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Blocked by Diplomatic Barriers: Syrian Refugees and the EU-Turkey Migration Cooperation

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Abstract

The recent EU-Turkey deal on irregular migration and refugees raised voices of humanitarian concerns with regards to the protection of the rights of Syrian refugees. Despite the positive efforts of Turkey to accommodate Syrian refugees, it still lacks a proper asylum system and measures that can guarantee their socio-economic integration and protect their rights. So instead of having a proper EU refugee resettlement system, they just offer money and mobility incentives to Turkey to keep the Syrian refugees on its land, while sidelining the deteriorating status of those refugees in Turkey. This paper argues that EU-Turkey cooperation on migration is security/interest-based, which counters the protection of the rights of Syrian refugees. On one hand, the EU hoped to guard itself from potential security threats, reflecting the dilemma of security vs. human rights. On the other hand, Turkey was hoping to accelerate visa waivers for its nationals and ease its accession to the EU membership.

Keywords: EU – Turkey – Migration – Readmission Agreements – Syrian Refugees

Introduction

The crisis of the flow of Syrian irregular migrants and refugees after the Arab uprisings became a major concern for the EU and Turkey as neighboring countries. This made many EU leaders to take a defensive stance towards the Arab Uprisings. Such crisis is reflected on the EU's intense securitization approach to control irregular migration, and on Turkey's capacity to host large numbers of Syrians while providing them with their basic human rights.

Instead of reaching a consensus between EU member states (MS) on implementing a proper refugee resettlement system (Van Selm, 2016); the EU focused on securing its borders by using tools like Frontex and concluding Mobility Partnerships with neighboring countries (Völkel, 2014; Paoletti, 2014; Kaunert & Léonard, 2011; Kaunert & Léonard, 2012). In effect, the EU has signed a readmission agreement with Turkey, on 16 December 2013, with regards to the status of unauthorized migrants (European Union & Turkey, 2014); and recently EU and Turkey has concluded an agreement on irregular migration and refugees, on 18 March 2016 (European Council, 2016), which raised voices of humanitarian concerns with regards to the protection of the rights of Syrian refugees (Amnesty International, 2016a; Rankin, 2016). However, such cooperation did not guarantee an effective protection for the rights of Syrian refugees in Turkey. Despite the positive efforts made by Turkey to accommodate Syrian refugees, the main reason behind their flow to the EU, aside from the appeal of the standard of life in the continent, is the lack of legal measures in Turkey to integrate them. Turkey does not have an asylum system that can guarantee the protection of the Syrian refugees' socio-economic integration and rights (Amnesty International, 2016b).

This research endeavors to assess the impact of EU-Turkey measures and tools of regulating the flow of Syrian migrants on the protection of their socio-economic rights in Turkey. The research argues that EU-Turkey cooperation on migration is an interest-based cooperation, which counters the protection of the rights of Syrian refugees. On one hand, it is a tool by which the EU can keep its security interests guarded, reflecting the dilemma of security vs. protection of human rights. On the other hand, it was a tool by which Turkey was hoping to accelerate visa facilitation for its nationals and ease its accession to the EU, in return of keeping the Syrian refugees on its land.

Methodologically, the main source of data in this research is an analysis of official EU, Turkish and international human rights organisations' documents and specialised literature on the topic; in addition to interviews conducted in Berlin with a Syrian refugee formerly residing in Turkey and in Cairo with an EU official.

The Syrian Refugee Crisis in the Genesis of the Arab Uprisings

The growing population in the MENA region amongst bleak economic situations especially after the Arab uprisings in 2011, in addition to the severe life threats

imposed by the Islamic State in Syria, Libya and Iraq (ISIS), will continue to be the driving force behind regular and irregular migration inside the MENA region and also to Europe in the coming years; whether they are refugees, asylum seekers, labour/business migrants, displaced persons, or family members joining their already settled families in the EU. It started with the 35,000 Tunisian and Libyan 'boat migrants' who landed in the Italian island of Lampedusa and Malta, which triggered massive debates within the EU about how to deal with this massive upswell (European Commission, 2011a, p. 2). Since then, the crisis kept escalating, where it has recently reached 1,014,836 refugees and irregular migrants crossing the Mediterranean Sea in 2015 to enter Europe, 3,771 of which were counted dead or missing by the Office of the United Nations High Commissioner for Refugees (Völkel, 2016); and where 850,000 of those irregular migrants arrive via the Greek islands (Amnesty International, 2016a, p. 4).

