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IMPROVING US AND EU IMMIGRATION SYSTEMS

The Irregular Migration Corridor between the EU and Turkey: Is it Possible to Block it with a Readmission Agreement?

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**Improving EU and US Immigration Systems' Capacity for Responding to Global
Challenges: Learning from experiences**

**Research Report
Case Study
EU-US Immigration Systems 2011/14**

**The Irregular Migration Corridor between the EU and Turkey:
Is it Possible to Block it with a Readmission Agreement?**

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Improving EU and US Immigration Systems' Capacity for Responding to Global Challenges: Learning from experiences

The project is co-funded by the European Commission in the framework of the Pilot Projects on “Transatlantic Methods for Handling Global Challenges in the European Union and United States”. The project is directed at the Migration Policy Center (MPC – Robert Schuman Centre for Advanced Studies – European University Institute, Florence) by Philippe Fargues, director of the MPC, and Demetrios Papademetriou president of the Migration Policy Institute (MPI) the partner institution.

The rationale for this project is to identify the ways in which EU and US immigration systems can be substantially improved in order to address the major challenges policymakers face on both sides of the Atlantic, both in the context of the current economic crisis, and in the longer term.

Ultimately, it is expected that the project will contribute to a more evidence-based and thoughtful approach to immigration policy on both sides of the Atlantic, and improve policymakers’ understanding of the opportunities for and benefits of more effective Transatlantic cooperation on migration issues.

The project is mainly a comparative project focusing on 8 different challenges that policymakers face on both sides of the Atlantic: employment, social cohesion, development, demographic, security, economic growth and prosperity, and human rights.

For each of these challenges two different researches will be prepared: one dealing with the US, and the other concerning the EU. Besides these major challenges some specific case studies will be also tackled (for example, the analysis of specific migratory corridor, the integration process faced by specific community in the EU and in the US, the issue of crime among migrants etc.).

Against this background, the project will critically address policy responses to the economic crisis and to the longer-term challenges identified. Recommendations on what can and should be done to improve the policy response to short-, medium- and long term challenges will follow from the research. This will include an assessment of the impact of what has been done, and the likely impact of what can be done.

Results of the above activities are made available for public consultation through the websites of the project:

- <http://www.eui.eu/Projects/TransatlanticProject/Home.aspx/>
- <http://www.migrationpolicy.org/immigrationsystems/>

For more information:

Improving EU and US Immigration Systems' Capacity for Responding to Global Challenges: Learning from experiences

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Abstract

Over the last decade while a shift from migration control to migration management has become an integral part of the EU-based political discourses and policy practices relating to irregular migration, the issues of transit migration and readmission agreements seem to be high on the agenda. Within this context, the debate over irregular transit migration from Turkey to the EU is a perfect case study for analyzing how the phenomenon of irregular migration is affecting the European migration and border regimes. It is also an interesting case for analyzing the interplay between the migration-related issues and the EU-Turkey membership negotiations in which the whole notion of “migration management” turns into a type of conditionality measure for the progress and completion of the membership talks. This essay aims at elaborating the recent status of irregular migratory flows from Turkey to Europe referring to their changing volumes, trends and patterns. It also aims at relating the irregular migration through Turkey to the recently negotiated Readmission Agreement between the EU and Turkey which targets the return of apprehended irregular transit migrants in the EU member states to Turkey. In doing so, this essay intends to elaborate the ways in which the irregular transit migration in Turkey has impact on the European migration and border regimes.

I. Introduction

EU immigration and asylum policies are being made in an age of so-called “good governance” (Barbe and Johansson-Nogues, 2008; Kohler-Koch and Rittberger, 2006). The idea of *migration and asylum management* has been a central part of the discourse shaping the debate over the immigration and asylum policies since the early 2000s. Prior to this time, widespread fear of “invasion” of migrants and asylum seekers made very restrictive and *control-based* policies politically viable (Huysmans, 2000; Geddes, 2001, 2008; Joppke, 1998). However, since the early 2000s, the idea that good management should fundamentally shape the EU’s immigration and asylum policies has predominated in related policy debates in Europe. To say that the EU immigration and asylum policies are being made in an age of good governance is not to say that these policies are infallible and foolproof, free from fear of immigration or conducive to the good management of migratory process for all actors, be they states, communities, or individual migrants. Policy makers are still very cautious about incoming migrants and asylum seekers. In fact, many experts, scholars and civil society actors typically criticize the EU’s immigration and asylum policies for failing to effectively meet the needs of actors, namely states, communities, and migrants themselves. The argument being raised here is not that the EU immigration and asylum policies are perfect. On the contrary, they are often incompetently designed, malfunctioning, and conducive to destruction for associated actors. Nevertheless, in the last decade, the “good governance” discourse has been a fundamental factor in determining the policy alternatives available to the EU member states in their efforts to manage migration and asylum flows (Zielonka, 2002).

The growing importance of “management” rhetoric in the debate over EU immigration and asylum policies has been matched by figures showing extensive numbers of irregular migrants (Triandafyllidou, 2010; Haas, 2008). Although reliable estimates of irregular migration are not available, most immigration experts agree that since the early 1990s, approximately 500,000 irregular migrants have entered the EU area each year (Jandl, 2004; Boswell, 2005). While some of these irregular migrants are citizens of countries neighbouring the EU, more than half of them are irregular migrants, who are citizens of the countries who do not share borders with the EU, entering the EU zone after transiting through various EU neighbouring countries¹. Irregular migration to the EU member states has contributed to the widely accepted perception that not only the EU borders but also the borders of neighbouring countries are “out of control”. Consequently, EU policy makers frequently refer to the policies and practices towards “externalization of the EU borders” when they discuss irregular migration coming to the EU area through so-called transit countries.

It is well documented that one of the transit countries for irregular migrants coming to Europe is Turkey (İçduygu, 1995, 2003; İçduygu and Yükseser, 2011). In the last two decades, persistent transit migrant flows through Turkey to Europe have caused to the perception that migratory flows at the EU’s Turkish border are out of control. In recent years, indeed, the issues associated with irregular migration have been high on the agenda of EU-Turkey relations. Within this context, various aspects of migration management have been contested in the last six years since accession negotiations began. Although the accession talks have not arrived yet at the migration related issues as part of chapter 24 on “justice, freedom and security”, it appears that the importance of these issues within EU-Turkey affairs has steadily increased and has come to dominate the membership debates. For instance, in one of the cornerstone official documents of the EU-Turkey relations dated on October 6, 2004, and entitled *Communication from the Commission to the Council and the European Parliament, Recommendation of the European Commission on Turkey’s progress towards accession*: “... it is highlighted that, in the case of Turkish membership: “the management of the EU’s long new external borders would constitute an important policy challenge and require significant investment. Managing

¹ See various reports of the International Organizations for Migration (IOM) and Frontex.

migration and asylum as well as trafficking of human beings would be facilitated through closer cooperation both before and after accession²”.

The debate over irregular transit migration from Turkey to the EU is thus a perfect case study for analyzing how the phenomenon of irregular migration is affecting European migration and border regimes. It is also an interesting case for analyzing the interplay between the migration-related issues and the EU-Turkey membership negotiations in which the whole notion of “migration management” turns into a type of conditionality measure for the progress and completion of membership talks. What seems to be occurred through this conditionality framework is the negotiation and signing of a readmission agreement between the EU and Turkey that is seen as a type of tool for fighting against irregular migratory flows (İçduygu, 2011).

