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MANAGING IRREGULAR MIGRATION IN TURKEY: A POLITICAL-BUREAUCRATIC PERSPECTIVE

Kemal Kirişci

CARIM Analytic and Synthetic Notes 2008/61

Irregular Migration Series

Socio-Political Module

Cooperation project on the social integration
of immigrants, migration, and the movement
of persons (CARIM)

Co-financed by the European University Institute
and the European Union (AENEAS Programme)



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Euro-Mediterranean Consortium
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Kemal Kirişci

Boğaziçi University, Turkey

This publication is part of a series of papers on the theme of Irregular Migration written in the framework of the CARIM project and presented at a meeting organised by CARIM in Florence: "Irregular Migration into and through Southern and Eastern Mediterranean Countries" (6 - 8 July 2008).

These papers will also be discussed in another meeting between Policy Makers and Experts on the same topic (25 - 27 January 2009). The results of these discussions will be published separately. The entire set of papers on Irregular Migration are available at the following address: <http://www.carim.org/ql/IrregularMigration>.

¹ I would like to acknowledge the assistance of Asli Erdem, research assistant at Boğaziçi University, as well as officials from various Turkish institutions, the European Commission delegation in Ankara and representatives of several non-governmental organizations.

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[Full name of the author(s)], [title], CARIM AS [series number], Robert Schuman Centre for Advanced Studies, San Domenico di Fiesole (FI): European University Institute, [year of publication].

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European University Institute
Badia Fiesolana
I – 50014 San Domenico di Fiesole (FI)
Italy

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CARIM

The Euro-Mediterranean Consortium for Applied Research on International Migration (CARIM) was created in February 2004 and has been financed by the European Commission. Until January 2007, it referred to part C - “*cooperation related to the social integration of immigrants issue, migration and free circulation of persons*” of the MEDA programme, i.e. the main financial instrument of the European Union to establish the Euro-Mediterranean Partnership. Since February 2007, CARIM has been funded as part of the AENEAS programme for technical and financial assistance to third countries in the areas of migration and asylum. The latter programme establishes a link between the external objectives of the European Union’s migration policy and its development policy. AENEAS aims at providing third countries with the assistance necessary to achieve, at different levels, a better management of migrant flows.

Within this framework, CARIM aims, in an academic perspective, to observe, analyse, and predict migration in the North African and the Eastern Mediterranean Region (hereafter Region).

CARIM is composed of a coordinating unit established at the Robert Schuman Centre for Advanced Studies (RSCAS) of the European University Institute (EUI, Florence), and a network of scientific correspondents based in the 12 countries observed by CARIM: Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Palestine, Syria, Tunisia, Turkey and, since February 2007, also Libya and Mauritania. All are studied as origin, transit and immigration countries. External experts from the European Union and countries of the Region also contribute to CARIM activities.

The CARIM carries out the following activities:

- Mediterranean migration database;
- Research and publications;
- Meetings of academics;
- Meetings between experts and policy makers;
- Early warning system.

The activities of CARIM cover three aspects of international migration in the Region: economic and demographic, legal, and socio-political.

Results of the above activities are made available for public consultation through the website of the project: www.carim.org

For more information:

Euro-Mediterranean Consortium for Applied Research on International Migration

Robert Schuman Centre for Advanced Studies (EUI)

Villa Malafrasca

Via Boccaccio, 151

50133 Firenze (FI)

Italy

Tel: +39 055 46 85 878

Fax: + 39 055 46 85 755

Email: carim@eui.eu

Robert Schuman Centre for Advanced Studies

<http://www.eui.eu/RSCAS/>

Abstract

The paper, which tackles the Turkish experience of irregular migration, will be divided into three sections. The first section will examine the background and nature of irregular migration in Turkey: foreign nationals, mostly from neighboring countries, who overstay their visa and/or are illegally employed; transit migrants from various countries whose primary aim is to make their way into the European Union (EU); trafficking victims women who have been forced into prostitution and are then apprehended; and lastly rejected or stranded asylum seekers.

The second section of the paper will examine the policies of the Turkish government towards these different groups of “irregular migrants”. This section will argue that the government follows a differentiated policy and that these policies are a function of different factors. It will also examine the role of non-governmental organizations. The last section will examine the issue of “irregular migration” in the context of EU-Turkish relations.

The paper argues that these relations are marked by deep mistrust and that this mistrust is likely to remain in the foreseeable future. One of the major sources of mistrust is the conviction among Turkish officials that the EU wants to use Turkey as a “buffer zone” and/or a “dumping ground” for irregular migrants. Additionally Turkish officials are also concerned about the way in which the EU compels neighboring countries to manage their borders in a manner that adversely affects these countries’ relations with Turkey. In other words, as the EU tries to strengthen “fortress Europe”, Turkey’s interests and security are adversely affected. The paper will conclude by arguing that both the EU and Turkey have an interest in taking each other’s interests and security seriously.

Résumé

La note présente qui met en exergue la dimension politico bureaucratique de la migration irrégulière en Turquie est divisée en trois parties. La première partie délimite les catégories différentes des migrants irréguliers en Turquie. La deuxième examine les politiques publiques du gouvernement turc vis-à-vis de ces groupes et analyse les facteurs multiples qui façonnent cette politique « différenciée ». Cette partie passe également en revue le rôle des organisations non gouvernementales.

La troisième partie analyse sous un angle critique la thématique de la migration irrégulière dans le contexte des relations euro turques et démontre comment ces relations sont marquées par un manque de confiance qui agit indubitablement sur la problématique de la migration irrégulière. A titre d’exemple, l’auteur illustre son propos tout en démontrant dans quelle mesure la tentative de l’Union européenne de bâtir « une Europe forteresse » agit négativement sur les intérêts et la sécurité de la Turquie.

Dans la conclusion, l’auteur argumente que l’Union européenne et la Turquie ont un intérêt réciproque à mieux prendre en considération leurs intérêts et leur « sécurité » dans un esprit d’harmonisation.

Introduction

Since the end of the Cold War, Turkey has seen a large increase in the number of people entering the country. Just as the Cold War was coming to an end in 1990, 2,3 million foreign nationals entered Turkey. In 1996, this number had increased to 8,5 million and in 2005, it reached 20 million, almost a third of Turkey's population. The scale of immigration has been, by and large, beneficial for Turkey, not only from an economic perspective, but also in terms of building bridges with a world that had remained closed to Turkey during the Cold War.² There are, of course, no statistics for illegal transit migration through Turkey, except figures of the number of persons apprehended for being in violation of Turkey's visa regulations. During the period from 1995 to 2007, the period when statistics of persons illegally present in Turkey were first kept, the total figure was just under 700,000. This is a relatively low figure considering that during the last five years, 91,8 million people entered Turkey.³ Furthermore, just over 335,000 out of those 700,000 were nationals of countries such as Afghanistan, Bangladesh, Pakistan etc... who were likely to be illegal transit migrants (See Table 1 below). The rest of the illegal migrants were mostly from the ex-Soviet world and had little or no intention of making their way to the European Union.

Nevertheless, the issue of illegal transit migration is high up on the public agenda in Turkey and is important too in EU-Turkish relations. Illegal transit migration has almost become part and parcel of daily life in Turkey. There is regular media coverage of many aspects of irregular migration. The plight of illegal transit migrants caught in tragedies as they try to cross the Aegean Sea between Turkey and Greece receives special attention. The Turkish state is allocating ever increasing resources to manage illegal transit migration. It is not clear whether these efforts are helping Turkey to stem the tide. In the meantime, non-governmental organizations and some newspapers are drawing attention to the worsening of the situation from a humanitarian as well as from a human-rights perspective. This is accompanied by massive pressure from the EU to "combat" and "prevent" transit migration; pressure that contrasts with the situation less than a decade ago when European governments and institutions were encouraging Turkey to pay greater attention to the welfare and rights of asylum seekers and illegal migrants. Clearly, the emphasis has shifted from humanitarian and legal priorities to security and the protection of borders from the intrusion of "unwanted migration".

This paper argues that the nature of the problem of illegal transit migration is such that it calls for close international cooperation and dialogue. However, the manner in which "migration" has become securitized by the European Union has adversely affected EU-Turkish relations. As a result, what initially was supposed to be a point of cooperation between Turkey and the EU has generated deep mistrust on both sides. The EU feels that Turkey is not doing "enough" to combat and prevent illegal transit migration, and suspects that Turkey has allowed illegal migrants to use its territory to transit to the EU. In turn Turkish officials resent the pressure coming from the EU and fear that the EU intends to use Turkey as a buffer if not a "dumping ground" for irregular migrants. The fact that EU-Turkish relations have deteriorated over the last two years and that Turkey feels its prospects have worsened aggravates the situation. The result is one that benefits neither the security of the EU nor that of Turkey. Of course, irregular migrants themselves suffer too.

The paper is divided into one minor and three major sections. The first and relatively short section deals with definitional and methodological issues. This section will address the issue of who is an "illegal" migrant in Turkey and what is the nature of the data on irregular migration available in

² K. Kirişçi, "A Friendlier Schengen Visa Asylum System as a Tool of "Soft Power": The Experience of Turkey', *European Journal of Migration and Law*, vol.7, no.4, 2005.

³ Calculated with data on entries into Turkey obtained from the Foreign Nationals Department of the Turkish Ministry of the Interior (MOI)

Turkey. The second section describes the Turkish experience of irregular migration, and more specifically the nature of irregular migration into Turkey. The third section surveys the policies and measures that Turkey has introduced to manage illegal migration, particularly illegal transit migration. The fourth section focuses on the place of irregular migration in EU-Turkish relations and addresses questions such as: What has been the EU's role in Turkey's management of illegal migration? What is the nature of EU-Turkish relations in respect to irregular migration? How are broader EU-Turkish relations affecting the management of irregular migration?

In its conclusion, some suggestions are offered that may help Turkey and the EU to break out of the vicious circle of mistrust that they appear to have become trapped in, and at the same time to develop humane policies addressing the humanitarian needs of irregular migrants. There must, it is suggested, be some equilibrium that can be struck between national security concerns and human security.