With regard to Syrian irregular migrants, intensifying clashes in addition to the deterioration of security and living conditions in Syria, forced almost two thirds of the Syrian population to be displaced, where in 2015 almost 7.6 million were internally displaced and 3.5 million fled to Egypt, Lebanon, Jordan and Turkey. Similarly, almost 1 million people were forced out of Syria in 2014, three-fifth of which made their journey to Turkey (Içduygu, 2015, p. 2). In 2015, Turkey was declared to be the largest country in terms of hosting Syrians in the region, where the influx of Syrian refugees to Turkey is likely to grow as the conflict continues (UNHCR, 2016). Thus, the crisis of the flow of migrants from the South Mediterranean, especially the Syrians, became more troubling for the EU and Turkey.

For Turkey, it opened its borders and welcomed Syrian asylum seekers who needed protection, however it became over burdened by their numbers and is struggling with granting them their rights of protection and integration. Turkey's quick embroilment in the Syrian crisis was reflected in its strategic goal of becoming a regional power in the Middle East and being seen as an important player in the region, with an active and direct role in any ongoing crisis – as well as its concerns for the future of Syria – which is home to significant Kurdish and Turkmen population (Kirişci, 2014 p. 5). Initially, the number of Syrian refugees crossing into Turkey was relatively small. However, the situation has drastically changed when the Syrian regime started to repress the opposing demonstrations by the use of lethal force in April 2011. As of July 2011, Turkey hosted 15,000 Syrians in camps set up in Hatay province near the borders with Syria (Kilberg, 2014, p. 20). When clashes in Syria escalated in 2012, more than 20,000 Syrians crossed to Turkey on a monthly basis. By the end of 2012, more than 170,000 Syrians were registered as asylum seekers in Turkey, "with possibly unregistered thousands more residing in Turkey" (Içduygu, 2015, p. 2). Through 2013, these monthly inflows of Syrian refugees continued to increase. The increased violence in Syria and the emergence of the radical group ISIS, which occupied northern Syria, caused many Syrians to flee. Numbers have reached 55,000 Syrian asylum seekers in Turkey every month (Içduygu, 2015, p. 3).

As for the EU, the main problem is that leaders worry that elements from ISIS could infiltrate in the Syrian refugees arriving in boats, where they might carry out terrorist attacks in between the period of processing their asylum applications. This fear was further intensified after the several terrorist attacks took place in Paris on 13 November 2015 (BBC News, 2015a) and in Brussels on 22 March 2016 (BBC News, 2016). Thus, migration is now affecting the EU, especially the southern MS Italy, France, Spain and Greece, where the principles of "solidarity" and "burden-sharing" between the MS were questioned. Hence, the pressing issue for the EU is how an area without internal frontiers, i.e. the Schengen area, may absorb the large amount of migrants – which might affect social cohesion, become an economic burden, and a hub for violent Islamist radical agendas – whilst respecting its norms and values of human rights and welcoming and providing migrants a safe haven from danger and poverty back home (Völkel, 2014; Léonard, 2010, pp. 235ff.).

EU Policies, Measures and Tools in Combating Irregular Migration: A Dilemma of Security vs. Human Rights

Such crisis is reflected on the EU's enhancement of its security methods in combating irregular migration from the South Mediterranean, one of which is cooperating with the Mediterranean Partner Countries (MPCs) on controlling irregular migration, through concluding readmission agreements and reinforcing border control measures.

Accordingly, cooperation with neighbouring countries under the revised ENP in May 2011 (European Commission, 2011b) will be advanced through "giving incentives and rewarding best performers, as well as offering funds in a faster and more flexible manner" (EU Neighbourhood Information Centre, 2014). The system of incentives as described by Virgili is based on the "3 Ms": money (financial assistance), market (easier access to the EU market, and mobility (visa facilitation) (Virgili, 2014, p. 47).

