requirements of CEAS second step. These mutual discussions and consultations generally focused on higher-level cooperation and burden sharing. In this context, the UNHCR introduced a plan for asylum-seekers in the form of an integrated policy. According to this plan, the EU would build one or more confined Asylum Processing Centers within Union border. These centers would function as central accommodations where asylum-seekers could have their voice to be heard and their claims could be evaluated by authorities on behalf of member governments. Asylum-seekers who were granted asylum status would transfer to member states according to agreed-upon criteria on the basis of burden sharing. Those who were not granted asylum status would be deported to their country of origin by financing through the pool account generated by member states. But some skeptical questions came up about the system. Whether would the system equally and successfully allocate asylums among member states? Another questions were; what

kind of freedoms would asylum-seekers have and who would watch them? Which country would allow to be built the accommodation centers in its territory? As a result, during this period the discussions kept going on forming a more successful harmonized system and establishing a unitary procedure for all asylum applicants.⁷⁸

2.2.6. EU Border Control

The EU's growing concerns on border control regimes were closely related to the control of immigrants. Thus, the EU not only developed neighborhood strategies with adjacent countries but also Far East Countries in order to stop the flows of immigrant.

2.2.6.1. European Border Regimes

In the postwar era, also known as the Cold War, international politics was mostly shaped on the basis of conventional and atomic war theories, which led to the emergence of the concept of 'high politics and low politics'. This mostly stressed the importance of military security issues as high politics. In turn, human rights, environment and migration were underestimated, ignored and named as low politics areas. However, with the ending of the Cold War and emergence of globalization, human rights, migration, energy, environment degradation, terrorism, and economic inequality became key sources of instability. Thus, those matters came into prominence in the international realm. While the differentiation between high politics and low politics disappeared, immigration, environment and social and economic inequality issues started to set the agenda of governments, regional organizations, and international organizations. In particular, globalization was seen as a facilitator of unwanted immigration and insecurity, which resulted in implementing new harsh regulations to enhanced border control. In addition, governments, by imitating the EU

and the USA, juxtaposed immigration and security treats with terrorism and organized crimes, they thus strengthened their border control.⁷⁹

The idea of united border stimulated a prospective united Europe by converging international laws and domestic law. However, it is not easy to say there is single policy and border control regime in Europe.

Berg and Ehin (2006) conceptualized the rising European Union's border regime as a composite policy, which was shaped by policy-making areas such as Regional Policy, Justice and Home Affairs and Neighborhood Policy and Enlargement. These three paradigms offer different policy implications from each other. Regional Policy approach emphasizes a cross-border cooperation through cohesion perspective. Schengen provisions and Justice and Home Affairs (JHA) emphasize strict control on external borders through a security perspective, whereas the European Neighborhood Policy (ENP) emphasizes conditional openness and integration through an expansionist perspective. Consequently, the EU border policy could be characterized as politically fragmented and lack of coherence, which oscillates between economic and security concerns.⁸⁰ It includes a range of policies from liberal to narrow-minded. EU border strategy, which is also termed a composite policy, originates from the abovementioned three divergent policy paradigms. They are closely related to overgrowth of single market program and spillover impact of economic integration.⁸¹

EU Regional Policy: EU Regional policy was the oldest policy paradigm and involved a common border and borderland issues. The Treaty of Rome of 1957, which constituted the origins of the Regional Policy, foresaw 'a harmonious development of economic activities, a continuous and balanced expansion'.⁸² With the introduction of the 1975 Regional Policy, the Community did not only aim to build economic stability

and promote development in the region, but to do so beyond the underdeveloped cross-boundary regions as well. More liberal and closer relationships with neighboring countries were seen a solution that would advance EU bordering areas economically. From this perspective, the external border regime of EU regional policy paradigm foresaw the borders as advantageous for joint cooperation to reduce inequalities, divisions and exclusions in the region, rather than to build walls to separate the lands.⁸³ According to EU regional policy, the borders are thus obstacles to the success of a single market and the cooperation through the borders was seen as synergistic impact for a fostering economic development.

Schengen Agreements of JHA: The Schengen Agreement of 1985 was an indication of a second policy paradigm in the EU. Although it had same objectives as the Regional Policy, it focused on security more than cohesion. In order to decrease the menace stemming from the free mobility of people, the EU toughened the control of its external borders, enacted visa regimes, migration and asylum practices, established the Schengen Information System and improved cooperation and coordination between judicial, police and immigration authorities. The JHA carried out central policies mostly based on the threat of terrorism and the securitization of immigration. On the one hand, the Schengen visa regime practiced selective and unwanted immigration policies; on the other hand it developed common policies such as the ‘first host country’ and ‘safe third country’⁸⁴ in asylum practices in order to highlight the responsibility of bordering countries. From governance perspective, this policy area involved the evolution of the control of external borders from a national and intergovernmental level to a supranational form. For instance, the cooperation of the Schengen Treaty in the ‘acquis communautaire’ and the movement of visa, migration and asylum policies into

the First Pillar were indications of a supranational border control formation process.⁸⁵

Whether or not the control of borders was under supranational, or intergovernmental or national discretion, this policy area suggested a stiff monitoring of external borders that was shaped by the internal security agenda.

Enlargement and the European Neighborhood Policy (ENP): In contrast to Schengen provisions of JHA offering a hard external border, this third paradigm proposed a fluid and mobile borderland. From a geopolitical perspective, the EU wanted to develop political and economic relationships with its neighboring countries based on mutual benefits. While the EU enhanced its security and economic gains through neighboring cooperation, in turn the neighboring countries enjoyed economic and political advantages of the EU. This mutual gain referred to the concept of conditionality, or a carrot-stick system. Although the concept of conditionality produced uneven and differentiated border practices, the ENP suggested a more rational and coherent approach to border management by combining internal and external policy intentions.⁸⁶

ENP policies were also more decisive to cooperate on the matter of the external governance of third countries. That is, the EU wanted to collectively solve the problems outside of their scope. Accordingly, the EU conducts cooperative policies with third countries, irrespective of whether they are neighboring or far off countries, on migration and asylum issues in the field of JHA. For instance, the European Council affirmed its support for a Global Approach to Migration and the European Pact on Immigration and Asylum in October 2008.⁸⁷ In 2010 Hague Program, the European Council reiterated its responsibility to the European Pact on Immigration and Asylum. The Council declared its commitment to the pact in order to “organize legal immigration to take

account of the priorities, needs and reception capacities, determined by each Member State, and to encourage integration; to control illegal immigration by ensuring that illegal immigrants return to their countries of origin or to a country of transit; to make border controls more effective; to construct a European asylum system; to create a comprehensive partnership with the countries of origin and of transit in order to encourage the synergy between migration and development.”⁸⁸ Thus, this generated a great deal of pressure on peripheral countries to follow EU norms and ratify readmission agreements in the context of border security.⁸⁹

2.2.6.2. EU Border Security: FRONTEX

The Council of the European Union instituted the European Agency for the Management of Operational Cooperation at the External Border of the Member States of the European Union, FRONTEX, coined from French term ‘frontières extérieures’, in October 26, 2004. The main tasks of the Agency were to “coordinate operational cooperation between Member States in the field of management of external borders; to assist Member States on training of national border guards, including the establishment of common training standards; to carry out risk analyses; to follow up the development of research relevant for the control and surveillance of external borders; to assist Member States in circumstances requiring increased technical and operational assistance at external borders; to provide Member States with the necessary support in organizing joint return operations.”⁹⁰ Neal (2009) stated that FRONTEX was not an outcome of the securitization of immigration which was linked to terrorism, security, and immigration across borders after 9/11, but rather a “logical continuation of the integration process and the principle of free internal movement in the EU, although this does not completely discount the security dimension.”⁹¹

The Origins of FRONTEX: Because of its immigrant perpetrators, the incident of 9/11 linked security and terrorism with immigration and border controls. Immediately after 9/11, the EU institutions held meetings and discourses were based on ‘extraordinary and urgent means’ to respond to this unprecedented event. The first meeting was organized by JHA as an Extraordinary Meeting and called for “the Commission to urgently examine the relationship between safeguarding internal security and complying with international protection obligations and instruments (Council of the European Union, 2001a; Levy, 2005, p. 35).”⁹² This response opened discussions concerning migration and the right of asylum issues associated with security by considering the balance between the demands of security and abiding by the rules. It also revealed an assumption that current or potential terrorists abused European human rights and asylum regimes. This externalization of the threat linked immigration with security, border controls and terrorism.⁹³

From beginning of 2002 till 2003, the ‘extraordinary and urgent’ discourses of the logic of securitization gradually vanished, instead the political processes surrounding the issue continued on the basis of the regular dynamics of EU politics. From early 2002 to 2003, after many discussions and bargaining processes between the Commission and the Council, as well as between the Member States, the proposal for establishment of European Border Police or European Border Guards was made. This proposal would finally become the embryonic foundation of FRONTEX.⁹⁴

However, before FRONTEX emerged, the European Border Police or Guards were envisaged as an integrationist body in the ‘Plan for Management of External Border of the EU’ in the European Council in June 2002.

Shortly after, this plan was named as ‘Action Plan’ and proposed to establish a European Corps of Border Guards. Border Guards were foreseen as support for national forces to increase the coordination, cooperation and compatibility between border officials in the EU member countries, not to substitute for the role of national forces.

In its implementation, the ‘Action Plan’ led to the formation of the External Border Practitioners Common Unit. This unit practiced many national pilot projects and was consisted of members of the Strategic Committee on Immigration, Frontiers and Asylum (SCIFA) and the heads of the national border services. Even though this project led to the emergence of a common policy on external border management and coordination and communication between Member States through national contact points and ad hoc centers, it was inadequate for attaining tangible operational progress.⁹⁵ Nevertheless, the experiences from the External Borders Practitioners’ Common Unit manifested a need for more professional body. Thus, the foundation of FRONTEX was laid down.

The Founding of FRONTEX: Due to the lack of an effective functioning mechanism, in late of 2003 the Greek presidency of the Council revived the notion of a body that would deal with the common management issues of the EU external borders. After the notion of FRONTEX was initially discussed within the Commission in November 2003, it took less than a year to institute the agency. On October 26, 2004, the Council of the European Union set up the European Agency for the Management of Operational Cooperation at the External Border of the Member States of the European Union, the Agency, FRONTEX. The key discussion was ensued on state sovereignty and jurisdiction over external border control, while instituting FRONTEX. The borders remained under the responsibility of Member States, whereas FRONTEX

was defined as a community agency, which fell under a hybrid organization of both intergovernmental and supranational control. Its management board was consisted of two Commission officials and the heads of national border security services. That is, on the one hand FRONTEX retained the national state sovereignty, on the other hand it adopted a common approach and operational co-operation on the management of external borders.⁹⁶

As a result, because of the increasing human mobility and transnational crimes in virtue of globalization and permeable borders, the internal security concerns became part of the external security policies. The external dimension of JHA and EU foreign policy extended their efforts to build border management (BM). Thus the solutions were foreseen to stop the threats from peripheral countries in order to secure EU internal security. FRONTEX became a means of institutionalizing European border management. The cooperative effort of the EU members on operational management of external borders was built upon the principles of burden sharing, solidarity, and mutual trust.⁹⁷

Operations of FRONTEX: Neal (2009) stated, “FRONTEX was established not only on the basis of securitization, exceptional politics and urgency, but in response to the disintegration of a common EU response to migration, security and borders.”⁹⁸ He continued that the Agency (FRONTEX) carried out many duties, which were not framed in a single logical way. Not only did it operate on the basis of risk assessment, which stemmed from the threat of potential migration flows, but it was also based on border management practices of EU member states. In addition, the Agency appeared as a tool to be used to respond to migration emergencies at the national level. For

example, Spain and FRONTEX conducted operations against illegal immigrants coming from the Canary Islands in March-April 2006.⁹⁹

In line with the mission of FRONTEX, in January 2003, the UK, France, Spain, Italy and Portugal carried out Operation Ulysses against illegal immigrants coming from the Canary Islands through the Strait of Gibraltar. Operation Trinton of 2003 was conducted under supervision of Greece against seaborne illegal immigrants at the North-East Mediterranean; Operations HERA I and HERA II of 2006 were conducted against illegal immigrants coming from Canary Islands and Sub-Saharan Africa. These operations were the reflections of the external dimension of JHA through border management (BM) via FRONTEX. Thus, the international community were criticized the operations in terms of internal, external and ethical perspectives. Internally, the operations resulted different consequences on the basis of burden sharing and solidarity principles. Countries prioritized their own interests rather than common interests of member states. Externally, the cooperation with neighboring countries, especially with non-democratic countries, resulted in technical questions related to surveillance technologies, which could be used against their citizens. Lastly, with extra-territorializing of border management operations to its neighboring countries, the EU might have ignored the principle of the rule of law, which was promoted internally and externally for all human beings.¹⁰⁰

2.3. INTERNATIONAL IMMIGRATION IN TURKEY

Turkey's integration history with Europe went back 19th century. Prior to go through the details of the immigration policy of Turkey, it would be better to briefly glance at the relationship between the EU and Turkey.

Turkey was established on the legacy of Ottoman Empire. Ottoman Empire not only was socially, economically and politically influenced Europe, but also socially, economically and politically was influenced by Europe. Ottoman Empire and Europe had myriad interactions by wars, peace, cooperation and trading through sea and land. Thus, both sides had taken their part from these interactions by the movements of ideas, people and commodity. With the rising of European civilization worldwide, Ottoman Empire faced to Europe in order to get modernized ideas in the fields of science, technology, law and administration. The root of modernization or 'westernizing' of Ottoman Empire went back to 19th century. When the Republic of Turkey was established on the legacy of Ottoman Empire, it also faced to Europe to unite around common norms, principles and values of those were already settled in Western European Countries. For that purpose, Turkey applied for being apart of the European Economic Community (EEC) in 1959. Ankara Agreement was signed between Turkey and the EEC in 1963. The Ankara Agreement states "the aim of this Agreement is to promote the continuous and balanced strengthening of trade and economic relations between the Parties, while taking full account of the need to ensure an accelerated development of the Turkish economy and to improve the level of employment and living conditions of the Turkish people."¹⁰¹ This agreement also foresaw Turkey for a full membership to EEC through the completion of three stages: the preparatory stage,

the transitional stage and the final stage. The completion of the custom union with the EEC was foreseen at the completion of the transitional stage. However, Ankara Agreement excluded Turkey from EEC decision-making and European Court of Justice's (ECJ) dispute settlement processes. It only foresaw the free movements of goods, persons, services and capital between parties. After this stage, relationship between Turkey and the EEC followed a path around the custom union to the Community¹⁰²⁻¹⁰³

During the period of the preparatory stage from 1963 to 1970, the relationship on economic and trade matters between the Parties became closer. The Parties affirmed the completion of the preparatory stage by the Additional Protocol to Ankara Agreement in 1970. The Additional Protocol of 1970 also elaborated how the Custom Union would be institutionalized as well as eliminated tariff and quota barriers to the EEC and provided advantages on exporting agricultural products for Turkey. Furthermore, it envisioned the free movement of citizens between the Parties in coming 12 to 22 years.¹⁰⁴

In 1980 because of Military Coup in Turkey, the Community froze the relationship with Turkey. When the political situation became normal, Turkey applied for full membership to the EEC in 1987. Following years, after the completion of custom union negotiations, the Custom Union between Turkey and European Union entered into force in 1996. The next aim for Turkey was to become full membership to the European Union.¹⁰⁵ In 1999, the candidate status of Turkey to the EU was declared at the Helsinki Summit. After the declaration of candidacy, Turkey responded to five EU Accession Partnership Documents with its four National Programs during 2001 to 2008. In line with National Programs, Turkey fulfilled the political criteria by

broadening and enhancing the scope of fundamental rights and freedoms; and guaranteeing and enhancing democracy, human rights, rule of law, and freedom of thought and speech. As a result, because of Turkey's achievement to adaptation to EU *acquis* in the political field, it was decided to start the accession negotiation process at Brussels Summit in 2005. With starting of the accession negotiation, the relationship between the EU and Turkey came to a significant turning point. On one hand the accession negotiation opened the gates to the EU, on other hand it brought many obstacles for Turkey in the due course of adapting to the Union. The main obstacle was Cyprus problem. The background history of Cyprus problem has a long story. Quintessentially, Turkey refuses a whole and single administration in Cyprus Island, because there are two *de facto* administrations, which are independent of each other: Greek Cypriot Administration and Turkish Cypriot Administration. With admission of Greek Cypriot to the EU in 2004, Turkey refused to legitimate Greek Cypriot as a sole representative of the Island. According to the EU, Turkey did not apply the Additional Protocol of Ankara Agreement to Cyprus by not ending its military presence and opening its ports, the EU Council thus stopped to open negotiation chapters to Turkey.¹⁰⁶ On other side, Turkey claimed that the signing of Additional Protocol of Ankara Agreement did not result in the legitimatizing of the Republic of Cyprus. As a result, the accession negotiation process between the EU and Turkey came to a standstill. However, the EU Commission developed a new strategy in 2011: Positive Agenda. This agenda "should cover a broad range of areas, including intensified dialogue and cooperation on political reforms, visa, mobility and migration, energy, fighting against terrorism, the further participation of Turkey in Community programs such as 'Europe for citizens', town twinning, as well as trade and the Customs Union with the aims of

eliminating ongoing trade frictions, seeking closer coordination in the negotiations on free trade agreements and exploring new avenues to make full use of the EU's and Turkey's joint economic potential.”¹⁰⁷ On the other side, despite the cessation in the accession negotiation, Turkey showed its determination to be part of the EU acquis by establishing the Ministry of European Union Affairs in 2011, making reform in judiciary system and institutionalizing the human rights and ombudsman.¹⁰⁸ Last but not least, Turkey passed the Foreigners and International Protection Law in 2013. With this law, not only Turkey founded Immigration Administration under the Ministry of Interior, but also enacted a comprehensive immigration law on immigration issue. The law authorized Immigration Administration to practice the policies and strategies in the field of migration and ensure coordination between organizations and institutions on immigration issues. The law also regulates the issues of foreign entering, staying, leaving and expulsion from Turkey, additionally, regulates international protection, temporary protection and protection of victims of human trafficking.¹⁰⁹

2.3.1 General Immigration Trends in Turkey

As soon as internationally the Treaty of Lausanne declared the independence of Turkey in 1923, the issue on population exchanges came up between Turkey and Greek. In the following years, especially throughout the Cold War, Turkey continued to receive irregular or regular migratory movements from Eastern Europe; concurrently Turkey produced migratory movements to Western Europe from the 1950s onwards¹¹⁰. Therefore, from the beginning of its founding, Turkey developed migration policies to deal with both immigration and emigration movements.¹¹¹ Contrary to this, Icduygu and Keyman (2000) argued that Turkey did not develop effective immigration policies; because it did not think of itself as a nation of immigrants¹¹² due to not been exposed

to grave influxes of unwanted immigrants. The Geneva Convention and the state-centric mood of the Cold War period determined Turkey's immigration policy. Even though Geneva Convention foresaw Turkey as a destination country for East Europeans and sending country to Europe, it never analytically imagined as a destination or even a transit country for Non-Europeans. Thus, Turkey did not develop efficient immigration policies.¹¹³

When they were examining the immigration issue in Turkey, Icduygu and Sirkeci (1999) classified the migration movements as immigration, emigration and transit movements.¹¹⁴ In accord with this, Icduygu and Keyman (2000) argued that Turkey developed three tier refugee practices, which were classified as Convention, Non-Convention and National.¹¹⁵ This was also conceptualized in the literature as European, non-European and National refugees to Turkey, respectively. These practices were deeply rooted in the Geneva Convention and led to Turkey's reservation towards these practices. Based on this convention, Turkey treated differently towards people from Europe and people from its Eastward. The refugees who came from Europe enjoyed refugee rights, whereas the refugees from the east of Turkey were categorized as non-European refugees who did not enjoy refugee rights. This practice was depended on Turkey's 'geographical limitation' reservation to Geneva Convention by Turkey. That is, the refugees from Europe and 'Turkish breed and culture' had privileged rights different from other Europeans depending on the Settlement Law of 1934, which provided resettlement and citizenship rights for people of Turkish origins. Because of security concerns, other European refugees generally resettled in third countries.¹¹⁶

As a result, it can be said that Turkey has been a destination, as well as a source and transit country for migrants throughout its history. However, these sort of migratory

movements simultaneously happened, but rather separated times. That is, while Turkey was experiencing immigration flows, it was also experiencing emigration and transit migratory movements at the same time.

In first-four decades of Turkey, immigration and emigration policies were generally based on political issues rather than on economic issues. Just after the 1960s, the worker emigration period started, Turkey thought about the economic dimension of the migration. Thus, regular migrant worker exported to Europe for economic benefit. This period continued until the oil crisis of 1973 in Europe. As a continuation of worker emigration, the emigration movement to Europe continued based on family unification and marriages and occurred mainly from the 1980s to the 1990s.¹¹⁷ On the other hand, during this time period, immigrants continued to enter Turkey from Bulgaria and Afghanistan. When it came to the mid-1990s, Turkey became a transit country,¹¹⁸ for refugees, asylum-seekers and illegal immigrants who destined to Western Europe.

2.3.2. The Phases of Migratory Movement in Turkey

Since early years, the nation building and national identity apprehensions shaped Turkish immigration policies based on the Cold War concerns and Geneva Convention. Icduygu and Sirkeci (1999) divided Turkey's migratory movements into three periods: from 1923 to the 1960s, from the 1960s to the 1980s and from the 1980s to the 1990s. Cali (2012) designated the third period as occurring from 1980 to 1999 and added one more period from 1999 to today. Thus, in this study, Turkish policy on migration will be examined into four periods over time: from 1923 to the 1960s, from the 1960s to the 1990s, from the 1990s to 1999 and from 1999 to today.

2.3.2.1. Period I: from the early 1920s to the early 1960s-nation-building and national identity concerns

In this period, building a homogenous Turkish nation and identity had a significant impact on Turkish migratory policies. Thus, population exchanges happened between Turkey and adjacent countries. The underlying reasons were that the founding fathers of new Turkish Republic believed Ottoman Empire fell apart due to its multi-ethnic and multicultural characteristics.¹¹⁹ And that such a situation would lead to disintegration and collapse of new Turkish Republic later on. The second reason was the probability of domestic conflicts between indigenous Turks and ethnic groups who involved in conflicts with Turks and allied with antagonistic countries during the First World War.¹²⁰ For instance, by the additional protocol of the Treaty of Lausanne of 1923, 1 million Orthodox Christian Greeks left Turkey in exchange of Turkish population from Greece¹²¹. During this period, even though the Turkish side accepted people who were of Muslim Turkish ethnicity, other Muslim ethnics such as Circassians, Bosnians, Pomaks and Tatars migrated from South Eastern Europe (Balkans) to Turkey. As a general policy, people who would integrate successfully into the Turkish community were allowed to settle in Turkey.¹²²

In line with the policy of the first decade of the new Turkish government, the Settlement Law of 1934 was enacted. This law, valid until 2006, only allowed people from 'Turkish breed and culture' to migrate to Turkey.¹²³ With the membership of NATO in 1952, Turkey became a front country against the Soviet Block. Therefore, Turkish immigration policy was largely based on 'security concerns', which were shaped by security institutions. Consequently, Turkey missed out the advantages of migratory movements that had social, economic and political developmental

potentials.¹²⁴ Turkish government ratified 1951 Geneva Refugee Convention in 1961. The Geneva Convention was designed to protect refugees who escaped from the ‘communist threat’. The Convention was one of the most influential texts that shaped Turkish refugee and asylum policies over the years. But Turkish government limited the application of the convention and its protocol of 1967 by ‘geographical limitation’. That is, Turkish government only accepted refugees from Europe. However, the consequences and effects of this convention are still fiercely debated by European and Turkish sides, as well as international institutions and communities: the ability of the convention to today’s complex and global migratory problems is questionable.

2.3.2.2. Period II: from 1960s to 1990s –worker emigrants,

Basically, Turkish regular migration movements to Europe could be divided into two subcategories: the period from 1960s to 1970s, when regular worker migration occurred on the bases of mutual agreements, and the second period from 1970s to 1990s, when the post-worker migration movement occurred on the basis of family unification and marriages.

Over this period, emigration movements were largely happened by economic driven. Regular Turkish emigrants traveled to Europe to seek work from the 1960s to 1970s on the basis of mutual agreements. As of 1970s, Turkish emigration flows to Europe, especially to Germany, slowed down due to the economic crisis in Europe. Nevertheless, between the late 1970s and 1990s, the flow of emigration continued on the basis of family unification and marriages aforementioned.¹²⁵

Then Turkish government realized the potential of emigration as a developmental dynamic, which could relieve unemployment and import foreign exchange for the benefit of Turkish economy. For these reasons, first worker emigration

agreement was signed between Turkey and Germany in 1961. From 1964 to 1981, Turkey signed emigration agreements with Austria, Holland, Belgium, France, Sweden and Australia. In addition, narrow-scoped emigrant agreements were signed between Turkey and England, Swiss, Denmark and Norway over this period. As of 1980, the number of Turkish people in Europe reached around 1.7 million¹²⁶. From the beginning of the 1980s, on the one hand while Turkey was shifting to a more liberal economic policy, on the other hand, it was dealing with economic structural problems and high unemployment rates. Because of the uncertainty in their economic conditions and the high unemployment rate, people saw emigration as a solution for themselves and their families. Thus, the emigration movement to Europe continued throughout the 1970s and 1980s.¹²⁷

In addition to family unifications and marriages, political reasons (military coup in 1980 and terrorist activities in East South of country), economic and demographic inequalities between Turkey and Europe, first led to an increase in the numbers of Turkish people from 1.7 million to 2 million in 1985 and then to around 4 million in 1995 in Europe. Therefore, European policies, although quite rigorous, failed to stop emigration movements from Turkey to Europe.¹²⁸

2.3.2.3. Period III: from the 1990s to 1999 –Transit country

During this period, despite its ‘geographical limitation’ reservation to the Convention, which means people from Europe would be treated as refugees or asylum-seekers and others would be treated as ‘transitory visitors’, Turkey acted according to the framework of the 1951 Geneva Convention.¹²⁹ Nevertheless, Turkey did not implement a stiff policy against the immigrants who are non-European; and some of

these migrants were allowed to settle in Turkey, some voluntarily left Turkey to go to the West or back to their origin countries.

In 1982, because of civilian conflicts, 7.000 Afghan immigrants, and in 1989, because of oppressive policy of the Bulgarian government, 320.000 Bulgarian Turks had to migrate to Turkey. While Afghan immigrants were settled in Turkey, most of Bulgarian Turks went back to their own country. In addition, because of political chaos in their countries, in 1991 many Iraqi Turkmen and Bosnians in 1992, fled to Turkey. These Turkmen and Bosnians used Turkey as a transition route rather than safe place to settle in. It was not first for Turkey becoming a transit country for Turkmen and Bosnians, earlier Iranian people who escaped from 1979 Iranian Revolution had used Turkey as a transit route to the West. During this transition, around 1.5 million Iranian people first took refuge in Turkey, and then transitioned to western countries.¹³⁰ In addition to migrations from the Middle East, Turkey became a target for migrants from Africa and Asia. From 1983 to 1991, 380 African people who were from Ethiopia, Ghana, Somalia, Nigeria, and Sudan and 940 Asian people who were Afghanistan, China and Sri Lanka came to Turkey.¹³¹ Because of increasing people in number and diverse to Turkey, Turkish government enacted a Ministerial Resolution in 1994, which is also known as 1994 Turkish Asylum Regulation. This regulation was designed on the basis of security and identity concerns against Iranian Shia extremist ideology and terroristic activities in Southeast of the country.¹³² As a result, it is concluded that Turkey shifted from the status of source country to a destination and transit country during the 1990s. It was then Turkey noticed to review, develop and implement new migration regulations in the days to come.

2.3.2.4. Period IV: from 1999 to today –evolving in line with European acquis

Over this period, the EU began to play an important role in Turkey's policies on migration, refugee, asylum and illegal immigration issues. Due to its being a source and transit country to Europe, Turkey has been under the focus of the EU to take immediate action against unwanted immigration movements. Turkey was blamed for not taking necessary measurements against unwanted migrants. Conversely, Turkey defended itself by claiming that it was not the source of migration rather the source was originated from the suffering immigrants from Asia, Africa and the Middle East. However, this excuse provided no solution to resolving the issue of unwanted migration to Europe, and the issue of unwanted or illegal immigration that continued to be one of hot topic between Turkey and the EU.

It was a milestone for Turkey when the Helsinki European Council declared that Turkey was a candidate country for joining the European Union in 1999. After that date, the EU pressured Turkey to change its 'geographical limitation' policy to 1951 Geneva Convention and border management policy.¹³³ Turkey's position between European, Asian and African continents and the economic gap between Europe and other non-Europe countries transformed Turkey from a source country to a destination and transit country. Therefore, the large numbers of immigrants moved through Turkey in both East-West and South-North directions. On the one hand Turkey was struggling with immigrants who wanted to live in Turkey, on the other hand it faced the pressures from the EU to stop illegal immigration. In order to stop illegal immigrations, Turkey needs huge financial resources, which will put heavy pressure on its economy. In turn, Turkey will not gain any economic benefit from this struggle against transit illegal immigration. With this pressure in mind, it is believed that the EU wants to get rid of

problem by a ‘shift burden’ policy rather than through an effective struggle, which is costly. It is also believed that even though Turkey realizes its responsibility to reduce unwanted migrations, Turkey will be a ‘buffer zone’ and the EU will be seen as ‘Fortress Europe’ for illegal immigrants. In this regard, Turkey is leaning towards ‘burden sharing’ policies, rather than ‘burden shifting’ policies. That is, on one hand Turkey is taking responsibility for dealing with transit illegal immigration, on the other hand it demands the EU loosen the visa rules against Turkish citizens. Thus, the efforts continue to find a balanced solution between the costly struggle of illegal immigration and flexible visa regime against Turkish citizens.

2.3.3. Policies on Refugees and Asylum-seekers in Turkey

Kirisci (2007) argued that Turkey has a ‘two-tier asylum policy’ based on 1951 Geneva Refugee Convention and its 1967 Protocol, which was ratified with the provision of a ‘geographical limitation’ by Turkey. This has proposed different policies for European asylum-seekers and non-European asylum-seekers. The refugees from European territory have been enjoyed full rights of refugees and asylums¹³⁴, whereas non-European refugees and asylums have been offered limited rights by Turkey. It has been hard to cope with non-European transit migrants under the guidance of the Geneva Convention, because of 80 percent of them wanted to migrate to Europe.

When the influxes of people from Iran and Iraq occurred, Turkey enacted 1994 Asylum Regulation in order to deal with en masse movement risk to its security. In cooperation with the United Nations High Commissioner for Refugees (the UNHCR), Turkish authorities grant ‘temporary asylum’ status for non-European refugees until the UNCHR would decide the status of refugees.¹³⁵ If the UNHCR recognizes the justification of the claims of the refugee, the granted refugee would be settled in a third

country; otherwise the refugee who has groundless claims would be repatriated. The process between the UNHCR and Turkey on the issue of non-European refugees is conducted on the basis of a Memorandum of Understanding, which did not originate from the obligations of the Geneva Convention, but rather from Turkey's cooperative action with the UNHCR.¹³⁶ However, day to day practices to deal with refugee and asylum issues seems inadequate, as the number of illegal immigrants and rejected asylum-seekers increases in Turkey.¹³⁷

This regulation was designed on security concerns. Therefore it was far from offering a solution to then migration crisis rather deepened it.¹³⁸ Turkey was heavily criticized by European states and by the proponents of international human rights. They purported that Turkey did not care for the importance of the right of asylum-seekers and refugees. This was evident of infringing the rule of non-refoulement. However, the regulation improved the cooperation between the Turkish government and the UNHCR to determine the status of the refugees. The following amendments of the Asylum Regulation stopped the repatriations which violated the 1951 Geneva Convention. More important, in 1997, the regulation allowed for an appeal against the repatriation orders. In addition, police officers and other officials were trained on asylum issues in order to enhance the conditions and use of the policies that covered the rights of refugees and asylum-seekers.¹³⁹

After 1990s, the Turkish government changed its immigration policies for non-European refugees in order to respond to new emerging situations, but also reviewed its generous policies for European refugees from mostly Turkish descent. The underlying cause of this was that Turkey recognized the power of Turkish minorities in other communities as a bargaining tool in diverse international matters.¹⁴⁰ The era of

the 1990s was also witnessing a change in European policies on migration and asylum from liberal to more strict policies. In addition to Turkish citizens, asylum-seekers from the Middle East, Asia and Africa were looking for a way to enter Europe. For instance, more than 10 percent of around 2.5 million asylum-seekers came from Turkey to Europe between 1995 and 1998. Thus, for a long time, European officials became anxious about labor and undocumented migration movements stemming from Turkey. On the one hand the EU was developing policies in order to relieve the pressure of unwanted migrants by implementing readmission agreement and safe-third country resolution, on the other hand the Union was trying to distinguish political forced-refugees from economic voluntary-migrants.

2.3.4. Illegal Immigration Policies in Turkey

Despite Turkey was already experiencing illegal immigration, the matter of illegal immigration was significantly lately started to be debated between the EU and Turkey. The issue became public when miserable and heartbreaking sea incidents had caused the loss of many transit refugees from Turkey to the shores of Italy and Greece. In addition, French and Italian security forces seized large groups of transit migrants from Turkey. Turkey was blamed for not doing anything to stop these migrants. In response, Turkey defended itself by stating that a prosperous Europe and strict European visa policies were causes of illegal immigration.¹⁴¹ Turkey also stated that it was not the source of illegal immigration rather the sufferer of it. Consequently, discussions and politics tensions continued between the Parties. Meanwhile Turkey amended its Penal Criminal Code in 2002, which allowed prosecutors and polices to effectively fight against human trafficking.

Ozcurumez and Senses (2011) defined the Turkish cooperation with the EU as ‘absorption with reservation’ referring to EU Progress Reports, Turkish National Programs and interviews with experts. They claim that the EU was effectively trying to prioritize its economic and political interest on the controlling of illegal immigration by using the readmission agreements and admission ‘conditionality’ as controlling tools, whereas Turkey built its political and economic agendas on ‘burden sharing’ rather ‘burden shift’. In addition, Turkey was ambiguous and doubtful in fate of the admission into the Union after all.¹⁴² Consequently, though both sides have some concerns regarding each others’ policies on illegal immigration, Turkey passed a new law in 2003 that permits foreigners to work domestically, and in 2002 it amended the Penal Code that prohibits and heavily punishes human trafficking, enacted a regulation that provides free medical treatments and six months temporary permits for the victims of trafficking, and enacted a new Road Transportation Law that punishes the transportation of illegal immigrants. In addition, as of 2001, Turkey trained 553 police officers, 600 judges and prosecutors, and 73 officials who work in the Ministry of the Interior on the issue of human trafficking. Turkey also signed readmission agreements with third countries such as Syria and Greece in 2001, Kyrgyzstan in 2003, Romania in 2004 and Ukraine in 2005. The negotiations and interactions concerning these readmission agreements continue between Turkey and Bangladesh, Pakistan, Sri Lanka, India, China, Iraq, Israel, Jordan, Lebanon, Egypt, Sudan, Nigeria, Morocco, Ethiopia, Tunisia, Libya, Algeria, Kazakhstan, Uzbekistan, Mongolia, Bulgaria, the Russia Federation, Belarus and Georgia.¹⁴³ Currently, the issue of the readmission agreement has initiated an ardent discussion between Turkey and the EU.

Turkey passed the Law on Foreigners and International Protection in 2013. With this law, not only Turkey founded an Immigration Administration under the Ministry of Interior, but also enacted a comprehensive immigration law on immigration issue. The law authorized the Immigration Administration to practice the policies and strategies in the field of migration and ensure coordination between organizations and institutions on immigration issues. The law also regulates the issues of foreign entering, staying, leaving and expulsion from Turkey, additionally, regulates international protection, temporary protection and protection of victims of human trafficking.¹⁴⁴

For the first time, Turkey passed a law on the issues of refugees, asylum-seekers, migrants, stateless persons and persons in need for international protection in 2013. While this law was preparing by government, NGOs closely pursued, contributed and supported this law. Turkish Parliament unanimously passed the law.¹⁴⁵ This law complied the regulations and filled the gap in the field of foreign and asylum. The law authorized civilians instead of police, thus it will develop a humanitarian approach instead security approach. ¹⁴⁶ On 13 April 2013 Melissa Fleming, UN High Commissioner for Refugees (UNHCR) spokesperson states, in a news briefing in Geneva, “UNHCR, which has supported the drafting process, considers this an important advancement for international protection, and for Turkey itself, which has a long history of offering protection for people in need,” and added “During this transition [implementation] period and beyond, UNHCR will continue to extend its support and expertise to the Turkish authorities in advancing this legal framework and its full implementation.” ¹⁴⁷

2.4. SUMMARY

Even though International migration intensely affected European, it is not unique to Europe. People elsewhere in the world had similarly experienced migratory movements. However, the exclusivity of movement of European population is that it closely influenced economic, social and cultural changes around the world over a few centuries. Today's international migration movements have occurred in larger scale, more complicated way, and more varied forms than previous times. Due to ongoing wars, conflicts, persecutions, natural disasters, ecological degradation, poverty and unemployment, millions people have been displaced within countries or across boundaries. Some forms of these migrations have occurred legally, others have occurred illegally; some have been temporary, some have been permanent; some have intended to migrate and work in agriculture, some in industry; and some have been skilled, and some have been unskilled; and some forms have occurred for purposes of family unification, outwardly or inwardly.¹⁴⁸ Consequently, international migration is thus explained based on push factors and pull factor. The push (causal) factors are mostly explained by political and ecological reasons. The political reasons are originated from conflicts and causes of refugees, asylum-seekers, and illegal immigration. Ecological reasons refer to miseries such as famine, poverty and disaster. The pull factors are mostly reference to motivational or intentional economic factors. The quality of life and higher social wellbeing in destination countries are motivational pull factors for immigrants. Such as employment opportunities, healthcare, education and public assistances are attractive causes for immigrants.

During the 1950s and 1960s early Immigration Policies in Europe were quite liberal. These policies were fairly diverse and were controlled by national governments

on the basis of economic need.¹⁴⁹ Just after the economic depression of oil crisis during 1973 and 1974 in Europe, diverse immigration policies suddenly turned into a united restrictive form in order to stop immigrants coming in. Moreover, European countries expected guest workers to leave and encouraged them to return home. But these policies were useless and just changed the forms of migration from contract workers into family unification and asylum seeking over time.¹⁵⁰ In 1990, by transforming the Schengen Accords into Schengen Convention, the EU showed its determination towards achieving a borderless union with united policies for immigration and asylum. This convention intended to eliminate border controls among EU states while strengthening its external borders, a fact referred to as ‘Fortress Europe’.¹⁵¹ During 1990s, despite some degree of harmonization achieved among the EU countries on immigration policies, governments were not obliged to follow the rules. In the late of 1999, EU countries began to harmonize their immigration policies in order to stop illegal immigration. 1997 Treaty of Amsterdam moved immigration and asylum policy from the Third Pillar, which dealing with inter-governmental accords such as justice and policing, to the First Pillar which dealing with the rules of establishing common policies on the free movement of services, goods and people. In this way, as a supranational authority, the EU gained the right to create binding rules under the First Pillar. The European Commission thus proposed a set of harmonized asylum policies that could be employed in the coming years.