Definitional and methodological issues

The arrival of large numbers of illegal migrants on the shores of especially Italy and France in the late 1990s, along with growing anti-immigrant feelings in Europe has meant that immigration has been increasingly looked at from a national security perspective. The terrorist attacks of September 11th, March 11th and July 7th in, respectively, New York, Madrid and London have only heightened this concern. And Turkey has attracted considerable attention as a transit country for illegal migrants. It was striking to see how during the run-up to the Seville European Council summit in June 2002, Tony Blair and José María Aznar threatened Turkey, and several other countries, with sanctions if they did not cooperate with the EU against illegal migration. Since then the EU has developed an impressive *acquis* dealing with migration in general and the prevention of illegal migration in particular. It is not the purpose of this paper to go into the details of this *acquis*. It is enough to note here that some of this *acquis* relates directly to Turkey. Some of it clearly aims to strengthen Turkey's administrative capacity to manage migration in general and adopt the current *acquis* as part of the accession process. However, some of it, at least from the perspective of Turkish officials, is an effort on the part of the EU to shift the burden of managing migration and in particular irregular migration to Turkey. The deterioration in EU-Turkish relations and the growing conviction on the part of Turkish officials that the EU is not serious about Turkish membership are adding to these suspicions. These issues are addressed in section four of this paper.

One of the difficulties in addressing irregular migration issues in EU-Turkish relations is that the Turkish definitions of irregular migration are somewhat different from the EU ones. Furthermore, there are also problems in respect to the quality and nature of statistical data for analytical purposes. The data that the Turkish authorities keep are not necessarily compatible with the data kept by EU member states. In the Turkish case it is possible to speak of at least four types of irregular migrants.⁴ The first category involves illegal transit migrants. These are persons that usually enter Turkey illegally in an attempt to make it to the EU, typically across the Aegean Sea to Greece or more recently via Bulgaria by land. The nature of the phenomenon is such that it is not possible to offer accurate data on illegal transit migration. However, the Turkish authorities do keep data on persons who have been stopped while entering or exiting the country illegally, or who are present in the country illegally or in violation of the rules that govern their residence permits. This data is collected

⁴ For a detailed analysis of categories of international migrants into Turkey see A. İçduygu, "The Politics of International Migratory Regimes: Transit Migration Flows in Turkey" *International Social Science Journal* no 165, 2000. İçduygu notes that "there is a widely accepted typology of international migration which consists of six types of migrants: (1) permanent settlers, (2) temporary contract workers, (3) temporary professional employees, (4) clandestine or illegal workers, (5) asylum seekers, and (6) refugees. To this typology, another category may be added, these are the transit migrants." (p. 358).

by the Police and covers nationals of 173 countries (2007) including persons without papers, stateless persons as well as Turkish nationals trying to leave the country illegally. The data kept by the Police labels all such persons as “*yasadışı göçmenler*” (illegal migrants). Naturally, not all these persons are “illegal transit migrants”. It is only possible to reach an approximate number by selecting those countries whose nationals are most likely to be “illegal transit migrants” such as Afghanistan, Bangladesh, China, Iraq, Palestine and various African countries. Of course, even then, the nationals of these countries are not always “illegal transit migrants”. Instead, some may simply be in violation of Turkish rules and may have no intentions or plans to transit Turkey to a third country.

A second category of “illegal migrants” are probably of least concern to the EU. These are the nationals of the ex-Soviet Union who have been stopped by the police for overstaying their visas or have been caught working illegally in Turkey. Most, more often than not, simply pay fines and return to their countries of origin. They do not typically remain stranded in Turkey or become “illegal transit migrants” trying to make it to the EU. Compared to illegal transit migrants, they are also less likely to become involved in petty crime. In this category of “illegal migrants” there are also EU nationals. There were between 1995 and 2007, close to 58,000 EU citizens that Turkey categorized as “illegal migrants”. In addition there were 35,000 illegal migrants from Bulgaria and Romania that became EU members in 2007.

Among the “illegal transit migrants”, there may be asylum seekers too. Although the Turkish authorities have become more sensitive towards irregular migrants who may qualify as asylum seekers, it is very difficult to differentiate such persons. Some of the persons coming from the above-mentioned countries, who are *a priori* selected as being “illegal transit migrants”, may be asylum seekers. Hence a third category of “irregular migrants” are asylum seekers who have filed an application with Turkish authorities and/or UNHCR and have become “illegal” for a variety of reasons. Their applications may have been rejected and they may have refused to return to their country of origin. Such persons would not necessarily appear in the above data on illegal persons and may live illegally in Turkey until they are caught. Alternatively, they may also make it out of Turkey illegally and become illegal transit migrants. Furthermore, there are also asylum seekers who simply lose patience waiting for their application to be processed and disappear.⁵ Again, it becomes very difficult to tell whether these people are still in Turkey or whether they have left the country to go to Europe or for that matter whether they have not returned to their country or gone on to another third country as the police keeps data on asylum seekers separate from data on “illegal migrants”. A final category of irregular migrants in Turkey would be victims of trafficking. As in the case of “illegal transit migrants”, it is very difficult to get at the exact number of trafficked person in Turkey.

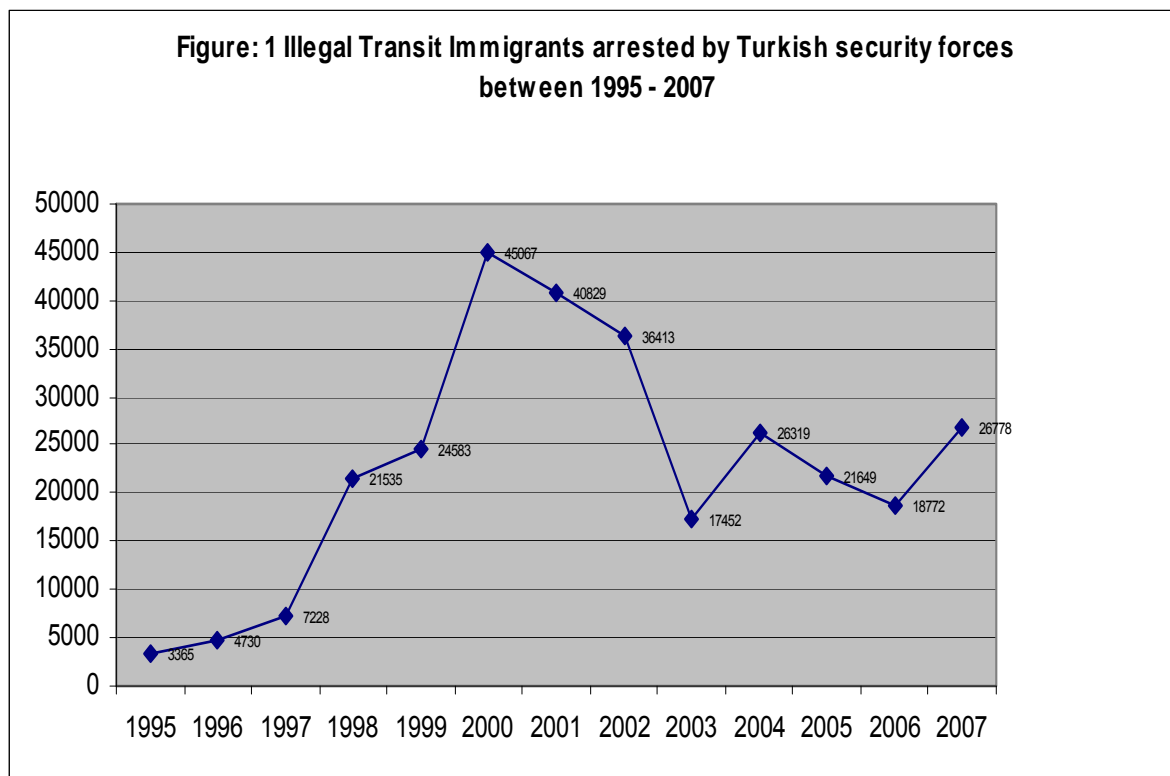
Some methodological problems have already been highlighted concerning the data on “irregular migration” in Turkey. An additional problem stems from the fact that statistics kept by the Police as opposed to the Gendarmerie and the Coast Guard are not always compatible. The overwhelming majority of “illegal transit migrants” are actually stopped by the Gendarmerie in the countryside and by the Coast Guard on the seas. More recently there has been an effort to better coordinate the collection and presentation of data between these institutions. A similar observation can also be made about UNHCR. The statistics kept by UNHCR is rarely similar to the statistics kept by the Turkish authorities. UNHCR in Turkey only keeps record of asylum seekers and refugees coming from outside Europe, but also uses a category called “persons of concern” that the Turkish authorities do not employ. In this paper only statistics collected by the police are employed. Lastly, the police have only compiled data on illegal migration and asylum in a relatively systematic manner since 1995, and in the case of trafficking since 2004.

⁵ Turkish authorities refer to such person as “person that has disappeared to an unidentified neighborhood or address (*Semt-i meçhul*)”.

Irregular migration and Turkey

It was in the aftermath of the collapse of the Soviet Union that Turkey first started to become familiar with irregular migration. Turkey's geographical location between immigrant-producing areas and Europe, accompanied by a relatively large informal economy, made it an attractive country for illegal migrants. And, notwithstanding its image as a country of emigration, in the course of the last two decades, Turkey has become a country of transit as well as a destination country for immigration, both long-term as well as circular and illegal, coming especially from the former Soviet Union and the Third World. Furthermore, Turkey has also become a destination country for trafficked women, especially women from the Soviet Union.⁶

Irregular migration in the form especially of illegal transit migrants trying to make their way into the EU increased in the mid- and second half of the 1990s. In the late 1990s, frequent reports of boats carrying hundreds of irregular migrants, landing on the beaches of Italy and France, were published. Measures introduced by Turkey led to a significant increase in the number of illegal transit migrants. This led to a shift of transit routes away from Turkey until approximately two years ago as an increase in the number of arrests occurred again. This was accompanied by increasing news coverage on illegal transit migrants being forced back into Turkey from Greece, as well as reports about the dire conditions in which some of these illegal migrants are held. Figure 1 shows the fluctuation in the number of illegal transit migrants arrested from 1995 to 2007.



Countries covered are Afghanistan, Algeria, Bangladesh, Egypt, Iran, Iraq, Morocco, Libya, Pakistan, Syria and Tunisia.

Source: Data obtained from the Foreigners Department of the Turkish Ministry of the Interior (MOI).

⁶ For a survey of the literature on Turkey and migration see K. Kirişci, "Migration and National Identity" in R. Kasaba (ed.) Cambridge History of Turkey: Volume 4 (Cambridge University Press, 2008).