The dilemma here is realised when using a negative conditionality or a harsh tone with partner regimes, in support of respecting and protecting human rights, and applying sanctions, regarding the application of human rights principles – which is costly for the EU, if the target regime refused to cooperate in combating irregular migration. An illustrative example was the recent EU cooperation with neighbouring countries and countries in the African Union to control irregular migration to the EU, while turning a blind eye on the human rights record in such countries, especially the rights of refugees, which definitely smashes the EU rhetoric about the protection of refugees. As described by Völkel (2016), "the EU has decided to hire bullies as its bouncers".

This situation has caused tension and incoherence between EU MS. On one hand, many EU leaders were forced to push for more migration control measures and are keen on having restricted migratory policies by any cost and mean, including the reconsideration of the Schengen agreement to reintroduce border controls between

certain MS, to keep their security and strategic interests protected (European Commission, 2011a, p.12; Paoletti, 2014; Kaunert & Léonard, 2011; Kaunert & Léonard, 2012). As Völkel (2016) explained,

Decision-makers operate in an increasingly nationalist atmosphere, mutually stoked by populist politicians and citizen movements that mobilize against immigration and diversity. Consequently, even core achievements of the European integration process, such as removing border controls within the Schengen area, have come under serious pressure.

Moreover, some MS perceive migrants as a religious threat. For example, some officials in France and Slovenia called for accepting asylum seekers only if they are Christians (Fakhoury, 2016).

On the other hand, some MS believe that the EU should have a strong approach regarding democracy and human rights and apply sanctions in case of any violation. For example, some MS, which actually need immigrants, push for more human rights policies (EU Official, personal communication, April 6, 2015) such as Germany, Czech Republic and Sweden.

Furthermore, regarding the 'incentive-based approach' following the logic of a positive and negative conditionality; The EU proposed to open a "dialogue on migration, mobility and security" with the transit migration countries like Egypt, Tunisia, Lebanon, Jordan and Morocco and to continue its existing cooperation with Turkey, provided that visa facilitation and effective cooperation on readmission agreements and reinforced border controls are effectively implemented. The problem here is that the Mobility Partnership is indirectly linked to the ENP political conditionality, making visa liberalization an incentive for stability, democracy, respect of human rights and good governance (Van Hüllen, 2012). However, it is directly linked to migration and asylum measures, such as implementation of readmission agreements, cooperation with FRONTEX (European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union), and the ratification of international conventions on migration. Thus, it is not practically a condition for abiding by the principles of human rights, which reflects that rhetorically the Commission wants to review its incentives, but actually the old hierarchy of policy priorities remains unchanged.

Such restrictive irregular migration control measures, such as FRONTEX, EUROSUR and readmission agreements, do not solve the problem, as Jan Völkel (2014, p. 161) explained,

[m]ost irregular migrants within the EU arrive with a valid tourist visa and then simply overstay. Consequently, 'focusing on border control seems particularly inappropriate given that most African irregular migrants actually enter Europe legally, subsequently overstay their visa, and only then become irregular in the end'

(Caillault, 2012, p. 137). Mediterranean boat migration or Eastern European river crossings, meanwhile, make only for a minor share of irregular migration into the EU.

Moreover, such tight securitisation of border control and surveillance to the extent of "militarisation of regional migration governance", as describes by Fakhoury (2016), comes on the expense of saving human lives. For example, the replacement of Operation Mare Nostrum between Italy and Libya in October 2014 – which was responsible for searching and rescuing migrants in the Mediterranean Sea – with Operation Triton, which is a smaller scale Frontex operation focusing on border protection. Also, the push back operations by the NATO fleet in the Aegean Sea in February 2016 to force migrants' boats back to Turkey (Fakhoury, 2016).