With this background, this essay aims at elaborating the recent status of irregular migratory flows from Turkey to Europe referring to their changing volumes, trends and patterns, and it also aims at relating irregular migration through Turkey to the recently negotiated Readmission Agreement between the EU and Turkey, which targets the return of apprehended irregular transit migrants in the EU member states to Turkey. In doing so, this essay intends to elaborate the ways in which irregular transit migration has an impact on European migration and border regimes.

Irregular Transit Migration: A Contested Concept/Phenomenon

Irregular transit migration flows have occurred mostly in an environment where migrants are not able to affect a direct and orderly border-crossing to their targeted country of destination and consequently are forced to choose disorderly and step-by-step moves through various countries in between (İçduygu, 2000). It is also the case that these flows represent the fact that transnational migrants in a globalised world have no or only a limited notion of pre-determined countries of destination, they are on the move as nomads, regardless of the borders that get in their way; they move from one country to another, and they may continue their journeys to other countries, but as the migration regimes or systems around them do not provide them with free mobility between borders they often find themselves in an irregular situation.

Irregular transit migration is a contextual phenomenon which emerges in particular geographies and times as a product of certain international migratory regimes or systems. It is within this context that since the mid-1990s, irregular transit migration has been widely debated, questioned, and studied as a part of the European international migratory regime (Duvell, 2011). Partly it is because of the “fortress Europe” approach, and partly it is due to the EU’s “externalization of border” practices, that various peripheral areas of Europe are being subject to transit migrants who then move into Europe.

As expected, discussions of irregular and transit migration issues in the context of EU-Turkey relations are not simply descriptions of an existing reality, but, to a large extent, are also a part of the process of constructing that reality, so much so that discursive practices enable policy statements to conceptualise and talk about these phenomena (İçduygu and Yükseser, 2011). This observation does not mean that we have to discard conventional analytical and empirical frameworks that deal with the realities of irregular migration in EU-Turkey space. Rather, in order to adopt an informed view of these phenomena, we need to work *with* discourses and discursive deconstructions – that is, we must take an exploratory, analytical approach to the study of the role and position of migration management issues in membership negotiations between the EU and Turkey. At the core of these analytical and discursive ideas lies a new aspect of irregular migration debates between the EU and Turkey, which has emerged only, in the last 5-6 years: its politicization in the context of Turkey’s accession negotiations.

² The European Commission released a Progress Report on Turkey and a Recommendation based on the report on 6 October, 2004. These documents stated that Turkey has adequately met the political criteria and recommended that Turkey’s accession negotiations to the EU be initiated.

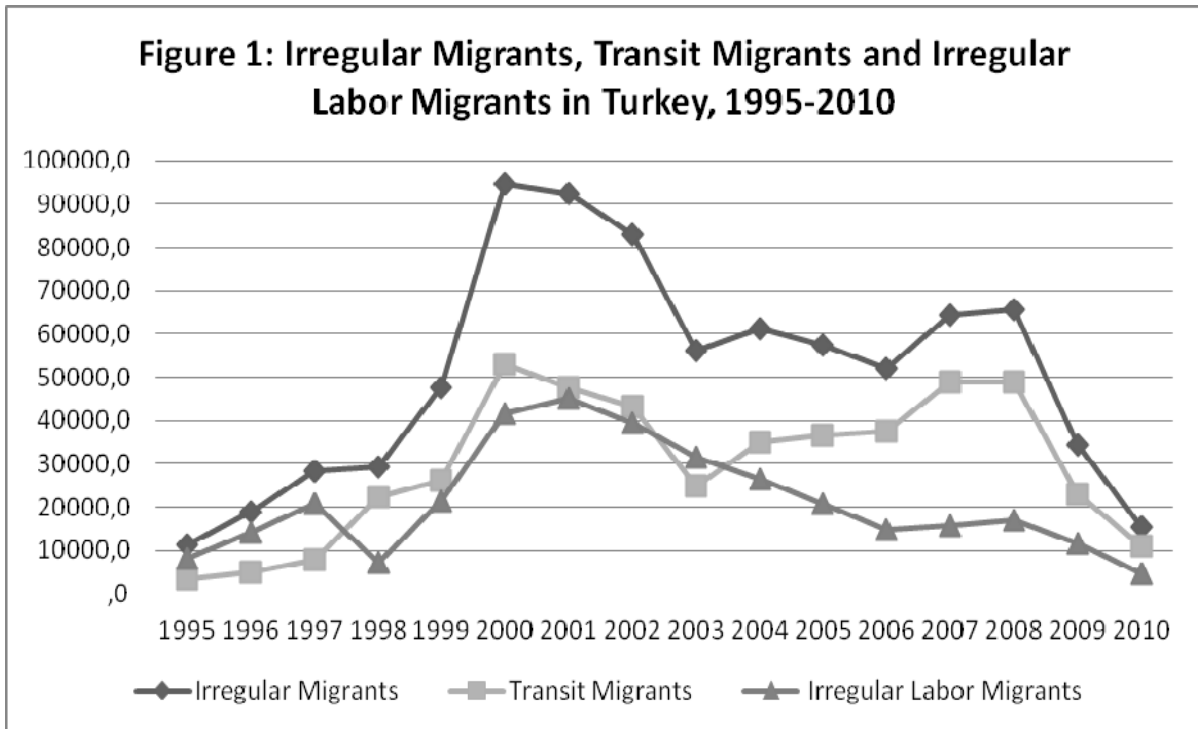
For the EU, such debates, developed during the course of its relations with Turkey and during discussion of international migration and do not only mirror a pessimistic perspective over the capacity of the EU to manage migration flows for economic and social benefits, but also reflect the necessity of good governance of migration for the EU's benefit. For Turkey, together with being part of both the conditionality and socialization principles of the EU accession process, these debates are largely indicators of her transition from a country of emigration to immigration, which requires new and complicated tools of management as part of integration into the global world system in general and into the EU in specific. More importantly, these debates also plainly show the strategic use of "migration diplomacy" as a bargaining tool *over* and *during* the membership negotiation process between the EU and Turkey (İçduygu, 2011).

II. Irregular Transit Migration from Turkey to Europe: Volumes, Trends and Patterns

In the last four decades, Turkey has become a country of destination and transit mostly for the irregular migrants. The Soviet invasion of Afghanistan, regime change in Iran in the 1970s, the legal turmoil and wars in the Middle East caused by Saddam's regime in Iraq in the late 1980s and early 1990s, and finally the fall of communist regimes in Eastern Europe and the Soviet Union in the late 1980s and early 1990s, together with the increasing intensity of globalisation processes in this period have contributed to Turkey becoming a "migrant-receiving country" in the international migration system, which is an integral part of European migratory regime. This created a complex migration system, involving irregular migrants, transit migrants, asylum seekers, refugees, and, at times, persons of regular ("legal") migrant status in Turkey (İçduygu and Kirişçi, 2009; İçduygu and Yüksek, 2011).