The first half of Table 1 gives a breakdown of irregular migrants arrested by the security authorities. The migrants who can be found in this group – namely nationals of Afghanistan, Bangladesh, Iraq, Palestine, Pakistan, Somalia and persons with unidentified/unknown nationalities – constitute the bulk of illegal transit migrants.

Their total comes to over 335,000 arrests between 1995 and 2007.

The case of the Palestinians and Somalis is particularly interesting because their numbers have significantly increased since 2004. It is noteworthy that the number of illegal Palestinians was very low until the second *Intifada*. In 2007, the number of Palestinians peaked though at more than 8,300, totaling more than 13,000 for the period covered by the available data. Similar observations can be made about Somalis. The number of apprehended Somalis began to rise in 2002 also peaking in 2007 at almost 4,000 and a total of almost 16,000 arrested for the period covered by Figure 1. A relatively new phenomenon is the stark increase in the number of illegal transit migrants who are stopped without proper identification and who are listed by the Police as “persons with unidentified nationality”. Their numbers began to increase in the late 1990s, and have totaled almost 25,000. The case of Egypt, Iran, Morocco, Libya, Syria and Tunisia, constituting the group North Africa in Table 1 below, is more complicated. Just as some of the nationals of these countries may have been trying to transit to Europe, others may simply have overstayed their visa in Turkey.

Table 1: Breakdown by nationality of illegal immigrants arrested by Turkish security forces, 1995-2007

Country of origin	Number of people
Afghanistan	44,525
Bangladesh	20,683
Palestine	13,064
Iran	26,327
Iraq	123,508
Pakistan	57,700
Somali	15,901
Syria	9,527
Unknown Origin	24,991
Sub-total	336,226

North Africa*	12,450
Former Soviet Republics**	133,607
Central Asian Countries***	12,901
Albania	4,496
Bulgaria	11,446
Romania	23,335
Turkey	33,322
EU	57,766
Others	105,644
Total	696,412

* Algeria, Egypt, Libya, Morocco, and Tunisia

** Russia, Ukraine, Moldova, Georgia, Azerbaijan, Armenia and Belarus

*** Kyrgyzstan, Kazakhstan, Turkmenistan, Uzbekistan and Tajikistan

Source: Data obtained from the Foreign Nationals Department of the Turkish Ministry of the Interior (MOI) Data current as of 10.01.2008

Turkey allows nationals of Armenia, Azerbaijan, the Balkan countries, Georgia, Iran, Moldova, Morocco, Ukraine, Russia, Tunisia and the Central Asian republics to enter the country quite freely, either without visas or with visas that can easily be obtained at airports and other entry points.⁷ Today, a large proportion of Russian federation nationals are tourists. However, together with nationals of other countries, many of these people are involved in small-scale trade and work illegally.⁸ The volume of this “suitcase” trade involving nationals from the ex-Soviet world has fallen off significantly, while equivalent trade involving North African countries has increased. Some overstay their visas and work illegally as household helps, sex workers or laborers, especially on construction sites and in the tourist sector. Also, a form of “circular migration” involving especially Armenians, Georgians, Moldavians as well as nationals of Central Asian republics such as Uzbekistan and Turkmenistan is noticeable.⁹ Still, it is very difficult to estimate the number of such illegal migrants in Turkey. A good proportion of former Soviet nationals as well as individuals coming from the Balkan countries, including two EU countries, Bulgaria and Romania listed in Table 1, would fall under this category. Few of these individuals attempt or aim to go to Europe via Turkey.

⁷ For details see Kirişci (2005) and K. Kirişci, *Border Management and EU-Turkish Relations: Convergence or Deadlock* (CARIM-RR-2007/03, European University Institute, Florence, 2007).

⁸ See İçduygu (2003) as well as S. Erder. (2003), “Global Flows of Huddles: The Case of Turkey”, in Zeybekoğlu and Johansson (eds).

⁹ K. Kirişci, “Informal Circular Migration into Turkey: The Bureaucratic and Political Context” Euro-Mediterranean Consortium for Applied Research on International Migration, (Analytical and Synthetic Notes, Circular Migration, European University Institute, The Robert Schuman Centre for Advanced Studies, May 2008).

If anything, Turkish officials have long attempted to assuage EU worries of a large influx of migrants from these countries by noting that a liberal Turkish visa policy and the possibility that many nationals of these countries were able, in the 1990s, to engage in suitcase-trading relieved the pressure on the EU. For such persons Turkey itself has become a destination country. Additionally, there are 57,000 EU nationals in Table 1 that have been categorized as illegal migrants by the Turkish authorities. Although a large proportion of these people would have been categorized as “illegal migrants” because of “overstay”, some will have been “circular migrants” working informally.

Table 2: Victims of Trafficking by region between the years 2004-2007

Region	2004	2005	2006	2007	Total
Balkans*	37	90	37	16	180
Caucases**	39	21	32	19	111
Central Asia***	36	46	54	38	174
Former Soviet Union****	126	98	121	73	418
Others*****	1	1	2	2	6
Total	239	256	246	148	889

* Includes Bulgaria, Romania, Ukraine

** Includes Armenia, Azerbaijan, Georgia

*** Includes Kazakhstan, Kyrgyzstan, Uzbekistan, Turkmenistan

**** Includes Belarus, Russian Federation, Moldova

***** Includes Iran, Sri Lanka, Tunisia and Uganda

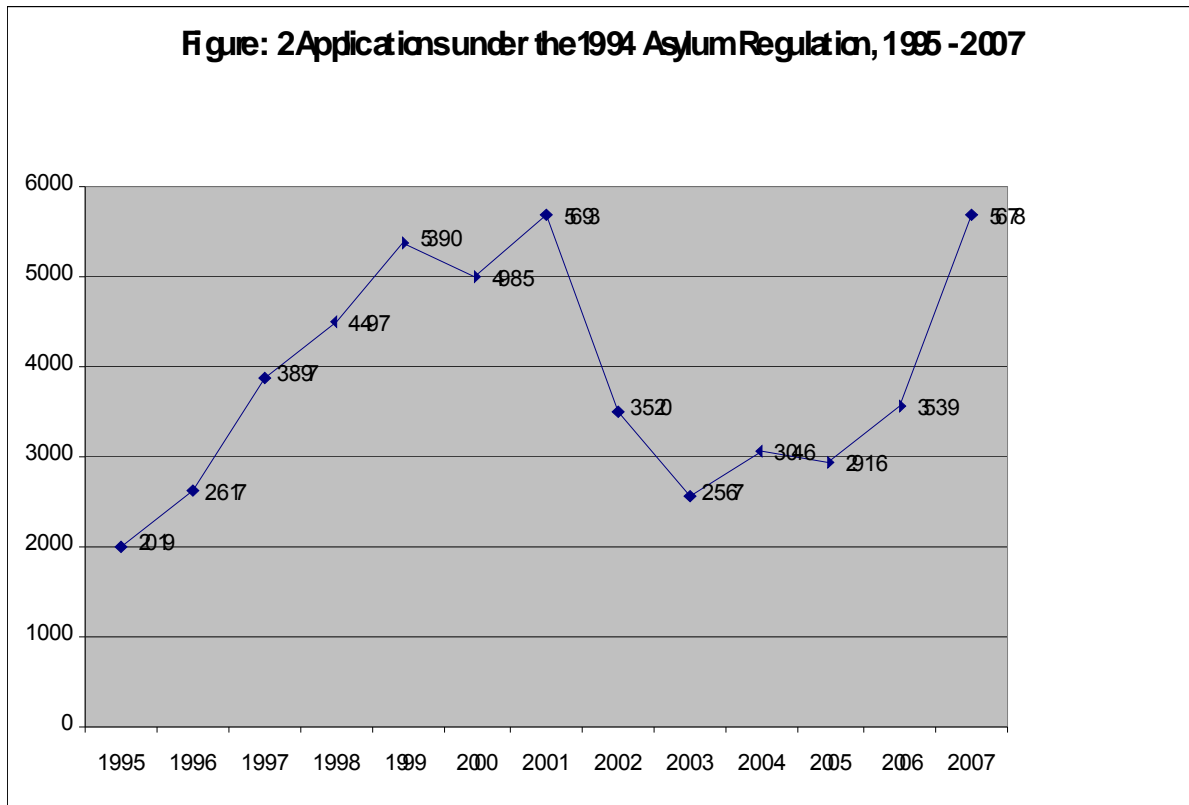
Source: Data obtained from the Foreigners Department of the Turkish Ministry of the Interior (MOI)

Part of the problem of illegal migration in Turkey has been that of trafficked persons – especially women. Turkey has become both a transit and destination country for prostitution by foreign nationals. Some of the women involved in this trade are actually trafficked.¹⁰ It was not until 2002 that amendments to the Penal Code were introduced that criminalized trafficking in human beings. This was a significant development because until then the Turkish penal code did not have any provisions defining trafficking, never mind subjecting traffickers to penalties. This also explains why the US State Department in its first annual Victims of Trafficking and Violence Protection Act of 2000: Trafficking in Persons Reports criticized the Turkish government and even threatened it with sanctions with all other “tier three” countries.¹¹ These were countries that were criticized for not combating trafficking, countries that had failed to introduce measures to prevent trafficking, to prosecute traffickers and to protect victims of trafficking.

As in the case of illegal migration in general in the case of trafficking it is difficult to obtain reliable statistics. Hence, it is not possible to say exactly how many women in Turkey are victims of trafficking. However, the government has kept regular records concerning trafficking since 2004. According to these statistics, as shown in Table 2, there were close to 900 victims recorded by the Police.

¹⁰ For an extensive and thorough study of this problem, see S. Erder and S. Kaska (2003), *Irregular Migration and Trafficking in Women: The Case of Turkey*, IOM International Organisation for Migration, Geneva. See also 2005 Turkey, *Trafficking and Trends* (IOM, Ankara, January 2005) and Ç. Arslan et al., *Combating Trafficking in Turkey: a Strategic Approach to Law Enforcement* (IOM, Ankara, 2006).

¹¹ These reports are available at www.state.gov/g/tip/rls/tiprpt/.