Regarding the issue of asylum seekers and refugees, the EU has been putting efforts to establish a Common European Asylum System (CEAS) since 1999, to guarantee a high standards of the protection of refugees, through efforts to harmonise minimum standards and legislations for asylum, strengthen solidarity between MS, increase cooperation between EU and non-EU countries. For example, establishing a European Asylum Support Office[1] (EASO) in Malta, a European Refugee Fund and issuing the European Commission's Policy Plan on Asylum in 2008. Furthermore, recently the EU has revisited it's a) Asylum Procedures Directives to ensure a faster asylum decisions; b) Reception Conditions to ensure the protection of refugees' fundamental rights in the EU, including material reception conditions such as housing; c) Qualification Directive for grating protection and ensuring better integration and equal rights; and d) Dublin Regulation to determine the responsibility of a MS to examine asylum applications, with an early warning system of problems (European Commission, 2015a)

However, there seem to be a challenge for such rhetoric to meet the actual implementation. As Van Selm (2016) explained,

[n]ot rising to this challenge will not only be a demonstration of how sovereignty trumps solidarity on the asylum issue, but will also risk the collapse of one the EU's four fundamental freedoms – movement of workers […] The Failure would also announce that Europe is losing any claim to leadership on human rights and humanitarian issues.

Under the Dublin Regulation, asylum seekers should apply for asylum in the first EU country of entrance, and they could be readmitted to it if they travelled to another EU country (European Union, 2013). In this regard, southern MS – especially Greece, Malta and Italy – were bombarded with the overwhelming number of asylum seekers (Van Selm, 2016). In the aftermath of the refugee crisis, the Dublin Regulation proved ineffective and was suspended in 2015, when Hungary refused to take back refugees who have travelled through Hungary to other EU countries (Than & Nasralla, 2015).

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[1]EASO is an agency of the European Union. See website at https://www.easo.europa.eu/

Furthermore, the Hungarian, Slovakian and Polish prime ministers opposed the introduction of quotas for EU nations for solidarity measures (BBC News, 2015b). On the other hand, Germany and Czech Republic announced their willingness to receive and process asylum seekers' applications (Asylum Information Database, 2015; Harrison & Nolan, 2015).

Moreover, no real progress has been made with regard to a concrete refugee protection and resettlement policy, despite efforts, studies and ideas by the European commission. "In 2015, EU member states collectively resettled only 8,155 refugee from around the world" (Amnesty International, 2016a, p. 4). Regarding Syrian refugees, some EU countries like UK offered 20,000 resettlement places for the next four years, which is still too little compared to a million Syrian asylum seekers per year (Van Selm, 2016). As stated by Van Selm (2016), "It is clearly a drop in the ocean. Even if all EU MS offered the same number of places, that would be 560,000 over four years, 140,000 per year – still inadequate to the protection need […] In sum, it is too little too late".

Thus, having a proper organised resettlement system, would not only prove the credibility of solidarity between MS, but also would save thousands of lives from dying in the Mediterranean, with higher chances to reduce the number of terrorists trying to enter Europe as Syrian Refugees, and providing refugees a secured integration and protection of their socio-economic rights (Van Selm, 2016). It will also save thousands of euros for the EU;

[i]nstead of wasting money on cooperation programs that bear doubtful results at best, it would be better to use the same money to establish secure ways into Europe. Let people fly into Paris, London, Frankfurt, and Amsterdam, and fund sufficient registration facilities in these cities in order to correctly process asylum claims and requests. Refugees then could make it to Europe for an average price of less than 400 euros ($450) from Addis Ababa or Cairo to Europe, instead of paying bribes and exaggerated sums of several thousand dollars to smugglers and traffickers (Völkel, 2016).

EU-Turkey Cooperation on Migration: A Blow to the Protection of Syrian Refugees

Instead of working on strengthening solidarity among MS and establishing an organized EU refugee resettlement system, the EU is just outsourcing its responsibility to protect refugees on its land. The EU just offers money and mobility incentives to partner regimes in return of keeping refugees on their land and control their flow to the EU. Such cooperation will only empower those regimes in their domestic repression and in "blackmailing Europe in the future" (Völkel, 2016). The perfect example for this is the EU cooperation on migration with Turkey. The EU concluded a readmission agreement with Turkey, on 16 December 2013, with regards to the status of unauthorized migrants (European Union & Turkey, 2014). They

proceeded with a Joint Action Plan, agreed on 15 October 2015, to restrict the movement of people from Turkey to Europe and to readmit all irregular migrants from the EU back to Turkey (European Commission, 2015b). In this regard, the EU provided a 3 billion euro Refugee Facility to Turkey – which was agreed at the informal meeting of the European Council on 12 November 2015 in Valletta – to be able to accommodate all the Syrian refugees (European Commission, 2015c). Last but not least, EU and Turkey concluded a deal on irregular migration and refugees, on 18 March 2016. The deal states that all irregular migrants crossing from Turkey into Greek islands as from 20 March 2016 will be returned to Turkey, under the claim that it is a "safe country"; where as the EU will resettle one Syrian from Turkey for every one Syrian returned from Greece to Turkey (European Council, 2016).