It was a milestone for Turkey when the Helsinki European Council declared that Turkey was a candidate country for joining the European Union in 1999. After that date, the EU pressured Turkey to change its ‘geographical limitation’ policy to 1951 Geneva Convention and border management policy.¹⁵² Turkey’s position between

European, Asian and African continents and the economic gap between Europe and other non-Europe countries transformed Turkey from a source country to a destination and transit country. Therefore, large numbers of immigrants moved through Turkey in both East-West and South-North directions. On the one hand Turkey was struggling with immigrants who wanted to live in Turkey, on the other hand it faced the pressures from the EU to stop transit illegal immigration. In order to stop transit illegal immigrations, Turkey needs huge financial resources, which will put heavy pressure on its economy. In turn, Turkey will not gain any economic benefit from this struggle against transit illegal immigration. With this pressure in mind, it is believed that the EU wants to get rid of problem by a 'shift burden' policy rather than through an effective struggle, which is costly. It is also believed that even though Turkey realizes its responsibly to reduce unwanted migrations, Turkey will be a 'buffer zone' and the EU will be seen as 'Fortress Europe'. In this regard, Turkey is leaning towards 'burden sharing' policies, rather than 'burden shifting' policies. That is, on one hand Turkey is taking responsibility for dealing with illegal immigration, on the other hand it demands the EU loosen the visa rules against Turkish citizens. Thus, the efforts continue to find a balanced solution between the costly struggle of illegal immigration and flexible visa regime against Turkish citizens.

CHAPTER III

3.0. METHODOLOGY

In this section of the study, research questions, hypotheses, data, measures of variables and analysis method will be introduced.

3.1. Research Questions and Hypotheses

3.1.1. Research Questions

Main RQ-1: What is the expectation of the EU from Turkey in terms of fighting against illegal immigration? Specifically, does Turkey adequately fight against illegal immigration in the eyes of the EU?

Supporting RQ-1A: Which illegal immigration topics are usually problematic between the EU and Turkey?

Supporting RQ-1B: Did Turkey take enough actions against the expectation of the EU for illegal immigration issues?

Supporting RQ-1C: Does Turkey have effective policies and law procedure to fight against illegal immigration as the EU proposes?

Main RQ-2: How do EU citizens and Turkish citizens perceive the phenomenon of illegal immigration? Do they differ in their perceptions?

Supporting RQ-2A: Due to being destination territory, do EU citizens perceive the phenomenon of illegal immigration as a serious problem compared to Turkish citizens?

Supporting RQ-2B: Do EU citizens urge their policymakers to effectively fight against illegal immigration?

Supporting RQ-2C: Do Turkish citizens urge their policymakers to effectively fight against illegal immigration?

3.1.2 Hypotheses

Main Hypothesis-1: The EU has expectations from Turkey in terms of fighting against illegal immigration. Turkey does not fulfill requirements against fighting against illegal immigration in the eyes of the EU.

Supporting Hypothesis-1A: There are problematic illegal immigration topics between the EU and Turkey.

Supporting Hypothesis-1B: Turkey does not take enough actions in line with the expectation of the EU for fighting against illegal immigration.

Supporting Hypothesis-1C: Turkey does not have effective policies and law procedure to fight against illegal immigration as the EU proposes.

Main Hypothesis-2: EU citizens and Turkish citizens have different perceptions on the phenomenon of illegal immigration.

Supporting Hypothesis -2A: Due to being destination territory, EU citizens perceive the phenomenon of illegal immigration as a serious problem compared to Turkish citizens.

Supporting Hypothesis -2B: EU citizens urge their policymakers to effectively fight against illegal immigration.

Supporting Hypothesis -2C: Turkish citizens urge their policymakers to effectively fight against illegal immigration.

3.2. Methodology of the Study

This study will employ both qualitative and quantitative methods to explore the illegal immigration issues between the EU and Turkey. Using qualitative and quantitative method in one study is generally called as mixed methods. In general, qualitative studies commonly aim to profoundly examine the area of interest for

individuals, groups, communities, or organizations.¹⁵³ With the help of qualitative methods, behaviors, images, narratives, books, magazines, ads, photos albums, folk tales, and life histories can be effectively classified to generate digestible information regarding the topic of interest.¹⁵⁴

Tashakkori and Teddlie (2003) state that mixed method uses techniques from the quantitative and qualitative research techniques in a single study in order to answer research questions in any other way. The combination of two methods is more than the sum of its quantitative and qualitative components. A mixed method contains the integration of data at one or more stages during the course of research.¹⁵⁵

The qualitative methods and the quantitative methods include many techniques to analyze the data sets. To be clearer, in order to analyze the data in this study, the content analysis of the qualitative method will be employed for the first research question; the logistic regression analysis of the quantitative method will be employed to analyze for the second question.

3.2.1. The First Research Question

3.2.1.1. The Data Source of the First Research Question

The data of the first research question will be collected from EU Progress Reports on Turkey and Turkey's National Programs and Action Plans (Turkey's Adaptation to Acquis Documents or Turkey's AA Documents). As stated in the section of the methodology of the study, qualitative methods will be used to answer the first research question. For this reason, this study needs certain sources to reflect both EU perspective and Turkish perspective on illegal immigration issues. That is, whilst the interactions have happening between the Union and Turkey, to what extent Turkey does allow or not allow to be affected its national policies by the EU on basis of illegal

immigration policies. Additionally, this study also helps us to what extent Turkey responses to EU requirements on illegal immigration policies.

Another topic is that the governments develop their policies on the basis of their citizens' opinion. In the EU and Turkey, citizens' opinion plays important roles on shaping of illegal immigration policies. Though, in this aspect, this study will contribute to shed on light on the role of citizens on the relationship between the EU and Turkey, and especially on the illegal immigration policies. Even though, some researches have been conducted some studies on the illegal immigration issues between Turkey and the EU, they do not evaluate the topic in the eye of political regulations as well as citizens. Consequently, not only this research looks for the nature of relationship between two entities, but also how both side citizens affect their policymakers' behaviors. Thus, the parties not only have to bear in mind to convince the policymakers but also citizens for passing a new rule on illegal immigration issue.

In this context, EU Progress Reports is one of the essential sources to understand how the EU evaluates Turkish efforts relevant to illegal immigration. On the other hand, Turkey tries to align its illegal immigration policies according to EU expectations. At this point, Turkey's National Programs and Action Plans for adapting to EU acquis are great sources to reflect how Turkey invests its resources for fighting against illegal immigration.

Progress Report: The European Commission regularly prepares a report every year for each candidate country to assess the progress achieved by that country for its membership status. These reports are presented to the Council and the Parliament. EU Progress Reports on Turkey “briefly describes the relations between Turkey and the Union and reports the recent situation of Turkey in terms of its political and economic

status. The report finally reviews Turkey's capacity in terms of fulfilling the obligations of EU membership, which is the *acquis* expressed in the Treaties, the secondary legislation and the policies of the Union. The report is generally based on the information gathered and analyzed by the EU Commission. Various sources are used in these reports such as Turkey's progress from the last to recent period, EU Member States' evaluations, European Parliament reports and information from various international and non-governmental organizations.”¹⁵⁶

Accession Partnership (Document): European Commission prepares Accession Partnership document for each candidate country for European Council. Accession Partnership document is a route map for each candidate country. “Accession Partnership defines the framework of the accession process. They set out: (1) Key priority areas in which candidate countries need to make progress, i.e. priorities identified in the European Commission's opinion on applications for European Union membership; (2) Pre-accession assistance.”¹⁵⁷

Turkey's AA Documents (National Programs, Action Plans): Even though they are not binding, the documents of EU Accession Partnership define the frame of National Programs and Action Plans for candidate countries. According to Accession Partnership Document, “Each candidate country draws up a national program for the adoption of the *acquis* (NPAA), which sets out a timetable for putting the partnership into effect. Each candidate country also draws up an action plan for strengthening its administrative and judicial capacities.”¹⁵⁸ Progress Reports and Turkey's AA Documents are available on official websites of the EU, Turkish Ministry of Foreign Affairs and Turkish Ministry of Interior.

Table 2 1998-2013 EU Progress Reports on Turkey and Turkish AA Documents

| Year | The EU | Turkey |
|------|--|---|
| 1998 | Progress Report | |
| 1999 | Progress Report | |
| 2000 | Progress Report | |
| 2001 | Progress Report Accession Partnership | National Program |
| 2002 | Progress report | |
| 2003 | Progress Report Accession Partnership | National Program |
| 2004 | Progress Report | |
| 2005 | Progress Report | Action Plan for Asylum and Migration |
| 2006 | Progress Report Accession Partnership | Action Plan for Integrated Border Management Strategy |
| 2007 | Progress Report | 2007-2013 Turkey's Adaptation Program to EU Acquis |
| 2008 | Progress Report Accession Partnership | National Program |
| 2009 | Progress Report | |
| 2010 | Progress Report | 2010-2011 Action Plan |
| 2011 | Progress Report | |
| 2012 | Progress Report | |
| 2013 | Progress Report | |

3.2.1.2. Analysis Plan for the First Research Question

The first research question specifically asks ‘what is the expectation of the EU from Turkey in terms of fighting against illegal immigration? Specifically, does Turkey adequately fight against illegal immigration in the eyes of EU?’ In order to analyze this research question, the content analysis of the qualitative method will be used. First, EU Progress Reports will be examined to figure out how the EU evaluates Turkey's immigration policies. These progress reports were issued between 1998 and 2013, which is the scope of this study. This study will classify the progress reports and present the key points in terms of Turkey's immigration policies in the eyes of the EU.

Secondly, in addition to Progress Reports, as listed at Table 2, this study will conduct detail research on Turkey's AA Documents (2001, 20003 and 2008 National Programs, 2005 National Plan Adaptation to Acquis (NPAA) on Asylum and Migration, 2006 Turkey's Integrated Border Management Strategy, 2007-2013 Turkey's Adaptation Program to EU Acquis and 2010-2011 Action Plan). In some extent, these official documents are response to EU Progress Reports as well as scheduled prospective actions to comply EU acquis. By examining official documents, this study expects to comprehend Turkish official policies on immigration. Thus, a comparative analysis will be conducted by considering both EU Progress Reports and Turkish AA Documents.

Taken together, the content analysis will be used to analyze the first research question. EU Reports and Turkish AA Documents will be thoroughly classified by different topics. Then, the end result will be reported in this study that may shed light to both EU and Turkish immigration perspectives. Given this context, problematic illegal immigration topics between the EU and Turkey and expectation of the EU from Turkey could be evaluated.

3.2.2. The Second Research Question

3.2.2.1. The Data Source of the Second Research Question

This study employs two surveys of Candidate Countries Eurobarometers (CCEB) to explore perception of EU citizens and perception of candidate countries on the immigration issues. Candidate Countries Eurobarometers Survey Series are available on the website of Inter-University Consortium for Political and Social Research (ICPSR). These two surveys conducted in 2006 and 2007. The first Eurobarometers survey conducted in 2006 includes 29.152 individuals from 32 EU and

candidate countries and named as Eurobarometers 66.1: European Values and Societal Issues, Mobile ICPSR 21281 Phone Use, and Farm Animal Welfare, September-October 2006. The second survey conducted in 2007 includes 30.281 individuals from 33 EU and candidate countries and named as Eurobarometers 68.1: The European Parliament and Media Usage, September-November 2007.

3.2.2.2. Analysis Plan for the Second Research Question

The second research question mainly asks, ‘How do EU citizens and Turkish citizens perceive the phenomenon of illegal immigration? Do they differ in their perceptions?’ To give an adequate answer to this question, two Eurobarometers surveys will be employed for this study as noted previously.

The first Eurobarometers Survey contains 32 EU and candidate countries including Turkey as a candidate country. Average individual sample size from each country is around 1.000 as reported in Table 3.

Table 3 2006 Eurobarometers Countries and Sample Size

| S.N | Country | Sample Size (N) | Percentage |
|-----|--------------|--------------------|------------|
| 1 | BELGIUM | 1003 | 3.4 |
| 2 | DENMARK | 1003 | 3.4 |
| 3 | GERMANY WEST | 1018 | 3.5 |
| 4 | GERMANY EAST | 507 | 1.7 |
| 5 | GREECE | 1000 | 3.4 |
| 6 | SPAIN | 1003 | 3.4 |
| 7 | FINLAND | 1000 | 3.4 |
| 8 | FRANCE | 1007 | 3.5 |
| 9 | IRELAND | 1000 | 3.4 |
| 10 | ITALY | 1006 | 3.5 |
| 11 | LUXEMBOURG | 500 | 1.7 |

| | | | |
|--------------|-------------------|---------------|------------|
| 12 | NETHERLANDS | 1018 | 3.5 |
| 13 | AUSTRIA | 1016 | 3.5 |
| 14 | PORTUGAL | 995 | 3.4 |
| 15 | SWEDEN | 1013 | 3.5 |
| 16 | GREAT BRITAIN | 1000 | 3.4 |
| 17 | NORTHERN IRELAND | 308 | 1.1 |
| 18 | CYPRUS (REPUBLIC) | 503 | 1.7 |
| 19 | CZECH REPUBLIC | 1091 | 3.7 |
| 20 | ESTONIA | 1000 | 3.4 |
| 21 | HUNGARY | 1005 | 3.4 |
| 22 | LATVIA | 1015 | 3.5 |
| 23 | LITHUANIA | 1000 | 3.4 |
| 24 | MALTA | 500 | 1.7 |
| 25 | POLAND | 1000 | 3.4 |
| 26 | SLOVAKIA | 1023 | 3.5 |
| 27 | SLOVENIA | 1031 | 3.5 |
| 28 | BULGARIA | 1035 | 3.6 |
| 29 | ROMANIA | 1047 | 3.6 |
| 30 | TURKEY | 1005 | 3.4 |
| 31 | CROATIA | 1000 | 3.4 |
| 32 | CYPRUS (TCC) | 500 | 1.7 |
| Total | | 29.152 | 100 |

2006 Eurobarometers survey directly asks three questions regarding immigration issues as listed in the Appendix of this study. The first question asks citizens about their top three priorities including immigration. The second question asks whether each national country should handle the immigration policies or EU should handle it within joint efforts. The last question asks whether immigration is perceived as one of the most important problems in the country and EU.

In 2007, a new survey was conducted to same EU members and candidate countries except Macedonia. With this survey, EU Parliament decided to add Macedonia to the survey. Average sample size of each country again around 1.000 that secures 30.281 individual in total as seen on Table 4.

Table 4 2007 Eurobarometers Countries and Sample Size

| S.N | Country | Sample Size (N) | Percentage |
|-----|----------------------|-----------------|------------|
| 1 | BELGIUM | 1022 | 3.4 |
| 2 | DENMARK | 999 | 3.3 |
| 3 | GERMANY WEST | 1001 | 3.3 |
| 4 | GERMANY EAST | 508 | 1.7 |
| 5 | GREECE | 1000 | 3.3 |
| 6 | SPAIN | 1000 | 3.3 |
| 7 | FINLAND | 1033 | 3.4 |
| 8 | FRANCE | 1036 | 3.4 |
| 9 | IRELAND | 1007 | 3.3 |
| 10 | ITALY | 1045 | 3.5 |
| 11 | LUXEMBOURG | 502 | 1.7 |
| 12 | NETHERLANDS | 1005 | 3.3 |
| 13 | AUSTRIA | 1015 | 3.4 |
| 14 | PORTUGAL | 1000 | 3.3 |
| 15 | SWEDEN | 1003 | 3.3 |
| 16 | GREAT BRITAIN | 1035 | 3.4 |
| 17 | NORTHERN IRELAND | 305 | 1 |
| 18 | CYPRUS (REPUBLIC) | 500 | 1.7 |
| 19 | CZECH REPUBLIC | 1106 | 3.7 |
| 20 | ESTONIA | 1012 | 3.3 |
| 21 | HUNGARY | 1000 | 3.3 |
| 22 | LATVIA | 1006 | 3.3 |
| 23 | LITHUANIA | 1016 | 3.4 |
| 24 | MALTA | 500 | 1.7 |
| 25 | POLAND | 1000 | 3.3 |
| 26 | SLOVAKIA | 1126 | 3.7 |
| 27 | SLOVENIA | 1009 | 3.3 |
| 28 | BULGARIA | 977 | 3.2 |

| | | | |
|--------------|----------------------|---------------|------------|
| 29 | ROMANIA | 1000 | 3.3 |
| 30 | TURKEY | 1004 | 3.3 |
| 31 | CROATIA | 1000 | 3.3 |
| 32 | CYPRUS (TCC) | 500 | 1.7 |
| 33 | MACEDONIA (FYROM) | 1009 | 3.3 |
| Total | | 30.281 | 100 |

In addition to first survey conducted in 2006, 2007 survey adds three new survey items to immigration questions of 2006 survey, which also can be seen in detail in the Appendix section of this study. 2007 survey asks citizens various immigration related questions. These questions are designed to measure EU immigration policies in the eyes of citizens. Taken together, 2006 and 2007 Eurobarometers surveys include six different immigration related questions. By analyzing these two surveys, this study expects to figure out whether EU citizens perceive the phenomenon of illegal immigration as a serious problem compared to Turkish citizens. This study also expects that comparative analyses via quantitative methods may help to understand why certain EU countries more seriously perceive immigration as a problem compared to others.

3.3. Measures of Variables

This study uses a mixed method to examine two research questions. Due to qualitative nature of the first research question, measures of variables will only be introduced for the second research question.

3.3.1. Dependent Variables

As presented above, there are six different questions for immigration issues. Three of those questions are the same both in 2006 Eurobarometers Survey and 2007 Eurobarometers Survey (See Appendix). However, three immigration questions are completely new in 2007 Eurobarometers Survey. Each immigration-related question

will be used as a dependent variable in order to understand whether EU countries and candidate countries differ in their perceptions in terms of immigration related issues. For this reason, the second research question will use all six immigration related questions as dependent variables.

Dependent Variable 1

Immigration Priority: This question directly asks to respondents for their top three priorities that the EU should follow. One of the options is immigration in this survey question as showed in Table 29.

Dependent Variable 2

National-based Immigration Policies or Integrated EU efforts: This question was designed to capture citizens' thoughts on national based immigration policies and joint EU efforts for immigration. Certain EU countries are more preservative to pass their national immigration policies to the EU. On the other hand, the EU believes that pursuing a joint/same immigration policy may enhance to resolve immigration-related problems.

Dependent Variable 3

The most current important problem of each country: This question was design to capture citizens' opinion on two recent most important issues faced the country. Citizens' daily life problems affect governments' policies. Thus, the governments shape their short-term policies accordingly. Discrepant opinions between governments and citizens on the same topic could be the issue of conflict. And so, governments could contravene each other.

Dependent Variable 4

The role of the EU in immigration issues: This question intends to capture public opinion on to what extent the EU has a decisive role on certain policies depending on country. The differences or similarities between countries' citizens will give us an idea about their priorities or inferiorities on certain policy area, especially on immigration policy.

Dependent Variable 5

Common EU Immigration Policy: The other question examines public opinion on common immigration policy. This question solely had been assigned to capture public opinion about an integrated immigration policy towards the harmonization of European acquis and intends to reveal citizens' priority at the union or national level about immigration policies. It also reflects public opinion on whether citizens want a national solution or supranational solution on their immigration issues.

Dependent Variable 6

Future Perceived Problems: This question is designed to capture public opinion on current issues as well as prospective issues. This question tries to uncover accomplished goals and goals that need to be accomplished by the EU in the long run. It is assumed that the prioritized policy areas are the problems that the EU already fights to solve in the present time. The differences on immigration policies among countries (both EU and candidate countries) may stem from immigration problems that each country currently experience.

3.3.2. Independent Variables

Destination Country

Destination country is a member country in the EU where illegal immigrants primarily want to go as a final destination via neighboring countries, candidate countries or via other member countries. The five largest destination countries are Germany, France, Spain, Italy and UK in the EU.¹⁵⁹ In this regard, these five countries in 2006 and 2007 Eurobarometers data were recoded as destination country and all the others as non-destination country (destination country =1; all other others=0). This study expects that citizens of the destination countries perceive illegal immigration as a serious problem since they generally experience illegal immigration related problems in their country.

Member State (Non-destination Countries)

Member state is a country that is a party to treaties of the EU. Thus, the member states are subject to advantages and mandatories of EU membership. Unlike a member of an international organization, all EU member states are bound to EU rules. However, member states are free to keep their national military ability and to shape their foreign policy maneuvers. This study expects that if a member state is not in destination country list, then, immigration related issues are less likely perceived as a problem.

Candidate Country

“Candidate country status is conferred by the European Council on the basis of an opinion from the European Commission, drawn up following an application for membership by the country concerned. However, candidate country status does not automatically give a right to join the Union. The Commission scrutinizes the application

in the light of the accession criteria, while the accession process starts with the European Council decision to open accession negotiations.

Depending on their circumstances, candidate countries may be required to institute a reform process in order to bring their legislation into line with the Community acquis and to strengthen their infrastructure and administration if necessary. The accession process is based on the pre-accession strategy, which provides instruments such as financial aid. Accession depends on the progress made by the candidate countries, which is regularly assessed and monitored by the Commission.”¹⁶⁰ This study expects that since none of the candidate countries in the list of destination country list, immigration related issues are less likely perceived as a serious problem by the citizens of these countries.

By analyzing these hypotheses, this study expects to figure out whether destination countries perceive immigration related issues more seriously than other countries including Turkey. It is in probability that citizens of destination countries may perceive immigration related issues much seriously which in turn put pressure on their governments to take severe measures against immigration problems. Based on the findings of the logistic regression analysis of the quantitative methods, this study will offer certain policy implications for all parties (destination countries, member states (non-destination countries), and candidate countries).

3.3.3. Control Variables

Age

Age will be employed in the equation as a control variable. Certain countries have more senior citizens, which in turn may increase illegal immigrations due to the high opportunity for employment.

Income Level

One of the main reasons for being destination country is high average income level. Illegal immigrants expect better life opportunities in high-income level countries; therefore, migrate more to those countries.

3.4. Analytical Plan

Creswell (2006) states that qualitative data analysis consists of three steps. 1- gathering and organizing data, 2-coding via summarizing the data, and 3-introduce the data in form of charts or tables. Due to qualitative method stands for wide area in research studies, to be more specific, the content analysis of the qualitative method will be used for the first research question to analyze targeted sources.

In order to analyze qualitative data from official documents, firstly EU Progress Reports and Turkey's AA Documents will be examined in the context of illegal immigration policies. And then, developments will be recorded and coded. Thus, mutual interactions between the EU and Turkey will be defined, compared and analyzed deeply. The end result will show us what extent EU policies affected Turkey immigration policies during accession process to the Union.

In order to statistically analyze data of CCEB Surveys, Statistical Package for the Social Sciences (SPSS) software will be used. In addition to capability of statistical analysis, SPSS has capability to manage and organize files as well as generate graphics and reports.¹⁶¹ Thus, the outputs will be showed in form of charts, tables and graphs in order to elaborate the study.

As noted earlier, three questions are the same both in 2006 Eurobarometers Survey and 2007 Eurobarometers Survey. For this reason, during the test of first three dependent variables, this study will merge two Eurobarometers Surveys. This process

will increase the sample size to 59.433 for these dependent variables. The rest of the three immigration questions are completely new in 2007 Eurobarometers Survey. Therefore, sample size for these dependent variables is 30.281.

Since level of measurement of all dependent variables is nominal with two categories (favor to dependent variable or non-favor to dependent variable), logistic regression will be used to test the hypotheses against each other.

3.5. Limitations

The main limitation of Eurobarometers data is that Eurobarometers Surveys try to measure the perceptions of citizens on different topics. In general, even though realities shape the perceptions of these people, some other factors/values may also contribute to shape perceptions of people. Since this study only relies on the perceptions to understand illegal immigration issues in EU and candidate countries such as Turkey, this may preclude to fully understanding illegal immigration issues for both EU countries and candidate countries.

CHAPTER IV

4.0. ANALYSIS OF THE DATA

In this section, the research questions of this study will be analyzed by using both qualitative and quantitative methods. The first research question was analyzed by using the content analysis of the qualitative method. As detailed in the previous chapter, the first research question tries to answer ‘what is the expectation of the EU from Turkey in terms of fighting against illegal immigration? Specifically, does Turkey adequately fight against illegal immigration in the eyes of the EU?’

This study examined Turkey’s Adaptation to Acquis (AA) Documents and EU Progress Reports from 1998 to 2013 to figure out how the EU evaluates immigration policies of Turkey. Before reporting the findings, a brief introduction will be given about above-mentioned documents.

4.1. Background

EU Progress Reports and Accession Partnership Documents mentions the developments, improvements and required steps in the field of migration, asylum and refugees including illegal immigration at Chapter 24, Justice, Freedom and Security (JFS). This chapter is called Justice and Home affairs (JHA) at previous EU reports. EU policies in the reports aim to maintain further improvements in the area of justice, freedom and security. 2005 Progress Report states “On issues such as border control, visas, external migration, asylum, police cooperation, the fight against organized crime and against terrorism, cooperation in the field of drugs, customs cooperation and judicial cooperation in criminal and civil matters, Member States need to be properly equipped to adequately implement the growing framework of common rules.”

Similarly, 2001 Turkey's National Program states under the subject headings of the acquis in Chapter of Home Affairs as following: Asylum, External borders, Migration, organized crime, Fraud and corruption, Drugs, Terrorism, Police cooperation, Customs cooperation, Judicial cooperation in civil matters, Judicial cooperation in criminal matters, Funding of activities under REU Title VI of the Treaty on the European Union, Human rights related issues and Schengen. As it is stated at 2006 Action Plan the European Commission confirmed the importance of fighting against illegal immigration and trafficking in human beings at the Laeken and Seville European Councils as well as in 2002 Comprehensive Plan (2002/C142/02 of 14 June 2002). Due to its multi-dimensional, regional and international characters, the matter of fighting against illegal immigration becomes one of the hottest agenda at the international arena and between the EU and Turkey. Illegal immigration is not only believed social and economic matters, but also as a national and international security issues. Thus, the matter of illegal immigration has been become one of the fundamental and fiery agenda of the Chapter 24, Justice, Freedom and Security. As a result, the study on illegal immigration will refer to many aspects of the governments' policies between each other.

4.2. Definitions

Before go through the assessment of the reports and documents, it will be better to give information about EU reports and Turkish AA Documents.

Progress Reports: The European Commission regularly prepares a report every year for each candidate country that assesses the progress achieved by that country for its membership status. These reports are presented to the Council and the Parliament. EU Progress Reports on Turkey "briefly describes the relations between Turkey and

the Union and reports the recent situation of Turkey in terms of its political and economic status. The report finally reviews Turkey's capacity in terms of fulfilling the obligations of EU membership, which is the *acquis* expressed in the Treaties, the secondary legislation and the policies of the Union. The report is generally based on the information gathered and analyzed by the EU Commission. Various sources are used in these reports such as Turkey's progress from the last to recent period, EU Member States' evaluations, European Parliament reports and information from various international and non-governmental organizations."¹⁶² In sum, Progress Reports briefly evaluate the relationship between the EU and Turkey in terms of political and economic criteria prior to the status of candidate, whether or not Turkey has a capacity to implement EU *acquis*.

One of the sections of Progress Reports is the Ability to Assume the Obligations of Membership. This section is consisting of 33 Chapters. Chapter 24 is named Justice and Home Affairs (JHA) or Justice, Freedom and Security (JFS). In general, this section assesses "Turkey's ability to assume the obligations of membership -that is, the *acquis* as expressed in the Treaties, the secondary legislation, and the policies of the Union. It also analyses Turkey's administrative capacity to implement the *acquis*."¹⁶³ In special, this chapter evaluates Turkey's ability to assume the obligations of membership in the field of illegal immigration based on *acquis*, which are EU Treaties, legislations and policies as well as administrative capacity to implement the illegal immigration policies.

Though there are several dimension of the issue of illegal immigration that is closely inter-bedded with other immigration and border policies, in this study only direct relevant part of immigration policies to illegal immigration and border

management and security will be examined. Trafficking in human beings and visa policies, police co-operation and fighting against organized crime, border crossing will not be in the scope of this study. However, the dimensions of visa and human trafficking policies of illegal immigration will not be ignored. Secondly, Progress Reports will be assessed in terms of what the EU demanded and to what extent Turkey responded to those demands to adapt to acquis of EU illegal immigration policies, treaties and secondary legislations.

Accession Partnership Documents: European Commission prepares Accession Partnership documents for each candidate country for European Council. Accession Partnership document is a route map for each candidate country. "Accession Partnership defines the framework of the accession process. They set out: (1) The key priority areas in which candidate countries need to make progress, i.e. priorities identified in the European Commission's opinion on applications for European Union membership; (2) pre-accession assistance."¹⁶⁴

In the section of the objectives, 2001 Accession Partnership Documents defines the meaning of accession partnership document. It states "[2001] Accession Partnership is to set out in a single framework the priority areas for further work identified in the Commission's 2000 regular report on the progress made by Turkey towards membership of the European Union." The document continued "the financial means available to help Turkey implement these priorities and the conditions which will apply to that assistance. This Accession Partnership provides the basis for a number of policy instruments, which will be used to help the candidate states in their preparations for membership." In addition, 2001 Accession Partnership Document states, "It is expected

that Turkey adopts a national program for the adoption of the *acquis* before the end of the year on the basis of this Accession Partnership.”

Turkey’s AA Documents (National Programs, Action Plans): Even though it is not binding, Accession Partnership Documents foresees the preparation and adaptation of a national program and action plans by the candidate countries. According to Accession Partnership Document, “Each candidate country draws up a national program for the adoption of the *acquis* (NPAA), which sets out a timetable for putting the partnership into effect. Each candidate country also draws up an action plan for strengthening its administrative and judicial capacities.”¹⁶⁵ Progress Reports and Turkey’s AA Documents are available on official websites of the EU and Turkish Ministry of Foreign Affairs and Turkish Ministry of Interior.

4.3. Analysis of EU Reports and Turkey’s AA Documents by Topics

In order to assess EU requirements and Turkey’s progress to be admitted to the EU in the field of fighting against illegal immigration, 11 EU Progress Reports and 4 Accession Partnership Document (15 EU Reports in total) and 3 National Programs, 2 Action Plans and 1 Progress Report by Turkey (6 Adaptation to *Acquis* Documents in total) are examined under 4 main topics and 12 sub-topics. 15 EU Reports and 6 Turkey’s AA Documents belong to pre-accession period, which began from 1998 to 2013. During this period, while Turkey has been in an actual struggle against illegal immigration by implementing valid rules, on the other hand it has to develop new policies and strategies to fight against illegal immigration in order to align EU *acquis*. By dividing the developments into four main topics and 12 sub-topics, it is aimed that the requirements and progresses will be analytically examined in the field of fighting

against illegal immigration. Thus, EU effects and Turkey's achievements to align EU acquis will be assessed accordingly.

In topic 1.0, Fighting against Illegal Immigration by Valid Laws, EU requirements and Turkey's progress/achievements are examined into three sub-topics:

- Effectively Fighting against Illegal Immigration,
- Fighting against Trafficking in Human Beings,
- Signing and Ratifying Readmission Agreement with the EU.

In topic 2.0, Migration, Asylum and Refugee Issues, EU requirements and Turkey's progress are examined into five sub-topics:

- Effectively Handling Migration, Asylum and Refugees Issues by Valid Laws,
- Repealing of Geographical Limitation of 1951 Geneva Convention,
- Developing Training Program in the Field of Asylum and Refugee,
- Set up Reception and Removal Centers,
- Set up a Migration and Asylum Authority.

In topic 3.0, External Borders, EU requirements and Turkey's progress are examined into three sub-topics:

- Alignment to EU External Border Policy and Schengen Agreement in General,
- Set up an Integrated Border Management Unit,
- Set up a Unified and Professional Border Guard.

In topic 4.0, Visa Policy, EU requirements and Turkey's progress relevant to visa policies are examined under the single topic:

- Alignment to EU Visa Policy

By examining these topics, the interactions between the EU and Turkey will be deeply examined in the field of fighting against illegal immigration.

When the achievements are examined during pre-accession period, not only Turkey struggles against illegal immigration, but also develops the new legislations, institutions and administrative capacities in order to fight against illegal immigration and further so as to align to EU acquis. Therefore, Turkey's struggle against illegal immigration could be mainly divided in to two categories: First is struggling against illegal immigration within current capacity, second is developing new capacity.

In order to analytically examine the requirements and achievements, each topic and sub-topic have their own summaries, assessments and conclusions. The overall assessment and conclusion will be stated at the bottom of all topics and sub-topics.

In Table 5, Checked EU Reports and Turkey's AA Documents are assessed. The rest of the reports (crossed ones) are out of the scope of analysis due to the fact that studied/scrutinized reports already include needed information. In addition, Table 5 gives additional chronological and comparative information about the reports.

Table 5 Evaluated Progress Reports and Turkish Adaptation to Acquis Documents

| Year | The EU | Evaluated | Turkey | Evaluated |
|-------------|---|------------------|---|------------------|
| 1998 | Progress Report | ✓ | | |
| 1999 | Progress Report | ✓ | | |
| 2000 | Progress Report | ✓ | | |
| 2001 | Progress Report Accession Partnership | ✓ ✓ | National Program | ✓ |
| 2002 | Progress Report | ✗ | | |
| 2003 | Progress Report Accession Partnership | ✗ ✓ | National Program | ✓ |
| 2004 | Progress Report | ✓ | | |
| 2005 | Progress Report | ✓ | Action Plan for Asylum and Migration | ✓ |
| 2006 | Progress Report Accession Partnership | ✓ ✓ | Action Plan for Integrated Border Management Strategy | ✓ |
| 2007 | Progress Report | ✗ | | |
| 2008 | Progress Report Accession Partnership | ✓ ✓ | National Program | ✓ |
| 2009 | Progress Report | ✗ | | |
| 2010 | Progress Report | ✓ | | |
| 2011 | Progress Report | ✗ | | |
| 2012 | Progress Report | ✓ | 2012 Progress Report prepared by Turkey | ✓ |
| 2013 | Progress Report | ✓ | | |

4.3.1. Fighting against Illegal Immigration

4.3.1.1 Assessment of Effectively Fighting against Illegal Immigration by Valid

Law

Summaries for EU Reports and Turkey's AA Documents are based on statements in Table 17.

Summary for EU Reports on Effectively Fighting against Illegal

Immigration:

By stating;

- “a sharp increase in the number of illegal immigration crossing through Turkey” in 1999,
- “needed to response to sharp increase of illegal immigration and facilities and pecuniary penalties required to stop illegals” in 1999,
- “seriously stepped up to decrease the number of illegal persons” in 2000,
- “serious concern about illegal migration flows in Turkey, which have been steadily increasing” in 2001,
- “improve the capacity of public administration including development of effective border control” in 2001,
- “reinforce the fight against illegal immigration” in 2003,
- “adopt and implement the acquis and best practices” in 2003,
- “implement 2003 migration and asylum strategy” in 2003,
- “establishment of a specialized, civilian authority” in 2004,
- “the Joint Action Program between the EU and Turkey should be concluded” in 2004,
- “Continue efforts to combat illegal migration” in 2006,
- “adopt and implement the acquis and best practices” in 2006,
- “increase capacity” in 2008,
- “detention and deportation procedures need to be improved” in 2008,
- “the physical conditions of detention need to be improved” in 2008,
- “access for detained irregular migrants to free legal aid, to asylum procedures, to interpretation services, to psychological and medical assistance and to educational and recreational activities, along with the possibility of accommodating unaccompanied minors in reception facilities outside detention centers, needs to be further developed in 2008,
- “full implementation of the newly established circulars and establish fair procedures for the detention and removal of irregular migrants” in 2010,
- “awareness raising among administrators” in 2010,
- “no substantial administrative arrangements in pending Law on Foreigners and International Protection” in 2012,
- “no structured psycho-social services” in 2013,
- “the Courts’ and Bar associations’ capacities need to be enhanced” in 2013,

EU Progress Reports and Accession Partnership Documents define the needed

steps in fighting against illegal immigration in order to align with EU acquis.

Summary for Turkey's AA Documents on Effectively Fighting against

Illegal Immigration

By stating;

- “new optical passport” in 1998,
- “the Draft Law on the Work Permits of Foreigners was submitted to the Turkish Parliament” in 2001,
- “in 2000 and 2001 Turkey shifted migrant traffickers to southern (Iraq-Syria-Lebanon) and northern (Iran-Caucasus -Ukraine) routes” in 2001,
- “African countries are destined to Italy and France and those coming from Sri Lanka and India are following the Suez Canal to reach the coasts of Southern Greek Cyprus, Greece and Italy” in 2001,
- “Work Permits of Aliens was put into force” in 2003,
- “the number of coast boats increased from 52 to 83 and the number of personnel was increased from 2.726 to 3.396” in 2003,
- “The Coast Guard Command has increased surveillance activities” in 2004,
- “intensified efforts diverted illegal migration flows away from Turkey” in 2004,
- “Sea-born Illegal migration avoided to use the route through Turkey” in 2005,
- “forming a high-level inter-agency working group” in 2008,
- “irregular migrants and victims of trafficking benefit free health services” in 2009,
- “A coordination board for combating illegal migration was established” in 2010,
- “illegal immigrants who passed through airports to Europe straightforwardly has been admitted” in 20103,

EU Progress Reports and Turkish 2005 Action Plan confirm the developments and implementations in order to align with EU acquis in the field of fight against illegal immigration between 1998 and 2013.

Fighting against Illegal immigration in numbers: According to EU Progress Reports 11.362 in 1995, 18.804 in 1996, 28.439 in 1997, 29.426 in 1998, 47.529 in 1999, 94.514 in 2000, 92.362 in 2001, 82.825 in 2002, 56.219 in 2003, 61.228 in 2004, 57.428 in 2005, 64.290 in 2007, 65.737 in 2008, 34.345 in 2009, 44.415 in 2011 and

47.510 in 2012 illegal immigrant were apprehended. According to Turkish National Police (TNP) reports 51.983 in 2006 and 32.667 in 2010 illegal immigrants were apprehended.¹⁶⁶

According to EU Progress Reports, 6.069 in 1999, 24.504 in 2000, 15.2008 in 2001, 11.084 in 2002, 9.362 in 2003 and 11.093 foreigners who wanted to enter to Turkey were refused due to various reasons.