The final group of people that have to be included in any study of “irregular migration” in Turkey are asylum seekers and refugees. Turkey has long been a country of asylum. But asylum seekers and refugees in Turkey have changed since the Cold War. In the past asylum seekers came overwhelmingly from the Soviet world. In close cooperation with UNHCR these asylum seekers were processed and resettled in third countries, usually the US and Canada. However, throughout the 1990s, asylum seekers increasingly come from outside Europe. Turkish asylum policy and practice has evolved in such a manner that Turkey granted temporary protection to asylum seekers, while the application of asylum seekers are examined by the Turkish authorities in close coordination with UNHCR. As Turkey accepts the 1952 Geneva Convention Relating to the Status of Refugees with a “geographical limitation” asylum seekers that are eventually recognized as refugees are expected to be settled in third countries. Figure 2 shows the way in which asylum applications have fluctuated over the years with a sudden increase in the last two years. The system had until recently been working reasonably well. However, a spike in the number of asylum seekers, due especially to the situation in Iraq, Palestine and Somalia, accompanied with UNCHR budget cuts has significantly slowed down the processing of applications. Resettlement for recognized refugees is becoming more difficult and takes longer.

Table 3: Applications under the 1994 Asylum Regulation, 1995 – 2007

Country	Applications	Accepted cases	Rejected cases	Pending cases	Withdrawals and Secondary protection
Iraq	16,972	5,919	5,209	4,707	1,137
Iran	28,963	18,316	3,225	6,048	1,374
Afghanistan	1,480	312	280	860	28
Russia	80	15	43	15	7
Uzbekistan	231	70	76	73	12
Azerbaijan	36	3	24	1	8
Other Europe*	125	53	59	3	10
Other**	2,467	339	369	1,676	83
Total	50,364	25,027	9,285	13,393	2,659

* Includes Albania, Belgium, Bosnia, Bulgaria, Germany, Georgia, Greece, Italy, Macedonia, Romania, Switzerland, Ukraine and Yugoslavia.

** Includes Algeria, Bangladesh, Birmania (Myanmar), Burma, Burundi, China, Congo, Egypt, Eritrea, Ethiopia, Ghana, Guinea, India, Israel, Ivory Coast, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lebanon, Liberia, Libya, Malaysia, Mauritania, Morocco, Nigeria, Pakistan, Palestine, Philippines, Rwanda, Sierra Leone, Sri Lanka, Somalia, Sudan, Syria, Tunisia, Tajikistan, Turkmenistan, Uganda, the United States of America, Yemen, Zaire.

Source: Data obtained from the Foreign Nationals Department of the MOI.

Data current as of 10.01.2008

As shown in Table 3 there were more than 50,000 applications between 1995-2007. Close to half of these applications culminated in a recognition of refugee status, while a third of the applications are still pending. However, as the time for a decision takes longer and longer asylum seekers are increasingly going underground. They either become illegal migrants in Turkey as they violate their terms of stay there or they try to join the ranks of illegal transit migrants. This is also occurring with recognized refugees who lose hope or become impatient and choose to join the ranks of illegal migrants. Then, of course there is the case of those asylum seekers whose cases are rejected. Some do return to their country of origin. But some either stay on in Turkey illegally or, as is the case with the other two categories, try to smuggle themselves into the EU. It is, naturally, very difficult to put a figure on their numbers. The police officially reports that 370 asylum files have been closed because the claimants simply disappeared between 1995 and 2007. Yet, the number of such asylum seekers and refugees who become “illegal” in this way is likely to be higher.

Managing irregular migration

In an attempt to manage irregular migration Turkey developed a series of measures. Most significant was Turkey's signing, in December 2000, of the UN Convention against Transnational Organized Crime and of its two additional Protocols including the Protocol to Prevent, Suppress and Punish Trafficking. The Turkish Parliament ratified these instruments in March 2003.¹² Then, as part of a EU reform package in August 2002, the government introduced new articles to the Penal Code criminalizing human smuggling and trafficking.¹³ New powers given to the security forces and courts bore its fruits and as can be seen from Figure 1 there was a conspicuous fall in the number of illegal transit migrants being apprehended. This development was generally recognized as a sign of an overall fall in illegal transit migration through Turkey. The 2003 Progress Report of the European Commission did acknowledge that illegal migration via Turkey had decreased and that international migration flows had been diverted away from Turkey.¹⁴ Furthermore, according to Turkish government sources, the number of illegal migrants apprehended by the Italian authorities and alleged to have reached the Italian coast via Turkey fell from 6,093 in 2001 to 2,117 in 2002 and 177 in 2003. These statistics indicate that between 2000 and 2003, 157 ships were intercepted carrying irregular migrants, 118 of which were stopped by the Turkish authorities.¹⁵ This effort also appears to be validated by the steady increase in the number of human smugglers apprehended as indicated in Table 4. The number of human smugglers arrested increased steadily up to about 2003. Figure 1 shows though that, after a period when it looked like illegal transit migration had slowed down, the last two years have seen another increase both in the reporting of incidents involving illegal transit migrants in the media, but also in the number of smugglers arrested. This increase seems related to developments in Iraq, Palestine and Somalia.

In last two years, the EU has seen more and more illegal transit migration coming from Africa. This has been accompanied by EU efforts to develop policies and measures to stem and reverse this tide. Greece has been particularly affected. In the last two years, the media has reported a growing number of incidents that involved stranded illegal migrants being forced into Turkish territorial waters or onto the Turkish coast by the Greek authorities. So in late September 2006 a group of 31 migrants from Iraq, Lebanon, Palestine and Tunisia were only just rescued, while 6 persons died off the Turkish coast near the city of İzmir. It was the Amnesty International (AI) local branch office that interviewed the survivors and recorded their story. They claimed that they had been brought to the Turkish coast by Greek officials in a high speed boat and dumped in the sea just off the coast.¹⁶ A similar incident took place in January 2008 near Ayvalık, another coastal city on the Aegean Sea.¹⁷ This time 13 illegal migrants from Mauritania claimed that a Greek coast guard vessel had towed their rubber dingy boat and had shot the boat to deflate it a few hundred meters short of the Turkish coast. This event too was reported by AI, a fact that created a good deal of coverage.¹⁸ These events came on the heels of a video recording of a Greek coast guard boat towing and releasing a small fishing vessel packed with illegal migrants into Turkish waters, a video that appeared on Greek and Turkish TV channels. The

¹² See Official Gazette, 29 March 2003, No. 25052.

¹³ See Official Gazette, 9 August 2002, No. 24841.

¹⁴ See http://europa.eu.int/comm/enlargement/report_2003/pdf/rr_tk_final.pdf.

¹⁵ Information obtained from the Foreigners Department of MOI.

¹⁶ See "Ege'de Utaç Verici İnsanlık Krizi", Press Statements, 29 September 2006, available from www.amnesty.org.tr under "Basın Açıklamaları Listesi".

¹⁷ See "Kaçaklardan vahim iddia," Radikal, 4 January 2008.

¹⁸ See Amnesty International Press Release, "Yunanistan'ın denizde gerçekleştirdiği iddia edilen ihlaller soruşturulmalıdır," 6 February 2008.

video had been taken by a Turkish coast guard helicopter in July 2004. The publicity that this recording generated meant that the practice of forced returns was taken up by the Greek media too. For example the Greek newspaper Kathimerini listed different methods used by the Greek coast guard in forcing illegal migrants into Turkish territorial waters. It made references to more than 8,000 illegal migrants being treated in this way since 2002.¹⁹ In the meantime, this practice of forcing illegal migrants out of Greece has begun to attract the attention of human-rights groups and one such group, PRO ASYL, has actually compiled an extensive report on the practice.²⁰

These stories are indicative of the pressure felt by the Greek authorities in combating illegal transit migration. A similar situation concerns Turkey too. For example on 23 April 2008 the media reported four drownings in the Tigris River, following Turkey's attempt to deport a group of illegal migrants. These were among a group of illegal migrants turned over to the Iraqi authorities. The circumstances of the deaths are not clear, but UNHCR claimed that one of these persons had actually been granted refugee status.²¹ On 2 May 2008, a common press release was issued by the HCA, Human Rights Association, Human Rights Agenda Association, Organization of Human Rights and Solidarity for Oppressed People (Mazlum-Der), Association of Solidarity with Refugees and Amnesty International Turkey in order to protest the forced expulsions and the resulting deaths. These civil society organizations called on the officials of the Ministry of Internal Affairs to give an official explanation and to start an investigation in order to bring those responsible to justice.²² This event received extensive media coverage²³ However, government officials have contested the media version of events and argued that no deportations took place with Iraqi approval. They also claimed that there was no objective evidence that these deaths had occurred and that the reports were based on hearsay. As far as the Turkish authorities are concerned then these persons were among the individuals that were turned over to the Iraqi authorities.²⁴ In June 2008 a riot in a detention center near the Bulgarian border culminated in the death of an illegal migrants: this too caught the media's attention.²⁵

¹⁹ The story was reported in Yorgo Kirbaki, "Komşu mülteci kovma uzmanı" Radikal 16 October 2006. The number of illegal migrants forced into Turkey was also reported in detail in Radikal, 29 September 2006.

²⁰ PRO ASYL, The truth may be bitter, but it must be told. The Situation of Refugees in the Aegean and the Practices of the Greek Coast Guard, October 2007.

²¹ See UNHCR Press Release <<http://www.unhcr.org/news/NEWS/4811e23c4.html>>.

²² The Press Release by civil society organizations is available in Turkish at <<http://www.hyd.org.tr/?pid=620>>.

²³ "BM'den Türk polisine korkunç suçlama", Star, 26 April 2008; "Dicle'yi geçmeye çalışırken boğuldular," Birgün, 27 April 2008. A former UNHCR official and an advocate of refugee rights Cengiz Aktar addressed the issue in an article, "A nightmare country for refugees," Turkish Daily News, 21 June 2008; "Mültecileri polis nehre dökmüş," Evrensel, 27 April 2008; Oktay Durukan, "Hayalet Habur'da ortaya çıktı," Radikal 2, 4 May 2008; Koray Düzgören, "Dicle'de neler olmuş bilen var mı?", Yeni Şafak, 9 May 2008.

²⁴ Interview held in Ankara with Turkish officials, 19 June 2008.

²⁵ Reported in "Türkiye'de mülteci olmak iki kat zor" Taraf 14 June 2008.