It is a formidable task to obtain sufficient and reliable data for determining the volume and trends of migratory movements to Turkey. By definition, when the issue is irregular, or "undocumented" migration, reflecting on figures for the migratory flows becomes even harder: naturally, this is the case not only in Turkey, but also in every country across the globe. Nevertheless, there are some indicative estimates available. For example, it is possible to comment on the extent of irregular migration towards Turkey by evaluating figures on persons apprehended by Turkish security authorities on charges of irregular migration.³ These apprehension figures cannot be evaluated as the exact realized numbers of irregular migration; nevertheless they show the potential of irregular flows. This distinction between the realized, and often unknown, figures and the potential, roughly known, is a crucial assumption which provides an explanatory base for the analysis of irregular migration in this essay. Hence, one can use the apprehension figures as a proxy measure of irregular migration, which is a widely used and recognized method for academics and practitioners in the field.

³ Data on apprehended irregular migrants in Turkey since the mid 1990s are compiled by the Bureau for Foreigners, Borders, and Asylum at the Directorate of General Security of the Ministry of Interior.



Source: Compiled by İçduygu (2011) based on data from the Bureau for Foreigners, Borders, and Asylum at the Directorate of General Security of the Ministry of Interior.

Taking the apprehension figures of irregular migrants in Turkey, it is easy to argue that this form of migration significantly accelerated from the mid-1990s to the early 2000s. Whereas only about 11,000 irregular migrants were apprehended in 1995, and 19,000 migrants were caught in 1996, this figure reached 47,000 in 1999, and by 2000 it was over 94,000. Starting from 2001, a declining trend is observed in the number of irregular migrants apprehended: this figure, which was nearly 83,000 in 2002, dropped below 50,000 in the year 2005, but again rose to nearly 52,000 in 2006, and almost 66,000 in 2008 (Figure 1). The figure, however, saw a decline between 2009 and 2010. On average, over 55,000 irregular migrants were apprehended annually 1995-2009 when the total of apprehended migrants was around 797,000.

It is widely known that there are three main groups of people among the apprehended migrants: those irregulars who intend to use Turkey as a transit country to migrate into the Western world, particularly Europe; those irregulars who come to Turkey to live and work in the country without any valid document; and finally rejected asylum seekers who are supposed to leave the country, but who do not. Since the available apprehension statistics do not permit clear distinctions among these three groups of migrants, the only way to make an argument over transit migration requires some basic assumptions. When the countries from which irregular migrants originate are considered, it can be argued that some of the apprehended migrants, particularly those coming from the Eastern and Southern borders of Turkey⁴, perceive Turkey as a bridge to reach their destination countries in the

⁴ Afghanistan, Angola, Bahrain, Bangladesh, West Sahara, Belize, Bengali, Benin, Bhutan, Biafra, United Arab Emirates, Bissau Gine, Burma (Myanmar), Burkina Faso, Botswana, Burundi, Cape Verde, Algeria, Djibouti, Chad, China, Indonesia, Eritrea, Ethiopia, Morocco, Ivory Coast, Palestine, South Africa, Gambia, Ghana, Gine, India, Hong-Kong, Iraq, Iran, Cambodia, Cameroon, Qatar, Kenya, Kashmir, Comoren, Republic of Congo, Kuwait, Laos, Lesotho, Liberia, Libya, Lebanon, Madagascar, Malawi, Maldives, Malaysia, Mali, Mauritius, Egypt, Mauritania, Mozambique, Nepal, Niger, Nigeria, Oman, Central African Republic, Pakistan, Papua New Guinea, Rwanda, Senegal, Seychell Islands, Sierra Leone, Somalia, Sri Lanka, Sudan, Suriname, Syria, Saudi Arabia, Swaziland, Tanzania, Thailand, Togo, Tonga, Tunisia, Uganda, Nationality unknown, Jordan, Stateless, Vietnam, Yemen, Zaire, Zambia and Zimbabwe.

West; therefore, they can typically be characterized as transit migrants.⁵ Of course, it is not the case that all of the migrants from these countries are transit migrants; but it should not be too misleading if they could be evaluated as potential transit migrants⁶.

Considering the data available on migrants apprehended by security forces, it can be assumed that in the mid 1990s, the annual volume of the potential transit migrants in Turkey was less than 5,000, while this figure rose to over 20,000 in the late 1990s. While over 52,000 transit-assumed migrants were apprehended in 2000; starting from 2001, a declining trend is observed in the number of migrants apprehended: this figure, which was around 47,000 in 2001, dropped below 25,000 in 2003, but again rose to nearly 37,000 in 2005, and to almost 49,000 in 2008 (Figure 1). There was again a considerable decline, however, in the last two years, 2009-10, coming down to 20,000. It is well documented that most of these potential transit migrants enter Turkey illegally with the help of human smugglers and attempt to leave Turkey using similar means.

Table 1. Irregular Migrants, Transit Migrants and Irregular Labour Migrants in Turkey, 1995-2009, Top Ten Source Countries

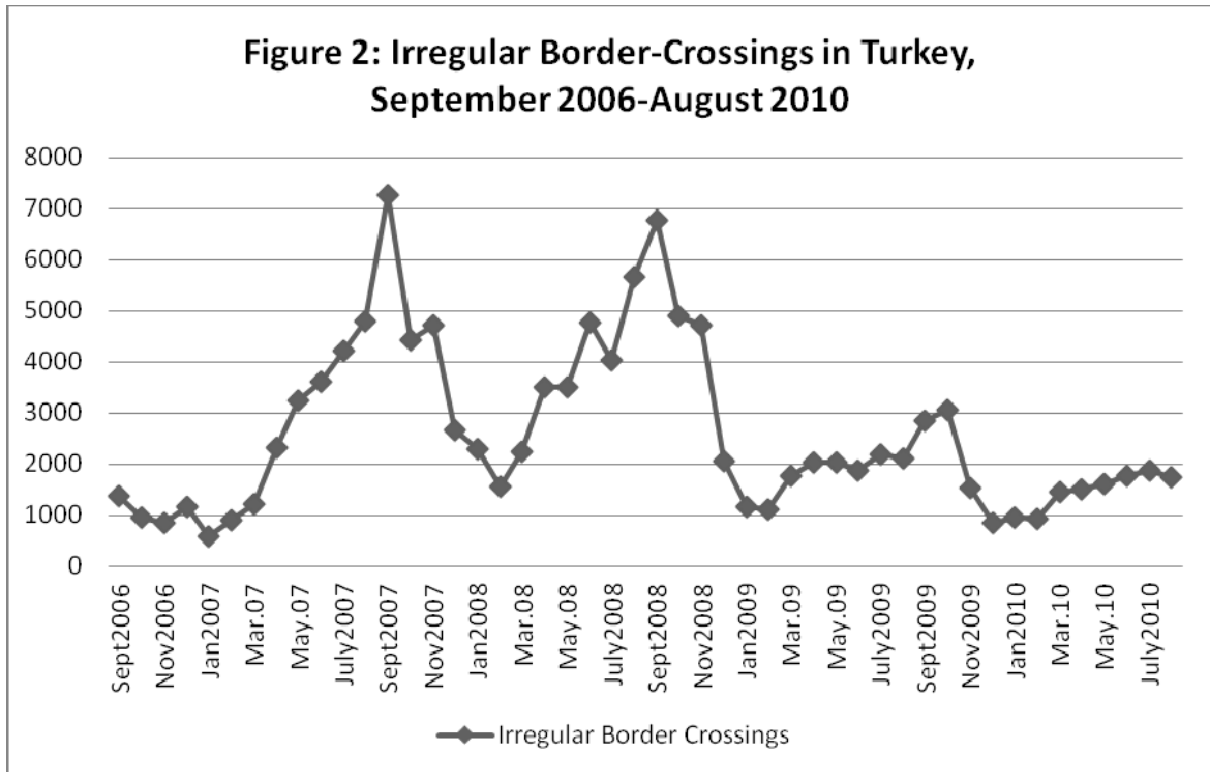
Irregular Migrants		Transit Migrants		Irregular Labour Migrants	
COUNTRY	TOTAL MIGRATION	COUNTRY	TOTAL MIGRATION	COUNTRY	TOTAL MIGRATION
Iraq	129 454	Iraq	129 454	Moldavia	55 022
Pakistan	69 660	Pakistan	69 660	Georgia	25 344
Afghanistan	59 281	Afghanistan	59 281	Rumania	24 168
Moldavia	55 022	Iran	28 432	Russian Federation	20 470
Iran	28 432	Palestine	25 398	Ukraine	20 566
Palestine	25 398	Bangladesh	21 593	Azerbaijan	17 382
Georgia	25 344	Somalia	21 533	Bulgaria	12 831
Rumania	24 168	Mauritania	15 690	Germany	7 929
Somalia	21 533	Syria	11 147	Armenia	6 805
Bangladesh	21 593	Burma (Myanmar)	10 569	United Kingdom	5 998
Others	336 609	Others	79 746	Others	138 045
TOTAL	796 494	TOTAL	461 934	TOTAL	334 560