According to EU Progress Reports, 850 in 2000, 1.155 in 2001, 1.157 in 2002, 937 in 2003 human smugglers were seized. According to UTSAM Report 956 in 2004, 834 in 2005, 951 in 2006, 1.242 in 2007, 1.305 in 2008, 1.027 in 2009, 990 in 2010 and 703 in 2001 human smugglers were seized.¹⁶⁷

According to EU Progress Reports, 52.849 in 2010, 55.630 in 2011 and 37.531 in 2012 illegal immigrants through Turkey who attempt to enter to the EU were apprehended.

According to EU Progress Reports, Turkey deported 26.889 illegal immigrants in 2011 and 21.059 in 2012.

According to EU Progress Reports, 217.206 foreigners were granted residence permit by Turkey in 2011.

International cooperation:

By stating;

- “co-operation between Turkey and Greece” in 1999,
- “Turkey participates in the Budapest Process” in 1999,
- “co-operation with the Office for International Migrations” in 1999,
- “illegal immigration discussed in [EU] Expert meetings of the sub-committees” in 2001,
- “Turkey participates in regional and international fora: Stability Pact-Working Table III, the Budapest Process, the Centre for Information, Discussion and Exchange on the Crossing of Frontiers and Immigration

(CIREFI), the South East European Cooperation Initiative (SECI)-Task Force on Trafficking in Human Beings, International Border Police Conference)” in 2001,

- “training on detecting the forge documents and 553 officials were trained” in 2001,
- “an Agreement between Turkey and Greece” in 2001,
- “Turkey participates in the meetings organized by the Centre [CIREFI] every six months. Through the Early Warning System” in 2003,
- “Cooperation on Human Trafficking and Illegal Migration was signed with Belarus” in 2004,
- “progress in the fight against illegal migration through improved co-operation among authorities as well as with Member States and third countries” in 2004,
- “co-operation agreement with Europol” in 2004,
- “Bilateral police co-operation agreements have been ratified between, on the one hand, Turkey and, on the other hand, Poland, Germany, Finland, and South Africa” in 2004,
- “contact point to participate as an observer in the EU Crime Prevention Network” in 2004,
- “67 Security Cooperation Agreements with 43 countries” in 2005,
- “Cooperation protocols [the combat against organized crime and terrorism] have been proposed to Ukraine, Georgia, Bulgaria, Romania, Moldova, Russian Federation, Azerbaijan, Belarus and Uzbekistan” in 2005,
- “Turkey fulfills its obligations within the scope of international conventions and national legislation” in 2012,

EU Progress Reports and Turkish 2005 Action Plan confirm the international developments, implementations and cooperation in order to align EU acquis in the field of fight against illegal immigration between 1998 and 2013.

Conclusion on effectively fight against illegal immigration

As of 1999, EU reports state a sharp increase in the amount of illegal immigrants through Turkey to Europe. Thus, Turkey is asked to develop effective legal and administrative measures to stop illegal immigrants to Europe. From 2000 to 2006, the EU reports reiterate a need for the development of an effective struggle strategy by Turkey. As of 2008, EU reports focus the improvement of conditions for illegal

immigrants rather than the development of struggle strategy against illegal immigration. This shows that Turkey makes significant progress on fighting against illegal immigration, but needs to improve legal, physical, health and education conditions for illegal immigrants.

As of 1998, Turkey makes significant progress by adopting new regulations and measures against illegal immigration. In early stage of pre-accession period, Turkey claims that it changes the direction of illegal migration flow to southern (Iraq-Syria-Lebanon) and northern (Iran-Caucasus -Ukraine) routes in 2001. In addition, Illegal immigrants from Africa destined to Italy and France, while illegal immigrants from Sri Lanka and India destined to Southern Cyprus, Greece and Italy through Suez Canal. As of 2000, Turkey conducts an effective struggle against illegal immigration till 2013. For instance, on one hand Turkey increases its operational capacity by increasing the number of sea boats from 52 to 83 and the number of staff from 2.726 to 3.396 in 2003. With increasing operational capacity, the number of captured illegal immigrant was approximately 30.000 in 1998, whereas this number increased approximately 90.000 in 2000. As of 2002, the number of captured illegal immigrant decreases approximately 80.000 and then 60.000 during 2003s. Later on, this number decreases until 40.000 during 2010s. Though a slight increase in the number of captured illegal immigrant in 2011 and 2012, this is not relevant to Turkey's position, rather new instable and insecure conditions in neighboring countries to Turkey.

Additionally, despite there is no emphasis and requirement in EU reports; Turkey makes new cooperation in order to fight against illegal immigration. For instance, Turkey cooperates with Greece, Office for International Migrations and participated in Budapest Process in 1999. In coming years, Turkey cooperates with the

Centre for Information, Discussion and Exchange on the Crossing of Frontiers and Immigration (CIREFI), the South East European Cooperation Initiative (SECI) and Europol. As of 2005, Turkey participates in 67 Security Cooperation Agreements with 43 countries.

The concluded fact on Turkey's fighting against illegal immigration is that Turkey conducted a significant and effective struggle against illegal immigration in order to carry out its responsibility and align to EU acquis.

4.3.1.2. Assessment of Fighting against Trafficking in Human Beings

Summaries for EU Reports and Turkey's AA Documents are based on statements in Table 18.

Summary for EU reports on fighting against trafficking in human beings:

By stating;

- "Improve the capacity of public administration and coordination between ministries" in 2001,
- "no progress in the ratification 2000 UN Convention" in 2001,
- "Continue to strengthen the fight against trafficking in persons, and enhanced cooperation between different law-enforcement bodies" in 2003,
- "Ongoing efforts need to be maintained" in 2005,
- "Strengthen the fight against trafficking in persons" in 2006,
- "Strengthen the fight against trafficking in persons" in 2008,
- "Fund for free emergency helpline and the centers" in 2008,
- "Coordination tasks have not been established" in 2010,
- "National legislation required in line with the Council of Europe's Convention" in 2010,
- "Further efforts are needed" in 2010,
- "No significant progress was noted in the area of combating trafficking in human beings" in 2010,
- "Reliable statistical data" in 2012,

EU Progress Reports and Accession Partnership Documents identify the required steps in order to align EU acquis in the field of fight against trafficking in human beings between 1998 and 2013.

Summary for Turkey's Adaptation to Acquis Documents:

By stating;

- “Establishment of the Turkish Employment Agency” in 2000,
- “Turkish Penal Code was amended” in 2002,
- “signed 2000 UN Convention against Transnational Organized Crime and its Protocol” in 2002,
- “amendment in the Citizenship Act” in 2003,
- “ratified the Convention against Transnational Organized Crime and two Protocols” in 2004,
- “Twinning Project on Fight Against Trafficking in Human Beings” in 2003,
- “Cooperation protocols have been proposed to Ukraine, Georgia, Bulgaria, Romania, Moldova, the Russian Federation, Azerbaijan, Belarus and Uzbekistan” in 2004,
- “Cooperation for Combating Human Trafficking and Illegal Migration with Belarus” in 2004,
- “rearrangement in Turkish Penal Code” in 2005,
- “signed 67 Security Cooperation Agreements with 43 countries” in 2005,
- “National Task Force meet regularly” in 2005,
- “by co-operating with the International Organization for Migration, introduced a counter-trafficking program” in 2005,
- “helpline” in 2005,
- “anti-trafficking public informing campaign” in 2005,
- “shelter house for victims of trafficking” in 2005,
- “police co-operation was signed in 2005 with Georgia and Ukraine” in 2005,
- “continued co-operation with the International Organization for Migration” in 2006,
- “shelter in Ankara” in 2006,
- “co-operation with Moldova” in 2006,
- “legislation is well aligned, however, more efforts are needed to enhance the administrative capacity” in 2006,
- “Progress has continued” in 2008,

- “signed the Council of Europe Convention” in 2009,
- “health and rehabilitation service for victims of human trafficking” in 2010,
- “heavy penalties in Turkish Penal Code” in 2010,
- “agreement with NGOs” in 2010,
- “2010-2015 National Strategy Document on the Fight against Organized Crime” in 2010,
- “2010-2012 Action Plan on Fight against Organized Crime” in 2010,
- “Drafted Law in 2012” in 2012,
- “a safe house in Antalya and toll-free helpline functioning” in 2012,
- “efficiently combating against human trafficking effectively in accordance with international human rights standards” in 2012,

EU Progress Reports and Turkey’s AA Documents confirm the developments and implementation in order to align EU acquis in the field of fighting against trafficking in human beings between 1998 and 2013.

According to EU Progress reports 227 traffickers were prosecuted in 2004, 125 traffickers were arrested in 2005, 330 were arrested as of September 2006, 308 traffickers were arrested in 2007, 212 traffickers were arrested as of September 2008, and 87 traffickers were arrested in 2010.

In 2004, 239 persons were identified as victims of trafficking, 72 victims were accepted to shelter houses in Istanbul as of August 2004 and 26 of them were granted residence permits in 2005; In 2005, 256 persons identified as victims of trafficking, 220 of them were received direct assistance for return to their countries.

98 victims were rescued thanks to helpline as of August 2006, 98 victims had been identified and 61 of whom were returned voluntarily to their countries of origin as of September 2008.

Conclusion on fighting against trafficking in human beings

EU Reports emphasize the requirement of increasing public capacity and internal and international coordination in order to effectively fight against trafficking in human beings from 2000 to 2003. As of 2005, EU Reports focus on strengthening existing capacity. And then, the funding, coordination and legislation issues are expressed in 2008 and 2010. Progress Report of 2010 states that no significant progress was noted in the area of combating trafficking in human beings. In return, Turkey makes legislative regulations, internal and international cooperation from 2000 to 2012 in order to fight against trafficking in human beings. For instance, Penal code is amended in 2002, 2005 and 2010, UN Convention against Transnational Organized Crime is ratified in 2003, cooperation with Belarus is signed in 2004, and cooperation with Georgia and Ukraine are signed in 2005. Council of Europe Convention on action against trafficking in human beings is signed in 2009. In addition; Turkey continues to enhance its administrative, legislative and social support capacities during 2010s and 2012s. Progress Report by Turkey states that Turkey efficiently fighting against human trafficking in line with international human rights standards in 2012. Additionally, with conducted operations by Turkish authorities, 227 traffickers were prosecuted in 2004; this number increases 308 in 2007. And then, the number of arrested traffickers sharply decreases 87 traffickers in 2010. The concluded fact is that Turkey effectively and timely fight against trafficking in human beings and makes significant progress in this area during pre-accession period.

4.3.1.3. Assessment of Signing and Ratifying the Readmission Agreement with the EU

Summaries for EU Reports and Turkey's AA Documents are based on statements in Table 19.

Summary for EU reports on signing and ratifying readmission agreement

with the EU

By stating;

- “refusal of readmission agreement is a serious problem” in 1998,
- “needs to conclude re-admission agreements” in 2000,
- “signing of a readmission agreement” in 2001,
- “negotiate and conclude as soon as possible a readmission agreement with the European Community” in 2003,
- “negotiations on a readmission agreement with the EU are expected to start soon” in 2004,
- “conclude readmission agreements with third countries” in 2004,
- “conclude urgently a readmission agreement with the EU” in 2006,
- “not pursued the negotiations on a readmission agreement with the European Community” in 2008,
- “Conclude urgently a readmission agreement with the EU” in 2008,
- “The Council invited the Commission to take steps towards visa liberalization as a gradual and long-term perspective, in parallel with the signing of the readmission agreement between Turkey and the EU” in 2012,
- “The readmission agreement with the EU was initialed” in 2012,
- “readmission protocol between Greece and Turkey in limited manner” in 2012,
- “signing of the EU-Turkey Readmission Agreement is still pending” in 2013,

EU Progress Reports and Accession Partnership Documents define the required steps in order to align with EU acquis in the matter of readmission agreement.

Summary for Turkey’s AA Document on signing and ratifying readmission agreement with the EU

By stating;

- “foreigners with Turkish residence permits are accepted to Turkey and Third country nationals departing from Turkey by air to another country are readmitted to Turkey” in 2001;
- “offered to conclude readmission agreements with Afghanistan, Bangladesh, Bulgaria, Greece, India, Iran, Iraq, Pakistan, Peoples Republic of China (P.R.C.), Romania, Syria, and Sri Lanka” in 2001,

- “Draft protocols proposed to Iran, Syria, Pakistan, Bangladesh, India and Sri Lanka” in 2001,
- “Readmission agreement with Syria. Iran, Pakistan, Bangladesh, India, Sri Lanka, China, Romania and Bulgaria in positive approach” in 2001,
- “Readmission Protocol was signed with Greece” in 2001,
- “Readmission agreements proposed to China, Bulgaria, Iran, Pakistan, Bangladesh, India, Sri Lanka, Jordan, Tunisia, Russian Federation, Uzbekistan, Mongolia, Egypt, Israel, Georgia, Ethiopia, Belarus, Sudan, Algeria, Morocco, Lebanon, and Nigeria” in 2001 and 2002,
- “Turkey aims to conclude readmission agreements first with its Eastern neighboring countries, and then with countries East of these countries and finally, with its Western neighboring countries” in 2003,
- “readmission agreement with Kyrgyzstan” in 2004,
- “readmission agreements are underway with Bulgaria, Libya, Uzbekistan and Ukraine” in 2004,
- “between Turkey and Greece, the first meeting of the Co-ordination committee established” in 2004,
- “readmission agreements with the Russian Federation, Uzbekistan, Belarus, Hungary, Macedonia, Ukraine, Lebanon, Egypt, Libya and Iran are underway” in 2005,
- “Readmission agreements were proposed to Pakistan, Bangladesh, India, People’s Republic of China, Tunisia, Mongolia, Israel, Georgia, Ethiopia, Sudan, Algeria, Morocco, Nigeria and Kazakhstan” in 2005,
- “A Readmission Agreement was proposed to Turkey by the EU Commission” in 2005,
- “Turkey opened negotiations with the EU” in 2005,
- “A readmission agreement with Ukraine” in 2005,
- “Turkey proposed a readmission agreement to Afghanistan” in 2008,
- “A first round of negotiations on a readmission agreement with Pakistan was held” in 2008,
- “Substantial progress on EU-Turkey readmission agreement” in 2010,
- “a joint declaration signed between Turkey and Greece to apply its provisions more effectively” in 2010,
- “readmission agreement with Pakistan” in 2010,
- “Readmission agreements with Azerbaijan, Bangladesh, Belarus, Bosnia and Herzegovina, FYROM, Georgia, Lebanon, Libya, Moldova, and Uzbekistan discussed” in 2010,
- “readmission agreement with Bosnia and Herzegovina” in 2012,
- “The negotiations for the Readmission Agreement between Turkey and the EU were completed and the Readmission Agreement was initialed” in June 2012,

- “agreements with Syria, Kyrgyzstan, Romania, the Ukraine, Pakistan, Yemen, Nigeria, Russia, Greece, Bosnia and Herzegovina and Moldova” in 2012,
- “negotiation for readmission agreement with Serbia, Montenegro and Belarus” in 2012,
- “Turkey’s position on the Readmission Agreement is that visa liberalization for Turkish citizens and the Readmission Agreement should enter into force at the same time” in 2012,

EU Progress Reports and Turkish AA Papers define the developments in order to align with EU acquis on the matter of readmission agreement. In addition; the documents contain Turkey’s approach to readmission agreement with the EU.

Conclusion on signing and ratifying readmission agreement with the EU

From 1998 to 2013, EU reports emphasize the importance of signing of readmission agreement between Turkey and the EU. In return, Turkey refuses the readmission agreement with the EU, unless it completes readmission agreements with third countries that are neighboring and far-off source countries due to Turkey’s concern of being a ‘buffer zone’ between Eastern transit-source countries and the EU countries. For this reason, from 2001 to 2013, Turkey signs readmission agreements with Syria, Kyrgyzstan, Romania, the Ukraine, Pakistan, Yemen, Nigeria, Russia, Greece, Bosnia and Herzegovina and Moldova. Turkey retains negotiations and relations on readmission agreement with Afghanistan, Azerbaijan, Bulgaria, Hungary, Macedonia, Serbia, Montenegro and Belarus, Georgia, Kazakhstan, Uzbekistan, Mongolia, Bangladesh, India, Iran, Iraq, China and Sri Lanka, Jordan, Lebanon, Tunisia, Egypt, Israel, Ethiopia, Sudan, Algeria, Morocco, and Libya. In 2005, the EU Commission proposes a readmission agreement to Turkey. The negotiation on readmission agreement is completed between Turkey and the EU in 2012. However, Turkey offers to accept readmission agreement, when the EU accepts visa liberalization

for Turkish citizens simultaneously. Thus, visa liberalization and readmission agreement are still under discussion between Turkey and the EU. The concluded fact is that Turkey makes significant progress on readmission agreement with third countries, but it needs to conclude the agreement with the EU. Thus, the progress on readmission agreement is slow and limited.

4.3.2. Migration, Asylum and Refugee Issues

4.3.2.1. Assessment of Effectively Handling Migration, Asylum and Refugee Issues

Summaries for EU Reports and Turkey's AA Documents are based on statements in Table 20.

Summary for EU Reports on effectively handling migration, asylum and refugee issues

By stating;

- “setting-up of an independent asylum appeal board” in 2001,
- “nation-wide screening mechanism to identify asylum-seekers” in 2001,
- “Strengthen the system for hearing and determining applications for asylum” in 2003,
- “new national asylum law and institutions” in 2004,
- “hearing and determining applications for asylum” in 2006,
- “all asylum seekers have access to a fair procedure and to ensure uniform implementation, new legislation is required” in 2006,
- “a comprehensive asylum law” in 2008,
- “lack of a comprehensive legal framework on refugees and asylum-seekers stands” in 2008,

EU Progress Reports and Accession Partnership Documents has emphasis the importance of adopting a comprehensive law and establishment of an institution for asylums and refugee-seekers in order to align with EU acquis.

By stating;

- “complete National Action Plan to implement the strategy on asylum” in 2004,
- “implementation of the 2005 Action Plan on Migration and Asylum” in 2005,
- “implement the National Action Plan on Migration and Asylum” in 2006,
- “implementation of the Action Plan on Migration and Asylum and to clarify the future institutional structures” in 2006,
- “Continue efforts to implement the National Action Plan on Asylum and Migration” in 2008,

EU Progress Report and Accession Partnership Documents emphasizes the importance the development and implementation of a national action plan on migration and asylum in order to align with EU acquis.

By stating;

- “Develop accommodation facilities and social support for refugees” in 2001,
- “Develop accommodation facilities and social support for asylum-seekers and refugees” in 2003,
- “social support and integration instruments for refugees” in 2006,
- “strengthening protection, social support and integration measures for refugees” in 2008,
- “adequate accommodation, work, health services, education and integration support” in 2012,
- “work, health services, education and integration support” in 2013,

EU Progress Report and Accession Partnership Documents highlight the importance of establishment of an efficient social support system for refugees and asylum-seekers.

By stating;

- “aliens who are apprehended away from the border are not always permitted to submit an application for asylum” in 2004,
- “some asylum-seekers at the border not always permitted to submit an application for asylum” in 2005,
- “Arbitrary cases of refoulement, although not numerous, remain a high concern” in 2008,
- “UNHCR services and asylum procedures being blocked” in 2012,

- “UNHCR services and of asylum procedures being blocked” in 2013,

EU Progress Report and Accession Partnership Documents claimed the blocking of application procedure for asylum-seekers.

By stating;

- “asylum-seekers have access to a fair procedure and to ensure uniform implementation” in 2006,
- “the revision of the Asylum Law and the establishment of the new asylum unit are important” in 2008,
- “fair, equal and consistent access for everyone to asylum procedures” in 2008,
- “It remains a key priority to ensure equal and fair access to asylum procedures” in 2010,
- “Access to legal aid for migrants remains limited” in 2012,

EU Progress Report and Accession Partnership Document stress developing a fair, equal and consistence procedure for asylums in order to align to EU acquis.

Summary for Turkey’s AA Documents on effectively handling migration, asylum and refugee issues

By stating;

- “Residence and Travel of Aliens was amended” in 1998,
- “the submission of residence application for asylum-seekers was extended from 5 to 10 days, the period of appealing was extended from 10 days to 15 days for rejected applicants” in 1999,
- “Work Permits of Aliens was amended” in 2003,
- “Turkey established a Task Force for Asylum-Migration Action Plan” in 2003,
- “National Action Plan to implement the asylum strategy was drafted” in 2003,
- “First National Program was published” in 2003,
- “Project on Supporting Turkish Authorities Responsible for Migration in the Field of Asylum was started” in 2003,
- “Asylum-Migration Twinning Project was started” in 2004,

- “The Ministry of Interior’s internal directive on asylum applications which was based on protection-oriented and ‘accelerated procedure’” in 2004,
- “Turkish Penal Code was amended” in 2005,
- “The loopholes on the legislation in the field of asylum, migration and aliens were analyzed” in 2005,
- “National Action Plan on Asylum and Migration was adopted and published” in 2005,
- “Labor Law was amended” in 2005,
- “Supporting the Development of an Asylum and Country of Origin Information System and the Training of the Personnel of the Future Asylum Authority was drafted” in 2005,
- “Law on work permits allows asylum-seekers to apply for work permits” in 2010,
- “mediation system was developed for foreign nationals including irregular immigrants” in 2012,
- “A Comprehensive Draft Law on Foreigners and International Protection was submitted to National Assembly” in 2012,
- “Law on Foreigners and International Protection was enacted” in 2013,

EU Progress Reports, Accession Partnership Documents and Turkish Adaptation to Acquis Papers (National Programs, National Action Plans, 2012 Progress Report prepared by Turkey) confirm legislative improvements in Turkey in the field of refuge and asylum in order to adapt to EU acquis between 1998 and 2013.

By stating;

- “A joined special task force on border control, migration and asylum was formed” in 2002,
- “Task Force produced Strategy Paper on the Field of Asylum (Asylum Strategy Paper)” in 2003,
- “Task Force produced Turkey’s Strategy Paper to Contribute Migration Management Action Plan” in 2003,
- “10 seminars and 2 conferences plus 1 working program were organized” in 2003,
- “Negotiations on a Joint Action Program on Illegal Migration between the EU and Turkey” in 2004,
- “Turkish National Police was to take over the country of origin information system” in 2008,

- “The Asylum and Migration Bureau under the Ministry of Interior was established” in 2008,
- “Population and Housing Survey includes migration data” in 2011,
- “Establishment of Sub-Committee for Examining the Problems of Refugees, Asylum-seekers and Illegal Immigrants in National Assembly” in 2012,

EU Progress Reports, Accession Partnership Documents and Turkish Adaptation to Acquis Papers confirm the institutional developments in Turkey in the field asylum and refuge in order adapt to EU acquis between 1998 and 2013.

By stating;

- “Governorships and Municipalities provide comprehensive support to refugees and asylums” in 2001,
- “persons granted the refugee/asylum seeker status should benefit from the health care services free of charge” in 2002,
- “The children of applicants for asylum have the right to attend Turkish primary schools” in 2004,
- “an asylum-seeker who granted the status of temporary benefits state health care system” in 2004,
- “Unaccompanied child asylum-seekers are cared for by the Social Services and Child Protection Agency” in 2005,
- “UNICEF notes asylum-seekers to health care and education” in 2010,
- “Unaccompanied asylum-seeker children benefit from the care services” in 2010,
- “Efforts to locate the families of unaccompanied children are carried out” in 2010,
- “A number of civil society constituted Turkey Refugee Rights Coordination” in 2010,
- “A new circular on data protection, social and general health insurance, accession to premises by UNHCR staff, unaccompanied minors, the physically disabled and the elderly” in 2010,
- “Syrian refugees access to medical and other material assistance” in 2013,

EU Progress Reports, Accession Partnership Documents and Turkish Adaptation to Acquis Papers confirm the social support improvements in Turkey in the field asylum and refuge in order adapt to EU acquis between 1998 and 2013.

By stating;

- “Equipment to improve and accelerate the asylum status determination procedure” in 2000,
- “Turkey applies the principle of non-refoulement to aliens at its borders” in 2004,
- “Applications for asylum are handled in co-operation with UNHCR” in 2004,
- “a broad agreement with the UN High Commissioner for Refugee (UNHCR)” in 2004,
- “The policy of non-refoulement continued” in 2004,
- “Turkey applies the principle of non-refoulement to aliens at its borders” in 2005,
- “Applications for asylum are handled in co-operation with UNHCR” in 2005,
- “Instead of Ministry of Interior (MOI), Governorates decide the status of asylum applicants” in 2006,
- “a circular on better access to and information on the asylum procedures” in 2010,
- “Turkey maintained an open border policy with Syria” in 2011,
- “Turkey maintained an open border policy with Syria” 2012,
- “law enforcement officials and central and local administrations have improved their practices on refugees and asylum-seekers” in 2012,
- “Turkey joined the UN Regional Response Plan” in 2012,
- “All Syrian refugees benefit from a temporary protection regime entailing open borders” in 2013,
- “All Syrian refugee benefits from protection and non-refoulement” in 2013,

EU Progress Reports, Accession Partnership Documents and Turkish Adaptation to Acquis Papers confirm the improvements for asylums and refugees to easily submit their applicants in Turkey in the field asylum and refuge in order adapt to EU acquis between 1998 and 2013.

By stating;

- “member of the Centre for Information Discussion and Exchange on the Crossing of Frontiers and Immigration (CIREFI) and ‘its Early Warning System’ to share statistical information” in 2001,

- “Turkey ratified the Agreement on the legal status, privileges and immunities of the International Organization for Migration (IOM)” in 2003,
- “Turkey ratified the UN Convention on the Protection of the Rights of All Migrant Workers and Members of their Families” in 2004,
- “Turkish government reached a broad agreement with the UNHCR” in 2004,
- “a comprehensive revision of the law on foreigners in close consultation with the IOM and the UNHCR” in 2010,

EU Progress Reports, Accession Partnership Documents and Turkish Adaptation to Acquis Papers confirm Turkey’s cooperation with regional and international actors on asylum and refugee issues in order adapt to EU acquis between 1998 and 2013.

In addition, by stating;

- “17.746 Kosovar refugees were accepted” in 1999,
- “Syrians [refugees] reached 147.000. Over 1.2 billion TL was spent” in 2011,
- “temporary protection to more than 200.000 Syrians living in well-run and well-equipped camps and currently registering a further sizeable number of refugees from Syria not residing in the camps, estimated at 200.000 - 400.000” in 2013,
- “232.158 applicants were granted a residence permit in 2012 and 193.957 residence permits have been issued by 2 August 2013”,

EU Progress Reports, Accession Partnership Documents and Turkish Adaptation to Acquis Papers confirm the risks for Turkey from migration and Turkey’s status as a transit and destination country for migrants in terms of illegal immigration, asylums and refugee between 1998 and 2013.

Conclusion on effectively handling with asylum-seekers and refugee issues

In order to fight against illegal immigration and align to EU acquis, the EU Reports define the required steps for Turkey in the field of Migration, Asylum and Refugee. These required steps could be combined in 5 items:

- To adopt a comprehensive law and to establish an institutional body,
- To develop and implement a national action plan on migration and asylum,
- To develop an efficient social support system for migrants, asylums and refugees,
- To stop to block the application procedure for asylum-seekers and to develop fair, equal and consistence procedure for asylums.

In order to fight against illegal immigration and align to EU acquis in the field of migration, asylum and refugee issues, Turkey made following developments that could be combined in 4 items;

- Legislative and institutional improvements,
- Improvements for social supports,
- Cooperation with regional and international organizations,
- Improvements to better access to asylum applications.

In addition, Turkey speaks out its concerns on risks from immigration, asylum and refugee flows.

Assessment and conclusion for legislative and intuitional matters

Regarding to legislative adaptation in the field of migration, asylum and refugee, the EU put forward the requirement of adapting a comprehensive law and establishing of an institutional body in order to effectively fight against illegal immigration. For instance, EU reports states the requirement of an effective system for

asylums and a new comprehensive law for refugees and asylum-seekers in 2001, 2003, 2006 and 2008. In return, though Turkey made some regulations as of 1998, it is clear that a comprehensive law was just enacted in 2013. The concluded fact is slow and delayed adaptation to EU acquis regarding to legislative regulation in the field of migration, asylum and refugee issues. Similarly, even though Turkey made some achievements by establishment of task forces and bureaus regarding to migration and asylum, Comprehensive Law on Foreigners and International Protection of 2013 foresees the establishment of General Directorate of Migration under the Ministry of Interior in 2014. The conclude fact is similarly a slow, delayed and incomplete adaptation to acquis regarding institutional development in the field of migration, asylum and refugee issues.

Assessment and conclusion for social support matter

Regarding to developing an efficient social system for migrants, asylums and refugees, EU Reports state the requirements of accommodation facilities, integrated health care and education systems in 2001, 2003, 2008, 2012 and 2013. In return, Turkey mobilized its existing local and national intuitional and administrative capacity in order to provide better social support for migrants. For instance, as of 2001 Governorships and Municipalities deliver financial and foodstuff to support refugees and asylums, in addition authorized refugee/asylum-seekers benefit from the health care services freely. Furthermore, the children of asylum applicants have the right to attend primary schools, asylum-seekers benefit state health care system, and alone child asylum-seekers are cared by government agency, and civil society in Turkey constituted Refugee Rights Coordination in coming years. During civil war, Syrian refugees have right to access to medical and other material assistance. The concluded

fact that Turkey do its own duties regarding to social support for migrants, asylums and refugees at a significant level.

Assessment and conclusion for stop blocking application procedure and develop a fair, equal and consistence system for asylum-seekers

Regarding to stop to blocking application procedure and develop a fair, equal and consistence system for asylum-seekers, EU Reports states that Turkey blocks the applications from asylum-seekers at the borders in 2004, 2005, 2008, 2012 and 2103, thus Turkey needs to develop a fair, equal and consistence system for asylum-seekers. In return, Turkey complies the rule of non-refoulement and cooperates with UNHCR as of 2004. A circular is disseminated for better access to asylum procedure. In addition, Turkey rules open-border policy for Syrian refugees. Even though Turkey complies the rule of non-refoulement and develops a procedure for better access to asylum applications, lacking of comprehensive law and institutional body led to emergence of inequities in this field. Thus, Turkey's achievement is tolerable, but delayed in this field. However, Turkey's affords for Syrian refugees are considerable significant and received international praises.

Assessment and conclusion for development and implementation of a national action plan on migration and asylum

EU Reports emphasis the development and implementation of national action plan on migration and asylum issues in 2004, 2005, 2006 and 2008. In return, Turkey developed an Action Plan on Migration and Asylum in 2005. However, even though 3 years passed, 2008 Accession Partnership Documents defines the required steps in the implementation of Action Plan. The concluded fact that Turkey successfully developed

an action plan on migration and asylum, however as aforementioned the enacting a comprehensive law is completed in 2013 and establishment of institutional body is still not achieved. Thus, the achievement in this field is limited and delayed.

Assessment and conclusion for regional and international cooperation:

Despite EU Reports do not state any requirement of regional and international cooperation for Turkey, Turkey becomes the member of the Centre for Information Discussion and Exchange on the Crossing of Frontiers and Immigration (CIREFI) in 2001, ratified the agreement on the Legal Status, Privileges and Immunities of the International Organization for Migration in 2003 and UN Convention on the Protection of the Rights of All Migrant Workers and Members of their Families in 2004. In addition, Turkey makes an agreement with the UNHCR in 2004 and involves closer consultation with the IOM and the UNHCR during preparation of a comprehensive law for foreigners as of 2010. The reason at this, Turkey has serious concerns and risks from migration movements from neighboring countries and far-off source countries. Thus, on one hand Turkey align herself to EU acquis; on other hand it takes precautions against illegal immigration by cooperating regional and international organizations. The concluded fact is Turkey makes significant progress in international cooperation in the field of migration, asylum and refugee issues.

4.3.2.2. Assessment of Repealing of Geographical Limitation of 1951 Geneva Convention

Summaries for EU Reports and Turkey's AA Documents are based on statements in Table 21.

Summary for EU reports on repealing of geographical limitation of 1951 Geneva Convention

By stating;

- “It is important to repeal the geographical limitation for asylum-seekers from outside Europe” in 1998,
- “the revealing of geographical limitation is essential for Turkey’s alignment on current rules in the European Union” in 1998,
- “Turkey should lift its geographical reservation to the Geneva Convention” in 2000,
- “Lift the geographical reservation” in 2000,
- “Start with the alignment of the *acquis* in the field of asylum including lifting the geographical reservation to the 1951 Geneva Convention” in 2003,
- “The lifting of the geographical limitation to the 1951 Convention remains a key issue” in 2005,
- “lifting of the geographical limitation to the Geneva Convention” in 2008,
- “Turkey maintains the geographical limitations on the 1951 Convention” in 2010,
- “provisions of the Law on the refugees of European and non-European origin differ in line with Turkey’s geographical reservation to the 1951 Geneva Convention” in 2013,

EU Progress Reports and Accession Partnership Documents emphasis the requirement of revealing the geographical limitation to the 1951 Geneva Convention in order to align with EU *acquis*.

Summary for Turkey’s AA Documents on repealing of geographical limitation of 1951 Geneva Convention

By stating;

- “The willingness expressed by Turkey to lift its geographical reservation to the 1951 UN Convention” in 2001,
- “Lifting the geographical limitation is an issue which should be resolved without giving harm to the economical, social and cultural conditions of Turkey” in 2005,
- “lifting the geographical limitation to the 1951 Convention depends on two pre-conditions: Necessary amendments to the legislation and infrastructure, and burden sharing” in 2005,
- “the intention to lift the geographic limitation by 2012” in 2006,

EU Progress Report and Turkey's Action Plans assess the developments and policies about revealing of geographical reservation to 1951 Geneva Convention.

Conclusion for repealing of geographical limitation,

As of 1998, the EU reports emphasis the requirement of repealing the geographical limitation for an effective asylum and refugee policy in Turkey. The EU reiterated this demand in 2000, 2003, 2005, 2008, 2010 and 2013. Despite Turkey's adapted the Law on Foreigners and International Protection in 2013, the attitude for European and non-European refugees remains unchanged. In return, Turkey expresses its willing to reveal geographical limitation in 2001 and 2005. In addition to its willingness, Turkey expresses concerns over the revealing of geographical limitation, those concerns are making necessary legislative and infrastructural improvements and the EU's approach to burden share policy. As a result, even though Turkey makes some progress in the field of migration, asylum and refugee by adopting the Law on Foreigners and International Protection in 2013, Turkey has not change its geographical limitation policy during the pre-accession period. The concluded fact is Turkey makes no progress on revealing of geographical limitation policy.

4.3.2.3. Assessment of Developing Training Program for Officials on the Matter of

Asylum and Refugee

Summaries for EU Reports and Turkey's AA Documents are based on statements in Table 22.

Summary for EU Reports on developing training programs for officials on the matter of asylum and refugee

By stating;

- “a program should be developed to enhance the awareness of the land forces” in 2000,
- “no specific training or training curricula exist for staff working in the migration area” in 2008,
- “Training for Turkish officials on refugee status determination procedures needs to continue” in 2008,
- “Training of staff working in the migration have to continue” in 2012,

EU Progress Reports stress the importance of developing training programs and training the staff in the field of asylum and refuge in order to align with EU acquis between 1998 and 2013.

Summary for Turkey’s AA Documents on developing training program for officials on the matter of asylum and refugee

By stating;

- “Turkey co-operates with UNHCR in the field of training” in 1999,
- “particular training of staff, in close co-operation with UNHCR” in 2000,
- “drafted a 3-year project on training of the personnel dealing wit asylum and refugee issues” in 2000,
- “Seminars on refugee law for the Gendarmerie staff at border regions organized” in 2000,
- “training on asylum and refugee issues with the UNHCR, a training program running from 1 January 2001 to 31 December 2003” in 2001,
- “Turkey continued with the training activities on asylum issues” in 2003,
- “Training Project for Increasing Police Capacity in the Fields Pertaining to Refugees/Asylum-seekers” in 2004,
- “personnel of MOI working in the field of asylum have been subjected to expertise training for a duration of one year” in 2005,
- “Turkey has continued to train officials on asylum issues” in 2005,

EU Progress Reports and Turkey’s Adaptation to Acquis Papers confirm the developments on training staff in the field of asylum and refuge in order to align with EU acquis.

Conclusion developing training program in the field of asylum and refugee

EU Reports emphasis the development of awareness training program for the officials who work in the field of migration in 2000. During 2008s and 2012s, EU reports repeat the need for the continuation of training programs for officials. In return, it seems that Turkey carried out training programs for officials in 1999, 2000, 2001, 2003, 2004 and 2005. As a result, Turkey conducts training programs between 2000s and 2005s, but theses training programs has not continued in coming years. The concluded fact is that Turkey makes limited progress in developing and conducting training programs for the officials in the area of migration.

4.3.2.4. Assessment of Setting up and Improving the Reception and Removal Centers

Summaries for EU Reports and Turkey's AA Documents are based on statements in Table 23.

Summary for EU reports on setting up and improving reception and removal centers

By stating;

- “set up proper reception centers in Turkey” in 2000,
- “creation of reception facilities and their management should be given priority” in 2001,
- “Improve reception centers conditions” in 2004,
- “improve reception conditions” in 2005,
- “improve reception conditions” in 2005,
- “The capacity at the reception centers for asylum-seekers needs increasing and facilities need upgrading” in 2006,
- “the management of these centers [reception centers] is not clear” in 2006,
- “Further improvements of the general conditions in foreigners’ detention centers” in 2010,

- “Minimum living standards at removal centers and their inspection remain unregulated” in 2012,
- “The lack of human and financial resources for improvement of physical conditions in the removal centers” in 2012,
- “No structured approach to psycho-social services” in 2012,
- “provisions on the management of removal centers are needed, as well as structured psycho-social services” in 2013,
- “The construction of removal centers in Erzurum, Edirne, Aydin, Bitlis and Van has not yet been completed” in 2013,
- “Detailed provisions on the management of removal centers are needed” in 2013,

EU Progress Reports detected the improvements in needed on reception and removal centers to fight against illegal immigration in the field of asylum and refuge in order to align EU acquis.

Summary for Turkey’s AA documents on setting up and improving reception and removal centers

By stating;

- “Review or adopt new legislation on asylum” in 2001,
- “The development of reception facilities for refugees has started, to embark on the construction of refugee centers in 11 provinces” in 2001,
- “Ministry of Interior started to set up an asylum management unit, and adapt a regulation on reception and integration issues” in 2008,
- “a circular was issued the principles concerning the physical conditions in removal centers” in 2010,
- “To the circular: regularly inspected by the governor, allegations of human rights violations in removal centers should be investigated, irregular migrants should be to allow to contact the UNHCR upon their request, right to access to legal counsel (lawyer), all costs during the stay in a removal center will be paid by the state, the right to appeal against the decision of deportation and the administrative custody” in 2010,
- “Efforts to increase the capacity to host irregular migrants in accordance with international standards” in 2010,

- “construction of seven reception centers for asylum-seekers and refugees are on-going” in 2012,
- “Some improvements were made to detention conditions in the removal centers” in 2012,
- “The construction of new removal centers in Van and Bitlis” in 2012,
- “Removal centers in Tatvan, Bitlis are nearly to be completed and removal center in Edirne was completed” in 2012,

EU Progress reports and Turkey’s Adaptation to Acquis Papers describe the improvement and developments on the issue of removal and reception centers.