Such cooperation deemed to be interest-based with no actual protection of the rights of Syrian refugees. It only focused on securing the borders of the EU from the influx of Syrian migrants and on negotiating visa facilitation for Turkish nationals and easing its accession to the EU, in return of keeping the Syrian refugees on its land. As stated in the EU-Turkey statement (2016), the EU will pump an additional 3 million euro until the end of 2018, and visa liberalization roadmap and accession talks were supposed to be accelerated – which has been put on hold until now.

The EU concluded those deals while turning a blind eye on five crucial points: a) Turkey is already burdened with three million refugees (about 2.75 million Syrian and 400,000 from other countries – mainly Afghanistan, Iraq and Iran); b) the poor status of those refugees in Turkey, with its weak asylum system to cope with all of those refugees, in terms of resettlement, integration, and living conditions (Amnesty International, 2016a); c) with Turkey and the EU exchanging ultimatums regarding the visa free travel of Turkish citizens to the EU, while Turkey meeting the 72 EU benchmarks, including narrowing down Turkey's counter-Terrorism laws; Turkey refuses to narrow down their counter terrorism laws at a time when many terrorist organizations as ISIS and the PKK exist in Turkey and threatens the security of its citizens (Aydoğan, 2016); d) the deterioration and violation of democratic and human rights principles and repressions by Erdoğan, which became more blunt after the recent failed coup on 15 July 2016 (Dearden, 2016); and e) the EU is already struggling with having a feasible resettlement system, so the promised remaining 18.000 places for resettlement – even with the voluntary resettlement of up to 54.000 persons – is still a drop in the ocean compared to the number of Syrian migrants (European Council, 2016).

Amnesty International report "No Safe Refuge: Asylum-seekers and refugees denied effective protection in Turkey" (2016a), described the EU-Turkey deal as reckless and illegal, where it urged the EU to immediately suspend such deal, concluding that Turkey has failed to provide protection to refugees.

Turkey: A Push Factor for Syrian Asylum Seeking in the EU

As of January 2016, Turkey hosts 3 million Syrian refugees, of whom 300,000 reside in 25 camps and the rest live in urban areas. (Republic of Turkey Prime Ministry Disaster and Emergency Management Presidency, 2013, p. 2). Turkish policies towards Syrian refugees were initially very welcoming. The Turkish government officially referred to the displaced Syrians as "guests" and not "refugees". Turkish authorities assumed that the Syrian conflict would be settled soon and enable the displaced population to return home. Therefore, they did not plan for a long-term or permanent resettlement of Syrians in Turkey and instead focused on providing temporary refugee camps for Syrians on the Turkish borders with Syria. According to the Disaster and Emergency management Presidency (AFAD) report on Syrian refugees in 2013, 22 camps were set for displaced Syrians across south-eastern Turkish borders with Syria. Several international and domestic human rights commentators including the UNHCR described the conditions in those camps as significantly more standardized, comfortable and controlled in comparison with other camps in neighboring countries as Lebanon or Jordan where Syrians lived in absolute poverty (Republic of Turkey Prime Ministry Disaster and Emergency Management Presidency, 2013, p. 5). In Turkish camps security is provided by the Turkish armed forces to safeguard migrants and prevent crimes or quarrels among residents. Also recreational and educational activities are available in those camps.

Despite the relative comfort and security of camps, a huge number of Syrian refugees have chosen to reside in urban cities for several reasons. First, the number of refugees crossing border from Syria has exceeded the overall capacity of the camps. Therefore, they had no other choice except to live in urban areas and struggle to find shelter and employment. Second, financial independence has enabled some Syrians to live outside camps and find employment. For instance, thousands of Syrians start afresh in Turkey and re-launched the businesses they left behind. Third, a huge number of Syrians entry is considered illegal, thus, they are not allowed to register to enter camps (Içduygu, 2015, p. 10). In urban areas conditions are reportedly worse than camps, as many Syrians find it difficult to obtain employment, access education or health services, find houses or even pay rent.