Source: Compiled by İcduygu (2011) based on data from the Bureau for Foreigners, Borders, and Asylum at the Directorate of General Security of the Ministry of Interior.

It appeared that from 1995 to 2009, of 797,000 irregular migrants who were apprehended in Turkey, nearly 58 percent, or 462,000, were considered as potential transit migrants (Table 1). This implies around 31 000 transit-assumed migrants were apprehended annually in Turkey from 1995 to 2009. Over this same period, the first five migrant sending countries (potential transit migrants mostly), were: Iraq (129,000), Pakistan (70,000), Afghanistan (59,000), Iran (28,000), and Palestine (25,000) (Table 2). The other largest groups were from Bangladesh (22,000), Somalia (22,000), Mauritania (15,000), and Myanmar (10,000). In addition, over 28,000 transit-assumed migrants, whose national identities remained unknown, were apprehended. As a result, an average of 30, 000 transit-assumed migrants have been apprehended annually over the last fifteen years.

⁵ As will be discussed later in this paper, there is much evidence that irregular migrants are transit migrants who come to Turkey with the intention of going to a third country but who remain here and maintain the idea of being in transit.

⁶ Indeed, several scholarly studies have used this proxy measure to roughly define the transit migrants. See the studies conducted and published on transit migration in Turkey by Kemal Kirisci and Ahmet İcduygu.



Source: Compiled by İçduygu (2011) based on data from the Turkish General Staff.

As a newly emerged data source, information released by the Turkish General Staff⁷ on the irregular border-crossings since September 2006 provides us with some figures which implicitly reflect the nature of transit migration through Turkey. This new information on irregular border-crossings has mainly been used here to cross-check the data provided for apprehended irregular migrants elaborated above. In fact, this data set has already been integrated into the data of all apprehension cases provided by the Bureau for Foreigners, Borders, and Asylum at the Directorate of General Security of the Ministry of Interior. According to the data set provided by Turkish General Staff on irregular border-crossings, there were approximately 125,000 foreign nationals apprehended between September 2006 and August 2010 as they violated the rules of border-crossings in Turkey. This constitutes an annual average of 31,000 irregular, mostly potential transit migrants (Figure 2): more than one-fifth were from Palestine, more than 15 percent from Afghanistan, 12 percent from Pakistan, another 12 percent from Iraq, 11 percent from Myanmar, and 8 percent from Somalia. Data indicated that nearly one-third of these irregular border-crosser were caught near the land and sea borders between Greece and Turkey, while migrants were departing, and one-fifth were apprehended on the eastern borders of Turkey (mostly on the Iraqi, Iranian and Syrian borders), while these migrants were entering Turkey. Considering the fact that within a period of four years there were nearly 41,000 irregular migrants who were caught near the land and sea borders between Greece and Turkey, it is possible to argue that the annual potential transit migration to the EU area from the Greek-Turkish borders stands at around 10,000.

Up to this point, we have reflected on irregular migratory potentials in Turkey, particularly the potential of transit migratory flows based on apprehension cases in the country. As noted earlier, this only indirectly reflects transit migration, but it is a widely used method in the scholarly discussions of transit migration. Keeping this in mind, we will now, to get to grips with transit migration, refer to two different data sets: one irregular migrant cases in the context of the Readmission Protocol between

⁷ Information on these irregular border-crossings was compiled by the General Command of Gendarmerie and the Coast Guard Command. See the webpage of Turkish General Staff, www.tsk.tr.

Greece and Turkey provided by the Department of Aliens, Borders and Asylum of the General Directorate of Security within the Ministry of Interior; and the second the figures cited in various reports of Frontex, which are, as noted earlier, limited for our discussions, but that give an impression of how the Turkey-related irregular migration issues are seen from the EU.

It appears that, based on the Readmission Protocol between Greece and Turkey, in 2002-10 there were 65,300 migrants who Greece wanted to send back to Turkey claiming that they had entered the country from Turkey as irregular migrants. Turkey accepted, however, that only 10,124 of them had likely entered Greece from Turkey illegally. Then the Greek authorities were able to send only 2,425 migrants to Turkey (see Table 2). If one takes the figures claimed by the Greek authorities, the annual average number of irregular migrants entering from the Turkish borders were 7,256; if one takes the figures of irregular migrants who were accepted to be irregular migrants entering from Turkey, the annual average number of irregular migrants were 1,125; and finally, if one takes the figures of irregular migrants who were actually returned to Turkey as irregular migrants this annual figure was only 269. Therefore, from 2002 to 2010, the annual number of irregular migrants entering from Turkey to Greece may range from 7,256 to 269: here is the gray area for irregular migration figures in the field.

Table 2. Figures from the Greece-Turkey Readmission Protocol, 2002-2010

	Claimed by Greece to be Readmitted	Accepted by Turkey as Readmitted	Sent by Greece and Readmitted by Turkey
2002	8 045	1 302	645
2003	5 190	978	333
2004	4 015	206	45
2005	2 002	706	135
2006	2 023	521	125
2007	9 439	1 414	390
2008	16 386	3 168	398
2009	14 328	1 189	276
2010	3 872	525	78
Total	65 300	10 124	2 425

Source: Compiled by İcduygu (2011) based on data from the Bureau for Foreigners, Borders, and Asylum at the Directorate of General Security of the Ministry of Interior.