Conclusion on setting up and improvement of the reception and removal centers

EU Reports state the requirement of setting up reception centers in 2000 and 2001. In coming years, EU reports focus on improvement of the conditions of reception centers till 2013. In return, Turkey reviews the regulations and start to construct refugee centers in 11 cities in 2001. Asylum Management Unit is established under the Ministry of Interior in 2008 and a circular is issued concerning management and inspection of removal centers in 2010. During 2010s and 2012, it seems that Turkey starts to improvement social and legal support for dwellers in reception centers. In addition, the construction of new removal centers and completion of new centers continue during theses years. The concluded fact is Turkey makes significant progress in constructing of reception and removal centers. But overall progress is limited and delayed.

4.3.2.5. Assessment of Setting up Migration and Asylum Authority

Summaries for EU Reports and Turkey’s AA Documents are based on statements in Table 24.

Summary for EU reports on setting up a migration and asylum authority

By stating;

- “A department specifically intended to handle asylum cases also needs to be set up” in 1999,
- “setting-up of an independent asylum appeal board” in 2001,
- “civilian authority for asylum should be established” in 2004,
- “establishment of a central specialization authority” in 2004,
- “establishment of the asylum and migration authority” in 2005,
- “improve administrative capacity, in particular setting up a specialized body” in 2006,
- “Make progress on asylum law including the establishment of an asylum authority” in 2008,

EU Progress Reports, Accession Partnership Documents and Turkey’s 2005 Action Plan emphasizes the importance of establishment of central specialized authority for migration and asylum issues in order to align EU acquis.

Summary for Turkey’s AA documents on setting up a migration and asylum authority

By stating;

- “Initiation to set up an asylum management unit” in 2008,
- “initiation to preparing a law on asylum and a law on the establishment of an asylum unit” in 2010,
- “The establishment of a civilian institution, the General Directorate of Migration Management (GDMM)” in 2013,
- “The the General Directorate of Migration Management (GDMM) is gradually to take over responsibility for asylum management from the Turkish National Police” in 2013,

EU Progress Reports confirm the development on set up a specialized migration and asylum unit in order to align EU acquis.

Conclusion on setting up a migration and asylum authority

EU reports emphasis the importance of setting up a migration and asylum authority as of 1999. In return, Turkey start to preparation of the first asylum law and sets up a migration and asylum management bureau in 2008. When just it comes to

2013, Turkey adapted a law that foresees the establishment of a general directorate of migration under the Ministry of Interior. The concluded fact is that Turkey makes slow and delayed progress, but significant, in setting up a migration and asylum authority.

4.3.3. External Borders

4.3.3.1. Assessment of Alignment to EU External Border Policy and Schengen Agreement in General

Summaries for EU Reports and Turkey's AA Documents are based on statements in Table 25.

Summary for EU reports on alignment to EU external border policy and Schengen Agreement

By stating;

- “Continue strengthening border management and prepare for full implementation of the Schengen Convention” in 2001,
- “Administrative capacity should be strengthened” in 2001,
- “Improve the capacity of public administration” in 2003,
- “complete work on drawing up the National Action Plan to implement the Integrated Border Management Strategy” in 2003,
- “inter-agency cooperation is at a very early stage, Training and professionalism of border staff need to be enhanced, No progress on alignment with the negative list can be reported, Alignment with the EU security features and standards for visas requires urgent attention, on deadlines for transposition of the acquis or improve administrative capacity for migration” in 2006,
- “Procedures for checking vehicles and goods need to be reviewed” in 2006,
- “Risk analysis capacity needs to be further developed” in 2006,
- “Continue alignment on the acquis and best practices” in 2006,
- “prepare for full alignment with the Schengen acquis” in 2006,
- “border staff shows very limited awareness of the Turkish national strategy” in 2008,
- “enhance cooperation between all agencies” in 2008,
- “training and professionalism of the border police” in 2008,
- “Continue efforts to implement the National Action Plan” in 2008,

- “Accelerate efforts to set up an integrated border management system” in 2008,
- “Legislation on transferring border management tasks and coordination to a specialized and professional border security entity has not yet been submitted to parliament” in 2010,
- “the lack of risk analyses” in 2010,
- “establishing proactive border checks procedures and regulations” in 2012,
- “Cooperation with neighboring countries and countries of origin and destination” in 2012,
- “Enhanced cooperation between border authorities and the Turkish national airline” in 2012,
- “the role of the Coordination Board for Integrated Border Management should be enhanced” in 2013,

EU Progress Reports and Accession Partnership Documents emphasis required steps for Turkey in order to align EU acquis in the fields of external borders and Schengen acquis.

Summary for Turkey’s AA documents on alignment to EU external border policy and Schengen Agreement

By stating;

- “efforts started to train staff and to stimulate dialogue on migration issues” in 2000,
- “A meeting in the framework of the Centre for Information, Discussion and Exchange on the Crossing of Frontiers and Immigration took place” in 2000,
- “a process of co-operation and co-ordination between the various Ministries and bodies involved has begun” in 2001,
- “Construction of new checkpoints, the assignment of additional sea patrols and the enhancement of vigilance and pursuit of suspicious vessels anchored at harbors. The construction of watchtowers along the Iranian border has been started” in 2001,
- “Establishment of an early warning system including liaison officers from different institutions” in 2001,
- “Gendarmerie are equipped with computer networks” in 2001,
- “establishment of Task Force for Asylum, Migration and Protection of External Borders” in 2002,

- “Task Force produced Turkey’s Strategy Paper on the Protection of External Borders” in 2003,
- “implementation of the twinning project titled as ‘Support for The Development of an Action Plan to Implement Turkey’s Integrated Border Management Strategy’” in 2004,
- “co-operation protocol signed between Bulgaria and Turkey” in 2004,
- “setting up a Projects Directorate for Integrated Border Management under the Ministry of Interior” in 2004,
- “Twinning Project for the Development of a Training System for Border Police” in 2004,
- “Adaptation of National Action Plan towards the implementation of Turkey’s Integrated Border Management Strategy” in 2006,
- “Approval Twinning Integrated Border Management Project” in 2006,
- “The number of border crossing points has been increased from 116 to 120. Modernization of six border crossing points was completed” in 2008,
- “a new department on border security studies has been established within the police academy” in 2008,
- “Negotiations with Frontex has continued” in 2010,
- “A Memorandum of Understanding between Frontex and the Turkish Ministry for Foreign Affairs was signed” in 2012,
- “First students of the Department of Border Security of Police Academy” in 2012,
- “Negotiations continued with Bulgaria on a protocol on coordinated border surveillance and were concluded with Bulgaria and Greece on a trilateral common contact center for law enforcement cooperation” in 2013,
- “Data exchange started in August 2013 in the framework of the 2012 memorandum of understanding between Frontex and Turkey” in 2013,
- “65 new border posts have been created, 150 surveillance towers renovated and 1.150 kilometers of roads for border patrolling constructed” in 2013,
- “The Ministry of Justice’s national judicial network (UYAP) has enabled more efficient border checks” in 2013,
- “adaptation risk-analysis-based National Contingency Action Plan for human health services at seaports and airports and a training program by Ministry of Health” in 2013,

EU Progress Reports, Turkey’s National Programs, Action Plans and Progress

Report by Turkey state the developments and improvements in the field of external borders and Schengen Agreement.

Conclusion on alignment to external border policy and Schengen Agreement in general,

As of 2001, EU Reports emphasize the importance of developing an effective border management system by increasing administrative capacity and public administration. In coming years, the reports focus on internal cooperation between relevant agencies, risk analysis on the borders, developing training programs for border staff and action plan on integrated border management. In 2008, EU Reports repeat the importance of inter-agency cooperation, training of border staff, implementation and setting up integrated border management system. In 2010, the speak out the requirement of establishment of a specialized and professional border body, whereas the reports focus on procedures and regulation for border check and cooperation with neighboring and source and destination countries in 2012. EU Report in 2013 focuses on the enhancement the role of Coordination Border of Integrated Border Management. In return, from 2000 to 2003, Turkey starts to train border staff and develop the inter-agency and regional cooperation. In addition, Turkey improves the administrative, staff and equipment capacity at the land and sea borders. For instance, the number of border patrol is increase, construction of new border towers are started, and a task force on migration, asylum and protection of external border is set up. In 2003, this task force produces Turkey's strategy paper on external borders. As of 2004, the implementation of Action Plan on Integrated Border management is started. In this purpose, twinning projects on training border police and border crossing points are modernized between 2004 and 2008. When it comes to 2010, Turkey focuses on regional cooperation at the external border issue. For example, a memorandum of understanding with Frontex and a trilateral common contact center for law enforcement cooperation with Bulgaria and

Greece are signed. 2013 EU Progress Report states that Turkey constructs 65 new border watchtowers and renovates 150 ones as well as constructs 1.153 km road for border patrol in 2013. Same report states that Ministry of Health conducts a National Contingency Action Plan for human health services and training program at seaports and airports in 2013. The concluded fact is that Turkey makes some progress on the issue of external border, but this progress is slow and inadequate.

4.3.3.2. Assessment of Setting up an Integrated Border Management Unit

Summaries for EU Reports and Turkey's AA Documents are based on statements in Table 26.

Summary for EU reports on setting up an integrated border management unit

By stating;

- “Various departments in Turkey should be better coordinated” in 2000,
- “transfer of powers and duties to the civilian authorities, and establishing a professional unit in charge of border controls” in 2000,
- “Border management is currently split between different bodies and Turkey should create a non-military professional corps of border guards” in 2005,
- “inter-agency cooperation is at a very early stage and information exchange between the various authorities as well as delimitation of responsibilities remains subject to substantial improvements” in 2006,
- “new border law enforcement authority” in 2008,
- “set up an integrated border management system” in 2008,
- “Inter-agency cooperation remains a key issue” in 2010,
- “new border security agency” in 2010,
- “The draft roadmap for Integrated Border Management (IBM) has not yet been approved” in 2012,
- “Both intra-agency and inter-agency cooperation and coordination need to be developed considerably” in 2012,

EU Progress reports, 2006 Action Plan and Accession Partnership Documents

set the priorities in the field of external border regarding to establishment of an integrated border management unit in order to align EU acquis.

Summary for Turkey's AA documents on setting up an integrated border management unit

By stating;

- “Support for the Development of an Action Plan to Implement Turkey's Integrated Border Management Strategy was adopted” in 2003,
- “An inter-departmental Task Force has been formed” in 2005,
- “work has continued on drawing up a National Action Plan to implement the Integrated Border Management Strategy” in 2005,
- “Establishment of Border Management Bureau under the Ministry of Interior” in 2008,
- “The setting-up of the specialized department for passports within Police” in 2010,
- “task force for external borders meets every two months and prepares a draft roadmap for harmonizing the border management system” in 2010,
- “A coordination board for IBM (Integrated Border Management)” in 2010,
- “In-service training on IBM was delivered to all sub-governors” in 2010,
- “The Integrated Border Management Coordination Board and the Integrated Border Management Task Force continued to hold regular meetings” in 2012,
- “the projects of ‘Integrated Border Management Phase I’, ‘Integrated Border Management Phase II’ and ‘Training of Border Police’, were carried out” in 2012,
- “risk management capacities of Turkish National Police and the Ministry of Health were increased” in 2012,
- “The work for strengthening cooperation and exchange of information between the institutions are underway” in 2012,
- “feasibility report which provides for ensuring the security of all land borders by Border Management Bureau of Ministry of Interior” in 2012,
- “The implementation on Integrated Border Management Action Plan started” in 2012,

2003 National Program, EU Progress Reports and Progress Report by Turkey set Turkey's accomplishments in the field of external borders regarding to setting-up integrated border management unit in order to align EU Acquis.

Conclusion on setting up an integrated border management unit

From 2000 to 2012, EU reports emphasis the importance of establishment a civilian; professional and integrated border management body in Turkey. Even though Turkey sets up task forces and develops an action plan on integrated border management, just the establishment of Border Management Bureau under the Ministry of Interior in 2008 and establishment of specialized department for passports within Police are succeed in 2010. Despite Turkey continues to increase its administrative capacity and coordination ability between different bodies in coming years, it could not set up an effective integrated border system and body so far. The concluded fact is that Turkey makes limited progress on setting up an integrated border management.

4.3.3.3. Assessment of Setting up a Unified and Professional Border Guard

Summaries for EU Reports and Turkey's AA Documents are based on statements in Table 27.

Summary for EU reports on setting up a unified and professional border guard

By stating;

- “effective control of the Union's future external borders by specialized trained professionals” in 1999,
- “merging within a unified Border Guard of the different services in charge of border controls could be considered in order to improve co-ordination and efficiency” in 1999,
- “the different services are better coordinated in order to increase the efficiency of controls, in particular exit controls” in 2000,

- “a non-military, professional unit in charge of the surveillance of land and sea borders and the control of the border gates according to the EU standards is necessary” in 2000,
- “a non-military professional body and upgrading of the technical equipment and special attention should be given to training” in 2001,
- “setting up a non-military, professional, civilian unit” in 2002,
- “require a single professional authority to be responsible for border management” in 2004,
- “creating a non-military professional corps of border guards” in 2004
- “establish a professional non-military border guard” in 2006,
- “Training and professionalism of border staff need to be enhanced” in 2006,
- “more trained staff and additional border check equipment” in 2010,
- “law for establish a specialized professional border security organization” in 2013,

2006 Action Plans and EU Progress Reports set the priorities for Turkey in the field of external border management regarding to setting up unified professional border guard in order to align EU acquis.

Summary for Turkey’s AA documents on setting up a unified and professional border guard

By stating;

- “Coast Guard Command was entitled to hire and train its own personnel” in 2003,
- “40 students started education in the Naval Academy” in 2006,
- “The project on Training of Border Police were completed” in 2012,

2006 Action Plan and 2012 Progress Report by Turkey define the development in the field of external border regarding to setting up unified professional border guard in order to align EU acquis.

Conclusion on setting up a unified and professional border guard

In 1999, EU reports states that to merge the different services in charge of border control into a unified border guard will improve the coordination and efficiency. EU

Reports repeat the requirement of a single professional authority and creating a non-military professional corps of border guards in 2004 and 2006. Similarly, the report also emphasizes the requirement of a law for setting up a specialized professional border security body in 2013. Even though Turkey makes some progress on training and professionalism of border staff; with the lacking of an established single border body, Turkey does not make any progress on unified border body. The conclude fact is that Turkey makes limited progress on development of professional border staff and no progress on unified border guard.

4.3.4. Visa Policy

4.3.4.1. Assessment of Alignment to EU Visa Policy

Summaries for EU Reports and Turkey's AA Documents are based on statements in Table 28.

Summary for EU reports on aligning to EU visa policy

By stating;

- “Start alignment of visa legislation and practice” in 2001,
- “Pursue alignment of visa legislation and practice with the acquis” in 2003,
- “Turkey is encouraged to continue alignment with the EU visa lists as well as to align with EU practices concerning the issue of visas” in 2004,
- “improve the capacity of its consular services abroad” in 2004,
- “discrepancy between the EU visa obligations list and Turkey” in 2004,
- “discrepancy between the EU visa obligations list and Turkey” in 2005,
- “improve the capacity of its consular services abroad” in 2005,
- “No progress on alignment with the negative list” in 2006,
- “security features and standards for visas requires urgent attention” in 2006,
- “Pursue alignment of visa legislation and practice with the acquis” in 2006,
- “No progress can be reported on visa policy” in 2008,
- “No development can be reported on alignment with EU visa lists” in 2008,
- “No administrative initiative took place for gradually abolishing the issuance of sticker-and stamp-type visas at borders” in 2010,

- “Turkey did not align with the EU lists” in 2012,
- “No additional measures were taken to further strengthen checks at borders” in 2012,
- “Turkey continue discriminating between Member States” in 2012,
- “need to step up training for consular staff” in 2012,
- “Turkey did not align its legislation and practice with EU visa policy, and continued to discriminate between EU Member States in allowing or refusing their citizens visa-free access to its territory” in 2013,

EU Progress Reports and Accession Partnership Documents set the priorities for Turkey in the field of visa policy in order to align EU acquis.

Summary for Turkey’s AA documents on aligning to EU visa policy

By stating;

- “end the visa free regime for Kazakhstan and Bosnia-Herzegovina” in 2001,
- “introduce airport transit visas in the case of a selected number of countries from which illegal immigration originates” in 2001,
- “Bulgarian citizens are exempted from visa requirements” in 2001,
- “Twinning Project on visa policy and practice” in 2005,
- “Regarding visa policy, Turkey has continued alignment with the EU positive visa list by lifting the visa requirement for Guatemala and Czech Republic, introducing visas for the Marshall Islands and Micronesia” in 2005,
- “visa exemption agreements with Venezuela and Paraguay and Colombia and visa-free regime for Andorra” in 2006,
- “uniform EU visa sticker has started, at present, Turkey allows nationals of 35 countries to apply for a visa at the borders, including citizens of 17 Member States” in 2006,
- “training received by 200 staff and a slight increase in the detection rate for forged documents” in 2007,
- “stays allowed for 90 days within 180 days” in 2010,
- “Turkish passports with biometric security features and Visa issuing is now processed on-line among” in 2010,
- “the process which will result in visa liberalization for Turkish citizens, the negotiations of the Readmission Agreement which restarted in March 2010 were completed” in 2011,
- “visa liberalization as a gradual and long-term objective in parallel with the signing of the readmission agreement between Turkey and the EU” in 2013,

- “nationals of certain countries can obtain authorization to enter and stay in Turkey through an on-line electronic system. There is no such system in the Schengen Member States” in 2013,

EU Progress Reports, 2006 Action Plan and 2012 Progress Report by Turkey

identify Turkey’s steps in the field of visa policy in order to align EU acquis.

Conclusion on alignment to EU visa policy

From 2001 to 2013, EU reports emphasis that Turkey should align its visa policy to the EU acquis. Aside from adapting to EU visa policy, Turkey develops discrepant visa policy from EU visa policy. Moreover, Turkey follows discriminative visa policy against EU members. In addition, EU Reports speak out the requirement of improving consular capacity abroad and security features of visa issuing. In return, though Turkey makes some progress on improving security features of visa, training of staff and adapting to positive list of the EU, it continues to discriminate between EU member states. Recent years, the EU and Turkey handle visa policy in parallel with readmission agreement. Turkey demands a visa liberalization policy for its citizens, whereas the EU demands Turkey to sign readmission agreement. The concluded fact is that Turkey limited progress in adapting to EU policy.

4.4. Overall Assessment and Analysis on EU Reports and Turkey’s AA Documents

Overall assessment and conclusion are based on Section 0 above, which includes assessments and conclusions of EU Reports and Turkey’s AA Documents by four main topics and twelve sub-topics.

Table 6 Overall Assessment and Conclusion of the Topics on EU Reports and Turkey's AA Documents

| Topic | Assessment | Conclusion |
|--|---|--|
| 1.0. Fighting against Illegal Immigration by Valid Laws | | |
| 1.1. Effectively fight against Illegal Immigration | By mobilizing its administrative and operational capacity, Turkey effectively fights against illegal immigration. For instance, Turkey develops regional cooperation and activates domestic potential to stop the flows of illegal immigration to Europe. But Turkey needs to improve its institutional, administrative and legislative capacities. | Turkey conducted a significant and effective struggle against illegal immigration in order to carry out its responsibility and align to EU acquis. But this struggle has been conducted intermittently and no institutional consistence. |
| 1.2. Fighting against Trafficking in Human Beings | From the beginning of pre-accession period, Turkey conducts an effective struggle against trafficking in human beings. In addition, Turkey develops international cooperation and invented domestic measures against trafficking in human beings. But Turkey needs to improve its institutional, administrative and legislative capacities. | Turkey effectively and timely fight against trafficking in human beings and makes significant progress in this area during pre-accession period. But the struggle is delayed and lack of institutional structure. |
| 1.3. Signing and Ratifying Readmission Agreement with the EU | Turkey makes significant progress to finalize readmission agreement with the EU. In order not to be 'buffer zone' for illegal immigration, Turkey develops and implements its strategy on readmission agreement by signing agreement with western destination countries and eastern source countries. For instance, Turkey signs | Turkey makes significant progress on readmission agreement with third countries, but it needs to conclude the agreement with the EU. Thus, the progress on |

| | | |
|--|---|--|
| | readmission agreement with 11 countries, while it starts contacts and negotiations with 28 countries where locates in Europe, Asia and Africa. In addition, the negotiation on readmission agreement is completed between Turkey and the EU. However, The mutual signing of readmission agreement depends on the EU's visa liberalization policy for Turkish citizens. | readmission agreement is slow and limited. |
| 2.0. Migration, Asylum and Refugee Issues | | |
| 2.1. Effectively Handling Asylum-seekers and Refugee Issues | Turkey carries out its responsibilities for migrants, asylums and refugees by providing social support, enhancing and easing to access to application procedure and goes through international cooperation. However, Turkey could not develop an efficient legislative and institutional infrastructure for migration issues. In sum, Turkey has a relatively acceptable response to migration, asylum and refugee issues in order to fight against illegal immigration, but it has been lack of institutional and legislative foundations in this field. | Even though it is not at desired level, Turkey conducts its responsibilities against migrants, asylum and refugees. However, Turkey is in a slow, delayed and incomplete process. Turkey needs to improve legislative and intuitional infrastructure. Thus, the progresses on handling asylum and refugee issues are needed to be improving. |
| 2.2. Repealing of Geographical Limitation | Turkey expresses its willing to reveal geographical limitation, when it enacts necessary legislative and makes infrastructural improvements. In addition, Turkey points the importance of the EU's approach to burden share policy in its revealing geographical limitation to Geneva Convention. | Turkey makes no progress on revealing of geographical limitation policy. |

| | | |
|--|---|--|
| 2.3. Developing Training Program in the Field of Asylum and Refugee | Turkey conducts training programs for officials between 2000s and 2005s, but these training programs have not continued after 2005. | Turkey makes limited and interrupted progress in developing and conducting training programs for the officials in the area of migration. |
| 2.4. Setting up and Improving of the Reception and Removal Centers | Turkey gets significant progress on constructing and regulating the reception centers as well as improving social and legal support for dwellers. However, the conditions in these centers are not as good as needed. | Turkey makes significant progress in constructing of reception and removal centers. But Overall progress is limited and delayed. |
| 2.5. Setting up a Migration and Asylum Authority | Turkey enacts first asylum law and sets up a migration and asylum management bureau in 2008. Turkey adapted a law that foresees the establishment of a general directorate of migration under the Ministry of Interior. | Turkey makes slow and delayed progress. Though it is delayed, an establishment of a migration and asylum authority at general directorate level is significant |
| 3.0. External Borders | | |
| 3.1. Alignment to External Border Policy and Schengen Agreement in General | During the pre-accession period, Turkey trains border staff and develop the inter-agency and regional cooperation. In addition, Turkey improves the administrative, staff and equipment capacity at the land and sea borders. Turkey modernizes border-crossing points and constructs 65 new borders and renovates 150 watchtowers as well as constructs 1.153 km road for border patrol. | Turkey makes some progress on the issue of external border. But this progress is slow and needed to be improved. |
| 3.2. Setting up an Integrated Border Management Unit | Even though Turkey sets up a task forces and develops an action plan on integrated border management, Just an establishment of Border Management | Turkey makes limited progress on setting up an |

| | | |
|---|--|---|
| | Bureau under the Ministry of Interior and establishment of specialized department for passports within Police are succeed just in 2010. Despite Turkey continues to increase its administrative capacity and coordination ability between different bodies in coming years, it could not set up an effective integrated/united border body/system till 2013. | integrated border management. |
| 3.3. Setting up a Unified and Professional Border Guard | Turkey makes some progress on training and professionalizing of border staff; with the lacking of an established single border body, Turkey does not make any progress on unified border body. | Turkey makes limited progress on development of professional border staff, but no progress on unified border guard. |
| 4.0. Visa Policy | | |
| 4.1. Alignment to EU Visa Policy | Turkey makes some progress on improving security features of visa, training of staff and adapting to positive list of the EU. But Turkey develops discrepant visa policy to EU visa policy and applies discriminative visa policy for some members of the EU. Recently, the EU and Turkey handle visa policy in parallel with readmission agreement. | Turkey limited progress in adapting to EU policy. |

During pre-accession period (1998-2013), the analysis shows that Turkey effectively fights against illegal immigration and trafficking in human beings by existing and amended laws. But this struggle is lack of adequate legislative, institutional and administrative capacities. Turkey conducts this struggle by mobilizing its domestic and international administrative and operational capacities. Despite Turkey makes significant progress on readmission agreement with third countries, it postpones signing the readmission agreement due to the negative foreseen economic and social

consequences of the agreement. Similarly, Turkey handles present-day difficulties regarding to migration, asylum and refugee issues at an acceptable level. However, it could not develop successful legislative and institutional solutions at proper time for migrants, asylums and refugees. Consequently, Turkey needs to build its legislative, administrative and institutional capacities in order to more effectively handle illegal immigration, migration, asylum and refugee issues.

Turkey improves its existing capacity to effectively control external borders and to fight against illegal immigration. However, it could not set up an integrated border management unit and unified professional body. Thus, Turkey makes limited progress on external border issue. As for visa policy, Turkey makes limited progress to align EU *acquis* to fight against illegal immigration, though it trains the officials and develops security features of visa issuing. To some extent, Turkey develops visa policies in discrepancy with EU visa policies.

4.5. Analysis the Data of 2006 and 2007 Eurobarometers Surveys

Current study attempts to find certain answers to the second research question of this study, which is ‘How do EU citizens and Turkish citizens perceive the phenomenon of illegal immigration? Do they differ in their perceptions?’ In order to able to find proxy answer to the question, we employed a secondary data and used quantitate methods to report the results. As discussed in the methodology section, there are six dependent variables and only three independent variables. The main focus of the research question is to find out whether perception of Turkish citizens is different than the rest of the EU countries. However, EU countries slightly differ in terms of exposing to migration problems. Certain countries such as Germany and Italy attract more immigrants from all over the world. For this reason, we wanted to categorize EU

countries into three parts: (1) destination countries (Germany, Spain, Italy, France, and UK), (2) Turkey, and (3) rest of the EU (including candidate countries as dictated by the data (Eurobarometers). Therefore, all dependent variables will be analyzed within the perspective that whether destination countries, Turkey, and the rest of the EU differently think on a given issue (in this case, six issues). At this point, this study will report the analyses for six different dependent variables.

4.5.1. Dependent Variable 1: Priority to Immigration Issues

As noted above, even though we have limited independent variables (age, income level, and dummy variable of destination country), we employed various dependent variables in order to capture the different level of perceptions of EU citizens and Turkish citizens. Table 7 below first reports whether citizens of destination countries (Germany, Spain, Italy, France, and UK) give much priority to illegal immigration issues compared to non-destination countries. Noting that since the data are too large and include over 30.000 cases, even small differences result in significant findings, in fact the differences are sometimes very small. Due to the large nature of the data, it is safer to follow Exponent (B) function of logistic regression rather than p-value of each variable. Exponent (B) reports the ratio of each independent variables' category to other(s). In this context, citizens of destination countries give almost three ($\text{Exp(B)}=2.977$) times higher priority than the citizens of non-destination countries. As noted above, even though age and income variables are positively and significantly related to the outcome variable, their magnitudes are ignorable when considering their Exponent (B) values.

Table 7 Destination Countries and Illegal Immigration Policies

| | B | se | p-value | Exp(B) |
|---------------------------|-------|------|---------|--------|
| Destination Country (Yes) | 1.091 | .038 | .000 | 2.977 |
| Age | .004 | .001 | .000 | 1.004 |
| Income | .097 | .010 | .000 | 1.102 |

Table 8 below displays whether citizens of Turkey and citizens of non-destination countries differently perceive the priority of illegal immigration compared to destination countries. According to Table 8, both Turkish citizens and citizens of non-destination countries significantly give less priority to illegal immigration compared to destination countries. Moreover, Turkey gives 20% more priority to illegal immigration compared to non-destination countries as displayed in Table 8 below. Note that, Turkey was displayed in the below different model for a visualization purpose but the rest of the tables will display Turkey and non-destination countries in the same model.

Table 8 Destination Countries and Illegal Immigration Policies

| | B | se | p-value | Exp(B) |
|----------------------------|-------|------|---------|--------|
| Turkey* | -0.63 | 0.15 | 0.00 | 0.53 |
| Non-Destination Countries* | -1.07 | 0.04 | 0.00 | 0.34 |
| Income | 0.09 | 0.01 | 0.00 | 1.09 |
| Age | 0.00 | 0.00 | 0.00 | 1.00 |

*Destination Country is the reference category

4.5.2. Dependent Variable 2: National-based Immigration Policies or Integrated EU Efforts

Table 9 reports citizen perceptions of candidate and EU countries on integrated EU efforts for illegal immigration issues. According to Table 9, Turkish citizens and non-destination countries significantly and less likely in favor of integrated/joint EU efforts for illegal immigration policies. Turkish citizens less likely (for 51%) have an integrated EU immigration policy compared to destination countries. On the other hand, the difference between non-destination countries and destination countries is on 10%.

Table 9 National Based Programs or Joint Efforts in the EU for Immigration Issues (2006)

| | B | se | p-value | Exp(B) |
|----------------------------|--------|-------|---------|--------|
| Turkey* | -0.712 | 0.069 | 0.000 | 0.491 |
| Non-Destination Countries* | -0.106 | 0.031 | 0.001 | 0.899 |
| Income | -0.038 | 0.007 | 0.000 | 0.963 |
| Age | -0.009 | 0.001 | 0.000 | 0.991 |

*Destination Country is the reference category

Table 10 below displays the same analysis of Table 9 (above) with 2007 survey data. Please note that even though two different Eurobarometers surveys conducted in 2006 and 2007, the respondents are completely different. Therefore, using two different time periods of data may provide a kind of confirmation of the results. In this context, Turkish people are still unwilling to have a joint EU immigration policy. That is, Turkish people are less likely in favor of joint EU policies for 75% compared to

destination countries. On the other hand, the difference between destination countries and non-destination countries is only 10%.

Table 10 National Based Programs or Joint Efforts in the EU for Immigration Issues (2007)

| | b | se | p-value | Exp(B) |
|----------------------------|--------|-------|---------|--------|
| Turkey* | -1.370 | 0.076 | 0.000 | 0.254 |
| Non-Destination Countries* | -0.103 | 0.031 | 0.001 | 0.903 |
| Income | -0.006 | 0.007 | 0.397 | 0.994 |
| Age | -0.008 | 0.001 | 0.000 | 0.992 |

*Destination Country is the reference category

4.5.3. Dependent Variable 3: The Most Current Important Problem of Each Country

Table 11 below reports whether immigration is perceived as an important issue in different EU countries. In this context, citizens of Turkey perceive immigration related issues significantly less important (for about 78%) than destination countries. On the other hand, non-destination countries also perceive immigration related issues significantly less important than destination countries for 72%. Compared to non-destination countries, citizens of Turkey and citizens of non-destination countries are alike in terms of their immigration perception.

Table 11 Is Illegal Immigration Important? (2006)

| | B | <i>se</i> | p-value | Exp(B) |
|----------------------------|--------|-----------|---------|--------|
| Turkey* | -1.521 | 0.240 | 0.000 | 0.219 |
| Non-Destination Countries* | -1.260 | 0.038 | 0.000 | 0.284 |
| Income | 0.142 | 0.010 | 0.000 | 1.153 |
| Age | 0.002 | 0.001 | 0.040 | 1.002 |

*Destination Country is the reference category

Table 12 below reports the same information with Table 11 with 2007 data. Table 12 suggests that perception of Turkish citizens and perception of non-destination countries' citizens are fairly similar when we try to measure this issue with different respondents. On the other hand, there is almost 13% difference for the perception of non-destination countries between 2006 and 2007 surveys. According to Table 12, non-destination countries are more favor (for 13%) to see illegal immigration as an important topic compared to their responses in 2006.

Table 12 Is Illegal Immigration Important? (2007)

| | B | <i>se</i> | p-value | Exp(B) |
|----------------------------|--------|-----------|---------|--------|
| Turkey* | -1.425 | 0.272 | 0.000 | 0.241 |
| Non-Destination Countries* | -0.880 | 0.041 | 0.000 | 0.415 |
| Income | 0.181 | 0.011 | 0.000 | 1.198 |
| Age | 0.005 | 0.001 | 0.000 | 1.005 |

*Destination Country is the reference category

4.5.4. Dependent Variable 4: The Role of the EU in Immigration Issues

Another survey question in 2007 survey tries to capture citizen perception on the role of the EU in immigration issues. Specifically, respondents were asked to answer whether they think that the EU should play an important role for immigration issues. Table 13 suggests that there is no significant difference between Turkish citizens and the citizens of destination countries. On the other hand, non-destination countries more likely think that EU should play an important role in immigration issues compared to destination countries. The difference between non-destination countries and destination countries is about 38%.

Table 13 Should the EU Play an Active Role on Immigration Issues?

| | B | se | p-value | Exp(B) |
|----------------------------|--------|-------|---------|--------|
| Turkey* | -0.077 | 0.089 | 0.386 | 0.926 |
| Non-Destination Countries* | 0.321 | 0.038 | 0.000 | 1.378 |
| Income | -0.013 | 0.009 | 0.146 | 0.988 |
| Age | -0.004 | 0.001 | 0.000 | 0.996 |

*Destination Country is the reference category

4.5.5. Dependent Variable 5: Common EU Immigration Policy

Table 14 below reports perception differences of people on EU common foreign policy for immigration issues. In this context, Turkish people are significantly less favor of common EU foreign policy than the people of destination countries. On the other, even though non-destination countries significantly less favor of EU foreign policy for

immigration issues, the difference between non-destination countries and destination countries is only 12%.

Table 14 Should the EU Follow a Common Foreign Policy for Immigration Issues?

| | B | <i>se</i> | p-value | Exp(B) |
|----------------------------|--------|-----------|---------|--------|
| Turkey* | -0.660 | 0.090 | 0.000 | 0.517 |
| Non-Destination Countries* | -0.130 | 0.042 | 0.002 | 0.878 |
| Income | 0.019 | 0.009 | 0.035 | 1.019 |
| Age | 0.004 | 0.001 | 0.000 | 1.004 |

*Destination Country is the reference category

4.5.6. Dependent Variable 6: Future Perceived Problems

The last question in this study is designed to capture citizen perceptions on risks that may adversely affect EU integration in the long run. In this context, Turkish citizens view immigration related issues significantly less important (for 26%) compared to destination countries' citizens. On the other hand, the citizens of non-destination countries perceive immigration related issues less likely (for 59%) for the future of the union compared to destination countries.

Table 15 Is Immigration a Perceived Risk of the EU for Integration?

| | B | <i>se</i> | p-value | Exp(B) |
|----------------------------|--------|-----------|---------|--------|
| Turkey* | -0.304 | 0.092 | 0.001 | 0.738 |
| Non-Destination Countries* | -0.876 | 0.031 | 0.000 | 0.417 |
| Income | 0.081 | 0.007 | 0.000 | 1.085 |
| Age | 0.002 | 0.001 | 0.006 | 1.002 |

*Destination Country is the reference category

CHAPTER V

5.0. DISCUSSION AND CONCLUSION

International migratory movements intensively occurred in Europe, however it is not unique to European continent. Though people elsewhere in the world had similar experiences, the exclusivity of movement of European population is that it has closely influenced economic, social and cultural changes around the world over a few centuries. Thus, before going through the migratory movements in Europe, it would be better to touch on international immigration in general.

Today's international migration movements have occurred in larger scale, more complicated way, and more varied forms than previous times. Due to ongoing wars, conflicts, persecutions, natural disasters, ecological degradation, poverty and unemployment, millions of people have been displaced within and across boundaries. Some forms of these migrations have occurred legally, others have occurred illegally; some have been temporary, some have been permanent; some have intended to work in agriculture, some in industry; and some have been skilled, and some have been unskilled; and some forms have occurred for purposes of family unification, outwardly or inwardly. In overall, those international migrations are explained based on push factors and pull factors in general. The push (causal) factors are mostly explained by political and ecological reasons. The political reasons are originated from conflicts and causes of refugees, asylum-seekers, and illegal immigration. Ecological reasons refer to miseries such as famine, poverty and disaster. The pull factors are mostly reference to motivational or intentional economic factors. The quality of life and higher social wellbeing in destination countries are motivational pull for immigrants. Employment

opportunities, healthcare and education systems, public assistances are attractive causes for immigrants. After this brief discussion about international migration movement, it is time to look at development of the European Union and then migration movements in Europe.

After postwar period, the Council of Europe was founded to stop brutal wars between neighboring countries thanks to economic cooperation. Thus, six countries, France, Germany, Belgium, Italy, Luxembourg and the Netherlands went a step further to build the European Coal and Steel Community by the Treaty of Paris in 1951. By reaping the lucrative yield of the Coal and Steel Treaty, the six countries extended their cooperation in other economic and security fields. Afterwards, by the Treaty of Rome of 1957, they built the European Economic Community (EEC) or ‘common market’ and the European Atomic Energy Community. The period between 1945 and 1959 was an age of founding of economic cooperation; the next term between 1960 and 1969 became economic growth as well as continuation of cooperation for the Union. The Union launched the Common Agricultural Policy in 1962 and European Political Cooperation (foreign policy coordination) in 1970. They also completed custom union in 1968. So the community became prosperous economically, as well as liberal socially. Because of Arab-Israeli War in October 1973, economic crisis or oil crisis, which was led by energy shortage, emerged in Europe. This economic crisis was the beginning of end of liberal immigration policies in Europe.

After the Second World War, the rapid economic recovery and reconstruction in Europe led to more demand for manpower. Thus, the European core countries such as Germany, France and the UK initially hired wartime displaced persons, and then headed to neighboring countries and Eastern Europe, North Africa, India and the

Caribbean. During the postwar period, roughly 10 million emigrants reached to Western Europe. As it is seen the first priority for the Core European countries was actively and effectively response to their labor market needs, thus the immigration policies in Europe were quite liberal till 1973 Economic Crisis. Immigration policies were then diverse and controlled according to economic needs by national governments. Just after 1973 Economic Depression, the diverse immigration policies suddenly turned into a united restrictive form in order to stop immigrants, moreover migrant workers were expected to leave Europe. Therefore, though the postwar migration movements were seen a short and temporary economic phenomenon, politically and socially they resulted in permanent structural consequences in Europe. As a result, after 1973 Economic Crisis, the immigration policies of European postwar period went into a new phase.