Table 4: Arrests of human smugglers by Turkish authorities by nationality, 1998 –2007

Nationality	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	Total
Turkey	75	139	701	1021	1019	825	844	713	845	1154	7,336
South Asia ^a	3	17	35	11	20	30	25	42	13	20	216
Neighbouring Middle East ^b	15	31	72	92	93	50	36	31	42	37	499
Other Middle East ^c	2	0	0	4	0	0	9	7	7	1	30
European Union ^d	2	0	15	6	14	8	6	8	5	1	65
Former Soviet Unione	1	0	14	8	10	7	15	13	10	8	86
Others (incl. China)	0	0	13	13	1	17	21	20	29	21	135
Total	98	187	850	1,155	1,157	937	956	834	951	1242	8367

a Afghanistan, Bangladesh, Pakistan and India.

b Iran, Iraq and Syria.

c Egypt, Lebanon and Mauritania.

d Greece, Romania, Poland and Bulgaria.

e Russia, Ukraine, Moldavia, Georgia, Azerbaijan and Armenia.

Source: Data obtained from the Foreign Nationals Department of the Turkish Ministry of the Interior (MOI)

These are developments that had not been heard of in the past and that are representative of the scale of the problem that authorities face. The detention centers are often overcrowded and detainees have poor living conditions. One important reason for this is that the Turkish authorities are frequently unable to deport illegal transit migrants to their country of origin. This is usually either because these individuals come from distant countries or because their country of origin is unwilling to cooperate. This is in stark contrast to the nationals of countries of neighboring countries or of the ex-Soviet world. Turkish authorities are usually confident that the nationals of these countries will go back and that home-country authorities will cooperate with repatriation if their nationals fall into illegality. In an effort to deter illegality Turkey has introduced fines and also a ban on re-entering the country for the nationals of those countries who enjoy a visa free entry to Turkey.

Another typical problem that the Turkish authorities face is that the illegal transit migrants who they arrest often either do not have proper identity documents or they purposefully mislead the authorities about their identity. This complicates the completion of administrative and judicial procedures for deporting such persons. Furthermore, even when the nationality of illegal migrants is actually known, Turkish authorities often lack the financial resources and the international connections to be able to arrange for the return of such persons to their country of origin. Hence sometimes, in frustration, authorities resort to forced deportation across the border to Iran or to Iraq. It is not unusual

that some of these persons then simply try to make their way back into Turkey. The majority of these illegal transit migrants remains stranded in Turkey in a state of illegality and when apprehended are likely to be held in detention centers for long periods of time.

These problems are not, of course, very different from the problems that the authorities of many transit and destination countries face. It is a problem that is of a transnational nature and requires broad international cooperation. Turkey has tried to develop a number of channels of cooperation. One of them is the negotiation and signing of readmission agreements. So far though Turkey has been able to sign agreements only with Greece in November 2001, Syria in September 2001, Kyrgyzstan in May 2003, Romania in January 2004 and Ukraine in June 2005.²⁶ The Turkish authorities have noted that they have suggested readmission agreements to more than 14 other countries, but without any response. They have been particularly keen to negotiate with Iran, Pakistan, Afghanistan and Bangladesh. However, in spite of a number of official visits to these countries successes have been few and far between.²⁷ Turkey is, on the other hand, in the process of negotiating agreements with Belarus, Egypt, Iran, Libya, Lebanon, Russia and Uzbekistan. The simultaneous negotiation of so many agreements is a taxing exercise, particularly considering that progress is often slow and that some third governments have little incentive to cooperate.

In Turkey there are no publicly available studies on how well these readmission agreements work. The agreements do provide for periodic consultation mechanisms. However, it is unclear as to whether these mechanisms work well. Furthermore, these meetings are often held at the level of experts who lack initiative as well as authority to pursue deeper cooperation. The longest-standing readmission agreements are with Greece and Syria. But in spite of dramatic improvements in Greek-Turkish relations in recent years and the presence of a positive cooperative climate, the implementation of the agreement seems to be encountering difficulties. Both sides have frequently blamed the other for stalling on the implementation of the protocol. They have also accused each other of forcing illegal migrants into each other's territories as well as of attempting to turn over migrants that have not necessarily transited from the country. Yet, at the same time, there is also evidence that sometimes the parties do take illegal transit migrants from each other.²⁸ However, the nature of the phenomenon is such that Turkey is expected to take back a much larger number of illegal transit migrants. This imbalance is, in itself, often a source of mistrust. The agreement with Syria seems to be working better, though the numbers of illegal migrants involved and the scale of the agreement is much more limited.²⁹

There were two projects involving the return of migrants stranded in Turkey to their country of origin. The IOM in cooperation with the Turkish authorities ran between 1995 and 1997 a project called Stranded Migrants in Turkey (SMIT) to help in the voluntary return of illegal migrants. During this period 550 stranded migrants were assisted in leaving Turkey. The project was discontinued early

²⁶ These agreements were published, subsequent to ratification, in the Official Gazette: Syria, Law 4901, Official Gazette, 17 June 2003, No. 25148; Greece, Cabinet Decree 3914, Official Gazette, 24 April 2002, No. 24735; and Kyrgyzstan, Law 5097, Official Gazette, 12 February 2004, No. 25376; Romania, Law 5279, Official Gazette, 27 October 2004, No. 25626. The agreement with Ukraine was signed on 7 June 2005. The agreement is, as of June 2008, at the Turkish parliament awaiting ratification.

²⁷ Communication with an official of the Turkish Ministry of Foreign Affairs. Email of 28 June 2008.

²⁸ According to information provided by the Foreign Nationals Department of the Turkish Ministry of the Interior (MOI) as of June 2008 Greece claimed that 33,797 illegal transit migrants entered from Turkey. Turkey officially took back 6,081 of these but Greece was able to turn over 1,917 of them. In turn, Turkey claimed 2,642 illegal transit migrants had come to Turkey from Greece but only 19 were taken back by Turkey.

²⁹ In the case of Syria, Turkey returned 1,970 illegal migrants and received back 61 of them.

in 1998 for lack of funds³⁰ and repeated efforts on the part of IOM officials to revive the program have failed. A similar project was run with the financial support of the Swiss government in cooperation with the Turkish government and a Turkish non-governmental organization called the Anatolian Development Foundation. The project made it possible for the voluntary return, between January 2004 and December 2006, of 169 illegal migrants stranded in Turkey, most from Afghanistan, Algeria, Bangladesh, China, Morocco, Pakistan and Uzbekistan.³¹ However, these two projects were not enough to deal with all stranded migrants. Hence, Turkish detention centers continue to fill up with detained illegal migrants that the Turkish authorities are unable to deport or return to their country of origin.

Turkish civil society is taking more interest in the challenges associated with irregular migration. The case of non-governmental organizations involved in assisting victims of trafficking are mentioned below. The Anatolian Development Foundation, Amnesty International, Helsinki Citizens' Assembly, Association of Solidarity with Asylum Seekers and Migrants, Association of Solidarity with Refugees, Humanitarian Development Association, and Humanitarian Relief Foundation are some of the more prominent Turkish non-governmental organizations active in assisting asylum seekers, refugees and illegal transit migrants in a variety of ways.³² Some of these NGOs provide humanitarian assistance, while others focus on legal assistance and yet others support awareness programs. These NGOs increasingly work closely with IOM, UNHCR and the EU as well as government agencies. However, in relation to the size of the problems associated with irregular migration management civil society remains relatively weak. For example, a third shelter for victims of trafficking, planned for the city of Antalya on the Mediterranean coast, has still not been opened because a local non-governmental organization could not be found to take responsibility for running the shelter.³³

Over the last few years Turkey has also participated in numerous international and regional efforts to combat illegal migration and human smuggling. In 2001, Turkey joined the Centre for Information, Discussion and Exchange on the Crossing of Borders and Immigration (CIREFI). Since then the Turkish Police have shared data with this Centre and participate in bi-annual meetings there. Turkey also cooperates with the Early Warning System as far as sudden surges in illegal migration movements and forged or stolen documents are concerned. Turkey attended and contributed to the activities of the Global Commission on International Migration as well as the International Migration Policy Dialogue of IOM. In 2004, Turkey granted full diplomatic status to the offices of IOM in Ankara and became a full member. Turkey took over the chairmanship of the Budapest Group in January 2006. Most recently, in May 2008, the Turkish Ministry of Foreign Affairs hosted a meeting of senior officials. An important aspect of this meeting was the interest given to the need to expand the geographical area of interest of the Budapest Process to the Black Sea region as well as the East Mediterranean.³⁴ Turkey has also been participating in forums such as the Berne Initiative, the Mediterranean Transit Migration Dialogue and the Bali Process. It has also hosted the meetings of some of these groups.

³⁰ K. Kirişci, *Justice and Home Affairs Issues in EU-Turkish Relations* (TESEV, Istanbul, 2002), p. 45

³¹ Information provided by a Swiss diplomat involved in the project. Email message 28 June 2008.

³² For documentation on civil society organizations active in the management of migration issues see K. Kirişci and S. Artan, "Asylum, Immigration, Irregular migration and Internally Displacement in Turkey: Institutions, Policies and Documentation" (forthcoming as a CARIM document).

³³ Communication with a member of the Human Resources Development Foundation, 1 July 2008.

³⁴ Draft Meeting Conclusions of the 15th meeting of the Budapest Group of Senior Officials, 15-16 May 2008, Trabzon.