Assessing the social integration of Syrian refugees can be done through reviewing the main issues facing Syrian refugee that could be highlighted in their living conditions, legal status, health care, access to education and social isolation in Turkey. In return, all those factors have a huge effect on their future planning.

First, living conditions and poverty is the most important factor affecting Syrian integration in the Turkish society. In terms of housing, the Turkish facilities are inadequate in providing accommodation to asylum seekers who cannot provide for themselves. Although the law on Foreign and International Protection (LFIP) states that the Directorate General of Migration Management (DGMM) will establish "reception and accommodation centers", only one accommodation center was

established, which accommodates up to 100 persons only in a remote area at the central Anatolian province of Yozgat (Amnesty International, 2016a). At the same time, the law of foreigners and international protection requires asylum-seekers who are not residing in camps or reception and accommodation centers to explicitly pay for their own accommodation. This means that most Syrians living outside camps are living in private rented accommodation. Also the AFAD assessment of Syrian refugees living conditions highlighted that Syrians living in urban areas "either lived in crowded ruins or make shift arrangements" (Dorman, 2014, p.5). The Center for Transnational and Development Collaboration (CTDC) (2015, p. 11) explained the living conditions of non-camp refugees in Turkey as:

[l]living under very harsh conditions and many of them live under the line of poverty. The lack of humanitarian aid distributed to non-camp refugees is pushing many of them into overcrowded and over expensive housing, and makes them prone to exploitation as cheap laborers and women become more vulnerable to sexual exploitation. Additionally, women are experiencing many forms of violence, exploitation and harassment.

Also in an interview with Hussam Kasim – a 38 years old Syrian refugee in Berlin describing his former living conditions as a refugee in Turkey – he said that he used to work as a cook in a village on the suburbs of Aleppo, Syria. When the fighting intensified he took his wife and his two sons (6years and 15 years old) and made their Journey to southern Turkey. They were not able to enter the camps in Hatay because they were fully occupied, they waited for their legal documents to be issued, but he said "my brother told me it might take up to 8 months to finish your papers" (H. Kasim, personal communication, August 12, 2016). So, he started looking for a place to live in the city of Hatay and finally he found a small room in a shared apartment with four other Syrian families, with one shared bathroom and kitchen. He said "my wife was so depressed because she had to wear her headscarf all the day in front of the other families" (H. Kasim, personal communication, August, 12, 2016). Kasim worked in different restaurants, but he said "I was exploited by Turkish restaurant owners, they insisted on paying only 30 Turkish Liras/day, while paying 100 Turkish Liras/day to Turkish cooks. It became very hard for me to afford the high living expenses in Turkey" (H. Kasim, personal communication, August 12, 2016).

Second, the legal status in Turkey is a major challenge for Syrian refugees. The mass influxes of Syrians have forced the Turkish state to consider new arrangements that respond to the needs of these refugees and enable their integration in the Turkish society. As a result, In April 2013 Turkey adopted a new asylum Law, the LFIP, which came into force in 2014. This law constitutes of many EU asylum models and procedures and was developed in consultation with UNHCR, the Council of Europe and civil society organizations. It tries to show Turkey's obligation towards displaced people in need of international protection and at the same time it constructs a new legal framework for asylum seeking in Turkey. The LFIP created a DGMM responsible

for migration and asylum. The new Law also establishes a unique dual asylum structure. On one hand, a "Temporary Protection" status acquired on a "prima facie, group-basis, to Syrian nationals and stateless Palestinians originating from Syria" (Refugee Rights Turkey, 2015) which grants them the right to stay in Turkey as well as to be provided with health services, access to labor market, social assistance, interpretation and similar services. However, it is not equivalent to a residence permit and it does not grant the right for transition to long-term residence permit. Also it does not entitle its holder to apply for Turkish visa. At the same time, they have to voluntarily repatriate either to their home country or a third-country of residence (Republic of Turkey Prime Ministry Disaster and Emergency Management Presidency, 2013, p. 2)