As far as the number of irregular migrants entering from Turkey to the EU member states is concerned, there are also some limited indicative figures provided by the reports of Frontex; only some recent figures give details though. For instance, according to a Frontex report⁸ dated January 2011, from June to December 2010, over 7 months, there were more than 38,000 irregular migrants detected at the Greek-Turkish border, giving a monthly figure of over 5,400. Here, it would also be worth giving some of the figures in the annual reports prepared by the Frontex. For instance, in terms of irregular border-crossings at the EU borders, the Turkish-Greek border (both land and sea borders) is often cited as an intensive irregular-border crossing (Frontex, 2006, 2007, 2008, 2009, 2010). Accordingly, in 2007 45 percent of the 164,000 apprehended irregular migrants in the EU borders came from the borders of Greece, and most of these came from the Greek borders with Albania and Turkey (this implies that the annual irregular border crossing from these two countries to Greece stood at 74,000). In 2008, while the number of irregular migrants apprehended at the EU borders increased to 159, 000, the Greek border crossings constituted 50 percent of the total EU. In 2009, the number of irregular migrants apprehended at the EU borders dropped to 106, 000, but the share of those apprehended at the Greek borders increased to 75 percent of all apprehensions in the EU. As for the

⁸ For detail, see Michael Parzyszek, Rabbit Operation, Situational Update, at <http://www.frontex.europa.eu> (viewed on 20 April, 2011).

first nine months of 2010, the Frontex figures indicate that nearly 80 percent of the total EU border apprehensions (74,900) were at the Greek borders. These reports claim that the land and the sea borders between Greece and Turkey have been intensively used by irregular migrants – for the years 2007, 2008, and 2009, indicating that some 35 or 40 percent of total border apprehensions of Greece have been at the Turkish border: this implies an annual figure of between 25,000 and 32,000 apprehensions. For the first nine months of 2010, the Frontex figures show that around 50 percent of almost 60,000 border apprehensions of Greece were at the Turkish border. These figures indicate that apart from the seemingly increasing trends in these numbers in 2010, in recent years, there has been a steady level of irregular migration flow of transit migrants from Turkey to Greece both in absolute and proportional terms (Table 2). On the other hand, the 2006, 2007, and 2008 irregular migration reports prepared by ICMPD, a Vienna-based international research centre, indicate the followings: while nearly 350,000 irregular migrants were apprehended in the 16 Central and Eastern European countries – including Turkey – in these three years, nearly 45 percent of those caught were apprehended in Turkey (Futo and Jandl, 2006, 2007, 2008). Consequently, these sources show that there are south-north and east-west migratory flows over Turkey and that a large portion of this movement stopped in Turkey, while part of the flow was able to reach Europe (Triandafyllidou, 2010).

In summary, looking at the figures cited above concerning irregular migration from Turkey to the EU member states, we can be certain only about a rough estimate of the irregular migration flows that indicate a crude picture of the reality. However, this is natural for two principal reasons: the first is that irregular migration is, by definition, a type of “undocumented” reality, and the second is that this form of migration changes over time due to the rapidly mutating push and pull factors of migratory systems. It is safe, however, to conclude that, as far as the last four-five years are concerned, Turkey has been able to stop annually, on average, nearly 30 000 transit migrants who might wish to move into the EU member countries; and in the same period, annually and on average nearly 29,000 irregular migrants have been apprehended in Greece where the authorities claimed that they crossed the border with Turkey. Considering irregular migration from Turkey to the other 26 member states of the EU, there is no systematic data available. There is only imprecise information from these member states. For example, some limited data from Germany and the Netherlands indicate that, in the mid 2000s, while only 10-12 percent of the apprehension cases of irregular migrants are Turkish citizens, less than another 10 percent of those apprehended irregular third-country migrants might enter these countries directly from Turkey: in Germany, less than 5,000 migrants out of nearly 40,000 apprehended migrants were Turkish citizens, while in the Netherlands this figure was around 800 out of the total of nearly 7,000 apprehensions⁹.

As far as irregular flows from Turkey to EU member countries are concerned, the transit migration of the third-country nationals is not the only component. There are also many Turkish citizens who are in irregular positions, either in terms of their entry status or their resident category in EU countries. It has been already documented that, in the last three decades, there has been notable irregular migration and stay of Turkish citizens in the EU member states. For instance, in an internationally comparative study conducted in Turkey in the late 1990s, of all international migrants interviewed, nearly one quarter stated that they have tried to enter some country in Europe without required documents (11%), or attempted to violate the period of stay defined by visa or permit (11%) (İçduygu and Ünalın, 2002). There were also some figures compiled by the Turkish authorities that show the potential of irregular flows from the country: from 1995 to 2010, there were over 39,000 Turkish citizens apprehended at the borders of Turkey, while irregularly crossing the borders. Some evidence of irregular migration in Turkey and Europe indicates that, although there were still ongoing flows of irregular migration, the trend was declining. For instance, there were 2,350 Turkish citizens apprehended in Central and Eastern Europe as irregular migrants in 2004 and this figure dropped to 2,124 in 2005 (Futo and Jandl, 2005) and to less

⁹ For the discussions over these figures, see the result of EU funded CLANDESTINO Project, www.clandestino.eliamep.gr (viewed on 19 March, 2011).

than 2,000 in 2006.¹⁰ This figure was 1,788 in 2007, the lowest level of last five years.¹¹ Moreover, in 2008, this number was even lower than that in 2007 with around 1,400 Turkish citizens apprehended as irregular migrants.¹² In 2008-2010, the number of Turkish citizens arriving in the Central and Eastern European countries as irregular migrants declined to fewer than 1, 000 annually.

Another indirect, or proxy, indicator of the number of irregular migrants in Europe who aim to return to Turkey might be the number of rejected asylum seekers from Turkey. Since the early 1980s, Turkey has been a major source country of asylum seekers, who are mostly heading towards the West European countries. According to the United Nations High Commission on Refugees (UNHCR) statistics, between 1983 and 2000 almost 490,000 Turkish citizens applied for asylum in various European countries (İçduygu and Kirişçi, 2009). Data from UNHCR shows that the annual flows of asylum-seekers from Turkey to Europe were around 28,000 in 2000 and steadily decreased in the last ten years¹³. In 2007, the number of asylum-seekers from Turkey to Europe was fewer than 6,500, indicating its lowest figure in the last two decades. In 2008, this figure remained fewer than 7,000. It seems that the numbers of asylum-seekers from Turkey has stabilized at the level of fewer than 6, 000 in the second half 2000s with a declining trend: the figure was around 6,400 in 2009 and 5,500 in 2010. Considering the likelihood of failing applications among these asylum seekers in Europe, some could be seen as the irregular migrants in Europe and some of them could be viewed as potential returnees to Turkey.

The refugee recognition rates in Europe vary from country to country but they have been relatively low (compared to many countries in the developed and developing world), as it is often perceived that there are many people who are likely to try to make fraudulent use of the asylum channel. It appears that, in the last five years, the recognition rate for asylum seekers from Turkey to Europe was around 15 percent (including various levels of stay such as those based on humanitarian reasons), indicating that on average 6,000 to 7,000 rejected asylum seekers were supposed to return to Turkey annually in the last ten years. In fact, the numbers of those who return to the country and those who manage to stay in Europe as irregular migrants remain unknown. But, many of these rejected asylum seekers are often able to find ways to stay and integrate in the societies, and economies, of receiving countries.

III. Negotiation of a Possible Readmission Agreement between the EU and Turkey: An Uncertain Future

Faced with various types of irregular migratory flows, and within the framework of alignment of Turkey's migration and asylum strategy with the EU legislation, Turkey has followed a policy of signing readmission agreements with, first and foremost, the source countries and progressively transit countries as well as countries of destination (Kirişçi, 2007). Consequently, and in line with the EU *acquis*, Turkey signed a Readmission Protocol with Greece (dated 8 November 2001), and related agreements with Syria (dated 10 September 2001), Kyrgyzstan (dated 6 May 2003), Romania (dated 19 January 2004), Ukraine (dated 7 June 2005), Pakistan (dated 7 December 2010), and Russia (dated 18 January 2011). However, for a long time, Turkey remained reluctant to sign a readmission agreement with the EU (USAK, 2010).