In this new phase, the European Parliament increased its powers on common EU matters and people first time had right to directly elect their representatives to the parliament in 1979. Meanwhile, 1980s witnessed the second enlargement of the European Union by joining Greece, Spain and Portugal into the Union. The Single European Act was signed in 1986. This treaty launched the 'single market' program and extended common cooperation in the fields of environment, social, research and technology policies as well as economic and social integration. The 'single market' program has aimed to sort out the problems relevant the free-flow of trade through the EU borders. Succeeding years, the Berlin Wall fell down in 1989. East and West Germany united in 1990. During this era, the return encouraging and stringent stopping policies for immigrants were seen as a viable remedy to solve the immigration problem. Stringent immigration policies continued during 1980s and 1990s. These restrictive

policies played an important role the change of characteristics of immigration to Europe. While guest workers applied for asylum, undocumented and unauthorized entrances were defined as illegal. As the number of asylum-seekers increased, Western European countries went over asylum applications with a fine-tooth comb. However, this did not prevent the influx of migrants. In this time, these migrants looked for new illegal ways to enter Europe. They travelled sometimes by their own initiatives and sometimes through the help of smugglers.

When 1990s pointed out a borderless Europe, the Single Market, which allowed the movements of four freedoms: goods, people, services and money, completed in 1993. With the Maastricht Treaty on the European Union in 1993 and the Treaty of Amsterdam in 1999, the European Union (EU) became more integrated in its economic and political matters. The Treaty on European Union enhanced political integration by building a European Union consisting of three pillars: European communities, Common Foreign and Security Policy (CFSP) and police and judicial cooperation (Justice and Home Affairs, JHA) in criminal issues. Schengen Agreements allowed EU people to travel without passport control at the borders. The more internal borders became flexible, the more the union concerned on protection of external borders. Therefore, the defense and security matters became important issues on which act together in order to deal with border security and control of illegal immigration in 1990s.

The world was at the beginning of new millennium, when a terrible terrorist attack occurred in the United States on 11 September 2001. Because of this unprecedented event in the history, the US started 'War on Terror'. Similarly, EU countries started to more closely to fight against crime. Because of immigrant origin of

the perpetrators of September 11, securitization of boundaries and immigration issues became one of the crucial agenda in the EU. Meanwhile, 27 EU countries signed the Treaty of Lisbon that amended previous treaties. This treaty designed the EU to efficiently challenge to global problems such as climate change, security and sustainable development. During this time, immigration issue was perceived as a part of security, rather than humanitarian one. Thus, the notion of the securitization of immigration prevailed in Europe over the years. After summarizing the development of European Union and EU immigration policies, it should be better to look at Turkey and EU relations, and Turkey's position on immigration issues.

Turkey headed to Europe to unite around European common norms, principles and values, when it was established in 1923. For that purpose, Turkey applied for being apart of the European Economic Community (EEC) in 1959. Ankara Agreement was signed between EEC and Turkey in 1963. The Initial aim of Ankara Agreement was to establish a custom union among these two. Thereby, Turkey's path crossed with the European Union in order to achieve mutual economic and political integration.

From the establishment to 1990s, though Turkey was exposed to immigration and emigration movements, these movements were far from regularity, diversity, complexity and large quantity. Thus, Turkey did not develop an effective immigration policy due to its inessentiality. As of 1990s, by associating the concept of migration with the concept of security and the emerging of illegal immigration issue in Turkey and Europe, Turkey became awareness of migration issues. Thus, Turkey had to review preceding migration policies.

It was a milestone for Turkey, when the Helsinki European Council declared Turkey as a candidate country to the European Union in 1999. After that date, the EU

pressured Turkey to effectively fight against illegal immigration. Because Turkey was a transit country where large numbers of immigrant moves to Europe from Asia and Africa. Therefore, it means for Turkey to fight against illegal immigration is huge financial burden and security risk. In turn, Turkey will not gain any economic benefit from this struggle against illegal immigration. The European Union adopts 'shift burden' and 'externalization of problems' policies, while Turkey adopts 'burden share' policies and avoids becoming 'buffer zone' for illegal immigration. As a result, the issue of fighting against illegal immigration has become political battlefield between Turkey and the European Union.

In 2005 at Brussels Summit, The EU decided to open the accession negotiation process with Turkey. With the accession negotiation, the relationship between the EU and Turkey had a great impetus. However, the accession negotiation process brought many obstacles to Turkey. Due to associating the fighting against illegal immigration with border and visa policies and other controversial issues, the fighting against illegal immigration policies continued to become battleground between the parties up-to-now.

Last a few decades; while the EU develops common policies on immigrations issues, member states follow national policies on the basis of national interests. Moreover, EU member governments have been reluctant to transfer their authorities to the European Parliament and the European Court of Justice. In this context, even though member states follow national politics on immigration issues, as a candidate country to the EU, how Turkey develops immigration policies compatible with EU acquis. Moreover, the EU has been questioning Turkey's commitment to the acquis in terms of fighting against illegal immigration. Thus, Illegal immigration is recently hot topic within the union and among member states as well as with Turkey.

Consequently, it is decided that illegal immigration issue between Turkey and the EU is an appealing topic worth to research. So, this study will examine the nature of relationship between the EU and Turkey in terms of illegal immigration policies. To what extent Turkey carries out its responsibilities to the EU on the fight against illegal immigration and whether or not the EU is rightful for its allegations against Turkey on the issue of illegal immigration. Given this context, this study is a rare study on illegal immigration that explores EU illegal immigration policies and illegal immigration policies in candidate countries; especially Turkey is in question in this study. For this study, the following methodology is developed to evaluate, examine and analysis the data.

In order to carry out the research, two main research questions were developed. First main research question examines what is the expectation of the EU from Turkey in terms of fighting against illegal immigration and whether Turkey adequately fights against illegal immigration in the eyes of the EU. Second main research question is how EU citizens and Turkish citizens perceive the phenomenon of illegal immigration and whether or not they differ in their perceptions.

In order to explore the illegal immigration issues between the EU and Turkey, this study employs qualitative and quantitative methods, which is generally called as mixed methods. To be more specifically, the first main question employs the content analysis method, while the second research question employs the CCEB (Candidate Countries Eurobarometers) Surveys method.

The data for the first main research question were collected from EU Progress Reports on Turkey, Accession Partnership Documents, Turkey's National Programs and Turkey Action Plans which were issued between 1998 and 2013. Thus, the data for

first main question reflects key points from both EU perspective and Turkish perspective on illegal immigration issues. Additionally, the data also helps us to understand to what extent Turkey responds to EU requirements on illegal immigration policies. By examining official documents belong to both sides, a comparative study was conducted in order to analyses the reports. With this design, EU Progress Reports and Turkish AA Documents were thoroughly divided into four main topics and twelve subtopics. Then, the end results were reported accordingly.

The data for the main second research question was picked from Candidate Countries Eurobarometers (CCEB) Survey Series, which are available on the website of Inter-University Consortium for Political and Social Research (ICPSR). This survey contains the perception of EU citizens and perception of candidate countries on immigration issues. Thus, not only this research looks for the nature of relationship between two entities in aspect of formal politics, but also how both side's citizens affect their government policies. In order to response the second main research question, the data were especially picked from 2006 and 2007 Eurobarometers surveys, which include six different immigration related questions. By analyzing these two surveys, this study expects to figure out whether EU citizens perceive the phenomenon of illegal immigration as a serious problem compared to Turkish citizens.

As presented above, there are six different questions for immigration issues. Three of those questions are the same both in 2006 Eurobarometers Survey and 2007 Eurobarometers Survey (See Appendix). However, three immigration questions are completely new in 2007 Eurobarometers Survey. Each immigration-related question will be used as a dependent variable in order to understand whether EU countries and candidate countries differ in their perceptions in terms of immigration related issues.

For this reason, the second research question will use all six immigration related questions as dependent variables. First dependent variable is ‘Immigration Priority’, Second dependent variable is ‘National-based Immigration Policies or Integrated EU Efforts’, third dependent variable is ‘The Most Current Important Problem of each Country’, Fourth dependent variable is ‘The Role of EU in Immigration Issues’, Fifth dependent variable is ‘Common EU Immigration Policy’, Sixth dependent variable is ‘Future Perceived Problems’.

‘Destination Country’, ‘Member Country (non-destination country)’ and ‘Candidate Country’ are designated as independent variables, whereas ‘Age’ and ‘Income Level’ are designated as control variables.

In order to analyze qualitative data from official documents, firstly EU Reports and Turkey’s AA Documents were examined in the context of illegal immigration policies. And then, the improvements relevant to illegal immigration were recorded and coded. Thus, mutual interactions between the EU and Turkey were defined, compared and analyzed deeply in order to reveal the end results between the EU and Turkey during accession process to the Union.

In order to statistically analyze data of CCEB, Statistical Package for the Social Sciences (SPSS) software was used. Thus, the outputs were recorded in order to elaborate the study.

As noted earlier, three questions are the same both in 2006 Eurobarometers Survey and 2007 Eurobarometers Survey. For this reason, during the test of first three dependent variables, this study will merge two Eurobarometers Surveys. This process will increase the sample size to 59.433 for these dependent variables. The rest of the

three immigration questions are completely new in 2007 Eurobarometers Survey. Therefore, sample size for these dependent variables is 30.281.

Since level of measurement of all dependent variables is nominal with two categories (favor to dependent variable or non-favor to dependent variable), logistic regression is used to test the hypotheses against each other.

In the following passages, the answers are inquired for the research questions, which are ‘What is the expectation of the EU from Turkey in terms of fighting against illegal immigration? Specifically, does Turkey adequately fight against illegal immigration in the eyes of the EU?’

In order to assess the responses for EU requirements and Turkey’s progress in the field of fighting against illegal immigration for being admitted to the EU, 11 EU Progress Reports and 4 Accession Partnership Document (15 EU Reports on Turkey in total) and 3 National Programs, 2 Action Plans and 1 Progress Report by Turkey (6 Turkey’s Adaptation to Acquis Documents in total) are examined under 4 main topics and 12 sub-topics. These 15 EU Reports and 6 Turkey’s AA Documents belong to pre-accession period, which is from 1998 to 2013.

For an analitical examination, Turkey’s efforts and EU requirements are analyzed in the forms of statements, summary and conclusion. By examining these topics, the interactions between the EU and Turkey are deeply examined in the field of fighting against illegal immigration. The overall conclusions belong to qualitative research question are quintessentially presented below at Table 16;

When it is examined by their degree of progress, Turkey’s progress under twelve subtopics could be categorized into three grades: Adequate, inadequate and none-progress. Adequate progresses are graded as +1; inadequate progresses are graded

as 0 and none-progresses are graded as -1. Thus, overall result is concluded more precisely.

Table 16 Grading of Turkey's Progress According to Subtopics

| Topic | Turkey's Progress | Grade |
|--|---|-------|
| 1.0. Fighting against Illegal Immigration by Valid Laws | | |
| 1.1. Effectively fight against illegal immigration | Significant and effective | +1 |
| 1.2. Fighting against trafficking in human beings | Effectively and timely | +1 |
| 1.3. Signing and ratifying readmission agreement with the EU | Slow and limited | 0 |
| 2.0. Migration, Asylum and Refugee Issues | | |
| 2.1. Effectively handling asylum-seekers and refugees issues | Slow, delayed and incomplete, need to be improved | 0 |
| 2.2. Repealing of geographical limitation | No progress | -1 |
| 2.3. Developing training program in the field of asylum and refugee | Limited and interrupted | 0 |
| 2.4. Setting up and improvement of the reception and removal centers | Limited and delayed | 0 |
| 2.5. Setting up a migration and asylum authority | Slow and delayed | 0 |
| 3.0. External Borders | | |
| 3.1. Alignment to external border policy and Schengen Agreement in general | Slow and need to be improved | 0 |
| 3.2. Setting up an integrated border management unit | Limited progress | 0 |
| 3.3. Setting up a unified and professional border guard | Limited, no progress on unified border guard | 0 |
| 4.0. Visa Policy | | |
| 4.1. Alignment to EU Visa Policy | Limited | 0 |

When 12 subtopics are evaluated by the end results in Table 16, Turkey makes adequate developments in 2 subtopics to adapt EU acquis, whereas no progress in 1 subtopic and limited or inadequate progress in 9 sub topics.

According to content analysis of the first main topic, 1.0. Fighting against Illegal Immigration by Valid Laws, Turkey achieves adequate progress in the field of fighting against illegal immigration and trafficking in human beings by valid laws, whereas Turkey should exert more power to achieve the requirements in the field of the signing and ratifying readmission agreement with the EU in order to align EU acquis. The most import result of the analysis of this topic is that Turkey should develop institutional, legislative and administrative capacities to handle the indirect causes of the problems that promote to flow of illegal immigration to the Europe. That is, though Turkey struggles against illegal immigration; it could not develop solutions to sufficiently handle the issues of migration, asylum, refugee, border and visa in line with EU acquis. The gap in these fields also led to increase the number of illegal immigration to Europe.

The analysis of the second main topic, 2.0. Migration, Asylum and Refugee Issues, reports that Turkey should exert more power to achieve the requirements of EU acquis in the field of handling asylum and refugee issues, developing training programs for officers, setting up reception and removal centers and setting up a central migration authority in order to align EU acquis. As for repealing the geographical limitation of Geneva Convention, Turkey should adopt new approach in this policy. In Practice, Turkey accepts thousands of immigrants from Eastern countries in contrary to its reservation to Geneva Convention. For instance, thousands of Syrians in Turkey. Therefore, Turkey should set up an effective agency to cope with immigration in order to align EU acquis.

The results for the third main topic, 3.0. External Borders, show that Turkey should put more effort to achieve the requirements of EU acquis in the field of aligning EU external border policy and Schengen Agreement, setting up integrated border

management system and setting up unified professional border guard. In this field, the analysis indicate that Turkey only needs to systemically organize and mobilize its present sources to cope with border related problems in order to fight against illegal immigration.

Lastly, the analysis of fourth topic, 4.0. Visa Policy, indicates that Turkey should adopt visa policies compatible with EU visa policy. In return, the EU should adopt a loose visa policy for Turkish citizens. Amongst the Partners, Turkey and the EU, visa policies are discussed in terms of loose visa policy and readmission agreement. Turkey demand the EU to loose visa policies for Turkish citizens, while the EU demand Turkey to sign and ratifying readmission agreement with the Union. This issue is continuing key hot topic between the Partners to need to be solved to effectively fight against illegal immigration.

When the achievements and semi-achievements (inadequate achievements) are examined during pre-accession period, not only Turkey effectively struggles against illegal immigration, but also develops the new legislations, institutions and administrative capacities in order to fight against illegal immigration to align to EU acquis. But these improvements are not enough to align to EU acquis. Turkey thus should evaluate its institutional and administrative capacity for adequately dealing with illegal immigration and immigration issues. According to the content analysis of the data, it is clear that Turkey are inadequate to fight against illegals immigration as well as connected other immigration issues. However, this issue is not ex parte problem. Illegal immigration threatens EU security and economy more than does Turkey. Therefore, both sides could reconcile by making mutual concessions in different fields to effectively fight against illegal immigration. For instance, Turkey could intense its

effort to fight against illegal immigration, in return the EU could loose visa policy for Turkish citizens or adopt 'burden share' policy.

In conclusion, even though Turkey effectively fights against illegal immigration by its existing capacity, it needs to improve legislative and institutional capacities in order to adapt EU acquis in the field of fighting against illegal immigration. On the other hand, Because of its financial burden, the EU either financially supports Turkey or develops a new concession policy area for Turkey. This concession could be spanned from visa concession to immediate accession to the Union. Otherwise, together with other political conflict such as Cyprus problem, the issue of illegal immigration will be the reason of a deadlock amongst the Parties in the future.

Test of Hypothesis based on the First Research Question:

First Main Hypothesis:

First Main Hypothesis is 'the EU has expectations from Turkey in terms of fighting against illegal immigration. Turkey does not fulfill requirements against fighting against illegal immigration in the eyes of the EU'. The content analysis of this study supports the first main hypothesis. The EU has expectations from Turkey in the twelve topics that are displayed in Table 6. Turkey adequately fights against illegal immigration and trafficking in human beings, however Turkey is lack of continuing institutional, legislative and administrative capacities. Thus Turkey needs to improve its effort in the fields of signing readmission agreement, handling asylum and refugee issues, repealing geographical limitation of Geneva Convention, developing training programs, setting up and improving of the reception centers, setting up migration authority, aligning EU border policy, setting up integrated border management unit and professional border guard and developing visa policy compatible with EU visa policy.

As a result, Turkey does not fulfill requirements to align *acquis* in the field of fighting against illegal immigration in the eyes of the EU.

Supporting Hypothesis-1A:

First supporting hypothesis of first main hypothesis is ‘There are problematic illegal immigration topics between the EU and Turkey’. The analysis supports first supporting hypothesis of first main hypothesis. The study reveals that there are twelve problematic topics, as shown in Table 6, between the EU and Turkey. However, the topics of signing and ratifying readmission agreement and visa alignment to the EU are the most problematic issues between the EU and Turkey.

Supporting Hypothesis-1B:

Second supporting hypothesis of first main hypothesis is ‘Turkey does not take enough actions in line with the expectation of the EU for fighting against illegal immigration’. The content analysis of the reports supports this hypothesis. While Turkey takes enough action in two fields, it does not take enough action in ten fields in order to fight against illegal immigration.

Supporting Hypothesis-1C:

Third supporting hypothesis of first main hypothesis is ‘Turkey does not have effective policies and law procedure to fight against illegal immigration as the EU proposes’. The analyzed results support this hypothesis. While Turkey fights against illegal immigration under the valid policies and law procedures, it does not develop new effective policies and law procedure to fight against illegal immigration to align to EU *acquis* or response to EU requirements.

In addition to the qualitative inquiries, the current study analyzed quantitative data that include both EU countries and Turkey. We specifically wondered whether

Turkey and EU countries differ in their perceptions in terms of immigration issues. Upon analyzing the data, we grouped/classified EU countries that are in the survey into three sub-categories: (1) destination countries (Germany, Spain, Italy, France, and UK), (2) non-destination countries (rest of EU countries and including candidate countries as dictated by the Eurobarometers data), and (3) Turkey. This new classification allows this study to analyze different immigration related perceptions based on exposure level to immigration.

Further analysis suggests that both Turkish citizens and citizens of non-destination countries significantly give less priority to illegal immigration compared to destination countries. Moreover, Turkey gives 20% more priority to illegal immigration compared to non-destination countries as displayed in Table 8 above. Similarly, Turkish citizens and citizens of non-destination countries are significantly and less likely in favor of integrated/joint EU efforts for illegal immigration policies.

The other dimension of immigration related issues is the perception of immigration concerns according to different categories of EU countries (i.e., destination countries vs. non-destination countries). In Table 11, citizens of Turkey perceive immigration related issues significantly less important (for about 78%) than destination countries. On the other hand, non-destination countries also perceive immigration related issues significantly less important than destination countries for 72%. Compared to citizens of Turkey and citizens of non-destination countries are alike in terms of their immigration perception.

Another survey question tries to capture citizen perception on the role of the EU in immigration issues. Specifically, respondents were asked to answer whether they think that the EU should play an important role for immigration concerns. Results in

Table 13 suggest that there is no significant difference between Turkish citizens and the citizens of destination countries. On the other hand, non-destination countries more likely think that the EU should play an important role in immigration issues compared to destination countries. The difference between non-destination countries and destination countries is about 38%.

The last question in this study is designed to capture citizen perceptions on risks that may adversely affect EU integration in the long run. In this context, in Table 15, Turkish citizens view immigration related issues significantly less important (for 26%) compared to destination countries' citizens. On the other hand, the citizens of non-destination countries perceive immigration related issues less likely a risk (for 59%) for the future of the union compared to destination countries.

Test of Hypothesis based on the Second Research Question:

Second Main Hypothesis:

Second main hypothesis is 'EU citizens and Turkish citizens have different perceptions on the phenomenon of illegal immigration'. The outcome results of logistic analysis of the data in Table 7 support this hypothesis in terms of citizens of destination countries, conversely the results in Table 8 do not support this hypothesis in terms of perception of non-destination countries (EU or candidate). In that, citizens of destination countries give almost three ($\text{Exp(B)}=2.977$) times higher priority than the citizens of non-destination countries. Citizens of Turkey and non-destination countries both significantly give less priority to illegal immigration compared to destination countries. But non-destination countries give less priority compared to Turkey. Consequently, destination countries, non-destination countries and Turkey have different perceptions from each other.

Supporting Hypothesis -2A:

First supporting hypothesis of second main hypothesis is ‘Due to being destination territory, EU citizens perceive the phenomenon of illegal immigration as a serious problem compared to Turkish citizens’. The data analysis in Table 11 supports this hypothesis in terms of destination countries, conversely does not in terms of non-destination countries. EU destination countries perceive illegal immigration as a serious problem, whereas non-destination countries and Turkey perceive less serious problem. On the other hand, Turkey and non-destination countries are similar in their perceptions in terms of seriousness of problem of illegal immigration.

Supporting Hypothesis -2B:

Second supporting hypothesis of second main hypothesis is ‘EU citizens urge their policymakers to effectively fight against illegal immigration’. The results in Table 13 support this hypothesis from the point of EU citizens. Both citizens of destination and non-destination countries think that the EU should play important role for immigration issues. Moreover, non-destination countries more likely think that EU should play more important role in immigration issues compared to destination countries.

Supporting Hypothesis -2C:

Third supporting hypothesis of second main hypothesis is ‘Turkish citizens urge their policymakers to effectively fight against illegal immigration’. The results in Table 15 support this hypothesis. Turkish citizens think that the immigration has more risk for future integration of the EU, when compared to citizens of non-destination countries. Turkish citizens perceive immigration issue a less risk for integration of the EU compared to destination countries. When compared to citizens of non-destination countries, Turkish citizen more worried about immigration related risks.

When analyzed altogether, citizens of non-destination countries and citizens of Turkey similarly perceive immigration-related issues compared to destination countries. Destination countries significantly more seriously take heed of immigration issues than non-destination countries and Turkey. In order to set up an efficient policy for illegal immigration, EU destination countries should firstly persuade EU non-destination countries and secondly build a cooperative system amongst the members.

Finally, Turkey fights against illegal immigration by using existing capacity and slightly develops new capacity to align EU *acquis*, however it does not develop more effective legislative, institutional and administrative capacities. But this is not *ex parte* issue, thus the EU and Turkey could develop new strategies in order to stop and fight against illegal immigration based on mutual concessions and understandings. These concession policies are also supported by the end results of quantitative research of this study. The citizens of EU destination countries are aware of threats originated from illegal immigration. Thus, these destination countries have public support to develop financially support instruments, make visa concessions or burden share policy for Turkey to fight against illegal immigration. On the other hand, Turkey does not have enough public support for using its full-fledged national capacity to effectively fight against illegal immigration.

APPENDICES

APPENDIX-1. Tables of the Statements from EU Reports and Turkey's AA Documents

Table 17 Statements from EU Reports and Turkey's AA Documents on Effectively Fighting against Illegal Immigration by Valid Law¹⁶⁸

| EU expectations by years | Turkey's responses by years |
|--|---|
| | 1998-Progress Report praised the introduction of a new optical passport that would be an effective tool for controlling immigration (pr 1998). |
| 1999-By stating the concerns on immigration and border controls, the report drew attentions on sharp increase in the number of illegal immigration crossing through Turkey by presenting figures. The report states in 1998 the number of persons caught while transiting illegally through Turkey exceeded 40.000. This figure represents a significant increase in comparison to 1997 (30.000) and 1996 (18.000) (pr 1999). | 1999-It is importance of positive relationship between Turkey and Greece. Two parties were looked for co-operation opportunities on the fields of culture, tourism, environment and fighting against organized crime (including illegal immigration, terrorism and drug trafficking) (pr 1999). |
| 1999-The majority of these people [illegal immigrants] come from Pakistan, Bangladesh, Sri Lanka, Afghanistan and first and foremost from Iraq. Illegal immigrants' final destination was to Western Europe by using Turkey as a transit country. Most of illegal immigrants were seized on land border between Greece and Turkey. In order to response to sharp increase of illegal immigration, the report stated the requirements of the facilities and pecuniary penalties in order to engage in illegals (pr 1999). | 1999-The fight against illegal immigration is on the agenda of the talks which started in July 1999 between Turkey and Greece (pr 1999). |
| | 1999-Turkey participates in the Budapest Process against illegal immigration (pr 1999). |

| | |
|---|--|
| | 1999-Turkey co-operates with the Office for International Migrations in the field of training (pr 1999). |
| 2000-As regards migration, efforts need to be seriously stepped up to decrease the number of illegal persons who try to reach Western European countries (pr 2000). | |
| 2001-There is serious concern about illegal migration flows in Turkey, which have been steadily increasing. The authorities have acknowledged the existence of 94.514 illegal immigrants in 2000, as compared to 11.362 in 1995. In the first 5 months of 2001, the number of illegal immigrants was 29.684, which represents a 28% increase compared to last year (pr 2001). | 2001-The subcommittees started their work on 22 June 2000, immediately after the completion of the formal procedures for their establishment and the definition of their terms of reference. On 18 July 2001, two full rounds of subcommittee meetings were completed, i.e. each subcommittee met twice within a period of just over a year. Overall, 16 meetings took place involving around 500 officials from both sides from various Commission departments, Turkish ministries and public agencies, covering a broad range of subjects. These discussions also included macroeconomic policies, ongoing reforms in the economic sectors such as financial restructuring and efforts to increase competition in the economy, in particular the privatization of state enterprises (pr 2001). Consequently, the working methods of the subcommittees evolved to allow more detailed exchanges of views. Expert meetings were organized. Examples of issues that were discussed in greater detail in this way are illegal immigration and the Community acquis related to social dialogue (pr 2001). |
| 2001-Improve the capacity of public administration to adopt, to implement and to manage the acquis in particular through training and appropriate coordination between ministries, including the development of effective border control to prevent illegal immigration (apd st 2001). | 2001-Turkey participates in regional and international fora against illegal immigration (Stability Pact-Working Table III, the Budapest Process, the Centre for Information, Discussion and Exchange on the Crossing of Frontiers and Immigration (CIREFI), the South East European Cooperation Initiative (SECI)- |

| | |
|--|--|
| | Task Force on Trafficking in Human Beings, International Border Police Conference) and goes along with measures agreed at these fora (np 2001). |
| | 2001-Under the provisions of Article 23 of the Constitution and Article 3 of Act No. 5682 on Passports, Turkish citizens may not be deprived of their right of entry into Turkey (np 2001). |
| | 2001-The Directorate General for Public Security of the Ministry of the Interior provided a training session on the prevention of forgery of documents, as a measure to prevent illegal border crossing. In total 553 officials were trained between November 2000 and May 2001 (pr 2001). |
| | 2001-Regarding participation in the Schengen Information System (SIS), legislation is under preparation (pr 2001). |
| | 2001-In the field of police co-operation and the fight against organized crime, an Agreement between Turkey and Greece on co-operation on combating crime entered into force in July 2001. The focus is on terrorism, organized crime, drug trafficking and illegal migration (pr 2001). |
| | 2001-Turkey and Greece undersigned 'Cooperation Agreement against Crimes Particularly Terrorism, Organized Crimes, Drug Trafficking, and Illegal Migration' on 20 January 2000 and it became effective on 17 August 2001 in Turkey (ap 2005). |
| | 2001-The Draft Law on the Work Permits of Foreigners has been prepared and submitted to the Turkish Parliament. The Draft Law envisages that the work permit be issued by a single center in order to control unregistered employment of foreigners (np 2001). |
| | 2001-Thanks to the ambitious efforts of security forces, Turkey shifted migrant |

| | |
|---|--|
| | <p>traffickers to southern (Iraq-Syria-Lebanon) and northern (Iran-Caucasus - Ukraine) routes particularly in 2000 and 2001. Moreover, vessels carrying illegal migrants changed their routes and recently vessels departing primarily from African countries are destined to Italy and France and those coming from Sri Lanka and India are following the Suez Canal to reach the coasts of Southern Greek Cyprus, Greece and Italy (ap 2005).</p> |
| | <p>2002-In 2000 and 2001, almost 100.000 illegal migrants were apprehended each year in Turkey (pr 2004).</p> |
| <p>2003-Reinforce the fight against illegal immigration (apd st 2003),</p> | <p>2003-Likewise, Law No 4817 on Work Permits of Aliens was put into force in February 2003, along with the supplementary Regulation and the circulars published have been contributory in preventing illegal and low-paid employment of aliens and in legal control and management of employment-oriented migration (ap 2005). The basic objectives of the law concerned are monitoring labor market, having a single authorized body and preventing illegal employment through effective controls (ap 2005).</p> |
| <p>2003-Adopt and implement the acquis and best practices on migration (admission, readmission, expulsion) with a view to preventing illegal immigration (apd mt 2003).</p> | <p>2003-Turkey participates in the meetings organized by the Centre [CIREFI] every six months. Through the Early Warning System, Turkey shares emergency information with EU members and candidate countries on illegal immigration and stolen documents (np 2003).</p> |
| | <p>2003-The Coast Guard Command has increased surveillance at the entrance point of Aegean and Mediterranean territorial waters against illegal migration. The number of coast guard boats was increased from 52 to 83 and the number of personnel was increased from 2.726 to 3.396. In 2003, 937 prosecutions were brought</p> |

| | |
|--|--|
| | concerning smuggling illegal migrants (pr 2004). |
| | 2003-The number of illegal migrants apprehended decreased to approximately 83.000 in 2002 and 56.000 in 2003. 1.157 Turkish and foreign organizers of illegal migration were arrested in 2002, 937 in 2003(pr 2004). |
| 2004-Turkey is invited to complete work on drawing up the National Action Plan to implement the migration strategy adopted in 2003 (pr 2004). | 2004-Concerning administrative capacity, Turkey has continued to achieve progress concerning the fight against illegal migration through improved co-operation among authorities as well as with Member States and third countries (pr 2004). |
| 2004-The establishment of a specialized, civilian authority for migration issues will be an important component of this plan. The legislative framework with regard to handling migration including admission of third country nationals for employment and for study purposes, status of third-country nationals residing on a long-term basis as well as family reunification needs to be fully aligned with the acquis (pr 2004). | 2004-On the other hand, in the combat against illegal migration and the trafficking of the immigrants were conducted jointly by the General Directorate for Security, General Command of Land Forces, General Command of Gendarmerie and Coast Guard Command, the number of the persons who were arrested during an illegal entry or exit attempt or during illegal stay in Turkey was 11.362 in 1995, 18.804 in 1996, 28.439 in 1997, 29.426 in 1998, 47.529 in 1999, 94.514 in 2000, 92.362 in 2001, 82.825 in 2002, 56.219 in 2003 and 61.228 in 2004, that is total 522.711 in the last ten years (ap 2006). |
| 2004-The Joint Action Programme on Illegal Migration between the EU and Turkey should be concluded as soon as possible (pr 2004). | 2004-The number of aliens who attempt to enter Turkey and refused for various reasons were 6.069 in 1999, 24.504 in 2000, 15.208 in 2001, 11.084 in 2002, 9.362 in 2003, and 11.093 in 2004 that is total 75.905 between 1999-2004 (ap 2006). |
| | 2004-A Memorandum of Cooperation for Combating Human Trafficking and Illegal Migration was signed with Belarus on 28th July 2004 and was put into practice (ap 2005). |

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| | <p>2004-More recently, Turkish authorities report that intensified efforts against illegal migration appear to have diverted migration flows away from Turkey. The Turkish authorities apprehended 26.680 illegal migrants between January and July 2004. 468 Turkish and foreign organizers were arrested in the first six months of 2004 (pr 2004).</p> |
| | <p>2004-Turkey signed a co-operation agreement with Europol in May 2004, which will enhance co-operation in fighting serious forms of organized crime. Although the agreement does not allow the exchange of personal data, it constitutes a significant step forward. Bilateral police co-operation agreements have been ratified between, on the one hand, Turkey and, on the other hand, Poland, Germany, Finland, and South Africa. Turkey appointed a contact point to participate as an observer in the EU Crime Prevention Network (pr 2004).</p> |
| | <p>2004-54.810 illegal migrants were apprehended in Turkey in 2004 (compared to 48.055 in 2003). The Turkish authorities apprehended 7.470 illegal migrants in the first quarter of 2005. Altogether 8.000 foreigners were refused admission at border crossing points in 2004 (compared to 5.720 in 2003). 955 organizers of illegal migration were arrested in 2004, and 175 in the first three months of 2005. 12 vessels used for the purpose of illegal migration were detained in Turkish waters in 2004 (pr 2005).</p> |
| | <p>2005-Turkey undersigned 67 Security Cooperation Agreements with 43 countries for cooperation in the combat against organized crime and terrorism. All agreements bear provisions for the establishment of cooperation for</p> |

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| | combating illegal migration and human trafficking (ap 2005). |
| | 2005-Cooperation protocols [the combat against organized crime and terrorism] have been proposed to Ukraine, Georgia, Bulgaria, Romania, Moldova, Russian Federation, Azerbaijan, Belarus and Uzbekistan within this framework in order to activate the relevant clauses of the said agreements (pr 2005). |
| | 2005-For the years between 1995 and 2004, respectively 11.362, 18.804, 28.439, 29.426, 47.529, 94.514, 92.362, 82.825, 56.219 and 50.529 illegal migrants totaling to 512.009 were captured attempting to illegally enter or leave Turkish territory or staying illegally in Turkey (ap 2005). |
| | 2005-As a result of activities carried out in this field, more concentrated operations were conducted against migrant trafficker organizations. 98 organizers were captured in 1998 with an increase to 850 in 2000, 1.155 in 2001 and 1.157 in 2002 (grand total for 1998-2002: 3.895). The year 2003 witnessed the capture of 937 illegal migrant traffickers and up to now for 2004 their number has been 520 and they all have been subjected to judicial action (ap 2005). |
| | 2005-Aliens willing to enter Turkish territory at the border gates but suspected to be involved in illegal migration or attempting to use false documents are not admitted into Turkey. Thanks to the training seminars provided to the personnel on counterfeiting, 6.069 aliens in 1999, 24.504 in 2000, 15.208 in 2001 and 11.084 in 2002 were rejected at the borders. It was the case for 9.362 aliens in 2003 and 7.888 in 2004 (1999-2004: 74.700) (ap 2005). |
| | 2005-Preventive activities against illegal migrant trafficking via maritime |

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| | transportation have been accelerated due to the measures taken and within this framework, the number of vessels allegedly departing from Turkey to Europe decreased from 19 in 2000 to 17, 2 and 1 in 2001, 2002 and 2003, respectively (ap 2005). |
| | 2005-On the other hand, 20 vessels/boats about to leave Turkey were ceased in 2003 and a total of 1.529 illegal migrants and 20 organizer migrant traffickers planning to escape were captured both on-board and ashore (ap 2005). |
| | 2005-Transit migrants from Turkey to Europe are primarily travel by vessels and boats illegally leaving territorial waters over the Aegean Sea and the Mediterranean. Illegal migration via maritime transportation has been avoided to a considerable extent thanks to the coastal controls and air-borne preventive operations carried out in coordination by helicopters of Coastal Security units and police helicopters deployed in İzmir, Antalya and Mugla [Cities] (ap 2005). |
| | 2005-Turkey proves its stance in this field by taking measures against illegal migration at the national level and actively participating in international processes of identifying problems, exchange of information, joint struggle and cooperation and effectively struggles to prevent illegal migration over Turkish territory and deport illegal migrants staying in Turkey (ap 2005). |
| | 2005-Turkey continued to participate in the activities of the Centre for information, discussion and exchange on the crossing of frontiers and immigration and its early warning system (pr 2005). |
| 2006-Continue efforts to combat illegal migration (apd st 2006). | 2006-With regard to apprehension of illegal migrants, in 2005, 57.428 illegal |

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| | migrants were apprehended in Turkey compared to 61.228 in 2004, where in the first six months of 2006, 18.441 were apprehended (pr 2006). |
| 2006-Adopt and implement the acquis and best practices on migration with a view to preventing illegal migration (apd mt 2006). | |
| 2008-Increase capacity to combat illegal migration in line with international standards (apd st 2008), | 2008-Some progress can be reported on migration. The asylum and migration task force formed a high-level working group bringing together agencies responsible for border tasks connected with irregular migration. It aims for closer inter-agency cooperation by conducting common risk analyses (pr 2008). |
| 2008-Limited progress can be reported on management of irregular migrants in Turkey. However, the detention and deportation procedures need to be improved to ensure that the authorities systematically give written reasons for such decisions in a language the persons concerned can understand. It should be possible to submit detention and removal decisions to a senior administrative, and possibly also judicial, review. The duration of detention should be limited by law or – at least in cases of prolonged detention – regularly reviewed (pr 2008). | 2008-A total of 64.290 illegal migrants were apprehended in 2007 and 33.143 in the first seven months of 2008. Capacity to accommodate illegal migrants has been increased from 1.512 to 1.793 (pr 2008). |
| 2008-The material conditions of detention of apprehended irregular migrants during detention need to be improved. Facilities could be improved to ensure that detainees are segregated not only by gender but also by age and criminal record. Family members should have the possibility to stay together (pr 2008). | |
| 2008-Access for detained irregular migrants to free legal aid, to asylum procedures, to interpretation services, to psychological and medical assistance and to educational and recreational activities, | |

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| <p>along with the possibility of accommodating unaccompanied minors in reception facilities outside detention centers, needs to be further developed, including by closer cooperation between the national and international organizations specializing in delivering these services and the authorities managing detention facilities (pr 2008).</p> | |
| | <p>2009-Foreigners who are irregular migrants and victims of trafficking may benefit from free health services, since the directorate general for social solidarity and assistance in the Prime Minister's Office issued a circular in May 2009 to the Social Solidarity and Assistance Foundation (pr 2010).</p> |
| <p>2010-The full implementation of the newly established circulars, and the rapid adoption of this legislation under preparation, is a key priority in view in particular to establish fair procedures for the detention and removal of irregular migrants, and to enhance their reception conditions. This is also very important to address the judgment issued by the European Court of Human Rights (ECtHR) in particular on the following two cases related to Turkey: the judgment in <i>Abdolkhani and Karimnia v Turkey</i> and <i>Z.N.S. v Turkey</i>, where the Court found that the detention and deportation of irregular migrants to their country of origin, due to the absence of clear provisions for ordering and extending detention, the lack of notification of the reasons for detention and the absence of any judicial remedy to the decision on detention were in breach of the European Convention on Human Rights; and to the judgment in <i>Charahili v Turkey</i>, where the Court concluded that the applicant's</p> | <p>2010-Work is also being done in view of enhancing the administrative capacities of Turkey to prevent irregular migration and deal with its consequences (pr 2010).</p> |