On the other hand, under the LFIP asylum seekers from other countries of origin are expected to apply for an individual "international protection" status. There are three categories of International Protection: first, "Refugees", who are asylum seekers fleeing persecution in Europe. Turkey maintains a "geographical limitation" to the 1951 Refugee Convention, and denies refugees from 'non-European' countries of origin the prospect of long-term legal integration in Turkey. This means that asylum seekers from non-European countries fall under the second category that is called "Conditional Refugees". Conditional refugees could wait in Turkey until they are transferred to another country. The third category is "Subsidiary Protection" which is provided to those who do not qualify as refugees or conditional refugees but need protection because they face death penalty, torture, or because of armed conflict in their country of origin (Amnesty International, 2016a).

Although Turkey's asylum system came into force on April 2011, it is still in the process of being established and is not capable of coping with the vast amount of asylum seekers in its country. First, there is an absence of publicly available data about how Turkey implements its new asylum system. This information gap results from the refusal of the Turkish authorities' to provide information to NGOs. As reported by Amnesty international, On March 2016, the Turkish authorities refused Amnesty international's request for a meeting and refused to provide any of the requested data about the number and breakdown of International Protection applicants (Amnesty International, 2015, p.10). Also On March 29, 2016, Amnesty International sent a request about the housing support provided to the asylum seekers; as of May 2016, the Turkish authorities did not reply to their request. Similar difficulties were experienced by other civil society organizations in accessing information from the Turkish authorities (Amnesty International, 2015, p. 10).

Moreover, there is still a "lack of institutional capacity within the Turkish asylum system" (Amnesty International, 2016a). In December 2015, Refugee Rights Turkey reported that it was unclear how many migration experts and staff had been hired and trained. Also most DGMM directorates have not yet received all personnel expected to be appointed to their province and in mot locations DGMM directorates

lack sufficient interpreters. The duration between the application process for the temporary protection status and the registration interview may take up to seven months. This time lag became a concern because applicants cannot receive their Temporary Protection identification documents, thus they are unable to access reception services as health care and work permits (Refugee Rights Turkey, 2015).

Third, health conditions of Syrians in Turkey are deteriorating. According to the World Health Organization (WHO) report on Syrian refugees in Turkey in 2015, registered Syrians are provided with free access to state run medical facilities. However, the language barrier hinders their access to those facilities. According to the WHO this situation will remain until the legislation for integrating Syrian doctors and nurses is completed, to alleviate the workload on Turkish professionals in providing health care services to non-Turkish speaking refugees. At the same time,

Surgical trauma and intensive care for the large number of severely injured patients from conflict areas requires inputs of equipment, human and financial resources. Treatment of complex injuries involves long-term post-operative rehabilitation, which remains a challenge for the already burdened Turkish healthcare system (World Health Organization, 2015).

Furthermore, vaccine-preventable diseases became a major risk for the health of Syrians living in urban areas. 246 cases of measles of Syrians in Turkey have been reported in 2015. Also over 40 percent Syrian children particularly those residing outside camps did not have measles or polio vaccination (World Health Organization, 2015).

Fourth, education became a huge concern for Syrians residing in Turkey. There are three pathways for school aged Syrians. First, children in camps between the ages of 6 to 11 are able to attend schools operated by the AFAD and the Turkish Ministry of Education. These schools conduct lessons in Arabic language. However, the Turkish government does not accredit these schools officially. Thus, students are unable to have a proof of school completion. Second, Syrians without residence permits living in urban areas are able to attend Syrian schools operated in Arabic by different individuals or NGOs. However, the Ministry of Education does not officially recognize most of these schools. Limited number of Syrian schools has been established, and lack of funding for teacher salaries in Syrian schools remain huge challenge facing the quality of education in those schools. Third, Syrians living with residence permits in urban areas are able to enroll in Turkish schools. However, the language barrier makes it less possible for Syrians to be enrolled in Turkish schools (Dorman, 2014, p. 6) gave an example of a Syrian man, who explained why he couldn't send his children to schools,

They lost their chances to attend the Syrian schools. I tried to get my children into the Turkish schools, but I couldn't because they can't read Turkish. There is a school in

our neighborhood and I tried to register my children there, but they didn't accept them, because my children are not good at Turkish, so they can't get any benefits.