Readmission agreements aim to bring about the expulsion of irregular migrants by establishing obligations and procedures regarding readmission between the contracting parties. On the back of restrictive immigration policies since the 1990s, more than two hundred bilateral readmission agreements were signed around the world, the vast majority of which by individual EU Member States

¹⁰ Personal Communication with Michael Jandl (ICMPD).

¹¹ Personal Communication with Peter Futo (ICMPD).

¹² Personal Communication with Peter Futo (ICMPD).

¹³ UNHCR, the United Nations High Commissioner for Refugees, available online at <http://www.unhcr.ch>.

(Coleman, 2009). Since the entry of force of the Treaty of Amsterdam in 1999, however, these agreements are being concluded with non-EU States at the Community level, targeting the expulsion of irregular migrants from a block of twenty-four EU Member States¹⁴. With this background, a possible readmission agreement between Turkey and the EU facilitates the expulsion of irregular migrants who enter the EU from Turkey by establishing obligations and procedures regarding readmission between the EU and Turkey. Generally speaking, as an instrument of migration control and management, highly desired by the EU member states but strongly criticized by civil society and academia, readmission agreements are subject to much debate (Roig and Huddleston, 2007; Cassarino, 2007): they are risky instruments which might be harmful for refugee protection, they are asymmetric tools transferring high costs to non-EU parties, and their operation involves uncertainties for the future.

In the case of Turkey, the various risks, asymmetries, and uncertainties associated with a readmission agreement become even more complicated, as the country is in the process of accession talks with the EU, but its membership prospects are often questioned by some EU Member States (İçduygu, 2011). Despite the unpromising climate of EU-Turkey relations, Turkey has transformed its migration and asylum system in the last ten years, harmonizing it with the EU *acquis*. Efforts for combating against irregular migration and managing migration in a regular manner have become a central part of this EU-based harmonization process. The engagement of Turkey to a possible readmission agreement with the EU must be seen in the context of the country's efforts to become a member of the Union, and consequently it is directly linked to the country's wish to have a visa-free regime for its citizens visiting EU Member States.

After a long period of disagreement between the EU and Turkey over negotiations on possible readmission agreements in the early 2000s, with Turkey unwilling and the EU pushing hard, Turkey conceded to the negotiation of a Community readmission agreement in 2004, though no precise date or timeline was agreed on. Again after having various ups and downs in the negotiations over the agreement in the period of 2004-2010, the EU and Turkey finally brought out a draft text in 2010, and in early 2011 the consensus on the final adjustments to the draft EU-Turkey readmission agreement was reached and the negotiations have now come to end. An official statement issued by the Justice and Home Affairs Council on February 25, 2011 welcomed the conclusions of negotiations on a readmission agreement, indicating that "Ministers reached political agreement on a draft agreement with Turkey" and called for "a reinforced cooperation between Turkey and the EU to tackle irregular migration¹⁵". While this statement supported the Commission's intention to initiate a dialogue on visa, mobility, and migration with Turkey, it did not satisfy Turkey's expectation on a clear road map for visa liberalization for Turkish citizens. Subsequently, Turkey reacted to this decision mentioning that without a visa facilitation process and other steps towards a visa free regime, the readmission agreement will not be signed, initiated, or implemented.

In a recent standard treatment of European readmission policy (Coleman 2009: 178), we can read that "after Algeria and China, Turkey may be considered the most elusive of the readmission countries", a statement explained primarily by the fact that Turkey did not formally acknowledge the invitation to start negotiations until March 2004. According to the same author, taking into account the importance of the country for EU external and general policy objectives in the field of migration, and "considering also that Turkey was amongst the nine third countries with which the November 2020 JHA Council decided to intensify relations in the area of migration, the lack of headway on the core issue of readmission is a significant political failure". The interaction between EU and third countries in the context of negotiations of readmission agreements is understandably dominated by political arguments on the most appropriate balance of interests, and Turkey-EU negotiations are no exception in this respect.

¹⁴ Denmark is not a party to the Community's readmission agreements, and participation of the United Kingdom and Ireland is based on an opt-in.

¹⁵ See Council conclusions on EU-Turkey Readmission Agreement and related issues, 3071st Justice and Home Affairs Council Meeting, Brussels, 24 and 25 february 2011.

In strictly formal terms, the most important legal issue in the context of the negotiation of readmission agreements is the understanding of the limits within which obligations to readmit persons stand prior to these agreements. The problem has at least *two* different aspects, depending on whether one discusses readmission by a State of its own nationals or nationals of a different country (but further distinctions can be made with regard to respectively former nationals and refugees or stateless persons).

When it comes to the *first* aspect, and the general state of the sources of law in the field, these have been defined as follows: “The European Community regularly claims that general international law requires States to readmit own nationals. The EC has not supported this claim with legal arguments, or specified the source from which this readmission obligation would arguably derive. Claims to further international readmission obligations are not commonly made by the EC or by States in general”, while “[t]he question of readmission obligations under international law, and their relation to readmission agreements, has received little specific attention in academic literature” (Coleman 2009: 27). The existence of such an obligation, which could be perceived as a substitute of readmission agreements, is, in the practice of international relations, considered as an argument but not a solution, considering the facility with which a state unwilling to cooperate can circumvent it with practical and procedural obstacles (Coleman 2009: 33). In this respect, negotiations in the specific case of Turkey are facilitated by the fact that the readmission of its own nationals is, for Turkey, not only an obligation deriving from general international law (Hailbronner, 1997), but also an obligation provided by the Constitution (USAK, 2010) (though arguably not in view of the protection of third-country interests, which could have in some cases implications in terms of enforceability).

When it comes to the *second* aspect, i.e. admission of non-Turkish citizens, the position constantly held by Turkey, according to available EU documents, is one according to which the readmission of non-Turkish citizens is not an obligation in the absence of a readmission agreement. However, in recent years, as part of its good neighbourhood policies and practices, Turkey had tended to enter into some readmission procedures with third-country nationals and irregular migrants crossing its borders to neighbouring countries. There is a notable example of this at the border between Turkey and Bulgaria. This position is certainly in line with the mainstream of the scarce legal scholarship that deals with readmission issues in international law. The exception, which theoretically could be relevant in the case here at hand considering the proximity and shared borders of Turkey and EU, is represented by one view which derives an obligation to readmit third-country nationals from the principle of “neighbourliness” (*bon voisinage*) (Hailbronner, 1997). This doctrine is built on an analogy with cross-border environmental damage, arguing that neighbouring countries have a mutual responsibility for uncontrolled transit migration, which implies a readmission obligation regarding third-country nationals. The negotiation of readmission agreements in general, and the development of a specific Turkish-EU one in particular, seems, however, to confirm the position of the majority of scholars, according to which “the principle of neighbourliness [...] is a political principle” (Coleman, 2010: 42), rather than a legally binding one. However, here it should also be mentioned that Turkey is currently negotiating its membership with the EU, and the readmission agreement between the EU and Turkey has key implications for the opening of Chapter 24 – regarding justice, freedom and security – in EU accession negotiations.