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| conditions of detention amounted to a violation of Article 3 of the European Convention on Human Rights, prohibiting torture (pr 2010). | |
| 2010-Awareness raising among administrators, governors, district governors, municipalities and the public at large on the rights of irregular migrants and procedures involved in migration management is a key issue to be addressed through concrete measures (pr 2010). | 2010-A coordination board for combating illegal migration was established in February 2010 to identify measures to fight irregular migration, strengthen inter-institutional cooperation and coordination and monitor operational activity. The board is chaired by the Deputy Undersecretary of the Ministry of the Interior and meets every two months. Members are the Chief of General Staff, the Land Forces, the Ministry of Foreign Affairs, the TNP, the Gendarmerie General Command and the Coast Guards (pr 2010). |
| | 2010-The number of irregular migrants apprehended by the law enforcement forces declined from 65.737 in 2008 to 34.345 in 2009. In 2009 the irregular migration flow through the Greek and Bulgarian land borders dropped by 40% compared to the year 2008. The number of irregular border crossings at sea border between Greece and Turkey saw a decrease of 16%. In the first seven months of 2010, 15.397 irregular migrants were reported to have been apprehended. 1.027 smugglers were apprehended in 2009, 970 of whom are Turkish (pr 2010). |
| | 2011-In 2011, 217.206 persons were granted in Turkey a residence permit on various grounds, including work and education. Turkey continued to be a very important transit and destination country for irregular migration (pr 2012). |
| 2012-Pending adoption of the Law on Foreigners and International Protection, no substantial administrative measures were taken to improve the situation of irregular migrants (pr 2012). | 2012-In 2011, the number of irregular migrants apprehended in Turkey reached 44.415, an increase of 26% on the 2010 figures. The number of apprehended irregular migrants amounted to 14.559 |

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| | between 1 January and 1 July 2012. The number of irregular migrants deported by Turkish authorities in 2011 was 26.889 and 4.739 between 1 January and 1 July 2012 (pr 2012). |
| | 2012-Meanwhile, the number of third country nationals detected in 2011 by EU Member States' law enforcement forces when entering or attempting to enter illegally the EU and coming directly from or transiting through the Turkish territory amounted to 55.630. This represented a slight increase of 2 % on the 2010 figures. Turkish borders remained porous also in the first half of 2012. In the period between 1 January and 15 July 2012 the number of the irregular migrants coming or transiting Turkey and intercepted by EU Member States amounted to 25.944 (pr 2012). |
| | 2012-In the field of migration management, Turkey fulfills its obligations within the scope of international conventions and national legislation and continues its efforts to fight against irregular migration with determination (pr by tr 2012). |
| | 2012-The technical work on the de-mining of mine fields is rapidly on-going and the project 'Socioeconomic Development through Demining and Increasing the Border Surveillance Capacity at the Eastern Borders of Turkey Phase II' was prepared within the scope of the IPA 2012 programming. The objective of the project in question is the de-mining of the eastern borders of Turkey and increasing the border security of the area cleared, by using modern technological equipment in order to contribute to the prevention of irregular migration and all kinds of cross-border crimes in accordance with the |

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| | integrated border management policies and strategies of the EU (pr by tr 2012). |
| | 2012-Turkey is carrying out an effective fight against irregular migration through the amendments made in the legislation and the determined efforts of the security forces. The number of apprehended irregular migrants in 2012 amounted to 14.559 between 1 January and 1 July 2012. During the last 5 years, 4.949 migrant smugglers have been apprehended. Furthermore, during the last 17 years, a total of 873.576 irregular migrants have been apprehended, 241.454 of whom were apprehended in the past 5 years. These data confirm that Turkey carries out an efficient fight against irregular migration (pr by tr 2012). |
| 2013-There are still no structured psycho-social services for irregular migrants staying in the centers. Adoption of legislation to implement the new Law on the establishment, management and inspection of the centers is a priority (pr 2013). | 2013-47 510 irregular migrants were apprehended by the Turkish authorities in 2012, which represents an increase of 7% as compared with 2011, and 21.332 were apprehended between 1 January and 2 August 2013. 21.059 persons were deported in 2012 and 16.060 between 1 January and 2 August 2013 (pr 2013). |
| 2013-The courts' capacity to handle migration cases and the Bar associations' capacity to provide legal aid need to be enhanced (pr 2013). | 2013-In 2012, the number of third country nationals detected by EU Member States' law enforcement agencies when attempting to enter illegally the EU and coming directly from the Turkish territory amounted to 37.531, thus decreasing by 33% as compared with the previous year. The decreasing trend continued in 2013: there were only 7.032 such cases in the first half of 2013. A large share of the third country nationals detected at the EU external border coming directly from the Turkish territory were found having previously entered Turkey through regular channels. In many cases the migrants landed at the Istanbul airport, which in the |

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| | last years has been directly connected to a number of countries, which are potential sources of irregular migration, and subsequently were easily admitted to Turkey, thanks to the leniency of the Turkish visa procedures (pr 2013). |
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Table 18 Statements from EU Reports and Turkey's AA Documents on Fighting against Trafficking in Human Beings

| EU expectations by years | Turkey's responses by years |
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| | 2000-Turkey signed 2000 UN Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children as well as its Protocol against the Smuggling of Migrants by Land, Sea and Air in December 2000 (pr 2001). |
| | 2000-Act No. 5682 on Passports (Articles 33, 34 and 36), |
| | 2000-Statutory Decree No. 617 on the Establishment of the Turkish Employment Agency (2000) (np 2001). |
| 2001-Improve the capacity of public administration to adopt, to implement and to manage the acquis in particular through training and appropriate coordination between ministries, including illegal trafficking in human beings and drugs (apd st 2001). | |
| 2001-There has been no progress in the ratification of international instruments pertaining to combating illegal migration, in particular the 2000 UN Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children as well as its Protocol Against the Smuggling of | |

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| Migrants by Land, Sea and Air, signed by Turkey in December 2000 (pr 2001). | |
| | 2002-Accordingly, as it is the case for trafficking in human beings, the arrangement based on Article 201/a of the Turkish Penal Code became in 9 August 2002. This article foresees that migrant traffickers be sentenced to 2-5 years of imprisonment (4-10 years under aggravating conditions) and a fine of minimum TL 1 billion, relevant tools be confiscated and economic activities of front organizations be suspended (ap 2005). |
| 2003-Continue to strengthen the fight against organized crime, drugs, trafficking in persons, fraud, corruption and money-laundering, particularly through legislative alignment, improved administrative capacity and enhanced cooperation between different law-enforcement bodies, in line with EU standards (apd st 2003). | 2003-The amendment made in the Citizenship Act No 403 in 2003 serves for avoiding marriages of convenience instrumental for obtaining citizenship and settling in Turkey, thereby eliminating a method utilized by human smugglers and traffickers (ap 2005). |
| | 2003-Turkey ratified the Convention against Transnational Organized Crime and two Protocols regulating trafficking in migrants and human beings undersigned in Palermo on 12 December 2000. The Convention and its protocols were approved in Turkish Grand National Assembly and published in the Official Journal No 25052 of 18 March 2003 (ap 2005). |
| | 2003-TR 03 JH 03 Twinning Project for Strengthening Institutions in the Fight Against Trafficking in Human Beings: A project for 'Building Institutional Capacity in Combating Human Trafficking' has been prepared and is planned to be run by the Twinning Mechanism within the scope of Turkey – EU Financial cooperation in 2003, where such project shall be incorporated into the works of the Ministry |

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| | of Interior oriented towards combating human trafficking, which involves various dimensions such as the deception in particular of women and children by false promises, bringing them from their countries, sexually exploiting them, forcing them to work, and involving them in slavery and organ trade (ap 2006). |
| | 2004-Cooperation protocols have been proposed to Ukraine, Georgia, Bulgaria, Romania, Moldova, Russian Federation, Azerbaijan, Belarus and Uzbekistan within this framework in order to activate the relevant clauses of the said agreements; a Memorandum of Cooperation for Combating Human Trafficking and Illegal Migration was signed with Belarus on 28th July 2004 and was put into practice (ap 2005). |
| 2005-Ongoing efforts in the field of trafficking in persons need to be maintained (pr 2005). | 2005-New version of 2002 Turkish Penal Code became effective as of April 2005 incorporates associated arrangements (ap 2005). |
| | 2005-Articles 79-80 of the Penal Code, which came into force in June 2005, substantially increase penalties for smuggling and trafficking persons (pr 2005). |
| | 2005-Turkey undersigned 67 Security Cooperation Agreements with 43 countries for cooperation in the combat against organized crime and terrorism. All agreements bear provisions for the establishment of cooperation for combating illegal migration and human trafficking (ap 2005). |
| | 2005-The National Task Force on Combating trafficking in persons continued to meet regularly (pr 2005). |
| | 2005-In February 2005 the Turkish authorities, in co-operation with the |

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| | <p>International Organization for Migration, initiated a counter-trafficking program, in which following tasks were conducted: Women tourists thought to be at risk from traffickers are provided with information concerning trafficking, including the telephone number of a free emergency helpline (pr 2005).</p> <p>Moreover, an anti-trafficking public information campaign has been launched (pr 2005).</p> <p>The programme also provides assistance to victims of trafficking; within this programme 103 victims have been assisted to return to their country of origin (pr 2005).</p> <p>The programme covers training of officials, which has contributed to an increase in the number of victims identified by the authorities (pr 2005).</p> |
| | <p>2005-The shelter for victims of trafficking which opened in Istanbul in August 2004 has so far received 72 victims. Humanitarian residence permits have been granted to 26 victims of trafficking (pr 2005).</p> |
| | <p>2005-In 2004, 239 persons were identified as victims of trafficking, while in the first six months of 2005 126 victims were identified (pr 2005). Prosecutions were brought against 227 traffickers in 2004 and against 215 traffickers in the first six months of 2005 (pr 2005).</p> |
| | <p>2005-Protocols on police co-operation and information exchange in the field of trafficking in persons were signed in 2005 with Georgia and Ukraine (pr 2005).</p> |
| 2006-Adopt and implement a national strategy on organized crime. Strengthen the fight against trafficking in persons (apd mt 2006). | <p>2006-Progress has continued in the field of trafficking in human beings. The Government maintained co-operation with the International Organization for Migration (IOM) in this field. The</p> |

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| | <p>Counter-Trafficking Program continued. The free emergency helpline for trafficking victims rescued in total 98 individuals as of August 2006. There was a sharp increase in the number of the individuals assisted for their return to their countries of origin. In 2005, out of 256 persons identified as victims of trafficking, 220 received direct assistance for return. 125 traffickers were arrested in 2005 and 330 were arrested as of September 2006. In addition to the Istanbul shelter opened in 2004, an Ankara-based shelter for victims of trafficking was set up (pr 2006).</p> |
| | <p>2006-In February, a co-operation and information exchange protocol was signed with Moldova (pr 2006).</p> |
| | <p>2006-Turkey's legislation is well aligned with EU legislation on fighting trafficking in human beings. However, more efforts are needed to enhance the administrative capacity to deal with prevention and repression of trafficking as the problem in the region is on the rise (pr 2006).</p> |
| <p>2008-Strengthen the fight against trafficking in persons (apd st 2008).</p> | <p>2008-Progress has continued on combating trafficking in human beings. The task force on combating human trafficking was systemized and expanded to include local administrations. Collection of statistics was standardized. Some 308 traffickers were arrested in 2007. As of September 2008, 212 traffickers were arrested. The free emergency helpline and the two centers for victims of trafficking continue to operate. Further efforts were made to promote the 157 helpline. By September 2008, 98 victims had been identified, 61 of whom were returned voluntarily to their countries of origin and six of whom remain in the centers, pending procedures for their return (pr 2008).</p> |

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| <p>2008-Solutions allowing sustained funding are necessary for the free emergency helpline and the centers [for victims of trafficking] (pr 2008).</p> | <p>2008-The Witness Protection Law entered into force. It protects the identity of victims of human trafficking who agree to testify against the perpetrators and opens the way to include them in a witness protection programme. There are now court precedents on the application of a recent amendment of the Penal Code stipulating tougher penalties for human trafficking. Inter-agency cooperation could be improved with the aid of common operations and training activities (pr 2008).</p> |
| | <p>2009-It is of key importance that Turkey signs the Council of Europe Convention on action against trafficking in human beings in 2009 (pr 2008).</p> |
| <p>2010-Institutionally, the support mechanism envisaged to assist the national task force on the fight against human trafficking in its coordination tasks has not been established as yet. Identification of victims of human trafficking and provision of necessary support and coordination between the different institutions is undertaken within the framework of National Referral Mechanism (NRM) which includes all actively involved stakeholders. Adequate management and organizational arrangements are in particular needed for one of the NRM's main features, the 157 helpline (pr 2010).</p> | <p>2010-Victims of human trafficking are provided with health and rehabilitation services by the Ministry of Health and, in the case of children, SHÇEK [(Turkish) Social Services and Child Protection Agency] (pr 2010).</p> |
| <p>2010-Further work to bring the national legislation into line with the Council of Europe's Convention on action against trafficking in human beings is important and so is setting a clear timetable for its ratification (pr 2010).</p> | <p>2010-Some progress has been made with regard to migration. An amendment to Article 79 of the Turkish Penal Code on smuggling of migrants increasing the sentences for those involved in migrant smuggling was adopted in July 2010 (pr 2010).</p> |
| <p>2010-Overall, further efforts are needed as regards alignment with the acquis in this area [human trafficking] (pr 2010).</p> | <p>2010-87 traffickers were arrested and the number of victims of trafficking identified and assisted amounted to 37 (pr 2010).</p> |

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| 2010-During the reporting period no significant progress has been noted in the area of combating trafficking in human beings (pr 2010). | 2010-The general directorate for social assistance and solidarity in the Prime Minister's Office has signed an agreement with the Foundation for Women's Solidarity and the Human Resource Development Foundation, the two NGOs that are currently running respectively the shelters for victims of trafficking in Ankara and Istanbul, allowing the shelters to receive financial support amounting to approximately €120.000 for each (pr 2010). |
| | 2010-2010-2015 National Strategy Document on the Fight against Organized Crime (pr by tr 2012) |
| | 2010-The Action Plan on Fight against Organized Crime (2010-2012) entered into force by July 2010 (pr by tr 2012). |
| 2012-No significant progress was noted in the area of combating trafficking in human beings (pr 2012). | 2012-Drafting work continued on the framework law in this area [trafficking in human beings]. Consultations were organized with line ministries, representatives of civil society, law professionals and academia. Consultation meetings were also held with relevant international bodies and the EU (pr 2012). |
| 2012-Further efforts are needed in order to gather reliable statistical data on human trafficking (pr 2012). | 2012-Victims' shelters in Ankara and Istanbul and a safe house in Antalya were operating and received financial support from the 2012 budget. The 157 toll-free helpline for victims continued functioning (pr 2012). |
| 2012-However, there exists no legal regulation with regard to the prevention of all forms of human trafficking and the protection measures for the victims. Thus, a transparent and participatory work in which the international and national actors are included is carried out for the preparation of the draft Law on the Fight against Human Trafficking and Protection | 2012-However, the work on the second Action Plan on Fight against Organized Crime (2013-2015) is on-going with the participation of all relevant stakeholders (pr by tr 2012). |

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| of Victims under the coordination of the Ministry of Interior. With the draft, it is aimed to prevent human trafficking and provide support to the victims of human trafficking within the framework of the standards provided for by international law (pr by tr 2012). | |
| | 2012-Turkey takes important steps in order to combat human trafficking effectively and efficiently in accordance with international human rights standards. Although the legal dimension of human trafficking is already regulated in the Turkish Penal Code (pr by tr 2012). |

Table 19 Statements from EU Reports and Turkey's AA Documents on Signing and Ratifying the Readmission Agreement with the EU

| EU expectations by years | Turkey's responses by years |
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| 1998-Turkey's refusal to accept any readmission agreement is a serious problem (pr 1998). | |
| 2000-Turkey needs to conclude re-admission agreements (pr 2000). | |
| 2001-Adopt and implement the EU acquis and practices on migration (admission, readmission, expulsion) so as to prevent illegal migrations (apd mt 2001). | 2001-If foreigners with legal Turkish residence permits leave Turkey while these permits are still valid and are expelled for reasons of illegality from a third country before these permits expire, there are no restrictions on their readmission to Turkey. Third country nationals departing from Turkey by air to another country are readmitted to Turkey if they are deported immediately upon their arrival at that country (np 2001). |
| 2001-As a matter of priority, Turkey needs to strengthen the efficiency of its fight against illegal migration and trafficking in human beings. In that respect the signing of a readmission agreement between | 2001-Turkey has offered to conclude readmission agreements with Afghanistan, Bangladesh, Bulgaria, Greece, India, Iran, Iraq, Pakistan, Peoples Republic of China |

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| Turkey and the EU would be a step in the right direction (pr 2001). | (P.R.C.), Romania, Syria and Sri Lanka in 2001 (np 2003). |
| | 2001-Draft protocols have been proposed to Iran, Syria, Pakistan, Bangladesh, India and Sri Lanka. Due to present political circumstances, readmission agreements with Afghanistan and Iraq are not foreseen for the time being (np 2001). |
| | 2001-With regard to migration, bilateral negotiations with a number of countries, both of destination and origin, for readmission agreements have started. On 10 September 2001 Turkey signed, a readmission agreement with Syria, Iran, Pakistan, Bangladesh, India, Sri Lanka China, Romania and Bulgaria, all countries of origin, have been approached about draft readmission Protocols. A Protocol on readmission with Greece is well advanced. In the context of the EU Action Plan for Iraq, the EU made a proposal to Turkey to improve co-operation in transit matters (pr 2001). |
| | 2001-Readmission agreement is currently being negotiated with Greece (pr 2001). |
| | 2001-Readmission Protocol was signed with Greece on 8 November 2001(np 2003). |
| | 2001-In this framework, Turkey signed the first readmission agreement with Syria on September 10, 2001 and this agreement has been implemented without any problems (ap 2006). |
| | 2002-Readmission agreements were proposed to China, Bulgaria, Iran, Pakistan, Bangladesh, India, Sri Lanka, Jordan, Tunisia, Russian Federation, Uzbekistan, Mongolia, Egypt, Israel, Georgia, Ethiopia, Belarus, Sudan, Algeria, Morocco, Lebanon, and Nigeria between 2001 and 2002 (ap 2006). |

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| <p>2003-Reinforce the fight against illegal immigration, negotiate and conclude as soon as possible a readmission agreement with the European Community (apd st 2003).</p> | <p>2003-In the context of the fight against illegal immigration Turkey will initiate, in the medium term, the practices on readmission and expulsion in addition to the alignment with the EU legislation required in the pre-accession process. The Turkish Government will continue to sign readmission agreements with neighboring countries and countries of origin covering Turkish citizens, persons illegally transiting through Turkey, and foreign nationals caught during illegal residence in Turkey. In this vein, Turkey aims to conclude readmission agreements first with its Eastern neighboring countries, and then with countries East of these countries and finally, with its Western neighboring countries (np 2003).</p> |
| <p>2003-Adopt and implement the acquis and best practices on migration (admission, readmission, expulsion) with a view to preventing illegal immigration (apd mt 2003).</p> | <p>2003-The agreement on readmission of illegal migrants with Syria became effective as 24 June 2003 (ap 2005).</p> |
| <p>2003-Negotiate and conclude as soon as possible a readmission agreement with the European Community (apd st 2003).</p> | <p>2003-In addition, negotiations continue with Bulgaria. Second round negotiations have been concluded and an agreement has been initialed with Romania. In this regard a readmission agreement is expected to be signed soon (np 2003).</p> |
| | <p>2003-There has been no response from India, Iran, Pakistan, Peoples Republic of China (P.R.C.) and Sri Lanka to the Turkish Government's initiative. Moreover in 2002, readmission agreements were offered to Algeria, Belarus, Egypt, Ethiopia, Georgia, Israel, Jordan, Kazakhstan, Kyrgyzstan, Lebanon, Libya, Mongolia, Morocco, Nigeria, Russian Federation, Sudan, Tunisia, and Uzbekistan. From the countries cited above, a Readmission Agreement was</p> |

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| | signed with Kyrgyzstan on 6 May 2003 (np 2003). |
| 2004-In the area of migration, negotiations on a readmission agreement with the EU are expected to start soon. Turkey should also continue its efforts to conclude readmission agreements with third countries (pr 2004). | 2004-The readmission agreement with Kyrgyzstan was concluded on 6 May 2003 and became effective on 17 February 2004 (ap 2004). |
| | 2004-In March 2004 Turkey agreed to open negotiations with the European Community concerning a readmission agreement. Negotiations are expected to start in autumn 2004 (np 2003). |
| | 2004-Negotiations for readmission agreement are underway with Bulgaria, Libya, Uzbekistan and Ukraine (np 2004). |
| | 2004-As regards the implementation of the readmission protocol between Turkey and Greece, the first meeting of the Co-ordination committee established under the readmission protocol was held in July 2004. Given difficulties encountered in implementation, the Parties agreed to take measures to implement the protocol more effectively and to convene further meetings at expert level (pr 2004). |
| | 2004-The readmission agreement with Romania, concluded in January 2004, was ratified (pr 2005). |
| | 2005-Readmission agreements were concluded with Kyrgyzstan on 6 May 2003, with Romania on January 19, 2004 and with Ukraine on June 7, 2005 (ap 2006). |
| | 2005-Negotiations on readmission agreements with Russian Federation, Uzbekistan, Belarus, Hungary, Macedonia, Ukraine, Lebanon, Egypt, Libya and Iran are underway (ap 2005). |
| | 2005-Readmission agreements were proposed to Pakistan, Bangladesh, India, |

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| | People's Republic of China, Tunisia, Mongolia, Israel, Georgia, Ethiopia, Sudan, Algeria, Morocco, Nigeria and Kazakhstan (ap 2005). |
| | 2005-A Readmission Agreement was proposed to Turkey by the EU Commission on March 10, 2005, the first round negotiations were concluded in Brussels on May 27, 2005, and the second technical round of negotiations were made in Turkey on 17-18 October 2005 the forthcoming period. However, completing the infrastructural needs with the financial support of the EU is of great importance, as the borders of Turkey will be the outer borders of the EU (ap 2006). |
| | 2005-In the medium term, Turkey shall put into force arrangements aligned with the EU Acquis in connection with practices like readmission, deportation etc. within the framework of illegal migration. Turkey follows a policy of undersigning readmission agreements with primarily the source countries and progressively transit countries and countries of destination and is expecting a reply for her proposals dated 2001 and 2002 to conclude readmission agreements with various countries. In this context, firstly the neighboring countries in the west and east and then other source countries are targeted in concluding readmission agreements (ap 2005). |
| | 2005-In May 2005 Turkey opened negotiations with the EU concerning a readmission agreement, which is a welcome development (pr 2005). |
| | 2005-A readmission agreement with Ukraine was signed in June 2005 (pr 2005). |
| | 2005-Negotiations to conclude readmission agreements with Bulgaria and Russia have continued (pr 2005). |

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| | 2005-As for readmission of Turkish citizens, Turkey exercises a very practical method and accordingly, pursuant to ICAO Convention, illegal migrants departing from Turkey are readmitted if they are returned by the same flight of departure or the next flight to Turkey (ap 2005). |
| 2006-Continue efforts to conclude urgently a readmission agreement with the EU (apd st 2006). | 2006-There are certain difficulties experienced in the process of negotiation of readmission agreements with these countries, and the EU should provide political support to Turkey (ap 2006). |
| 2006-Negotiations to conclude a readmission agreement with the EC continued at a slow pace. For a timely and successful conclusion of the negotiations, Turkey's efforts need to be considerably increased (pr 2006). | |
| 2008-Turkey has not pursued the negotiations on a readmission agreement with the European Community since December 2006 (pr 2008). | 2008-Turkey proposed a readmission agreement to Afghanistan. A first round of negotiations on a readmission agreement with Pakistan was held (pr 2008). |
| 2008-Conclude urgently a readmission agreement with the EU (apd st 2008). | |
| | 2010-Substantial progress has been made towards finalizing negotiations on an EU-Turkey readmission agreement. Meanwhile, adequate implementation of already existing bilateral readmission agreements remains a priority (pr 2010). |
| | 2010-As regards the implementation of the existing readmission protocol with Greece, positive steps have been taken to apply its provisions more effectively. In May 2010, a joint declaration has been signed between the Turkish Ministry of the Interior and the Greek Ministry for Protection of People to achieve this aim (pr 2010). |
| | 2010-Turkey has also completed the negotiations for a readmission agreement with Pakistan (pr 2010). |

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| | 2010-Readmission agreements with other countries of origin (Azerbaijan, Bangladesh, Belarus, Bosnia and Herzegovina, FYROM, Georgia, Lebanon, Libya, Moldova, and Uzbekistan) are being discussed. Discussions also with Russia took place in June 2010 (pr 2010). |
| 2012-The Positive Agenda endorsed by the Council in December 2011 was launched. It aims to support and to complement the accession negotiations through enhanced cooperation in a number of areas of joint interest: political reforms, alignment with the acquis, dialogue on foreign policy, visas, mobility and migration, trade, energy, counter terrorism and participation in Community programs. Eight working groups aimed at encouraging alignment with the acquis were set up and six of them had their first meeting. The Commission will assess whether Turkey has met the benchmarks and inform Turkey and the Member States accordingly. The Council invited the Commission to take steps towards visa liberalization as a gradual and long-term perspective, in parallel with the signing of the readmission agreement between Turkey and the EU which was initialed in June. It is now crucial that Turkey signs the readmission agreement to allow for a proper roadmap to be finalized, effectively starting the process (pr 2012). | 2012-In February, Turkey signed a readmission agreement with Bosnia and Herzegovina (pr 2012). |
| 2012-The readmission agreement with the EU was initialed on 21 June but still needs to be signed. Its swift conclusion and effective implementation remains of crucial importance. Meanwhile, the appropriate implementation of already existing bilateral readmission agreements is a priority (pr 2012). | 2012-The negotiations for the Readmission Agreement between Turkey and the EU were completed and the Readmission Agreement was initialed on 21 June 2012 (pr by tr 2012). |
| 2012-The bilateral readmission protocol between Greece and Turkey continued to | 2012-Turkey also attributes importance to conclude readmission agreements with |

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| be implemented only in a very limited manner (pr 2012). | source countries in order to prevent irregular migration. Readmission agreements have been signed with Syria, Kyrgyzstan, Romania, the Ukraine, Pakistan, Yemen, Nigeria, Russia, Greece, Bosnia and Herzegovina and Moldova so far (pr by tr 2012). |
| | 2012-The negotiations on readmission agreement with Serbia, Montenegro and Belarus have been completed (pr by tr 2012). |
| | 2012-In addition, it has been clearly laid down that Turkey's position on the Readmission Agreement is; To sign the Readmission Agreement in case Turkey accepts the road map that the Commission will submit with regard to visa liberalization, That both Schengen visa liberalization for Turkish citizens and the Readmission Agreement enter into force at the same time (pr by tr 2012). |
| | 2012-That the Council of the EU has taken the decision to begin the process of visa liberalization for all Turkish citizens and given the European Commission the mandate to carry out this process is an important step. Turkey's signing of the Readmission Agreement is linked to the EU's submission of an applicable road map (pr by tr 2012). |
| 2013-The signing of the EU-Turkey Readmission Agreement is still pending. Its swift conclusion and effective implementation remains of crucial importance. Effective implementation of existing bilateral readmission agreements needs to be ensured (pr 2013). | 2013-Turkey concluded negotiations on the text of such an agreement with Serbia. Agreements were signed with Yemen, Belarus and Montenegro. Ratification of the agreements with Pakistan and Belarus are pending (pr 2013). |

Table 20 Statements from EU Reports and Turkey's AA Documents on Effectively Handling Migration, Asylum and Refugee Issues

| EU Expectations by years | Turkey's responses by years |
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| 1998-The deadline for submission of asylum applications by asylum-seekers is quite short (pr 1998). | 1998-Law No 50/5683 of 15 July 1950 on Residence and Travel of Aliens in Turkey as amended by the Law No 98/4360 of 1998 (ap 2005). |
| 1999-The conditions in which asylum-seekers are held need to be improved (pr 1999). | 1999-Turkey made some positive changes in the field of asylum. The amended legislation allowed asylum-seekers 5 days to submit a residence application, whereas new legislation allows 10 ten days. In addition, the period of appealing has been extended from 10 days to 15 days for those foreigners whose asylum applications were rejected (pr 1999). |
| | 1999-The procedure for the examination of residence permission request had been improved (pr 1999). |
| | 1999-During the Kosovo crisis the country [Turkey] has accepted several thousand Kosovo refugees and 17.746 Kosovars have been granted temporary residence for six months as from March 1999 (pr 1999). |
| | 2000-Equipment in the asylum area (headquarters; provinces) has been upgraded in order to improve and accelerate the asylum status determination procedure (pr 2000). |
| 2001-An important step needed is the setting-up of an independent asylum appeal board (pr 2001). | 2001-It is worth noting that international experts operating in the field approve the current practice of providing accommodation to refugees through private local population housing. This practice, which entails financial support from local governmental authorities for the host families, is considered more secure than placement in crowded refugee centers, which are exposed to various forms of criminal activity (pr 2001). |

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| 2001-Turkey is requested to establish a nation-wide screening mechanism to identify asylum-seekers among detained illegal immigrants (pr 2001). | 2001-Governorships of provinces in which the majority of refugees and asylum-seekers are accommodated will continue to provide comprehensive support to refugees and asylum-seekers with assistance such as food, lodging and health services through the Social Support and Solidarity Fund. Municipalities will continue to finance such services from their own budgets to the extent possible (np 2001). |
| 2001-Develop accommodation facilities and social support for refugees (apd mt 2001). | 2001-Turkey has become a member of the Centre for Information Discussion and Exchange on the Crossing of Frontiers and Immigration (CIREFI) in 2001. As of this date, statistical information has been exchanged with the said Centre (np 2003). |
| 2001-The Association Council Decisions covering social matters between the EU and Turkey have brought about the need for the employment of foreigners to be regulated (np 2001). | |
| | 2002-As stated in the circular on health care services issued by the Ministry of Interior in 2002, persons granted the refugee/asylum seeker status should benefit from the health care services free of charge (ap 2005). |
| | 2002-Turkey has formed a special task force where various state agencies responsible for border control, migration and asylum are represented. Turkey has established three different working groups in respective fields (borders, migration and asylum) for developing an overall strategy. The working groups formed separately for each and every one of three fields concerned have become operational on 18 June 2002 (ap 2005). |
| 2003-Strengthen the system for hearing and determining applications for asylum (apd mt 2003). | 2003-Cabinet Decree of 19 May 2003 on the principles, priorities, urgent objectives and conditions in Turkey's accession partnership process. The said Decree sets |

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| | out following objectives: Training on the EU Acquis and the implementation thereof in the field of Justice and Home Affairs and Strengthening the system as to admission and assessment of asylum claims (ap 2005). |
| 2003-Develop accommodation facilities and social support for asylum-seekers and refugees (apd mt 2003), | 2003-The amendments were made in the Law on Employment of Aliens in Turkey and the Turkish Citizenship Act (ap 2005). |
| | 2003-Law No 4817 of 27 February 2003 on Work Permits of Aliens was amended (ap 2005). |
| | 2003-In the area of asylum, work has started on drawing up a National Action Plan to implement the asylum strategy adopted in 2003 (pr 2004). |
| | 2003-National Action Plan of Turkey for 2003: 'National Action Plan of Turkey for 2003 for the Adoption of EU Community Acquis' published in the official journal No. 25178 of 24th July 2003 (ap 2005). |
| | 2003-The Turkish legislation adopted and entered into force in the area of Justice and Home Affairs (and the Political Criteria) since the first National Programme was published (between the dates of March 24th 2001-May 11th 2003) towards alignment with the EU Acquis. (np 2003). |
| | 2003-Fund from Instrument for Pre-accession Assistance (IPA) was planned for Action Plan to Implement Turkey's Asylum and Migration Strategy (Project No: TR02-JH-03) (np 2003). |
| | 2003-National Strategy Papers on Asylum, Immigration and External Borders: The sub-working groups under the Asylum, Immigration and External Borders Task Force, which consist of experts from the relevant public institutions and organizations have adopted national strategy papers on these three topics as a |

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| | result of their semi-annual meetings, workshops and legislative screening activities. A series of training, reorganization and legislation activities on the issue of asylum will be undertaken in accordance with the strategy papers on the EU harmonization process in the field of immigration (np 2003). |
| | 2003-Turkish Government undersigned revised Accession Partnership Document on 19 May 2003 (ap 2005). |
| | 2003-Turkey established a 'Task Force for Asylum-Migration Action Plan' where all the line Ministries, Institutions and Agencies were represented in order to formulate such recommendations as an Action Plan (ap 2005). |
| | 2003-2002 Special Task Force produced Strategy Paper on Activities Foreseen in the Field of Asylum (Asylum Strategy Paper) within the Process of Turkey's Accession to the European Union in October 2003 (ap 2005). |
| | 2003-2002 Special task Force produced Turkey's Strategy Paper to Contribute Migration Management Action Plan (Migration Strategy Paper) in October 2003(ap 2005). |
| | 2003-On 7 April 2003, Turkey has initiated the implementation of the 2001/HLWG/115 project entitled 'Supporting Turkish Authorities Responsible for Migration in the Field of Asylum' which is jointly undertaken by the Turkish Ministry of Interior and German Ministry of Interior and financed under the EU High Level Working Group (HLWG) Iraqi Action Plan, B7-667 with the aim of aligning legal, institutional and personal capacity with the EU Acquis to support institutions working in the field of migration, contributing to effective |

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| | controls on migration flows, developing an efficient and balanced migration management in all fields, establishing a functional system aligned with the EU in Turkey and strengthening the combat against illegal migration (ap 2005). |
| | 2003-10 seminars and 2 conferences plus 1 working program were organized in Turkey and Germany, respectively within the framework of afore mentioned project [2001/HLWG/115 project entitled 'Supporting Turkish Authorities Responsible for Migration in the Field of Asylum' was initiated on 7 April 2003]. The seminars concerned hosted personnel from MOI at the central level, UNHCR and line Ministries, institutions and agencies working in the field of asylum and migration (ap 2005). |
| | 2003-In October 2003 Turkey ratified the Agreement on the legal status, privileges and immunities of the International Organization for Migration (IOM) in Turkey, which grants the IOM legal status and facilitates its operations in Turkey (pr 2004). |
| 2004-However, lack of clarity on the steps to be followed under the 'accelerated procedure' raises concerns about the internal directive issued by the Ministry of Interior (pr 2004). | 2004-TR02-JH-03 Asylum-Migration Twinning Project was started on March 8, 2004 with the Denmark-UK consortium within the scope of the harmonization of the Asylum and Migration procedures in Turkey with the EU acquis, and this project has been concluded as of today (ap 2005, ap 2006). |
| 2004-However, there are reports that aliens who are apprehended away from the border are not always permitted to submit an application for asylum, as they are considered to have acted in bad faith; the UNHCR encounters difficulty in gaining access to such persons while in detention (pr 2004). | 2004-Turkey prepared a twining and investment project fiche on 'Project for Supporting the Development of an Asylum and Country of Origin Information System and the Training of Personnel for the Future Asylum Authority' and submitted it to the Representation of EU Commission to Turkey on 2 April 2004 (Turkey were |

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| | finalized and the project fiche was submitted once again on 3 January 2005) (ap 2005). |
| 2004-Turkey is also encouraged to make full use of the available international expertise in the development of its new national asylum law and institutions (pr 2004). | 2004-In June 2004 Turkey ratified the UN Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, which was signed by Turkey in 1999 (pr 2004). |
| 2004-Turkey is invited to complete work on the National Action Plan to implement the strategy on asylum, adopted in 2003 (pr 2004). | 2004-The Task Force became operational on 2 November 2004 upon initiating the preparatory process of the Action Plan (ap 2005). The process was completed by the end of December 2004 producing an Asylum Migration National Action Plan (ap 2005). |
| | 2004-Turkey continued to participate in the activities of the Centre for information, discussion and exchange on the crossing of frontiers and immigration and its Early Warning System (pr 2004). |
| | 2004-Negotiations have continued concerning the conclusion of a Joint Action Programme on Illegal Migration between the EU and Turkey (pr 2004). |
| | 2004-The Ministry of Interior issued an internal directive on the handling of asylum applications, which is meant to serve as a bridge between the current asylum regulation and the new asylum law that Turkey aims to adopt in 2005. The new directive reflects in general a positive, protection-oriented approach and incorporates the minimum standards of the new acquis on asylum procedures. It also introduces an 'accelerated procedure' for several categories of asylum applicants, as well as lifting the ten days time limit for applications (pr 2004). |
| | 2004-In general, Turkey faced a slight decrease in arrivals of asylum-seekers. However, there was a significant increase |

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| | in applicants for asylum from Africa, mainly from Somalia, Sudan, Eritrea and Ethiopia. There is still a large caseload from previous years, mainly Iranians (70%). Although there are very few new applicants from Iraq, many applications submitted in previous years have not yet been finalized. In January 2004 the Turkish government reached a broad agreement with the UNHCR and the authorities in Iraq on the return of Turkish refugees from Northern Iraq (pr 2004). |
| | 2004-Turkey applies the principle of non-refoulement to aliens at its borders (pr 2004). |
| | 2004-Applications for asylum are handled in co-operation with UNHCR (pr 2004). |
| | 2004-Although UNHCR continues to bear the principal responsibility for meeting the material needs of non-European refugees and applicants for asylum, the Turkish authorities continued to provide direct aid in the form of cash, food, clothing, health services and heating material. Non-European asylum applicants receive medical assistance from UNHCR while they are waiting for their application to be decided; if they are granted the status of temporary asylum seeker, they are then entitled to use state health care facilities (pr 2004). |
| | 2004-The children of applicants for asylum have the right to attend Turkish primary schools (pr 2004). |
| | 2004-With regard to asylum, the agreement with the UNHCR represents a step forward, despite the geographical limitation to the 1951 Geneva Convention (pr 2004). |
| | 2004-The policy of non-refoulement continued (pr 2004). |

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| 2005-The Action Plan on Migration and Asylum should now be implemented. Certain provisions of the Action Plan, including on subsidiary protection, mass influx and accelerated procedure, require clarification. In this context, the lifting of the geographical limitation to the 1951 Convention remains a key issue (pr 2005). | 2005-Turkish Penal Code was amended (ap 2005) |
| 2005-Turkey should begin implementation of the 2005 Action Plan on Migration and Asylum (pr 2005). | 2005-Labor Law No 1475 (Art. 85 and 105) was amended (ap 2005) |
| 2005-However, there continue to be reports that some asylum-seekers at the border are prosecuted for illegal entry and deported. Aliens who are apprehended away from the border are not always permitted to submit an application for asylum, as they are considered to have acted in bad faith; the UNHCR encounters considerable difficulty in gaining access to such persons while in detention (pr 2005). | 2005-Law No 4422 on Combat Against Interest-Oriented Criminal Organizations was adapted (ap 2005) |
| 2005-There are reports that asylum-seekers of European origin who are not covered by the geographic limitation to the Geneva Convention, notably Chechens and Belarusians, encounter considerable difficulties in submitting asylum applications (pr 2005). | 2005-Law No 2922 of 1983 on Foreign Students Studying in Turkey was amended (ap 2005) |
| 2005-There is a need to establish procedures for asylum-seekers at international airports (pr 2005). | 2005-The Twinning and investment project fiche on 'Supporting the Development of an Asylum and Country of Origin Information System and the Training of the Personnel of the Future Asylum Authority' drafted in 3rd January 2005 by the Ministry of Interior and submitted to the Representation of the EU Commission to Turkey should be included in the program for the year 2005 and implemented without delay (ap 2005). |
| | 2005-Existing Turkish institutional set-up and legal framework in the field of asylum, migration and aliens and the loopholes in |