Table 5: Safely returned victims of trafficking by region between years of 2004-2007

Region	2004	2005	2006	2007	Total
Balkans*	18	78	35	12	143
Caucuses**	3	5	13	6	27
Central Asia***	3	39	45	34	121
Former Soviet Union****	37	97	102	62	298
Others*****	-	1	2	2	5
Total	61	220	197	116	594

* Includes Bulgaria, Romania, Ukraine

** Includes Armenia, Azerbaijan, Georgia

*** Includes Kazakhstan, Kyrgyzstan, Uzbekistan, Turkmenistan

**** Includes Belarus, Russian Federation, Moldova

***** Includes Iran, Sri Lanka, Tunisia and Uganda

Source: Data obtained from the Foreigners Department of the Turkish Ministry of the Interior (MOI)

Turkey has introduced numerous measures to combat trafficking and has participated in various projects to extend protection to victims of trafficking as well as to ensure their safe return home. The Turkish Citizenship Law was revised and a probation period of 3 years was introduced for female spouses when acquiring Turkish citizenship through marriage, in an effort to prevent marriage being abused for trafficking and illegal work purposes. A new Law on Working Permits for Foreign Nationals entered into force in September 2003. This Law is meant to make it easier to get a work permit and to discourage people from working illegally. The government convened a National Task Force on Combating Trafficking in Human Beings in 2002 with the purpose of developing a more comprehensive approach. This led to the development of projects aimed at protection, prevention and law enforcement against trafficking.³⁵ Most strikingly MOI officials joined by the Gendarmerie were able to make arrangements with a non-governmental organization in September 2003, Human Resources Development Foundation (HRDF) and the Directorate General of the Status of Woman to provide social assistance to victims of trafficking until their safe return to their countries of origin could be arranged. This was accompanied by a decision to grant the victims of trafficking temporary residence permits and to allow them access to free health services. In June 2004 during the NATO summit in Istanbul the Turkish Minister of Foreign Affairs, Abdullah Gül and the US Secretary of State Colin Powell inaugurated a shelter for victims of trafficking in Istanbul. A similar centre was opened in Ankara in November 2005 run by a non-governmental Women's Solidarity Foundation. Shelters are expected to follow in other major cities with the support of local municipalities. Agreements were signed with a number of countries in the region to combat trafficking.³⁶ The MOI has also been in close contact with counterparts in neighboring countries in an effort to protect victims and ensure their safe return. These projects and cooperative schemes have led to more than 590 victims, see Table 5, being safely returned to their countries of origin.

³⁵ The details of these activities can be found in 2006 Report on Combating Human Trafficking Turkey adopted by the National Task Force. The report is available at www.mfa.gov.tr/turkey-on-trafficking-in-human-beings.en.mfa as well as www.countertrafficking.org, the web page of the IOM branch office in Ankara.

³⁶ Bilateral Protocols for cooperation against trafficking in human beings were signed with Belarus on 28 July 2004, Georgia on 10 March 2005, Ukraine on 7 July 2006, Moldova on 8 February 2006 and Kyrgyzstan on 5 September 2006. Negotiations with Bulgaria, Romania and Russia are continuing as of June 2008. Information provided by the Foreign Nationals Department of the Turkish Ministry of the Interior (MOI).

Table 6: Distribution of Apprehended Traffickers by the region between the years of 2004-2007

Region	2004	2005	2006	2007	Total
Balkans*	6	10	4	5	25
Caucuses**	15	12	10	9	46
Central Asia***	3	10	11	9	33
Former Soviet Union****	19	14	22	20	75
Turkey	184	333	375	264	1156
Pakistan	-	-	-	1	1
Total	227	379	422	308	1336

* Includes Bulgaria, Greece, Romania, Ukraine

** Includes Armenia, Azerbaijan, Georgia

*** Includes Kazakhstan, Kyrgyzstan, Uzbekistan, Turkmenistan

**** Includes Belarus, Russian Federation, Moldova

Source: Data obtained from the Foreigners Department of the Turkish Ministry of the Interior (MOI)

The new Penal Code that came into force in 2005 defines trafficking as a serious crime and asks for sentences of up to 12 years for convicted traffickers. In December 2006 the law was amended so as to introduce the concept of “forced prostitution” as a form of trafficking in human beings. According to the Police more than 1,300 traffickers were arrested between 2004 and 2007, as shown in Table 6. A fully-fledged jurisprudence against trafficking has not yet developed. However, the High Appeals Court of Turkey has finalized a conviction case and this case is expected to form a precedent for many other pending in the lower courts.³⁷

Important steps were also taken in respect to prevention and general awareness. Crucially, the Turkish government together with the IOM and with financial assistance from the US government started a telephone helpline for victims. The line became operational in 2005 as “Alo 157” and as of April 144 victims have been assisted by the service.³⁸ A publicity campaign was also launched at airports and border crossing to increase awareness of the helpline as well as of trafficking. Efforts were also made to ensure the media covered the problem.³⁹ Beside training seminars, non-governmental organizations such as HRDF, International Blue Crescent and Medecins du Monde-Greece have organized regional seminars involving the participation of governmental and non-governmental stakeholders from Turkey and neighboring countries. There is also a EU twinning project “Strengthening the Institutions in the Fight against Trafficking in Human Beings” aiming at expanding Turkey’s public as well as civil-society capacity to combat trafficking. The European Commission in its Progress Report on Turkey for 2006 noted: “Turkey’s legislation is well-aligned with EU legislation on fighting trafficking in human beings”.⁴⁰

³⁷ Communication with a member of the Human Resources Development Foundation, 1 July 2008.

³⁸ Statistics of 157 Helpline (IOM, Turkey office, Ankara, 4 April 2008).

³⁹ Information about these campaigns can be obtained from www.countertrafficking.org.

⁴⁰ Turkey 2006 Progress Report, (Commission of the European Communities, Brussels, 8 November 2006), p. 61.

Turkey has come a long way in combating trafficking in human beings in only a few years. This is best acknowledged by the US State Department reports on trafficking. Turkey's legislative efforts in 2002 and 2003 accompanied by increased law enforcement and measures taken to assist victims played a critical role in the US administration's decision in September 2003 to upgrade Turkey from a tier-three country, where it could have had suffered sanctions, to a tier-two country. Tier-three countries are defined by the US Department as countries that pay inadequate attention to combating trafficking in human beings and women in particular. Tier-two countries are countries who have introduced legislation and are making efforts toward enhancing prevention and prosecution. In this group there are a number of EU members. It is in the area of prosecution and convictions that Turkey is considered to need improvement. The 2007 US State Department report finds Turkey still at fault because of a large number of acquittals. This is a problem recognized by Turkish officials as well as by representatives of non-governmental organizations. The EU twinning project and other projects have supported training seminars for the judiciary with a view to addressing this problem. The IOM office in Ankara completed a detailed study of Turkish legislation and judicial practice in this area in 2006, identifying weaknesses and making recommendations for improvement.⁴¹

Turkey is also engaged in multilateral efforts to address the issue of trafficking in human beings at the regional level. Many of the forums that deal with illegal migration also address the issue of trafficking. Turkey has been part of United Nations Global Initiative to Fight Human Trafficking and Modern-Day Slavery (UN.GIFT) program, which was originally put into place in March 1999. Turkey held a conference together with United Nations Office for Drugs and Crime (UNODC) and Economic Cooperation Organization in Istanbul in October 2007 addressing the issue of "trafficking in the Black Sea region." This is part of an ongoing project aiming to make better use of the judiciary while combating trafficking in human beings and that involves UN.GIFT and UNODC as well as the secretariat of the Black Sea Economic Cooperation based in Istanbul. Furthermore, Turkey raised the issue of achieving greater cooperation against trafficking at the aforementioned expert meeting held in Turkey as part of the Budapest Process.

The EU dimension

EU-Turkish relations profoundly influence the management of irregular migration in Turkey. In fact, the EU has played an important role in the transformation of Turkey through the reforms that were adopted by the Turkish government in an effort to meet the Copenhagen political criteria and thereby start accession negotiations. The EU in the Accession Partnership documents that it prepared for Turkey in 2001, 2003 and 2006 also laid out a list of tasks that Turkey would have to fulfill to harmonize its immigration policies with those of the EU. The most recent one, February 2008, repeats these tasks. They include inter alia, a series of measures to combat irregular migration such as the development of a fully-fledged asylum policy, the construction of reception centers, the signing of readmission treaties with countries of origin as well as the negotiation of a readmission treaty with the EU itself.⁴²

These issues constitute matters covered under Chapter 24 "justice, freedom and security" (Chapter 24) of the 35 chapters that Turkey has to negotiate before accession. As of June 2008 there are eight of

⁴¹ Ç. Arslan et al., *Combating Trafficking in Turkey: a Strategic Approach to Law Enforcement* (IOM, Ankara, 2006).

⁴² The Accession Strategy for Turkey under Co-operation in the field of Justice and Home Affairs notes "Continue to strengthen the fight against illegal immigration and negotiate a readmission agreement with the European Community", p. 17. On the other hand, the JHA Council meeting of 21-22 April 2002 that approved the criteria for readmission and new readmission treaties "asked the European Commission to submit separate draft negotiation mandates for readmission agreements with China, Turkey, Algeria and Albania." See the Criteria for the identification of third countries with which new readmission agreements need to be negotiated – Draft Council Conclusions, Council of the European Union, 7990/02, Brussels, 16 April 2002, approved by the JHA Council on 25-26 April 2002.

these chapters that have been opened for negotiations and Chapter 24 is not likely to be opened in the near future. At present, the European Commission is preparing its final report on the screening process for Chapter 24. This is indicative of the difficulties associated with this chapter. There is a joint EU-Turkey consultative mechanism that has been put into place to oversee the harmonization process. Subsequent to the Helsinki European Council in December 1999, the EC-Turkey Association Council of 11 April 2000 set up eight subcommittees under the Association Committee.⁴³ The last of the subcommittees deals with “freedom, security and justice”. This subcommittee has met seven times.⁴⁴ The meetings have been forums during which views are exchanged and in which Commission officials raise questions concerning legislative screening and progress in work on harmonization. The consultative mechanism also continued during the course of 2006 with the screening process. During the screening process, explanatory and bilateral meetings on “justice, freedom and security” (Chapter 24) were held in Brussels on 23-25 January and 13-15 February 2006.

It is not the purpose of this paper to go into the details of these tasks and their implementation. These have been covered in various CARIM documents. Suffice it to say that many projects, especially twinning projects, have contributed to the development of a better administrative and legislative infrastructure for managing irregular migration in Turkey.⁴⁵ Turkey’s capacity to manage asylum and prevent illegal transit migration and trafficking in human beings has improved significantly. These projects have also allowed a civil society interested in various aspects of the management of irregular migration to emerge. Legislative capacity for managing irregular migration was also introduced, partly as a function of Turkey’s efforts to harmonize its laws and policies with those of the EU. However, in the last two years it is possible to talk of a “malaise” in EU-Turkish relations that is adversely affecting the management of irregular migration in Turkey.

Today it is widely accepted that the EU’s engagement of Turkey from 1999, when Turkey officially became a “candidate country” for membership, to about 2005, when accession negotiations were opened with Turkey, played a paramount role in the “democratization” of Turkey.⁴⁶ However, this somewhat rosy picture began to change in late 2005. Considerable back-sliding took place in

⁴³ Decision No 3/2000 of the EC-Turkey Association Council of 11 April 2000 on the establishment of Association Committee subcommittees (2000/378/EC).