As has already been noted apart from its own nationals, it is generally accepted that there is no obligation under general international law for a country to readmit persons rejected from a different one for lack of legal title to stay. Other than the readmission of its own nationals, we are therefore in the realm of international relations, with its underlying political balances and policy priorities.

From a policy perspective, the readmission agreements negotiated by the EU with third countries can be considered tools in a larger mechanism for fighting irregular immigration into the EU, complementing border controls and internal efforts for the identification of illegally resident aliens. The factors that push in favour of the definition of readmission agreements are self evident, and can be easily identified as follows: “Community policy documents regularly call attention to the number of

third countries nationals, residing in the Member States without a residence title, and the number of yearly new arrivals” (Coleman, 2009: 57-58). The return of these persons to a country outside the EC is a pivotal element of Community immigration policy for a variety of reasons. In the view of the European Commission, an effective return policy discourages the irregular journeys of potential migrants and harms the activities of criminal networks involved in the smuggling and trafficking of persons. In addition, the Commission considers that implementing returns prevents immigration by sending a dissuasive signal to third-country nationals that stable residence in the EU is difficult to attain. More importantly, the Commission posits return as a precondition for safeguarding the credibility and integrity of immigration and asylum policies. Furthermore, the Member States within the Council generally posit control over unauthorized immigration, and thus an effective return policy, as a prerequisite for allowing more labour immigration. In other words, the political interest in realising an effective return policy is considerable.

The importance of certain transit migration flows is, from the EU perspective, such that flexibility in negotiations has been very limited when it comes to the readmission of non-nationals. Examples are many, and among these the case of Turkey has been considered as an “example of the rigidity of the Council”, since “concluding a readmission agreement with Turkey would have been facilitated, had it been limited to Turkish nationals and permanent residents. This option was not considered, despite the categorical refusal of this country to negotiate a readmission agreement (until its accession perspectives arguably became dependent on it)” (Coleman 2009, 187-188).

The importance, as constantly affirmed by the EU in the negotiation process (also in the case of countries which are not typically transit countries), of including readmission of non-nationals is probably the biggest individual factor introducing *quid pro quo* elements in negotiations, within which visa facilitation has been one of the most important, particularly after the mandate given to Council in 2004 to negotiate a visa facilitation with Russia, that arguably marks a shift in the general attitude of the Member States towards the common readmission policy (Trauner and Kruse, 2008a, 2008b; Coleman, 2009). In fact, visa facilitation has become an incentive which encourages the readmission negotiating countries with the EU to make an agreement that may provide some benefits for their citizens. While it is clear that readmission agreements are straightforward components of the broader EU machinery for fighting irregular immigration in the EU, it is less clear what is their actual contribution to the reduction of irregular migration flows. The most recent and qualified researches indeed point out that causal connections in this sense are extremely difficult to substantiate empirically.

A *first* element to be taken into consideration is that the majority of readmission agreements bring about the expulsion of a low number of irregular immigrants when compared with the general dimension of the migration flow towards the EU or a specific country. Of course, the role of expulsions of irregular migrants (in the context or not of formal readmission agreements) is according to many EU and national policy documents that of acting as a deterrent, rather than significantly reducing the number of irregular migrants staying in the country. While this can be an acceptable rationale, it is certainly true that the value of readmission agreement as a “deterrent” against irregular migration gets easily confused with the other push and pull factors acting with regard to a specific migration flow. The assessment of the actual “deterrent effect” of readmission agreements is also difficult to evaluate if one includes in the overall picture the general policies followed at national level with regard to immigration, with many EU Member States allowing the *de facto* presence of huge numbers of irregular migrants, with expulsions representing the sanction applied to a tiny minority of them who, randomly or as a result of specific “profiling practices”, are caught in the enforcement machinery (Roig and Huddleston, 2007; Trauner and Kruse, 2008a, 2008b) .

A *second* element which is certainly relevant is represented by the obstacles that are experienced in the daily practice of the many readmission agreements signed by Member States and the few already operating at community level. As we have written in the previous sections, agreements ordinarily apply also to nationals of the contracting parties, for which a readmission obligation would exist anyhow, even in the absence of agreement, on the basis of general international law. Reasons for this are quite simple,

and are represented by the difficulty experienced in the expulsion of non-cooperative irregular migrants. More than for the introduction of an obligation to readmission, agreements are thus important for the regulation of procedures and the means of evidence admitted for the identification and expulsion of non-cooperative migrants (Roig and Huddleston, 2007; Trauner and Kruse, 2008a, 2008b).

In this respect, the experience of the agreements already in force seems to show that the more regulated procedures they establish the more they require a modicum of cooperation between the contracting parties. This is particularly true in the case of those migrants trying to conceal their nationality and identity, who typically come from countries perceived as particularly “threatening” in terms of migration flows in the political discourse of EU Member States. The negotiation of a readmission agreement is therefore most likely to be followed by a “permanent negotiation” of the incentives that must be granted for ensuring the smooth operation of the agreement, and a more energetic action against those migration flows that are perceived as more disturbing for a specific Member State. The interconnection between the different dimensions of the “readmission oriented cooperation”, of which the entry into force of a readmission agreement is only one step, has been so described: in the implementation of community readmission agreements, the goodwill of third countries remains an important factor.

This implies that, regarding the implementation of common readmission policy much will continue to depend on the quality of general relations of the Community and the Member States with third countries. This, in turn, will depend in cases on specific incentives for cooperation. Some third countries may require a steady supply of benefits to ensure not only conclusion, but also implementation of a readmission agreement. It is, therefore, arguable that “good bilateral relations, and the benefits granted in exchange for readmission, are as important a guarantee of facilitated return of unauthorised immigrants as the technical content of those agreement, if not more important” (Coleman, 2009: 318).

It has also been observed that one problem in assessing the impact of readmission as a tool to reduce irregular migration is represented by the lack of precise data on the operation of agreements at community and state level. One particular difficulty is represented by the importance of informal readmission procedures: “Mapping the informal application of readmission agreements by the Member States, especially in border regions, is a prerequisite for understanding the practical impact of those agreements. The degree to which readmission agreements act as a catalyst for informal returns is difficult to measure, but clearly an element which should be considered. It should be remembered that Community readmission agreements explicitly allow informal ‘arrangements’ of the Member States with relevant third countries” (Coleman, 2009, 319-320). The difficulty of substantiating empirically the impact of readmission agreements on irregular migration is particularly relevant in the case of transit migration. In several EU policy documents it is stressed that readmission agreements covering non-nationals, i.e. transit migrants, can induce third countries to improve border controls and increase apprehension rates of irregular migrants, an argument which is often presented with a vague moral nuance in terms of responsibility for controlling borders efficiently.

The actual policies followed by individual third countries in border control and identification of irregular migrants are indeed subject to the same variables existing within most Member States. Countering illegal migration depends on political decisions that are influenced by many factors, ranging from availability of resources to role of illegal migrants in the local labour market, local connections of individual migrant communities, and so on. Apprehending a migrant from a country in which expulsion would be difficult can, in many contexts, be a non-rational decision from a purely economic perspective.