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| | the legislation were analyzed at the implementation stage of both TR02-JH-03 Asylum-Migration Twinning project and HLWG project. The findings of such analyses were compiled as a set of recommendations (ap 2005). |
| | 2005-At the implementation stage of the HLWG project entitled 'Supporting Turkish Authorities Responsible for Migration in the Field of Asylum' and within the framework of TR02-JH-03, Asylum-Migration Twinning Project; experts from Denmark, the Netherlands, Sweden, Federal Republic of Germany, the UK and Turkey analyzed existing Turkish legal arrangements in the field of Asylum and the loopholes therein. The findings of such analysis were used in the formulation of the draft bill on asylum. Considerable effort has been spent for the harmonization of the draft bill concerned with EU acquis (ap 2005). |
| | 2005-National Action Plan on Asylum and Migration (Turkish National Action Plan for the Adoption of the 'EU acquis' in the Field of Asylum and Migration): With regard to migration, a National Action Plan for alignment with the acquis on migration and asylum was adopted in March 2005. The Action Plan provides for the adoption of the acquis in accordance with a set timetable (pr 2005). |
| | 2005-The number of new asylum-seekers decreased significantly in the reporting period. While 3 026 applied for asylum in 2004, 1 054 persons sought asylum in the first five months of 2005. There is still a large caseload from previous years, mainly concerning Iranian asylum-seekers (70%). In 2004, there were 964 new applicants from Iraq but many applications submitted |

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| | in previous years have not been determined (pr 2005). |
| | 2005-Turkey applies the principle of non-refoulement to aliens at its borders (pr 2005). |
| | 2005-Applications for asylum are handled in co-operation with the UN High Commissioner for Refugees (UNHCR) (pr 2005). |
| | 2005-Unaccompanied child asylum-seekers are cared for by the Social Services and Child Protection Agency (pr 2005). |
| 2006-Continue efforts to implement the National Action Plan on Migration and Asylum, (apd st 2006). | 2006-Administrative and legal measures are taken to fight against illegal immigration, that the harmonization of the visa policy is accomplished soon, and the Act no. 5683 on the Residence and Travel of the Aliens in Turkey is amended and a new Aliens Act conforming to the standards of the EU is drafted, that the Regulation dated 30 November 1994 and no. 94/6169 on the Principles and Procedures Concerning the Individuals Demanding Asylum in Turkey or in Another Country or Coming to the Borders of Turkey for Collective Asylum Seeking is amended in line with the Dublin Agreement (ap 2006). |
| 2006-Continue with alignment on the acquis in the field of asylum, through developing social support and integration instruments for refugees (apd mt 2006). | 2006-Some progress has been achieved in the area of asylum, with the introduction of amendments to the main legislation. The 10-days time limit for lodging an asylum claim was lifted. The possibility to empower selected Governorates to decide on asylum application was introduced, whereas before only the Ministry of Interior held this authority (pr 2006). |
| 2006-However, no ad hoc forum was set up gathering all relevant stakeholders for an effective implementation of the Action | |

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| <p>Plan on Migration and Asylum and to clarify the future institutional structures. In order to ensure that all asylum-seekers have access to a fair procedure and to ensure uniform implementation, new legislation is required, in particular, on procedures at international airports (pr 2006).</p> | |
| <p>2006-Continue with alignment on the acquis in the field of asylum, through strengthening the system for hearing and determining applications for asylum (apd mt 2006)</p> | |
| | <p>2007-In 2007, 5.846 requests for asylum were made, a 65% increase compared to 2006 (3.541 applications). In the first eight months of 2008 another 2.364 applications were registered. The total number of applications being processed (investigation phase) increased to 15.562 (6 622 Iraqis, 5.449 Iranians, 1.260 Somalis, 1.279 Afghans among others). So far, 44 applicants have been granted refugee status. The Turkish government spent the equivalent of USD 550.000 in 2007 (compared with USD 135.000 in 2006) to cover the basic needs of all asylum-seekers – recognized refugees and ‘temporary asylum-seekers’ or ‘guests’ (pr 2008).</p> |
| <p>2008-Continue efforts to implement the National Action Plan on Asylum and Migration (including through the adoption of a roadmap) (apd st 2008),</p> | <p>2008-The Ministry of Interior continued to work with the UNHCR to train officials in preparation for decentralization of decision-making (pr 2008).</p> |
| <p>2008-Make progress in the preparations for the adoption of a comprehensive asylum law in line with the acquis (apd st 2008).</p> | <p>2008-The Department for Foreigners, Borders and Asylum in the Turkish National Police has started to prepare to take over the country of origin information system (pr 2008).</p> |
| <p>2008-Continue with alignment with the acquis in the field of asylum, in particular through strengthening protection, social</p> | <p>2008-Extensive work is underway to improve administrative capacity and streamline asylum procedures (pr 2008).</p> |

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| support and integration measures for refugees (apd mt 2008). | |
| 2008-Arbitrary cases of refoulement, although not numerous, remain a high concern. There are reports that one of them ended in life loss (pr 2008). | 2008-The Asylum and Migration Bureau and the Border Management Bureau affiliated to the Ministry of Interior was established in 2008 (pr by tr 2012). |
| 2008-In the area of asylum, limited progress has been made. Turkey continues to impose its geographical limitation on the 1951 Convention relating to the status of refugees and the related 1967 Protocol (pr 2008). | |
| 2008-Given the increase in the number of asylum applications to Turkey, the revision of the Asylum Law and the establishment of the new asylum unit are important. Pending these two structural reforms, fair, equal and consistent access for everyone to asylum procedures, to legal aid and, in particular, to UNHCR staff, especially at Turkey's international airports and detention centers, is crucial. Another important task is to reduce the waiting time for asylum procedures and to eliminate disparities between cities' mechanism for referral to the social solidarity foundation (pr 2008). | |
| 2008-Mobilisation of and cooperation with NGOs and local authorities are the keys to integration of asylum-seekers (pr 2008). | |
| 2008-Another important point is to facilitate the self-reliance of refugees by reducing the fees for the six-month temporary residence permit (pr 2008). | |
| 2008-There is no compatible data system on migration (pr 2008). | |
| 2008-However, the lack of a comprehensive legal framework on refugees and asylum-seekers stands in the way of provision of services for their children. Only about a quarter of asylum- | |

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| seeker and refugee children aged 7 to 14 attend school regularly, due to a mixture of financial, language and bureaucratic constraints and lack of demand (pr 2010). | |
| | 2009-In the area of asylum, some progress can be reported. With 7.834 new asylum-seekers in 2009 the number reportedly decreased in comparison with 2008 (11.248). Out of 7.834 applicants, 3.763 are Iraqis (48%), 1.981 are Iranians (25%), 1.009 are Afghans (13%) and 295 are Somalis (4 %) (pr 2010). |
| 2010-The legal framework for refugees and asylum-seekers and implementation of circulars regarding procedures for applications need to be strengthened (pr 2010). | 2010-In March 2010, a circular was adopted with the aim of ensuring better access to and information on the asylum procedures (pr 2010). |
| 2010-It remains a key priority to ensure equal and fair access to asylum procedures, to shorten, albeit with the limited existing capacity, the waiting time as well as to give would-be asylum-seekers full access to legal aid and UNHCR staff (pr 2010). | 2010-UNICEF notes that some efforts have been made to safeguard the rights of children of asylum-seekers to health care and education (pr 2010). |
| 2010-In March 2010, a circular has been issued by the Ministry of the Interior on the residence permit fees ('Ikamet') imposed on asylum-seekers which, without providing explicitly for the removal of such fees, sets out a procedure that may, de facto, bring about a similar effect. The circular also has a retroactive effect with regard to outstanding fees and additional fines due by asylum-seekers prior to its entry into force. The efficient and uniform implementation of this circular is crucial to the resettlement prospects of asylum-seekers who, despite the availability of a third country to host them, are not currently allowed to leave Turkey pending the satisfaction of unpaid fees and fines (pr 2010). | 2010-Unaccompanied asylum-seeker children benefit from the care services of the Social Services and Child Protection Agency (SHÇEK) (pr 2010). |

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| | 2010-Efforts to locate the families of unaccompanied children are carried out by the UNHCR and the Turkish Red Crescent (pr 2010). |
| | 2010-The task force for asylum and migration is preparing a comprehensive revision of the law on foreigners, in close consultation with the IOM and the UNHCR (pr 2010). |
| | 2010-A new amendment to the regulation implementing the Law on work permits for foreigners adopted on January 2010 softened the conditions under which asylum-seekers can apply for work permits. A person to whom asylum seeker status has been granted by the Ministry of the Interior can apply for work permits irrespective of the validity period for which the residence permit has been delivered (pr 2010). |
| | 2010-A new circular has been adopted in March 2010 for asylum-seekers who are hosted in the institutions run by the directorate general for Social Services and the Child Protection Agency. The circular encompasses data protection, social and general health insurance as well as access to premises by UNHCR staff. The asylum-seekers subject to these provisions include unaccompanied minors, the physically disabled and the elderly (pr 2010). |
| | 2010-Progress in the work towards the establishment of a country of origin and asylum case management systems, and to facilitate the possibility for civil society organizations to cooperate with the administration in providing assistance to refugees and migrants is also key. A number of civil society organizations working in the area of asylum and migration came together on 15 March 2010 |

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| | and founded the ‘Turkey Refugee Rights Coordination’ (pr 2010). |
| | 2011-With regard to the population, for the first time, in 2011 the ‘Population and Housing Survey’ was conducted which, unlike the previous censuses, was based on the administrative records in order to collect information on labor and employment, fertility, migration and its reasons, infant, child and adult mortality, disability, buildings and dwellings (pr by tr 2012). |
| | 2011-The Turkish authorities demonstrated a high level of competence and operational capacity in dealing with the continuous inflow of Syrian nationals into Turkey since the outbreak of the crisis in Syria. The open-ended Temporary Protection status, granted at the end of October 2011 to all camp residents, sanctioned a situation of factual protection. This entails keeping borders open, ensuring humanitarian aid and refraining from forcibly returning Syrian citizens to their country (pr 2012). |
| 2012-However, pending the adoption and implementation of the Law on Foreigners and International Protection, gaps in legislation and in immigration-related detention and deportation practices remained a concern (pr 2012). | 2012-Turkey maintained an open border policy with Syria. Turkey is providing humanitarian assistance to nearly 100.000 Syrians who fled the country, hosted in camps located in four southern provinces. General living conditions in the camps have been praised by international observers (pr 2012). |
| 2012-Unaccompanied minors found themselves at risk of detention together with adults and without access to State child protection services (pr 2012). | 2012-By 11 December 2012, the number of the hosted Syrians reached 147.000. Over 1.2 billion TL was spent, including food and accommodation expenses of the Syrians, and this amount is increasing day by day. The fulfillment of this international obligation should not just be expected from Turkey and the international community should support Syrian citizens and Turkey |

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| | in the struggle against the problem in question (pr by tr 2012). |
| | 2012-Concerning refugees and asylum-seekers, law enforcement officials and central and local administrations have improved their practices (pr 2012). |
| 2012-There were reported cases of access to UNHCR services and asylum procedures being blocked (pr 2012). | 2012-With the Law on Mediation of Civil Disputes, published in the Official Gazette of 22 June 2012, a mediation system, through which the parties may freely dispose for disputes arising from private law procedures, has been established. With this system, disputes can be resolved without recourse to a court, through a 'mediator' chosen by the parties, also including foreign nationals (including irregular immigrants) (pr by tr 20102). |
| 2012-Individuals going through asylum procedures experienced difficulties with access to adequate accommodation, work, health services, education and integration support (pr 2012). | 2012-Migration and border management have become important policy areas for Turkey (pr by tr 2012). |
| 2012-Asylum-seekers who did not qualify for contribution-free general health insurance under the new Social Security Law were charged monthly contribution fees which were unaffordable for those without employment (pr 2012). | 2012-A Comprehensive Draft Law on Foreigners and International Protection was submitted to the TGNA (Turkish Grand National Assembly): The Ministry of Interior continues its efforts of establishing a comprehensive migration and asylum policy and preparing the relevant legislation. The Draft Law on Foreigners and International Protection which is one of the most important stages of the migration management policy and which will contribute to a comprehensive transformation in this field was prepared through a participatory process with the efficient cooperation of all stakeholders. The Draft Law was adopted by the TGNA Committee on Internal Affairs on 27 June 2012 and submitted to the TGNA. The adoption of this Draft Law regulating the international protection area and the status |

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| | of the stateless in Turkey along with the matters on managing the regular and irregular migration is critical as it will ensure the preparation of a comprehensive legislation and establishment of a sound institutional infrastructure required in the field of migration management (pr by tr 2012). |
| 2012-Access to legal aid for migrants remains limited. There is no institutional capacity at the level of Bar Associations to provide such support autonomously. Assisted voluntary return is carried out for a limited number of migrants through projects financed bilaterally and with the help of the International Organization for Migration (IOM) (pr 2012). | 2012-Establishment of Sub-Committee for Examining the Problems of Refugees, Asylum-seekers and Illegal Immigrants in TGNA: The most recent problem that Turkey encounters in terms of migration is the status of Syrians who received temporary protection within the framework of international law. Turkey admits each Syrian who has left their country regardless of their religion, sect and ethnic status by implementing an open-door policy. Furthermore, the Sub-Committee for Examining the Problems of Refugees, Asylum Seekers and Illegal Immigrants in Turkey established under the responsibility of the TGNA Committee on Human Rights Inquiry has carried out two investigations and published a report with regard to the Syrians who were provided with temporary protection in Hatay [City] (pr by tr 2012). |
| 2012-Limited progress has been noted on asylum, pending the adoption of the Law on Foreigners and International Protection (pr 2012). | 2012-Relevant to Syrian refugees, Turkey joined the UN Regional Response Plan in late 2012 (pr by tr 2012). |
| 2013-Some of the children [of asylums] received social assistance and healthcare and were able to attend school, but others faced difficulties due to poverty, language competence or issues relating to identity documents and compulsory places of residence (pr 2013). | 2013-The adoption of the Law on Foreigners and International Protection represents significant progress in the area of refugees and asylum-seekers, introducing a comprehensive legal and institutional framework on migration and asylum with a view to bringing Turkey into line with EU and international standards. The adoption of implementing legislation is crucial. The Law provides for judicial |

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| | remedies and legal aid for migrants, in turn creating a need for greater resources (pr 2013). |
| 2013-Cases were reported of difficulties in accessing UNHCR services and of asylum procedures being blocked (pr 2013). | 2013-The government conducted sufficient consultations with stakeholders on the Law on Foreigners and International Protection (pr 2013). |
| 2013-Individuals involved in asylum procedures experienced problems with access to adequate accommodation, work, health services, education and integration support (pr 2013). | 2013-As concerns migration, following a consultative process, a significant progress was made with the adoption of the Law on Foreigners and International Protection in April 2013. The new Law introduces a comprehensive legal and institutional framework on the legal status of migrants, procedures and safeguards to be followed in the context of detention and expulsion of irregular migrants as well as protection of vulnerable categories of migrants such as minors, with a view to bringing Turkey into line with EU and international standards (pr 2013). |
| 2013-In terms of Fundamental human rights, Treatment of refugee/migrant detainees in detention centers needs to be improved (pr 2013). | 2013-Turkey has maintained an open border policy with Syria and is granting temporary protection to more than 200.000 Syrians living in well-run and well-equipped camps. Turkey is currently registering a further sizeable number of refugees from Syria not residing in the camps, estimated at 200.000 -400.000, who are particularly vulnerable in terms of access to education and psycho-social care. It has also provided Syrians in Syria with humanitarian assistance at the border (pr 2013). |
| 2013-Relevant to Syria refugee crisis, the situation on the ground remains critical. Additional camps need to be set up in Malatya, Mersin, and Sanliurfa. The situation of out-of-camp refugees requires attention (pr 2013). | 2013-Apart from the Syrian population, Turkey also hosted other asylum-seekers and refugees, including children. The number of asylum applications filed by non-Syrians increased sharply in the first half of 2013 as compared with 2012 (pr 2013). |

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| | 2013-Turkey continued to be an important transit and destination country for migration. In 2012, 232.158 applicants were granted a residence permit in Turkey. 193.957 residence permits have been issued by 2 August 2013 (pr 2013). |
| | 2013-The Turkish authorities have made significant efforts to cope with the Syrian refugee crisis. They access to medical and other material assistance. All Syrian refugees benefit from a temporary protection regime entailing open borders, protection and non-refoulement (pr 2013). |

Table 21 Statements from EU Reports and Turkey's AA Documents on Repealing of Geographical Limitation of 1951 Geneva Convention

| EU Expectations by years | Turkey's responses by years |
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| 1998-In terms of immigration policies, it is important to repeal the geographical limitation for asylum-seekers from outside Europe. The geographical reservation to the 1951 Geneva Convention led to emerge an ineffective asylum system in Turkey. In Turkey, the UNHCR screens asylum applications whether a refugee is eligible for settlement in a third country or not. Finally, the revealing of geographical limitation is essential for Turkey's alignment on current rules in the European Union (pr 1998). | |
| 1999-Turkey still maintains a geographical reservation to the 1951 Geneva Convention and only grants refugee status to people coming from European countries, thus largely rendering the asylum machinery ineffective (pr 1999). | |
| 2000-In the field of asylum, Turkey should lift its geographical reservation to the Geneva Convention, although it takes into consideration all asylum requests and | |

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| proceeds together with UNHCR (parallel procedures) in order to examine these cases. In a great majority of cases, the conclusions of the Turkish Ministry of the Interior and of UNHCR as to granting the status of refugee are identical. In co-operation with UNHCR (pr 2000). | |
| 2001-Lift the geographical reservation to the 1951 Geneva Convention in the field of asylum (apd mt 2001). | 2001-In the field of asylum, in April 2001 Turkey confirmed its willingness to lift the geographical reservation to the 1951 UN Convention relating to the Status of Refugees, provided that a number of conditions are met. These relate to the ability to cope with refugee inflows and support from the Community (pr 2001). |
| 2003-Start with the alignment of the acquis in the field of asylum including lifting the geographical reservation to the 1951 Geneva Convention (apd mt 2003). | 2001-The willingness expressed by Turkey to lift its geographical reservation to the 1951 UN Convention relating to the Status of Refugees is a positive development in the area of asylum (pr 2001). |
| 2004-The legislative framework with regard to asylum needs to be revised so as to ensure the full implementation of the 1951 Convention and the EU acquis. In this context, the lifting of the geographical limitation to the 1951 Convention remains an issue of utmost significance (pr 2004). | |
| 2005-The lifting of the geographical limitation to the 1951 Convention remains a key issue (pr 2005). | 2005-Lifting the geographical limitation is an issue which should be resolved without giving harm to the economical, social and cultural conditions of Turkey, since Turkey had been a country very widely affected by the mass population movements, which took a rise in 1980s, and which changed the world's conjuncture. Within his framework a total of 934.354 aliens were granted residence permits with the right to work in Turkey including: 51.542 people during the Iran-Iraq war of 1988; 20.000 people during the civil war, the disintegration of former Yugoslavia and the events which took place in Bosnia- |

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| | <p>Herzegovina between 1992 -1997; A total of 345.000 people including 311.000 people deported from Bulgaria and 34.000 people arriving with visas between May – August 1989; 7.489 people between 2nd August 1990 and 2nd April 1991 before the Gulf Crisis and War, and 460.000 afterwards; 17.746 people after the events which took place in Kosovo in 1999; 32.577 Ahiska Turks on exile from their countries, who were dispersed to a large geographical area. The children of these families born in Turkey enjoyed the same rights (ap 2005).</p> |
| | <p>2005-The issue of lifting the geographical limitation to the 1951 Convention, which was placed due to challenging experiences in the region, has been planned to take place in line with the completion of the EU accession negotiations according to 2003 National Plan of Turkey subject to two conditions. These conditions are set forth as follows; Necessary amendments to the legislation and infrastructure should be made in order to prevent the direct influx of refugees to Turkey during the accession phase and EU countries should demonstrate their sensitivity in burden sharing (ap 2005).</p> |
| | <p>2005-Keeping in mind the refugee movements, Turkey may lift the geographical limitation, when the following projects should be by using Pre-Accession Financial Assistance Programs of EU: Establishing reception and accommodation facilities for asylum-seekers and founding refugee guest houses; Operation of the mentioned centers; Training personnel to be recruited at these centers; Establishing a country of origin and asylum information system; Establishing a Training Academy</p> |

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| | (Institute); Establishing a service building for the asylum unit (ap 2005). |
| | 2005-EU countries and other countries with economical power should continue to receive refugees from Turkey during the transition phase. Turkey wants this sincerely. Turkey, which has always been subject to intense population movements, which may be equal to the sum of all movements towards of EU, should not be expected to handle issues of asylum and irregular migration on its own (ap 2005). |
| | 2005-In the case of a mass population flow towards Turkey due to its geographical location other states, in particular EU Member States, individually or as partners through UNHCR or other international institutions shall take necessary measures to enable an equal sharing of the burden of Turkey, which is the first country of asylum, upon Turkey's request, and within the scope of equal sharing of responsibility (ap 2005). 2006-The full implementation of the 1951 Geneva Convention and its 1967 Protocol is under preparation, with the intention to lift the geographic limitation by 2012 (pr 2006). |
| 2006-Continue with alignment on the acquis in the field of asylum, through the lifting of the geographical limitation to the Geneva Convention (apd mt 2006). | |
| 2008-Continue with alignment with the acquis in the field of asylum, in particular through the lifting of the geographical limitation to the Geneva Convention (apd mt 2008). | |
| 2010-Progress continues to be limited by the fact that Turkey maintains the geographical limitations on the 1951 Convention relating to the status of | |

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| refugees and the related 1967 Protocol (pr 2010). | |
| 2012-Turkey continues implementing the Geneva Convention on Refugees on the basis of a reservation limiting the benefits of the Convention only to the asylum-seekers originating from European countries (pr 2012). | |
| 2013-With regard to asylum, the new Law on Foreigners and International Protection introduces significant safeguards, including the respect of the principle of non-refoulement, and the access to refugee status determination procedures for any person in need of international protection. However, the provisions of the Law on the refugees of European and non-European origin differ, in line with Turkey's geographical reservation to the 1951 Geneva Convention. The new system needs to be further developed, notably with regard to refugees' rights, through implementing legislation (pr 2013). | |

Table 22 Statements from EU Reports and Turkey's AA Documents on Developing Training Program for Officials on the Matters of Asylum and Refugee

| EU expectations by years | Turkey's responses by years |
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| | 1999-In the field of right of asylum, Turkey co-operates with UNHCR in the field of training (pr 1999). |
| 2000-Given the fact that the Land Forces (Army) are in charge of the surveillance of the green borders and that many asylum-seekers enter the country by the green borders, outside the official border crossings, a programme should be developed to enhance the awareness of the land forces on the issue of refugees and asylum-seekers. This should be done especially in the East-South East areas | 2000-In the field of asylum, efforts have also started as regards capacity building, in particular training of staff, in close co-operation with UNHCR (pr 2000). |

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| [cities] of Hakkari, Agri and Van (the green border in the Van region), which consists of a 350 km mountainous border with Iran. This area is still under the control of the gendarmerie but this control is to be handed over soon to the land forces (pr 2000). | |
| | 2000-In the area of migration and border control, efforts started to train staff and to stimulate dialogue on migration issues. A meeting in the framework of the Centre for Information, Discussion and Exchange on the Crossing of Frontiers and Immigration took place (pr 2000). |
| | 2000-The Ministry of the Interior has drafted a 3-year project covering the period October 2000 – October 2003 aiming at carrying out the training of the personnel dealing with asylum and refugee issues, technical assistance and the changes which occurred in the national and international field of asylum and refugee issues (pr 2000). |
| | 2000-Seminars on refugee law for the Gendarmerie staff at border regions organized jointly in 2000 by the Gendarmerie General Command and the UNHCR will continue to be held in 2001 (np 2001). |
| | 2001-Since 1998, the Ministry of Interior has been engaged in training activities in co-operation with the UNHCR. A co-operation framework was adopted in April 2001 on issues related to asylum and refugee law (pr 2001). |
| | 2001-In the context of cooperation in training on asylum and refugee issues with the UNHCR, a training programme running from 1 January 2001 to 31 December 2003 has been undertaken by the Directorate General for Public Security (The Turkish National Police-Ministry of |

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| | the Interior). Projects planned as part of the programme are the training of personnel working at the central and provincial units of the Ministry, technical cooperation, translation assistance and visits to observe in situ the practices in EU Member States (np 2001). |
| | 2003-Turkey continued with the training activities on asylum issues in co-operation with UNHCR. During 2003 and the first half of 2004, UNHCR organized several seminars for Turkish officials. In addition, 527 police officers were trained in international and national law on asylum and migration, and international best practice. Training was provided in October 2003 for Ministry of Justice personnel, including judges and prosecutors, on International Refugee Law (pr 2004). |
| | 2004-The purpose of the project [Project for Supporting the Development of Asylum and Country of Origin Information System and the Training of Personnel for the Future Asylum Authority and submitted to the Representation of EU Commission to Turkey on 2 April 2004] is to develop a training program of its own for the personnel of the future Asylum Authority (ap 2005). |
| | 2005-The Representation of International Catholic Migration Commission (ICMC) to Turkey, the UK Embassy and the Turkish Ministry of Interior jointly commenced the currently ongoing 'Training Project for Increasing Police Capacity in the Fields Pertaining to Refugees/Asylum-seekers' on 26 July 2004 where central and provincial personnel of MOI working in the field of asylum have been subjected to expertise training for a duration of one year (ap 2005). |

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| | 2005-Turkey has continued to train officials on asylum issues (pr 2005). |
| | 2005-Thanks to 5 TOT (training of trainers) seminars to be organized for the dissemination of Asylum and Migration National Action Plan and the Strategy to all the agencies practicing in the field, 100 personnel working in central and provincial organizations of MOI and other relevant Ministries and agencies will have the opportunity to be trained on the National Action Plan (ap 2005). |
| 2008-No specific training or training curricula exist for staff working in the migration area (pr 2008). | |
| 2008-Training for Turkish officials on refugee status determination procedures needs to continue. Measures need to be taken to ensure that trained staff remains within the asylum and migration system (pr 2008). | |
| 2012-Training of staff working in the migration management continued through national resources and with the support of the EU or other partners (pr 2012). | |

Table 23 Statements from EU Reports and Turkey's AA Documents on Set up and Improving the Reception and Removal Centers

| The EU Expectations by years | Turkey Responses by years |
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| 2000-As regards accommodation facilities for refugees, a big effort needs to be undertaken to set up proper reception centers in Turkey. For the time being, refugees and asylum-seekers are in many cases accommodated by the local population thanks to the local tradition of hospitality and solidarity. They benefit some support from the Governors' offices and the municipalities but these efforts are not | |

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| comparable to the challenges to be faced due to the substantial regular influx of refugees and asylum-seekers (pr 2000). | |
| 2001-The issue of the creation of reception facilities and their management should be given priority, including the allocation of adequate resources (pr 2001). | 2001-The government decided to review or adopt new legislation on asylum (pr 2001). |
| | 2001-The development of reception facilities for refugees has started in the two existing Refugee Guesthouses, at Yozgat and Kirklareli [Cities]. The authorities identified the need to embark on the construction of refugee centers in 11 provinces to supplement the two existing guesthouses (pr 2001). |
| | 2001-Work has been initiated to further develop the reception facilities at the Yozgat and Kirklareli Refugee Guesthouses (np 2001). |
| | 2004-Turkey is also encouraged to enhance its efforts to improve reception conditions (pr 2004). |
| 2005-Turkey is also encouraged to enhance efforts to improve reception conditions (pr 2005). | |
| 2005-Turkey is also encouraged to enhance efforts to improve reception conditions (pr 2005). | |
| 2006-The capacity at the reception centers for asylum-seekers needs increasing and facilities need upgrading (pr 2006). | |
| 2006-Institutional responsibility for the management of these centers [reception centers] is not clear (pr 2006). | |
| | 2008-The Ministry of Interior has initiated the internal administrative procedures to set up an asylum management unit, as the first step towards a dedicated authority able to |

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| | manage both reception and integration issues (pr 2008). |
| 2010-Further improvements of the general conditions in foreigners' detention centers are important (pr 2010). | 2010-In March 2010, a circular was issued by the Ministry of the Interior on combating irregular migration. According to the circular, an irregular migrant for whom the legal procedures have been completed will be placed in a removal center or alternative premises previously indicated by the governorate. The circular also lays down the 'principles concerning the physical conditions in removal centers and the practices adopted in these centers', stating that removal centers need to be regularly inspected by the governor, district governor and the Turkish National Police (TNP); allegations of human rights violations in removal centers need to be investigated; irregular migrants need to be given an opportunity to contact the UNHCR at their request; access to legal counsel is given provided that illegal migrants cover the costs themselves (pr 2010). |
| | 2010-The General Directorate for Security issued a circular in September 2010, which provides that each illegal migrant apprehended will be accommodated in a removal center with the written permission of the Governor. The circular also introduces a standard notification that makes clear that all costs during the stay in a removal center will be borne by the state. The right to contact a lawyer is also made clear. Additionally the notification explicitly states the right to appeal against the decision of deportation and the administrative custody (pr 2010). |
| | 2010-Efforts to increase the capacity to host irregular migrants in accordance |

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| | <p>with international standards, pending the completion of their removal procedures, continue: while, as of August 2010, the current hosting capacity stands at 2.875; the</p> <p>construction/refurbishment/equipment through national funds of four removal centers (Bitlis, Van, Aydin and Edirne), with a capacity of 650 persons each, is ongoing. In addition, the establishment through EU-financed projects of two additional removal centers in Ankara and Erzurum, with a capacity of 750 persons each, is under preparation (pr 2010).</p> |
| 2012-The overall capacity to host irregular migrants decreased to 2.176 in 2011. Minimum living standards at removal centers and their inspection remain unregulated (pr 2012). | 2012-While the construction of seven reception centers for asylum-seekers and refugees funded by the EU budget is still on-going, the sharp increase in the number of asylum applications turned out to be critical for the reception capacity (pr 2012). |
| 2012-The lack of human and financial resources hampered the improvement of physical conditions in the removal centers. The construction of new removal centers in Van and Bitlis, each with a capacity of 400 to 600 people, was hampered by the Van earthquake (pr 2012). | 2012-Overall, Some improvements were made to detention conditions in the removal centers (pr 2012). |
| 2012-No structured approach to psychosocial services targeting irregular migrants is in place yet (pr 2012). | 2012-The construction of new removal centers in Van and Bitlis, each with a capacity of 400 to 600 people, was hampered by the Van earthquake (pr 2012). |
| 2012-As a consequence of the earthquake in the eastern part of Turkey in October 2011, most of the refugees living in Van, one of the most important 'satellite cities' in the Turkish national asylum system, had to move out of the city as their accommodation was destroyed and they had little access to the | 2012-Turkey's current capacity for hosting irregular migrants is 2.176 persons. In addition to this, the construction is underway for 6 reception centers and 1 removal center. Turkey also takes important steps in order to strengthen its physical infrastructure in the field of fight against irregular |

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| <p>assistance deployed for the local community (pr 2012).</p> | <p>migration. In addition to these centers, a new removal center for 400 people is constructed in Aydın. Furthermore, the removal center with a capacity for 400 people in Tatvan, Bitlis is nearly completed and the construction of the centers with a capacity for 400 people in Van and 656 people in Edirne has been completed (pr by tr 2012).</p> |
| | <p>2012-Removal procedures and the minimum living standards in removal centers, monitoring of these centers, human resources and financial resources, health care, psycho-social and legal services, and physical conditions to be provided to irregular migrants are regulated in detail in the Draft Law on Foreigners and International Protection and it is expected that significant progress will be achieved in this field when this draft Law is enacted in the near future (pr by tr 2012).</p> |
| <p>2013-Detailed provisions on the management of removal centers are needed, as well as structured psychosocial services for irregular migrants staying in the centers (pr 2013).</p> | |
| <p>2013-The capacity of Turkey to host irregular migrants decreased in 2012 (1.941) as compared with 2011 (2.176). The construction of removal centers in Erzurum, Edirne, Aydın, Bitlis and Van has not yet been completed (pr 2013).</p> | |
| <p>2013-Detailed provisions [relevant to Law on Foreigners and International Protection] on the management of removal centers are needed (pr 2013).</p> | |

Table 24 Statements from EU Reports and Turkey's AA Documents on Set up Migration and Asylum Authority

| EU Expectations by years | Turkey's responses by years |
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| 1999-A department specifically intended to handle asylum cases also needs to be set up. It would also have to be able to gather and evaluate figures on the number and origin of asylum-seekers and on the reasons for refusal of asylum (pr 1999). | |
| 2001-There are serious concerns regarding current legislation and practices on asylum. This relates mainly to: the fate of non-European asylum-seekers, the time limitations attached to the registration of asylum claims, the situation of asylum-seekers waiting for the determination of their cases and the deficiencies of the appeal arrangements for rejected asylum applicants. An important step needed is the setting-up of an independent asylum appeal board (pr 2001). | |
| 2004-Refugee status determination capacity should be developed and a specialized civilian authority for asylum should be established (pr 2004). | |
| 2004-The project ['Training Project for Increasing Police Capacity in the Fields Pertaining to Refugees/Asylum-seekers' on 26 July 2004] is a step forward in the realization of the relevant section of 2003 Turkish National Program, which stipulates the establishment of a central specialization authority to be exclusively responsible for refugee status determination under the body of MOI and satisfaction of legislative, organization, administrative set-up and infrastructural needs for building its operational capacity (ap 2005). | |
| 2005-The purpose of the project [Project for Supporting the Development of an | |

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| Asylum and Country of Origin Information System and the Training of Personnel for the Future Asylum Authority and submitted to the Representation of EU Commission to Turkey on 2 April 2004], is to ensure that the Ministry of Interior establishes and utilizes a Country of Origin information system and has complete knowledge on Refugee Status Determination (RSD) procedure (ap 2005). | |
| 2005-Certain provisions in the 2005 Action Plan, such as those concerning the establishment of the asylum and migration authority, family reunification, long-term residence and residence of students, require clarification (pr 2005). | |
| 2005-It is essential that the proposed migration and asylum authority [2005 National Action Plan] is able effectively to apply the acquis and is composed of specialist officials who have been trained in asylum and migration law. The provisions concerning the composition and functioning of the authority need to be clarified (pr 2005). | |
| 2006-With regard to migration, only limited progress has been made. The National Action Plan on Asylum and Migration is being implemented. However, it does not provide details on deadlines for transposition of the acquis or improve administrative capacity, in particular setting up a specialized body (2006). | |
| 2008-Make progress in the preparations for the adoption of asylum law including the establishment of an asylum authority (apd st 2008). | 2008-The Ministry of Interior has also initiated the internal administrative procedures to set up an asylum management unit, as the first step towards a dedicated authority able to manage both reception and integration issues (pr 2008). |
| 2010 | 2010-In addition, the task force on asylum and migration is preparing a law on asylum |

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| | and a law on the establishment of an asylum unit, in close consultation with the UNHCR (pr 2010). |
| 2013 | 2013-The establishment of a civilian institution, the General Directorate of Migration Management (GDMM) to deal with foreigners, suggests a shift away from the security-oriented approach followed in this field until now. Adoption of the implementing legislation allowing to effectively enacting all the provisions of the Law [Foreigners and International Protection] is now priority (pr 2013). |
| 2013 | 2013-The General Directorate of Migration Management (GDMM) is gradually to take over responsibility for asylum management from the Turkish National Police (pr 2013). |

Table 25 Statements from EU Reports and Turkey's AA Documents on Alignment to EU External Border Policy and Schengen Agreement

| EU expectations by years | Turkey's responses by years |
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| | 2000-In the area of migration and border control, efforts started to train staff and to stimulate dialogue on migration issues (pr 2000). |
| | 2000-A meeting in the framework of the Centre for Information, Discussion and Exchange on the Crossing of Frontiers and Immigration took place (pr 2000). |
| 2001-Continue strengthening border management and prepare for full implementation of the Schengen Convention (apd mt 2001). | 2001-With a view to the reinforcement of external border controls, a process of co-operation and co-ordination between the various Ministries and bodies involved has begun. A number of actions have been taken to strengthen border management, in particular to prevent and deter illegal border crossings. Such measures relate to the setting-up of new checkpoints, the assignment of additional sea patrols and |

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| | the enhancement of vigilance and pursuit of suspicious vessels anchored at harbors. The construction of watchtowers along the Iranian border has been started (pr 2001). |
| 2001-Complete public administration modernization reform to ensure efficient management of Community policies, including strengthening border management and preparation of full implementation of the Schengen Convention (apd mt 2001). | 2001-In May 2001, a meeting took place with representatives of the Turkish General Staff, the Ministry of Defense, the Ministry of Foreign Affairs and the Ministry of the Interior, which resulted in the appointment of liaison officers in each institution and the establishment of an early warning system in the field of border management (pr 2001). |
| 2001-Administrative capacity should be strengthened in the field of border controls and the fight against illegal immigration (pr 2001). | 2001-The Ministry of National Defense has initiated work on the Draft Act Amending Relevant Articles of Act No. 2692 on the Coast Guard Command, Act No. 211 on Turkish Armed Forces Internal Service and Act No. 926 on the Turkish Armed Forces Personnel, to employ expert staff and to introduce legislative changes to make the Coast Guard Command an independent body (np 2001). |
| | 2001-In compliance with the provisions of Act No. 3497 on the Protection and Security of Land Borders, work is underway to transfer border controls currently under the responsibility of the Gendarmerie General Command to the Land Forces Command (np 2001). |
| | 2001-Border units of the Gendarmerie General Command are equipped with thermal cameras, long distance binoculars, night vision equipment, and land-monitoring radars at critical points, enabling surveillance both during the daytime and at night. These border units currently have a 71% mobile capacity in terms of the number of vehicles in use, and full mobility is planned for all units (np 2001). |

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| | <p>2001-The border brigades/divisions of the Gendarmerie are equipped with computer networks. The integration of wired and wireless communication systems, including between units at the border provinces, within the framework of the Gendarmerie Integrated Communication and Information System Project (JEMUS), will enable the speedy transmission of messages and information even to the smallest Gendarmerie units (np 2001).</p> |
| | <p>2001-Gendarmerie troops (including frontier troops) possess radio communication systems, even at the level of gendarmerie stations. The Provincial Gendarmerie Headquarters and frontier brigade/division commands are equipped with multi-user computer systems and communication availabilities. The infrastructure of the project to allow District Gendarmerie Headquarters and Gendarmerie Stations to connect to the Gendarmerie Information system is to be completed within 2001(np 2001).</p> |
| | <p>2002-Turkey set up a Task Force for Asylum, Migration and Protection of External Borders in 2002, under the coordination of the Ministry of Interior, the secretariat tasks of which are undertaken by the Aliens, Borders, and Asylum Department of the General Directorate of Security. The task force continued its efforts with the participation of the representatives of the General Staff, Ministry of Foreign Affairs, Under-secretariat of Customs, General Command of Gendarmerie and the Coast Guard Command, and three separate working groups connected to this task force were established in the fields of 'asylum', 'migration' and 'external borders'. (ap 2006).</p> |