⁴⁴ These meetings were held on 6-7 March 2001, 2-3 July 2001, 20-21 March 2002, 19 June 2002, 15 December 2003, 30 April 2005, 5 December 2006 and 3 December 2007.

⁴⁵ As of February 2008 there were 39 projects that fell under Chapter 24 “Justice, Freedom and Security”. Ten of these projects directly related to the management of migration and management of borders. These twinning projects were: “Support for the Development of an Action Plan to implement Turkey’s integrated Border Management Strategy” (completed); “Support to the Development of an Action Plan to implement Turkey’s Asylum and Migration Strategy” (completed); “Strengthening the Institutions in the Fight against Trafficking in Human Beings” (completed); “Visa Policy and Practice” (completed); “Development of a Training System for Border Police” (completed); “Support for the Establishment of a Country of Origin and Asylum Information System” (ongoing); “Combating Human Trafficking” (ongoing); “Establishment of Reception, Screening and Accommodation Centers for asylum seekers and refugees” (not yet started); “Establishment of Removal Centers and Training for Staff for these Centers” (not yet started); “Integrated Border Management-Phase 1” (not yet started), Projects in the area of Justice, Freedom and Security+ Political criteria (EC Delegation to Turkey, Financial Cooperation, Institution Building, and Civil Society Section, February 2008).

⁴⁶ There is wide body of literature looking at Turkey’s reform process see for example K. Derviş et al (eds.) *The European Transformation of Modern Turkey* (CEPS, Brussels, 2004); K.Ulusoy, “Turkey Reform Effort Reconsidered, 1987-2004” EUI Working Paper RSCAS, No. 2005/28 and *Turkey and Europe: The Way Ahead* (International Crisis Group, Europe Report 184 17 August 2007). The annual Progress Reports prepared by the European Commission is also a good primary source for these reforms. These can be accessed at http://ec.europa.eu/enlargement/candidate-countries/turkey/key_documents_en.htm.

respect to the implementation of reforms. There was distinct rise in Turkish nationalism too.⁴⁷ There are a number of reasons behind this back-sliding that can be attributed to Turkish domestic politics. The return of PKK terrorism that was also accompanied by a rise in Kurdish nationalism, especially in northern Iraq, provoked a reaction in Turkey. A “tug of war” between traditionally secularist circles in Turkey (the military, the judiciary, the Republican People’s Party...) and the governing Justice and Development Party (AK Party) over a range of legislation and policies was yet another reason. The reluctance of the government to reform the infamous Article 301 of the Penal Code that criminalizes statements deemed offensive to “Turkishness” added to the back-sliding. The government, in spite of the handsome majority it won during the August 2007 national elections, failed to prevent the country from sliding into political instability. Currently, the governing party, that has been in power since March 2008, is facing a court case that is likely to lead to its closure. This is expected to further aggravate the political crisis in the country.

There are also many in Turkey as well as in Europe who argue that the slow down in reforms and accompanying political instability are also, even if only partly, a function of EU back-sliding in its commitment to Turkish membership.⁴⁸ This back-sliding first manifested itself in the adoption and wording of the Negotiation Framework of October 2005.⁴⁹ Austria and France resisted the adoption of this document. The ensuing compromise left doubts about the objective of the accession negotiations. The document declared the purpose of the negotiations to be membership and, yet, also emphasized that negotiations would be open-ended. The document also foresaw the need to tie Turkey to the EU in the strongest manner possible in the event that the negotiations did not lead to membership. Such wording had not been adopted in previous cases of enlargement and have not been adopted for Croatia. This led much of the Turkish public as well as Turkish officials to believe that the EU held “double standards” and was not committed to Turkey’s eventual membership. This sense of doubt was exacerbated by the decision of the European Council, in December 2006, to suspend negotiations on eight chapters because Turkey should open its harbors and airports to Cypriot shipping. In December 2007, at the end of the German presidency, the announcement by the French government that France would object to the eventual opening of an additional five specific chapters on the grounds that these chapters are directly linked to membership made matters worse.

The situation has also been aggravated by the constant and often denigrating questioning of Turkey’s membership on grounds of identity. This has played an important part in undermining reformists in Turkey as well as weakening the transformation process. The comments of French President Nicholas Sarkozy in this respect and his readiness to dismiss the binding nature of previous EU *acquis* on Turkey has inflicted massive damage to the EU’s credibility. The Turkish public always, in truth, doubted this credibility, but had supported the prospects of eventual membership in return for reforms. Yet, in less than two years support for membership has, according to some polls, plummeted from approximately 70 to well below 30 per cent. Furthermore, the reluctance on the part of a number of EU member governments to cooperate with Turkey in fighting PKK terrorism at a time when large numbers of Kurds voted in favor of the governing party has made matter still worse. As has the rhetoric of a number of member states such as Austria, Germany, France and the Netherlands that Turkey be given a “privileged partnership” instead of membership. It has reinforced the hand of those

⁴⁷ For an account on the rise of nationalism see I. Grigoriadis, *Upsurge amidst Political Uncertainty: Nationalism in Post-2004 Turkey* (SWP Research Paper, October 2005); P. Gordon and Ö. Taşpınar, ‘Turkey on the Brink’, *Washington Quarterly*, summer 2006 and U. Özkırımlı, *Milliyetçilik ve Türkiye-AB İlişkileri* (Tesev Yayınları, İstanbul, 2008).

⁴⁸ On the link between political instability in Turkey and the weakening of EU engagement Gordon and Taşpınar in *ibid* as well as the International Crisis Group report cited in *ibid*.

⁴⁹ Negotiation Framework for Turkey, 3 October 2005 available from http://ec.europa.eu/enlargement/candidate-countries/turkey/key_documents_en.htm.

in Turkey that have argued that the EU is after all a “Christian Club” and that the EU has no intentions of admitting Turkey as a member.

The feeling that the EU will never admit Turkey, regardless of Turkey’s acts, creates great mistrust and undermines the motivation to cooperate over irregular migration. This is best reflected in the case of EU’s long standing efforts to negotiate and sign a readmission agreement with Turkey. Turkey had resisted the signing of such an agreement and has, instead, expressed a readiness to receive back any third-country irregular migrants as long as they were returned to Turkey promptly and without delay. Turkey also argued that constitutionally it was, in any event, required to accept back its own nationals. In March 2004 Turkey, reluctantly, agreed to start negotiations with the EU on such an agreement after the Turkish Foreign Minister and the former Commissioner for Enlargement Gunter Verheugen had exchanged letters on the subject. However, progress has been slow. The European Commission shared a draft of the agreement with the Turkish side in May 2005. A series of meetings, the most recent in December 2007, has so far failed to produce a jointly agreed text.

There are numerous reasons for this lack of progress. The most important one is the uncertainty over prospects for EU membership. This has had an important effect on Turkish officials as well as their cost-benefit calculations. In many ways they are unable to discount the costs of a readmission agreement against the benefits that would accrue from membership. This is also complicated by the issue of burden sharing and the financial aspects of implementing a readmission agreement. Furthermore, the European Commission who are engaged in the negotiations may inadvertently be aggravating the problem by proposing visa facilitation in return for speeding the drawing up of an agreement. Turkish officials are very aware that the notion of visa facilitation is employed by the EU to entice other countries such as Russia, the Ukraine and more recently western Balkan countries to negotiate and sign readmission agreements. However, similar offers make Turkish officials wonder about Turkey’s status. These officials feel that the issue of visas for Turkish nationals should be kept apart from a readmission agreement and should be addressed in the context of Turkish accession. Turkish officials have also been dismayed by the Commission’s occasional efforts to lobby support for the idea of visa facilitation among Turkish business groups. This causes more aggravation as the Turkish side feels that there is pressure on the business community who want to do business in Europe without the frustration and obstacles created by strict visa requirements imposed. These issues, when added together, cause Turkish officials to feel that the EU is not treating Turkey as a future “member” and partner, but just as any other third country. This naturally reinforces the feeling of mistrust and sense of alienation between Turkey and the EU.

This sense of alienation was captured in a very telling manner by a high-ranking Turkish diplomat at a meeting with UNHCR officials in September 2006. He pointed to the Negotiation Framework’s reference to “open-ended” negotiations and added that “if the EU aims to keep the negotiations open-ended then we shall also keep developments open-ended.” He noted the importance that Turkey attributes to “reciprocity”. On that basis, he argued that during the pre-accession period Turkey would adopt those rules and regulations that are deemed to benefit Turkey. Turkey, on the other hand, would keep an “open-ended” approach to the adoption of policies that do not offer mutual benefits. He gave as examples the replacement of the liberal Turkish visa policy with the Schengen visa regime and the lifting of the geographical limitation. Here, he noted, were two areas where Turkey would be reluctant to adopt EU *acquis* as long as uncertainty over Turkish membership prevails.⁵⁰ The remark could easily be extended to the negotiation and signing of a readmission agreement with the EU.

An additional problem behind the drawing up of a readmission agreement with the EU stems from the fact that it involves third-country nationals. The problem is not Turkish citizens. Turkey has a

⁵⁰ Information obtained from the diplomat and third parties present at the meeting.

well-established record of accepting back its own nationals who are illegally present in EU countries. In the light of the difficulties that the Turkish government has faced in negotiating and signing readmission agreements with third countries there is the fear that Turkey could easily become a kind of a dumping ground for those migrants unwanted in the EU. This concern and fear are repeatedly highlighted by Turkish officials and is not assuaged by uncertainty over Turkish membership. These officials see membership as the most important manifestation of “burden sharing” and fear that without membership Turkey would be left to guard “fortress Europe” from the outside. There is the recognition too that readmission agreements are based on introducing “preventive” measures in the policing sense of the word. A Turkish diplomat who follows the issue of illegal migration called this a “quick-fix” policy. Yet, Turkish officials realize that illegal migration is a much bigger problem that calls for the need to address “root causes”, a huge task that increases their sense of vulnerability.

A further problem is the distrust that results from the experience of dealing with Greece in the domain of illegal migrants. Turkey has, as has been noted, a bilateral readmission agreement with Greece dating back to November 2001. This is the longest-standing readmission agreement that Turkey has with an EU country. The problems encountered in the implementation of this agreement, along with the Greek practice of forcing illegal migrants into Turkish territorial waters, aggravates the trust problem. The very fact that Greece is a member of the EU exacerbates Turkish concerns in respect to signing a readmission agreement with the EU. Turkish officials have argued that if an EU member country can resort to such practices in spite of an existing protocol, would it not be possible that other EU countries follow suit or employ similar methods in their relations with Turkey?