If any, a strengthening of border control in third countries because of the “pressure” created by a readmission agreement, can indirectly happen as a result of an improvement in migration control capacity. Many readmission agreements include, indeed, financial and technical assistance, particularly in terms of technology, primarily aimed at strengthening border controls (Coleman, 2009, 62). Such support can create the conditions for exercising a more effective control once other factors contribute to create a favourable political environment.

In the related literature, there exist *two* main conflicting views regarding the likely impact of a readmission agreement on the irregular migration in the transit country like Turkey (Coleman, 2007; Bouteillet-Paquet, 2003). *First*, as noted earlier, the positive view advocates that readmission agreements will have a discouraging effect on the potential irregular migrants who plan irregular migratory moves. Consequently, it is assumed that there will be a decline in the irregular migration movements. But, it is difficult to prove this assumption empirically¹⁶. *Second*, again as mentioned above the negatives argument points out that these agreements function as a tool of migration-related “burden shifting” on the part of the main destination countries towards the transit countries. These are unbalanced tools through which the destination countries gain, while transit countries lose out. What makes then a readmission agreement viable and acceptable for a transit country is often explained by a legal argument that refers to doing no harm and the idea of “good neighbourhood”. In the case of the EU accession process the admission issue has proven to be EU conditionality at its best: strict but fair, but only as it is connected to a visa roadmap that would represent a politically attractive agenda for reform in a country like Turkey which is in the midst of membership negotiations.

While discussing the likely impact of a readmission agreement, it should also be kept in mind that there are certain risks in drawing conclusions in terms of over generalizations. On the one hand, these generalizations often stem from the conventional generalization over the trends and patterns of irregular migration, the nature of readmission agreements and the consequences of these agreements for related countries and migrants. On the other hand, they derive from the natural uncertainties associated with the future of irregular migration that would mostly depend on the unknown social, economic and political future developments both in the countries of origin and countries of destination. In short, every type of forecasting associated with migration flows and their consequences should be taken cautiously. That is the reason why one can only think of certain scenarios, while referring to the likely impact of a possible readmission agreement between the EU and Turkey.

IV. Concluding Remark

In terms of Turkey’s position as a country of immigration and transit, there are currently *two* issues that are interrelated and difficult ones, which must be tackled by the EU and Turkey. The *first* issue concerns the presence of continuing flows of irregular migrants, who are coming from third countries, using Turkey as a bridge, and entering EU member countries, mainly Greece (Frontex, 2007,2008, 2009). This is a broad problem, which requires a variety of actions, regulations, and programs to which both the EU and Turkish sides tend to contribute solutions. In fact, there are a number of ongoing individual and co-operative efforts to overcome the problem. However, often both sides also blame each other: for the EU, Turkey is not able to cope with the problem, and there is a lack of will to fully combat the irregular flows; for Turkey, there is a need for more resources and greater co-operation, while they face limited possibilities for attaining resources and a lack of co-operation from the EU. The other issue is more specific: the negotiation and conclusion of a “readmission agreement” with the Commission (Kirişçi, 2007; İçduygu, 2011).

Turkey is concerned that with a possible EU-Turkey readmission on agreement it will become a ‘buffer zone’ (Kirişçi, 2008; İçduygu, 2007b) between irregular migrants’ targeted countries of Western Europe and their origin countries in the East and South. Indeed, this anxiety prevails when Turkey bargains over the drafting and signing of a “readmission agreement” with the Commission. Interestingly however, it seems that the signing of a readmission agreement and the facilitating of a relatively free-visa regime for Turkish citizens, are directly linked to each other, at least in the minds of the Turkish authorities. The EU would like to encourage Turkey to sign the agreement, a move that

¹⁶ There is no available empirical study conducted to measure the direct impact of already applied readmission agreements on declining trends in the irregular flows. There is only anecdotal evidence that imply some possible impact of the readmission agreements to be considered among the factors in reducing the likelihood of future flows.

would allow the EU to act on visa facilitation. However, the EU points out that it is Turkey itself that has built up a direct link between these two actions.

Against this background, the question of “if a possible readmission agreement between the EU and Turkey will work efficiently or not” still remains unanswered. The other questions, such as, “whether or not this readmission agreement, as it operates and manages the return of irregular migrants to their home countries, will discourage the potential irregular migrants, and then will cause the decline in the similar irregular flows” is also unanswered. What can be answered, however, is that for both efficient operation of the agreement and its discouraging effects over potential migrants, the lack of cooperative efforts and absence of trust that is observed among the negotiating parties of this agreement, namely the EU and Turkey, is an obvious obstacle.

Since there is a considerable amount of irregular migration in Turkey and related ongoing efforts of return of apprehended irregular migrants to their home countries already exist, a possible Turkey-EU readmission agreement would naturally bring an extra substantial weight into the mechanism of migration management in Turkey. Partly as an aspect of the “good neighbourhood” understanding, and partly as a facet of the EU accession process, both the EU and Turkey are keen to cooperate over the management of migration and asylum flows. For both sides, this is also a “burden-sharing” issue. It is important to stress that “burden sharing” is not to be interpreted as merely a question of reallocation of financial resources. This is also linked to the fact that empirically migration management is an activity where effectiveness is not automatically proportional to the amount of resources available. The complexity of the activities involved implies, indeed, that many variables contribute to determine their final impact. Moreover, interaction between EU and Turkey in border control is also a current reality where on a daily basis there is contact between concerned authorities, which in many aspects will go on in the absence of a readmission agreement. In pure efficiency terms, it must also be noted that Turkish border control authorities often perform better than comparable authorities in EU countries.

As a country that is in the process of membership negotiation, Turkey has long been trying to harmonize its migration-related regulations to the EU *acquis*. Furthermore, the Readmission Agreement is negotiated within this context of managing the migration in the country according to the EU *acquis*. Although it is not a directly intrinsic part of the Agreement, it is recognized that, as in cases of other countries which have signed similar agreements, the conclusion and initialling of the Readmission Agreement are carried out in parallel to the initiation of the visa dialogue process between the negotiating partners. This first leads to visa liberalisation, and then to a visa-free regime. It appears that in the case of Turkey, there will be no realization of the Agreement without a clear road map towards a visa-free regime for Turkish citizens. Without the visa-related solutions for Turkey, as openly noted by the Turkish authorities, this Agreement is an agreement for “burden-shifting”.

Therefore, for the realization of this Agreement, it should be emphasized, here in our summing up, that the necessary steps towards the conclusion and initialling of the Readmission Agreement might be carried out in parallel to the initiation of the visa dialogue process between Turkey and the EU Commission towards a visa-free regime. This is also important in terms of visibility with public opinion, to avoid increasing the diffusion of irrational stances and misperceptions on the reality of migration policy. This is eventually needed also to make clear that the possible agreement is in general “fair”, with Turkey obtaining tangible benefits for its citizens such as visa facilitation.

Overall, it appears that the issue of the management of migration and asylum gives immense political leverage both to the EU and to Turkey during the course of talks both inside and outside of the accession negotiations. This area of bargaining over Turkey’s membership seems to be rewarding for both sides, despite its complex and diverse nature. Both the EU and Turkey realize that, for their own reasons, any negotiation in this area does not only have an impact on the specific issue at hand, but also on the totality of the accession process. What we can see is that migration- and asylum-related bargaining might evolve from the “blame game” to that of the “anchor” for the accession period. Of course, the wrong management in this bargaining process also carries the risk of reversing this process and an anchor will become a blame game.

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