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| 2003-Improve the capacity of public administration to develop an effective border management, including the detection of forged and falsified documents, in line with the acquis and best practices with a view to preventing and combating illegal migration (apd st 2003). | 2003-2002 Special Task Force produced Turkey's Strategy Paper on the Protection of External Borders in April 2003 (ap 2005). |
| 2003-Continue alignment with the acquis and best practices concerning border management so as to prepare for full implementation of the Schengen acquis (apd mt 2003). | 2003-The Strategy Paper for the Protection of External Borders was issued by the Ministry of the Interior on April 14, 2003 (ap 2006). |
| 2003-As regards external borders, Turkey is invited to complete work on drawing up the National Action Plan to implement the Integrated Border Management Strategy, which was completed in draft in 2003 (pr 2004). | 2003-The EU Commission evaluated 2003 Turkey's Strategy Paper the Protection of External Borders as a significant step towards the harmonization of the legislation and practice of Turkey related to border management with the EU acquis (ap 2006). |
| | 2003-The National Programme revised by the Council of Ministers on July 24, 2003 foresees the continuation of the alignment with the EU acquis on border management and to prepare for full implementation of the Schengen acquis, and in that framework, strengthening technical and administrative capacities of agencies and institutions responsible for the control of the borders including the Gendarmerie General Command and the Coast Guard Command in line with the best practices of the EU Member States prior to the establishment of a non-military and professional border guard institution, training their personnel, and in the medium term, fulfillment of the legislative, administrative and infrastructural needs for the establishment of a non-military and professional border guard (ap 2006). |
| | 2003-On external borders, work has begun on drawing up a National Action Plan to implement the Integrated Border |

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| | Management Strategy adopted in 2003 (pr 2004). |
| | 2003-As a result of the studies which continued for one year, 'the Strategy Paper for the Protection of External Borders' was issued in April 14, 2003, with the contributions of the representatives from institutions and agencies such as the General Staff, Ministry of Foreign Affairs, Ministry of the Interior (General Command of Gendarmerie, General Directorate for Security and the European Union Coordination Department) (ap 2006). |
| | 2004-Based on the aforementioned strategy paper [the Strategy Paper for the Protection of External Borders by Turkey, April 14, 2003] Turkey started the implementation of the twinning project titled as 'Support for The Development of an Action Plan to Implement Turkey's Integrated Border Management Strategy' on 19 July 2004 in cooperation with the French-UK Consortium, to produce an action plan to constitute the basis for the financial contribution to be provided by the European Union with respect to border management in Turkey and determine the legal and institutional reforms, training activities, infrastructure and equipment investments expected to be realized (ap 2006). |
| | 2004-In March 2004 a co-operation protocol concerning border management was signed between Bulgaria and Turkey. The Bulgarian border police and Turkish coastguard will work together to prevent violations of the two countries' territorial waters and exclusive economic zones. (pr 2004). |
| | 2004-In June 2004 a ministerial decision was issued setting up a Projects Directorate for Integrated Border Management within |

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| | the Ministry of Interior. This Directorate will be responsible for the implementation of projects regarding the establishment of a border police corps in Turkey (pr 2004). |
| | 2004-TR2004/IB/JH/04 Twinning Project for the Development of a Training System for Border Police: A Twinning project TR2004/IB/JH/04 has been prepared and is planned to be run in 2005-2006 by the twinning procedures within the scope of EU-Turkey Financial Assistance, with a Spanish-Hungarian consortium. The project's purpose is to prepare a training strategy for the new border organization, a program for pre-service, in-service and management of human resources development and training the elaboration of a 'common manual of checks at the external borders' for the personnel currently working at borders (ap 2006). |
| 2006-Relevant to 2006 National Action Plan towards the Implementation of Turkey's Integrated Border Management Strategy, a number of serious shortcomings remain: inter-agency cooperation is at a very early stage, Training and professionalism of border staff need to be enhanced, No progress on alignment with the negative list can be reported, Alignment with the EU security features and standards for visas requires urgent attention, on deadlines for transposition of the acquis or improve administrative capacity for migration (pr 2006). | 2006-As regards the external borders and Schengen some progress has been made. A National Action Plan towards the implementation of Turkey's Integrated Border Management Strategy was adopted in March 2006 (pr 2006). |
| 2006-Procedures for checking vehicles and goods need to be reviewed. Infrastructure at some border crossing points needs considerable upgrading. Second line equipment is missing or underdeveloped, as well as first line document checking equipment. Surveillance equipment at border crossing points and along the green | 2006-The plan [2006-National Action Plan towards the Implementation of Turkey's Integrated Border Management Strategy] represents a step forward towards alignment with EU standards, as the development of an integrated approach to border management is a key element for |

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| borders needs to be better adapted to Turkey's specific circumstances (pr 2006). | accession negotiations in this chapter (pr 2006). |
| 2006-Risk analysis capacity needs to be further developed as a matter of priority [at the borders] (pr 2006). | 2006-The Strategy Paper for the Protection of External Borders in Turkey emphasizes that in line with the EU acquis, all tasks at land and maritime borders and border gates within the scope of the Ministry of the Interior, related to preventive and deterrent activities to combat trafficking and illegal crossing and the security of the border gates, passenger entry and exit, passport checks and prevention of forgery, removal and deportation procedures, security of the borders and physical measures should be performed by a single professional law enforcement body, and suggests that a new organization should be set up under the auspices of the Ministry of the Interior for the performance of all border protection duties in Turkey are performed by specially trained, professional law enforcement units (ap 2006). |
| 2006-Continue alignment on the acquis and best practices, in line with the national action plan on border management, so as to prepare for full alignment with the Schengen acquis (apd mt 2006). | 2006-The Strategy Paper for the Protection of External Borders in Turkey states also that the control of border crossing is very important for Turkey because of the geographic and strategic location of Turkey, especially the physical structure of the east and south east borders and the existence of unstable political regimes in the region; on the other hand changing the existing border protection system and setting up a new unit would cause great financial burden, so it would be useful for Turkey to gradually implement a border police system with the financial assistance of the EU (ap 2006). |
| 2006-The EU Commission [relevant 2003 Turkey's Strategy Paper on Protection of External Borders] emphasized also that a detailed action plan would be drawn up covering the legislative and institutional | 2006-(Approval 27 March 2006)-TR 02 JH 02 Integrated Border Management Twinning Project: The proposal for a twinning project titled as 'Support for The Development of an Action Plan to |

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| <p>reforms, training activities, infrastructure and equipment investments expected to be executed in Turkey with the help of a twinning project on border management, and that the mentioned action plan would constitute the basis for the financial assistance of the EU to Turkey beginning from 2004 (ap 2006).</p> | <p>Implement Turkey's Integrated Border Management Strategy' to produce an action plan within the scope of 2002 fiscal year programs of the European Union for the purpose of alignment of the border management strategy of Turkey with the EU acquis has been prepared with the contributions of the related agencies and institutions and has been submitted to the EU Commission. The project proposal was accepted by the EU Commission, and three Member States of the EU, Italy, Greece and French-UK Consortium proposed joint efforts. In the process of selection of proposals at Turkey Representative Office of the EU Commission, the proposal of the French-UK Consortium was accepted by Turkey. The purpose of this project which was started to be implemented on July 19, 2004 is to prepare an Action plan, to be supported in part through the provision of EU funds, to implement Turkey's integrated border management strategy with a view to aligning its border management policy with the EU legislation and best practice, including the Schengen acquis, and to improving the operational capacity (coordination, human resources, equipment) of the agencies responsible for border management (ap 2006).</p> |
| <p>2008-However, border staff shows very limited awareness of the Turkish national strategy on integrated border management or of the action plan to implement it. Efforts need to be stepped up and systemized with a view to implementing the national action plan on integrated border management (pr 2008).</p> | <p>2008-There has been limited progress on alignment with the acquis concerning external borders and Schengen. The number of border crossing points has been increased from 116 to 120. Modernization of six border crossing points was completed in 2008; work is in progress on five more (pr 2008).</p> |
| <p>2008-The inter-agency group put in place to discuss implementation of the action plan has met only occasionally. In the absence of the new border law enforcement</p> | <p>2008-A 'Common Manual of Checks at the EU external borders' was published in 1.500 copies and distributed for the use of the organizations performing border duties</p> |

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| authority, it is crucial further to enhance cooperation between all agencies working at borders by developing joint risk analyses, exchanges of information and cooperation on investigation and training (pr 2008). | (General Staff, National Police, Customs Undersecretary, Gendarmerie and the Coast Guard). The manual will serve the purpose of being used as a practical tool to integrate EU requirements while carrying out their tasks (pr 2008). |
| 2008-Further emphasis needs to be placed on the training and professionalism of the border police, especially on development of language skills (pr 2008). | 2008-To provide specialized training, a new department on border security studies has been established within the police academy (pr 2008). |
| 2008-The data on EU citizens' entry documents raise concerns, as they are not in line with the EU acquis (pr 2008). | |
| 2008-Closer cross-border cooperation with neighboring countries is a key component of well-functioning border management (pr 2008). | |
| 2008-Continue efforts to implement the National Action Plan on integrated border management including through the definition of a precise road map (apd st 2008). | |
| 2008-Accelerate efforts to set up an integrated border management system in line with the acquis (apd mt 2008). | |
| 2010-Legislation on transferring border management tasks and coordination to a specialized and professional border security entity has not yet been submitted to parliament for approval (pr 2010). | 2010-Negotiations on a working agreement with Frontex has continued and few outstanding issues need to be solved to conclude it. Contact points have been established and joint operations with Member States conducted (pr 2010). |
| | 2010-Overall, further efforts are needed as regards alignment with the acquis in this area [in the area of border management] (pr 2010). |
| | 2010-Limited progress can be reported on external borders and Schengen (pr 2010). |
| 2012-Overall, the lack of risk analyses, including joint analyses among relevant authorities in charge of border management, has led to inefficient border | 2012-A Memorandum of Understanding (MoU) between Frontex and the Turkish Ministry for Foreign Affairs was signed in May 2012. This MoU enables a framework |

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| control and less-than-optimal use of resources (pr 2012). | to be set up for enhanced operational cooperation between Frontex and Turkey, including participation in training activities and in joint operations, the deployment of Frontex experts to Turkey and a more organized exchange of information and risk analysis. (pr 2012, pr by tr 2012) |
| 2012-Problems posed by the architectural designs for the operational functionality of land border crossing points (BCPs) need to be addressed. Border agencies at local and central level need to be consulted regularly during both the design phase and utilization of the modernized BCPs. This entails establishing proactive border checks procedures and regulations to control irregular migration at transit zone areas in the airports (pr 2012). | 2012-First students of Police Academy, Faculty of Security Sciences, and the Department of Border Security were graduated on 20 June 2012 (pr by tr 2012). |
| 2012-The existence of exclusive customs zones at the land BCPs poses a major challenge to the establishment of an integrated border management system locally (pr 2012). | 2012-As a sign of the neighboring relations, the citizens of the two countries benefit from the mutual visa exemption in their touristic travels up to 90 days, the Batumi Airport is shared by Turkey and Georgia and works are carried out in order to operate the customs gates together in the 'single-window' concept and starting the operations of new border gates (pr by tr 2012). |
| 2012-Cooperation with neighboring countries and with countries of origin and destination, in terms of border management, needs to be improved (pr 2012). | |
| 2012-Enhanced cooperation between border authorities and the Turkish national airline also needs to be enhanced, in particular through joint training and better exchange of information leading to proper pre-boarding and pre-arrival screenings and analyses (pr 2012). | |
| 2013-It is essential that the role of the Coordination Board for Integrated Border | 2013-It has stepped up border cooperation with neighboring countries. Negotiations |

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| Management be enhanced if tangible progress is to be made in the area of border management (pr 2013). | continued with Bulgaria on a protocol on coordinated border surveillance and were concluded with Bulgaria and Greece on a trilateral common contact center for law enforcement cooperation (pr 2013). |
| | 2013-Data exchange started in August 2013 in the framework of the 2012 memorandum of understanding between Frontex and Turkey (pr 2013). |
| | 2013-As of early 2013, 65 new border posts have been created, 150 surveillance towers renovated and 1.150 kilometers of roads for border patrolling constructed (pr 2013). |
| | 2013-The Ministry of Justice's national judicial network (UYAP) has enabled more efficient border checks (pr 2013). |
| | 2013-The Ministry of Health adopted a risk-analysis-based National Contingency Action Plan for human health services at seaports and airports and a training programme for its implementation (pr 2013). |

Table 26 Statements from EU Reports and Turkey's AA Documents on Setting up an Integrated Border Management Unit

| EU expectations by years | Turkey's responses by years |
|---|-----------------------------|
| 2000-It is recommended that the various departments in Turkey are better coordinated in order to increase the efficiency of checks, particularly exit checks (pr 2000). | |
| 2000-EU Experts Reports issued in November 2000: Turkey was asked whether it had concrete plans to achieve harmonization with the EU in terms of transfer of powers and duties to the civilian authorities, and the Commission also reminded Turkey that article 25 of the Tampere European Council Decisions | |

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| emphasized the need for establishing a professional unit in charge of border controls in the candidate countries (ap 2006). | |
| | 2003-Support for the Development of an Action Plan to Implement Turkey's Integrated Border Management Strategy was adopted (Project No: TR02-JH-02) (np 2003). |
| 2005-An inter-departmental Task Force has been formed to oversee the development of the Action Plan. The work on the Action Plan now needs to be completed. Border management is currently split between different bodies; Turkey should continue to work towards creating a non-military professional corps of border guards. As a first step, the Law on the Protection and Security of Land Borders will need to be revised (pr 2005). | 2005-An inter-departmental Task Force has been formed to oversee the development of the Action Plan (pr 2005). |
| | 2005-As regards the Schengen acquis and the management of external borders, no new developments have taken place in the area of Schengen requirements but work has continued on drawing up a National Action Plan to implement the Integrated Border Management Strategy adopted in 2003 (pr 2005). |
| 2006-At present, the land forces, the police, and the gendarmerie as well as the coast guard are each responsible for parts of the borders. In addition, the Customs Administration, under the authority of the Prime Ministry, is responsible for checks on goods and persons. Overall, inter-agency cooperation is at a very early stage and information exchange between the various authorities as well as delimitation of responsibilities remains subject to substantial improvements (pr 2006). | |

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| 2008-Steps should be taken to establish the new border law enforcement authority (apd st 2008). | 2008-Border Management Bureau affiliated to the Ministry of Interior was established in 2008 (pr by tr 2012). |
| 2008-Accelerate efforts to set up an integrated border management system in line with the acquis, based on close interagency coordination and professionalism of staff, covering, inter alia, a pre-screening mechanism to identify persons in need of international protection at borders (apd mt 2008). | |
| 2010-Inter-agency cooperation remains a key issue to be developed pending the reform process. For instance, efficient and coordinated use of databases and risk analysis at the borders are missing elements for integrated border management (pr 2010). | 2010-The setting-up of the specialized department for passports within TNP in May 2010 is a step forward in that direction (pr 2010). |
| 2010-Further efforts are needed to transfer border control tasks to a new border security agency; the current agencies need to be strengthened at the same time as this new agency is established (pr 2010). | 2010-On external borders and Schengen, limited progress has been achieved. The task force for external borders meets every two months and prepares a draft roadmap for harmonizing the border management system with EU standards as part of the efforts to implement the national action plan on integrated border management (IBM) (pr 2010). |
| | 2010-A coordination board for IBM (Integrated Border Management) has been established in May 2010 by Prime Ministerial decree to create an official follow-up mechanism at decision-making level to screen progress towards achieving the target of IBM. The board is also tasked with developing further policies and strategies in the area (pr 2010). |
| | 2010-In-service training on IBM was delivered to all sub-governors, despite the delays in adopting the proposed legislative amendment currently pending in the Parliament on expanding the tasks of the |

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| | deputy governors acting as administrative heads of the border agencies (pr 2010). |
| 2012-The draft roadmap for Integrated Border Management (IBM) has not yet been approved. The delays in the adoption of the law and the IBM roadmap are a major institutional hindrance towards the institutional development and implementation of integrated border management (pr 2012). | 2012-The work on the Road Map for Integrated Board Management is carried out in cooperation with the EU (pr by tr 2012). |
| 2012-Both intra-agency and inter-agency cooperation and coordination need to be developed considerably in the interests of efficient border management. The proposed legislative amendment on expanding the tasks of Deputy Governors to act as administrative heads of the border agencies is still pending in the parliament (pr 2012). | 2012-The Integrated Border Management Coordination Board and the Integrated Border Management Task Force continued to hold regular meetings with the representatives of the relevant institutions during 2012 (pr by tr 2012). |
| | 2012-Furthermore, the projects 'Integrated Border Management Phase I', 'Integrated Border Management Phase II' and 'Training of Border Police', carried out within the framework of the Instrument for Pre-Accession Assistance (IPA) and under the coordination of the Ministry of Interior, were completed in 2012 (pr by tr 2012). |
| | 2012-Within the scope of the Twinning component of the Integrated Border Management Project Phase II, the proposals were prepared for the establishment of a risk management model specially prepared for the border management of Turkey and the risk management capacities of Turkish National Police and the Ministry of Health were increased (pr by tr 2012). |
| | 2012-The work for strengthening cooperation and exchange of information between the institutions already engaged in border management are underway (pr by tr 2012). |

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| | 2012-Within this scope, the Ministry of Interior Border Management Bureau has prepared a feasibility report which provides for ensuring the security of all land borders with technological means and this report has been submitted to the Ministry of Development for inclusion in the investment scheme (pr by tr 2012). |
| | 2012-The implementation on Integrated Border Management Action Plan started in 2012 (pr by tr 2012). |

Table 27 Statements from EU Reports and Turkey's AA Documents on Setting up a Unified and Professional Border Guard

| EU expectations by years | Turkey's responses by years |
|--|-----------------------------|
| 1999-TAMPERE European Council Decisions in 1999: The European Council stresses the importance of the effective control of the Union's future external borders by specialized trained professionals (ap 2006). | |
| 1999-So far as borders are concerned, sea borders fall under the responsibility of coast guards (Ministry of Interior) while Land forces (Ministry of Defense) and Gendarmerie (Ministry of Interior) are responsible for the protection of the green borders. In the future, merging within a unified Border Guard of the different services in charge of border controls could be considered in order to improve co-ordination and efficiency (pr 1999). | |
| 2000-As far as border control is concerned, it is currently managed by five different forces: the Navy and the Coast Guard at the maritime borders, the police at crossing points and airports and the Army (land forces) at the 'green border' (the gendarmerie is still in charge in some areas, as is the case in the Van province, | |

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| <p>but it is to be replaced everywhere by the land forces). There is no single command over border control nor civilian command. It is recommended that the different services are better coordinated in order to increase the efficiency of controls, in particular exit controls (pr 2000).</p> | |
| <p>2000-A precise assessment of the protection of the 'green border' in terms of staff and equipment still has to be conducted (pr 2000).</p> | |
| <p>2000-In the report of the EU Justice and Home Affairs experts visiting Turkey between September 18 and 29, 2000, Turkish experts were invited to achieve EU standards in border security, passport checks and border protection operations; and it was stated that the steps to be taken with regard to the border issues should meet the EU standards. The report emphasizes that 'a non-military, professional unit in charge of the surveillance of land and sea borders and the control of the border gates according to the EU standards is necessary, and that the combat against drug trafficking and the trafficking of humans should also be under the responsibility of such professional unit'. (ap 2006).</p> | |
| <p>2001-As regards external borders and preparations for alignment with the Schengen Agreement, efforts to strengthen border management should continue. The question of the establishment of a non-military professional body specifically responsible for the control of borders should be addressed. It is important to adopt a strategy for the effective control and management of all Turkish borders, as well as for the upgrading of the technical equipment. In order to foster the administrative capacity of the various</p> | |

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| actors involved in the protection of the borders, special attention should be given to training, including language training, in particular for border police at land, sea and air borders (pr 2001). | |
| 2002-In the third round meetings [Tampere] of the same Sub-Committee held in Brussels on March 20-21, 2002, the necessity of setting up a non-military, professional, civilian unit according to the Schengen system was emphasized (ap 2006). | |
| | 2003-To ensure the employment of experienced, and trained personnel giving adequate legal knowledge by the Coast Guard Command, and to ensure the long term employment and professionalism of the personnel, the Draft Bill on the Amendment of the Law no. 2692 was enacted by the Parliament on June 18, 2003 and entered into force upon being published in the Official Gazette dated June 24, 2003. With the enactment of that law, the Coast Guard Command was entitled to hire and train its own personnel, and it became no longer dependent on the Naval Forces in terms of staffing (ap 2006). |
| | 2003-The Strategy Paper for the Protection of External Borders was issued by Turkey in April 14, 2003. This document which was also accepted by the EU Commission, states that a civilian, non-military, professional single body shall be established to be responsible for border management, including surveillance of borders and checks at all border gates with the financial support of the European Union and parallel with the accession process (ap 2006). |
| 2004-The European Commission admits that "Turkey devotes considerable | 2004-In addition, the principles for hiring and training personnel have been set forth |

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| resources to border management, but many aspects of this management are not in line with EU practices; for example, border management is currently split between the army, gendarmerie, police and coast guard although Schengen best practices require a single professional authority to be responsible for border management” (SEC (2004) 1202 on 6.10.2004) (ap 2006). | in a protocol signed with the Naval Forces Command. (ap 2006). |
| 2004-Turkey should continue to work towards creating a non-military professional corps of border guards (pr 2004). | |
| 2006-Adopt and begin implementation of the National Action Plan on Border Management, in particular through taking steps to establish a professional non-military border guard (apd st 2006). | 2006-In 2004-2005 academic year, 40 students started education in the Naval Academy, and 65 students started education in Naval Occupational School for Non-commissioned Officers (ap 2006). |
| 2006-Training and professionalism of border staff need to be enhanced, in particular in view of the deployment of conscripts (pr 2006). | |
| 2010-Measures are required to deploy more trained staff and additional border check equipment at border crossing points to prepare for professionalized border management (pr 2010). | |
| 2012-Structured training is needed for all border agencies, including language training (pr 2012). | 2012-The project on Training of Border Police were completed in 2012 (pr by tr 2012). |
| 2012-The rotation of border staff needs to be carefully reviewed in order to ensure sustainability of expertise (pr 2012). | |
| 2013-In the area of external borders and Schengen, Turkey has not yet adopted a border security law to establish a specialized professional border security organization and regulate tools for integrated border management (pr 2013). | |

Table 28 Statements from EU Reports and Turkey's AA Documents on Alignment to EU Visa Policy¹⁶⁹

| EU expectations by years | Turkey's responses by years |
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| 2001-In the area of alignment with the Schengen agreement, no progress has been made (pr 2001). | 2001-In the field of visa policy the Government has decided to end the visa free regime for Kazakhstan and Bosnia-Herzegovina. It has also decided to introduce airport transit visas in the case of a selected number of countries from which illegal immigration originates. As from July 2001, Bulgarian citizens are exempted from visa requirements (pr 2001). |
| 2001-Start alignment of visa legislation and practice with those of the EU (apd mt 2001). | 2001-As far as visa policy is concerned, steps have been taken to gradually come into alignment with the acquis and, in particular, the Common Consular Instructions and the relevant EC Regulation (pr 2001). |
| 2001-However, there are no indications on precise targets and timetables [as far as visa policy is concerned]. Concrete results to date relate to the implementation of the project for issuing passports and installing optical readers at entry and exit points (pr 2001). | 2001-Turkey has taken initiatives to align with the EU's visa policy and to conclude readmission agreements in the field of migration (pr 2001). |
| 2003-Pursue alignment of visa legislation and practice with the acquis (apd mt 2003). | |
| 2004-With regard to visa policy, Turkey is encouraged to continue alignment with the EU visa lists as well as to align with EU practices concerning the issue of visas (pr 2004). | 2004-Concerning efforts to align with the EU positive list, a visa exemption agreement for ordinary passports between Turkey and Brazil entered into force in July 2004 (pr 2004). |
| 2004-Turkey needs to improve the capacity of its consular services abroad to detect false documents (pr 2004). | 2004-Some development has taken place in the area of Schengen requirements. A national office which will act as a central authority in line with the Schengen Convention, and as a contact point for Europol and OLAF [European Anti-Fraud Office] was established within the Interpol |

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| | Department of the Directorate General for Security in March 2004 (pr 2004). |
| 2004-Regarding visa policy, Turkey has continued alignment with the EU negative visa list and introduced a visa requirement for citizens of Azerbaijan in November 2003. This brings down the discrepancy between the EU visa obligations list and that of Turkey to six countries (pr 2004). | |
| 2005-There continues to be a discrepancy between the EU visa obligations list and that of Turkey as regards six countries. Turkey is encouraged to continue alignment with the EU visa lists as well as to align with EU rules concerning the issue of visas (pr 2005). | 2005-TR 03 JH 05 Twinning Project on Visa Policy and Practice: A project on 'Visa policy and practice' is planned to be run in 2005 by the Twinning procedure to achieve compliance with the visa policy and practice as laid down in Titles IV TEC and VI TEU and with Schengen standards, stated in Protocol to the Amsterdam Treaty. This project which aims to contribute to the programme of work required to harmonize the management of Turkish visa policy and practice and related infrastructure with those of EU, as required for EU alignment, will be conducted by the Turkish Ministry of Foreign Affairs, in cooperation with the Turkish Ministry of Interior (ap 2006). |
| 2005-Turkey needs to improve the capacity of its consular services abroad to detect false documents (pr 2005). | 2005-Regarding visa policy, Turkey has continued alignment with the EU positive visa list by lifting the visa requirement for Guatemala. The visa requirement was also lifted for the Czech Republic. Turkey has also continued alignment with the EU negative visa list by introducing visas for the Marshall Islands and Micronesia (pr 2005). |
| 2006-No progress on alignment with the negative list can be reported (pr 2006). | 2006-As concerns visa policy, limited progress can be reported. With regard to alignment with the positive visa list, visa exemption agreements with Venezuela and Paraguay entered into force; one was signed with Colombia and visa-free regime for Andorra was introduced (pr 2006). |

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| 2006-Further training is needed [As far as the capacity of Turkish consulates is concerned]. Alignment with the EU security features and standards for visas requires urgent attention (pr 2006). | 2006-Although harmonization with the uniform EU visa sticker has started, at present, Turkey allows nationals of 35 countries to apply for a visa at the borders, including citizens of 17 Member States (pr 2006). |
| 2006-This practice [apply for a visa at the borders] needs to be progressively replaced and visas should be issued by diplomatic/consular authorities. As far as the capacity of Turkish consulates is concerned, equipment to detect false documents has been distributed (pr 2006). | |
| 2006-Pursue alignment of visa legislation and practice with the acquis (apd mt 2006). | |
| | 2007-Following the training received by 200 staff in 2007, there has been a slight increase in the detection rate for forged documents. In 2007, 493 documents were identified as false and falsified, compared with 469 in 2006 (pr 2008). |
| 2008-No progress can be reported on visa policy (pr 2008). | |
| 2008-Sticker-and stamp-type visas are still issued at borders, with different authorities responsible for the issuing procedures, and airport transit visas have not been introduced (pr 2008). | |
| 2008-No development can be reported on alignment with EU visa lists. There are several countries on the EU's negative list whose citizens can enter into Turkey without a visa. Citizens of 16 Member States are under a visa obligation when travelling to Turkey (pr 2008). | |
| 2010-However, Turkey does not apply a uniform policy towards all EU citizens as regards the visa obligation. Currently, citizens of 12 EU Member States are required to hold a visa to enter Turkey, which can be obtained at the Turkish | 2010-There has been little progress on visa policy. In August 2010, Turkey revised its policy as regards duration of stays allowed for 90 days within 180 days, in line with EU acquis (pr 2010). |

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| borders. Citizens of the other 15 Member States are exempted from the visa obligation for a short stay of up to 90 days (pr 2010). | |
| 2010-Introduction of new Turkish visa stickers with higher security features was further delayed (pr 2010). | 2010-Turkish passports with biometric security features were put into use on 1 June 2010. Visa issuing is now processed on-line among the Consular Offices and the Ministry of the Interior (pr 2010). |
| 2010-Airport transit visas remain to be introduced (pr 2010). | |
| 2010-No administrative initiative took place for gradually abolishing the issuance of sticker-and stamp-type visas at borders (pr 2010). | |
| 2010-Turkey agreed on visa exemptions with, Libya and Jordan in December 2009, Lebanon in January 2010, Russia in May 2010 and Tanzania and. similar agreements with Syria in October 2009, Serbia in July 2010 and Cameroon, published in July 2010, exclude ordinary passport holders. Some of these countries are on the EU's negative list (pr 2010). | |
| 2010-Overall, alignment with the <i>acquis</i> in this area is at a very early stage (pr 2010). | |
| 2012-However, Turkey did not align with the EU lists of countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement (pr 2012). | 2012-The Council invited the Commission to take steps towards visa liberalization as a gradual and long-term perspective, in parallel with the signing of the readmission agreement between Turkey and the EU which was initialed in June (pr 2012). |
| 2012-No additional measures were taken to further strengthen checks at borders following the visa exemptions launched in early 2009 (pr 2012). | 2012-In the direction of the objective to initiate the process which will result in visa liberalization for Turkish citizens, the negotiations of the Readmission Agreement which restarted in March 2010 were completed in January 2011 with a consensus on a 'balanced and applicable' text and as the Council of the EU gave the European Commission the mandate to |

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| | begin visa liberalization negotiations, the Readmission Agreement was initialed on 21 June 2012 (pr by tr 2012). |
| 2012-Furthermore, Turkey continue discriminating between Member States as regards visa policy: the citizens of 11 EU Member States continue to be required to hold a visa before entering Turkey, while the citizens of 16 Member States are exempted from this obligation (pr 2012). | 2012-There has been limited progress on visa policy. The Ministry of the Interior has introduced new provisions on short stays in Turkey (pr 2012). |
| 2012-There is a clear need to step up training for consular staff, in particular on document security (pr 2012). | 2012-With regard to visa policy, the only country which is required to have a Schengen visa among all of the EU candidate countries is Turkey. Turkey reiterates its request for visa exemption for Turkish citizens to EU officials on all platforms. Turkey's objective is visa liberalization, which will ensure the visa-free entry and exit of all Turkish citizens to the Schengen area states. Best effort is made in cooperation with the relevant institutions and every segment of society and in accordance with national interests in order to solve this important problem of Turkish citizens (pr by tr 2012). |
| 2013-Turkey did not align its legislation and practice with EU visa policy, and continued to discriminate between EU Member States in allowing or refusing their citizens visa-free access to its territory. Turkey granted unilateral visa exemption to tourists holding ordinary passport of Slovakia. Visa exemption agreements valid for all types of passports were enacted with Brunei, Belarus, and Colombia and with the Former Yugoslav Republic of Macedonia. Similar agreements signed with Moldova and Yemen during the reporting period are not yet in force (pr 2013). | 2013-The Commission prepared a roadmap for visa liberalization in line with the Council conclusions of 21 June 2012 inviting it to take steps towards visa liberalization as a gradual and long-term objective in parallel with the signing of the readmission agreement between Turkey and the EU. Signing the readmission agreement to allow for an effective start of the process and improved cooperation in this key area in EU-Turkey relations remains crucial (pr 2013). |
| | 2013-As a result of changes to the visa system in April 2013, nationals of certain |

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| | countries can obtain authorization to enter and stay in Turkey through an on-line electronic system. There is no such system in the Schengen Member States (pr 2013). |
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APPENDIX-2. Questions in 2006 and 2007 Eurobarometers Surveys

A-Questions related to immigration were asked in both 2006 and 2007 Eurobarometers Surveys

1. From the following list of actions, could you tell me what should be, for you, the three actions that the European Union should follow in priority?

Table 29 Options of Question 1

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| 1 | (SPLIT A) Welcoming new Member Countries (M) |
| 2 | (SPLIT B) Prepare a new enlargement of the EU (N) |
| 3 | Getting closer to European citizens, for example by giving them more information about the European Union, its policies and its institutions |
| 4 | Successfully implementing the single European currency, the euro |
| 5 | Fighting poverty and social exclusion |
| 6 | Protecting the environment |
| 7 | Protecting consumers and guaranteeing the quality of products (M) |
| 8 | Fighting unemployment |
| 9 | Reforming the institutions of the European Union and the way they work |
| 10 | (SPLIT A) Fighting organized crime and drug trafficking (M) |
| 11 | (SPLIT B) Fighting organized crime (N) |
| 12 | Asserting the political and diplomatic importance of the European Union around the world |
| 13 | Maintaining peace and security in Europe |
| 14 | Guaranteeing the rights of the individual and respect for the principles of democracy in Europe |
| 15 | Fighting terrorism |
| 16 | Fighting illegal immigration |
| 17 | Others (SPONTANEOUS) |
| 18 | DK |

2. For each of the following areas, do you think that decisions should be made by the NATIONALITY) government, or made jointly within the European Union?

Table 30 Options of Question 2

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| 1 | Fighting crime |
| 2 | Taxation |
| 3 | Fighting unemployment |
| 4 | Fighting terrorism |
| 5 | Defense and foreign affairs |
| 6 | Immigration |

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| 7 | The education system |
| 8 | Pensions |
| 9 | Protecting the environment |
| 10 | Health and social welfare |
| 11 | Agriculture and fishery (M) |
| 12 | Consumer protection |
| 13 | Scientific and technological research |
| 14 | Support for regions facing economic difficulties |
| 15 | Energy (M) |
| 16 | Competition (M) |

3. What do you think are the two most important issues facing (OUR COUNTRY) at the moment?

Table 31 Options of Question 3

| | |
|----|----------------------------|
| 1 | Crime |
| 2 | Economic situation |
| 3 | Rising prices\inflation |
| 4 | Taxation |
| 5 | Unemployment |
| 6 | Terrorism |
| 7 | Defense/Foreign affairs |
| 8 | Housing |
| 9 | Immigration |
| 10 | Healthcare system |
| 11 | The educational system |
| 12 | Pensions |
| 13 | Protecting the environment |
| 14 | Energy related issues (N) |
| 15 | Other (SPONTANEOUS) |
| 16 | DK |

B-Questions related to immigration were asked in 2007 Eurobarometers Survey

1. The European Parliament defends the development of certain policies at European Union level. In your opinion, which of the following policies should be given priority?

Table 32 Options of Question 4

| | |
|---|-------------------------|
| 1 | A common foreign policy |
| 2 | A common defense policy |

| | |
|----|--|
| 3 | Combating effectively climate change |
| 4 | A common energy policy |
| 5 | Improving consumer and public health protection |
| 6 | An environmentally friendly agriculture |
| 7 | Combating terrorism while respecting individual freedoms |
| 8 | Coordinating economic, budget and tax policies |
| 9 | Scientific research and development (R&D) |
| 10 | Aiming for a European social model |
| 11 | A common immigration policy |
| 12 | DK |

2. The EU should have a common immigration policy towards people from outside the EU

Table 33 Options of Question 5

| | |
|---|------------------|
| 1 | Tend to agree |
| 2 | Tend to disagree |
| 3 | DK |

3. European integration has been focusing on various issues in the last years. In your opinion, which aspects should be emphasized by the European institutions in the coming years to strengthen the European Union in the future?

Table 34 Options of Question 6

| | |
|----|--------------------------------|
| 1 | The Internal market |
| 2 | Cultural policy |
| 3 | European foreign policy |
| 4 | European defense policy |
| 5 | Immigration issues |
| 6 | European education policy |
| 7 | Environment issues |
| 8 | Energy issues |
| 9 | Solidarity with poorer regions |
| 10 | Scientific research |
| 11 | Social issues |
| 12 | The fight against crime |
| 13 | None of these (SPONTANEOUS) |
| 14 | Others (SPONTANEOUS) |
| 15 | DK |

APPENDIX-3. Abbreviation of EU Reports and Turkey's Adaptation to Acquis Documents

| Sort of Report | Report Name | Abbreviation |
|---|---|---------------|
| | 1998 Progress Report | pr 1998 |
| EU Reports | 1999 Progress Report | pr 1999 |
| | 2000 Progress Report | pr 2000 |
| | 2001 Progress Report | pr 2001 |
| | 2002 Progress Report | pr 2002 |
| | 2003 Progress Report | pr 2003 |
| | 2004 Progress Report | pr 2004 |
| | 2005 Progress Report | pr 2005 |
| | 2006 Progress Report | pr 2006 |
| | 2007 Progress Report | pr 2007 |
| | 2008 Progress Report | pr 2008 |
| | 2009 Progress Report | pr 2009 |
| | 2010 Progress Report | pr 2010 |
| | 2011 Progress Report | pr 2011 |
| | 2012 Progress Report | pr 2012 |
| | 2013 Progress Report | pr 2013 |
| | Turkey: 2000 Accession Partnership | apd 2000 |
| | Turkey: 2003 Accession Partnership | apd 2003 |
| | Turkey: 2006 Accession Partnership | apd 2004 |
| | Turkey: 2008 Accession Partnership | apd 2005 |
| Turkey's Adaptation to Acquis Documents (Turkey's AA Documents) | 2001 National Program (2001 NPAA) | np 2001 |
| | 2003 National Program (2003 NPAA) | np 2003 |
| | 2008 National Program (2008 NPAA) | np 2008 |
| | 2005 Action Plan on Asylum and Migration (Turkish National Action Plan for the Adoption of the 'EU acquis' in the Field of Asylum and Migration, 2005) | ap 2005 |
| | 2006 Action Plan on Integrated Border Management (2006 National Action Plan Towards the Implementation of Turkey's Integrated Border Management Strategy) | ap 2006 |
| | 2012 Progress report prepared by Turkey | pr by tr 2012 |
| | Accession Partnership short term | apd st |

| | | |
|----------------------------------|--------------------------------|--------|
| Other abbreviations (EU Reports) | Accession Partnership mid term | apd mt |
|----------------------------------|--------------------------------|--------|

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under mentioned tables are quoted from EU Progress Reports on Turkey and Turkey's AA Documents.

¹⁶⁹ The statements in Table 17, Table 18, Table 19, Table 20, Table 21, Table 22, Table 23, Table 24, Table 25, Table 26, Table 27 and Table 28 are directly quoted from EU Progress Reports on Turkey and Turkey's AA Documents. In addition, some words are corrected according to US grammar. Similarly, the items in the summaries under mentioned tables are quoted from EU Progress Reports on Turkey and Turkey's AA Documents.