This mistrust towards the EU is added to by EU efforts to convince countries in the Western Balkans to sign visa facilitation and readmission countries. A series of such agreements were signed in September 2007 and caused considerable concern in Turkey because they were seen as efforts on the part of the EU to enhance its security at the expense of Turkish interests. These agreements call on Western Balkan countries to impose visas on the nationals of countries currently on the EU “black list”. Turkey has close cultural, economic and social relations with most of these countries and exempts their nationals from strict visa requirements. There is concern that these agreements undermine Turkish relations there and also adversely affect Turkey’s economy, adding yet another layer of mistrust to EU-Turkish relations.

This crisis of confidence can be seen in other areas of irregular migration management. For example, there are problems in respect to Turkey’s asylum policy. Turkey continues to resist putting a fully-fledged asylum policy into place and lifting the “geographical limitation”. Here too an important factor is concern about Turkey becoming a “buffer zone” for asylum seekers and refugees that cannot make it to the EU. In the case of asylum there is concern over burden sharing, especially should Turkey not become a member of the European Union.

Mistrust and the inability to cooperate constructively in a spirit of partnership is a major new challenge. However, it should also be pointed out that considerable cooperation is taking place at a more technical level.⁵¹ The EU continues to support a wide range of projects aiming at strengthening Turkey’s administrative capacity in managing irregular migration. For example, even if there are serious problems in respect to Turkey’s asylum policies at the strategic level, after long negotiations both sides recently agreed on a project to build reception centers for asylum seekers and illegal transit migrants. This project provides funds to support not only the construction of appropriate buildings, but also capacity building program such as the training of personnel to run these centers, as well as encouraging closer relations between the Turkish authorities, NGOs and the UNHCR. The EU has also recently provided funds for the support of a project run by the IOM in cooperation with the Turkish

⁵¹ This has been confirmed by officials both on the European Commission and the Turkish side during interviews, 1-3 July 2008.

authorities in the fight against trafficking in human beings. Furthermore, the EU has negotiated with their Turkish counterparts a program of “peer-based missions” to the border areas of Turkey. The missions including members of the Turkish security forces and EU representatives are to determine how Turkey can improve border protection against irregular migration. One such mission took place in 2007 and another in May 2008. This program is indicative of how cooperation can actually be achieved even in an area as sensitive as border management. Last but not least, there are also various Turkish non-governmental organizations dealing with various aspects of irregular migration that receive funding from various EU programs.

There are positive signs too both from Greece and Turkey that the problems encountered in the implementation of the readmission agreement between two countries can be addressed. There is currently a dialogue, at the level of experts, looking at possible ways to improve the readmission agreement. A Turkish delegation from the Ministry of Foreign Affairs, the Police, the Gendarmerie and the Coast Guard attended a meeting in Athens in April 2008. A similar meeting will be held later in the year in Turkey. The process appears to have been initiated by the chiefs of the Coast Guards of both countries in an effort to address the problem of the forced return of illegal transit migrants and accompanying human tragedies.

Conclusion

The management of irregular migration is likely to remain a major challenge for Turkey and the EU in the coming years. All the signs suggest that pressure to migrate to the EU will continue. Furthermore, Turkey’s geographical location between migration-generating regions of the world and the EU will, in turn, increase the pressure on Turkey as a transit country. Turkey itself will also continue to become a country of immigration of the legal as well as the illegal kind. It goes without saying that both Turkey and the EU will need to cooperate more closely. However, right now it is difficult to speak of a cooperative partnership. There is a deep sense of mistrust on both sides. The EU and Turkey appear to have lost the momentum behind the “win-win” spirit that had characterized relations between both sides until about two years ago. Furthermore, as anti-immigration feelings in many EU countries increase, officials and especially politicians are readier to emphasize the prevention of “unwanted migration”. This is leading immigration policies to become increasingly securitized. As emphasis is put on control and preventive measures,⁵² a kind of a “spill-over” effect occurs as more and more countries are compelled to manage irregular migration from a security perspective.

Unfortunately, the EU is becoming the engine behind the securitization of migration policies. The human tragedies that have been occurring in the Aegean Sea are at least partly a product of this attitude. Norms and values that are supposed to be at the very heart of the European project are being eroded. In turn, this is forcing EU and neighboring countries to resort to “self-help”, creating a climate of “win-lose”.

“Win-lose” is not a desirable or a necessary outcome. It ought to be possible to strike a better balance between security and humanitarian considerations, as well as between the interests of the EU and Turkey. Both sides need to take steps to re-create the positive and constructive climate that existed between the EU and Turkey between 1999, when Turkey became a candidate country for membership, and December 2006 when resistance to Turkish membership began to take a concrete and conspicuous form. For the Turkish side these steps might mean recognizing that the challenges associated with the management of irregular migration require international cooperation and that the EU needs to be seen,

⁵² The author of this paper was struck how a justice minister from a long-standing EU member country asked during a dinner what Turkey was doing about combating illegal transit migration. Some of the guests at the dinner expressed their disappointment at the question and reminded the minister how only a few years earlier EU officials used to come to Turkey to ask questions about what Turkey was doing to improve the human rights of asylum seekers and migrants.

conceptualized and imagined as a “partner” rather than a “threat” or an “other” that is constantly trying and wishing to undermine Turkish security. At this point, it might also be important for the Turkish side to recognize that the EU is not monolithic. Just as there will be actors in the EU who paint Turkey as the “other”, there are also actors who genuinely see Turkey as a future member of the EU that the EU needs to engage in a constructive and positive manner. Turkey by developing constructive policies and, more importantly, by a positive attitude towards the EU, could empower Turkey’s “partners” or “allies” in the EU. The management of irregular migration would constitute an ideal ground for becoming more “pragmatic” and bringing such a “spirit” to the negotiating table for a readmission agreement between the EU and Turkey would constitute a pragmatic first step. This should not mean “capitulation”. Rather it would make the European Commission, that has the primary task of negotiating and concluding such an agreement, realise that the Turkish side means “business” and is “constructive”. In this spirit Turkey may also be able to inject an element of humane thinking into an overly securitized issue.

Another “asset” that Turkey ought to be able to bring to the field of managing irregular migration is its role as a “bridge” between the EU and regions around Turkey. Turkey has already started to do this in the context of the Black Sea through the Budapest Process. However, this could be extended to the Eastern Mediterranean. These are two regions with which Turkey has extensive relations accompanied with some good-will. If Turkey is able to bring Israeli and Syrian officials around the table to start a process of reconciliation between the two countries, it ought also to be able to start a process that could get sending and receiving countries to talk to each other. Turkey should develop much closer relations and accompanying consultation processes with, above all, Morocco and Tunisia. These two countries are countries that face similar challenges and have somewhat similar “profiles” to Turkey. These policies need not be seen as being “oppositional” attempts to enhance Turkey’s bargaining power against the EU. On the contrary, they could be framed in such a way to highlight what an “asset” Turkey would be for the EU. Furthermore, Turkey’s unique position as a country situated between sending and receiving countries would enable it to initiate processes that would move irregular migration management from policies that focus solely on “quick fixes” to policies that can also address “root causes” and deliver security to both sides as well as to “irregular migrants”.

There is, of course, a lot that the EU can do as well. One of the most important issues that needs to be addressed is the “security and control” emphasis that has come to characterize EU immigration policies. The exercise of injecting concepts such as “dialogue”, “partnership” etc... into agreements with sending and transit countries does not automatically generate a “win-win” relationship. For example, the EU prides itself in highlighting that the readmission agreements it seeks are based on reciprocity and equality. In other words, it emphasizes that the terms of such an agreement will make it possible for the EU to accept back illegal migrants from the EU. Yet, the nature of the “phenomenon” is such that the burden is on the country which has to accept illegal transit migrants back. The imbalance between the EU and a third country engaged by the EU in a “dialogue” is further accentuated by the fact that the EU is now a union of 27 countries that together constitute the largest economy in the world. Inevitably, the “dialogue”, and any partnership is going to have a “hegemonic” odor to it. The EU has to find a different way of formulating “reciprocity” as well as conceptualizing “partnerships” that can, indeed, empower both sending and transit countries. The EU ought also to transform the spirit behind the current *acquis* on the external dimension of irregular migration from one that emphasizes “control”, “prevention” and “quick fixes”, to one that reflects a “win-win” spirit. This transformation will inevitably have to address the issue of “root causes” however difficult, however costly and however controversial that exercise might be.

In the Turkish context, it will be very important for the EU to win back the “confidence” and “trust” it instilled in the Turkish public and officials between 1999 and 2006. This is going to be a tough challenge especially at a time when Turkey has slipped into a nationalistic and unstable state of affairs. However, it is very difficult to see how Turkey can be brought back into a constructive

partnership as far as irregular migration management is concerned if the prospect of membership is dimming. How are Turkish officials going to be persuaded to engage in meaningful cooperation if the relationship is seen by the Turkish side as imbalanced and unfair? The ultimate “burden sharing” mechanism is actually the solidarity that is supposed to be embedded in membership. In the meantime, the biggest practical challenge is going to be the repatriation of illegal migrants. The Turkish authorities are going to be reluctant to accept a readmission agreement that leaves the onus of sending back illegal transit migrants to their country of origin on Turkey alone. The economic, political, social and humanitarian costs of seeing Turkey turn into a “dumping ground” for Europe’s illegal migrants would be simply unbearable. Just as the Turkish side needs to adopt a more positive and pragmatic spirit towards the EU, in respect to a viable management policy for irregular migration, the EU has to make a similar transformation. One small but concrete step might be to develop projects encouraging voluntary repatriation similar to the ones that the IOM and the Swiss government supported. It would be wrong to say that the EU is not supporting any partnership projects in Turkey. On the contrary, there are a number of ongoing projects aiming at irregular migration management capacity building. However, the problem is that “capacity building” is invariably construed with a heavy emphasis on security.

Constructing higher and thicker walls will not alleviate security fears. The EU ought to search for alternative ways of managing irregular migration and involve Turkey in that exercise. This, after all, would probably constitute the most effective step in re-creating mutual confidence, the trust and “win-win” spirit that has slowly evaporated from EU-Turkish relations.

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