At the same time, economic vulnerability and financial needs led to a high rate of child labor and child marriage among Syrian communities residing in Turkey. Some Syrians said that they are sending their children to work because they cannot afford the living expenses in Turkey. Some also said that "girls were getting married because there was nothing to do and they had no way to complete their education" (Kuğu & Okşak, 2013, p. 3). 80 percent of Syrian children between the age of 6 and 11 receive education in camps and 27 percent of registered students in urban areas are attending schools (Kuğu & Okşak, 2013, p. 3). This extremely low education completion rate among Syrian children means that: "Syrian children are being deprived of the psychological healing that comes from the safe space, routine, and purpose for the day that school can provide. It is causing additional psychological toll on parents who worry they are not able to provide a better life for their children" (Dorman, 2014, p. 8).

Fifth, isolation became a huge problem for Syrian refugees living in Turkey, especially for women living in urban areas. A study carried out by the CTDC found out that many Syrian women feel insecure and unsafe in Turkey. Also many women are being exposed to sexual and verbal harassment from Turkish community (Center of Transnational Development and Collaboration, 2015, p. 12). For instance a female interviewed by CTDC said,

I do not have a man to back me, I feel exposed. I need to be extra tough with people, so they know that they cannot trespass my boundaries. The owner of a house I used to live in asked me for sex, in an imposing forceful way. I fought back and I left the house" (Center of Transnational Development and Collaboration, 2015, 12).

In fact, this sense of isolation acts as a huge barrier to social cohesion and integration of Syrians in the Turkish community.

Sixth, poor living conditions of Syrians in Turkey affect their future planning. A study carried out by the Yuva Derneği NGO in Turkey specified, "The majority of Syrian respondents said they plan to return to Syria within the next 5 years or seek asylum in European countries" (Yuva Derneği Association, 2015, p. 12). In the interview with the Syrian cook Kasim, he described his pessimism about having a future in Turkey, he stated,

In Turkey, I spent almost most of the money I saved in Syria, and I started to worry because I couldn't provide my family with a better future as I promised them when we were leaving our home in Syria. I looked for a smuggler to help us cross the Aegean Sea between the Bodrum and the Greek Island Kos, a distance of almost four kilometers. Our boat sank in the sea and the Greek security guards saved us. Turkey did a lot for the Syrians, all of us go to Turkey first before Europe, but this country cannot occupy more Syrians anymore. Also, the Turkish population started to be resentful towards the Syrians because they are coming to their country in large

numbers. I wanted to go to Germany to look for a better and more humane future for my family than in Turkey (H. Kasim, personal communication, August 12, 2016).

Kasim also specified that he encouraged many of his Syrian family members to take the risk and go to Germany as well, saying, "my two brothers brought their families and came to Germany but they live in places not far away from Berlin, here we could sustain better living conditions for our children than in Turkey" (H. Kasim, personal communication, August 12, 2016).

Conclusion: The Way Forward

The current polarization in media and public debates in Europe on taking the responsibility of protecting refugees with solidarity and burden sharing among 28 MS, vs. the societal and national threats such refugees can pose; is an evident reflection on the in-cohesion and failure of the EU to have a concrete refugee policy with clear resettlement system to meet its normative rhetoric. Instead, the process of securatisation of migration with tight border controls, surveillance and cooperation with neighbouring countries to hold migrants from entering Europe was the EU response to the refugee crisis. Signing re-admission agreements with Turkey was the highlight of this securatisation process on the expense of the lives of Syrian refugees. With the political and economic cost of caring for Syrian refugees in Turkey is rising at a time when the Turkish economy is slowing down, in addition to the deteriorating human rights situation especially after the failed coup, more Syrians would try to cross borders to Europe to escape their poor conditions in Tukey. Therefore, the EU is not solving the problem by signing this agreement, as Turkey will remain a push factor for more refugees in the EU.

This crisis should be a wake up call for the EU to recognize its failure to share the humanitarian burden of displaced Syrians among its MS and with its neighboring countries. Thus, instead of exporting its normative responsibility to offer refugees a save haven to other countries with questionable political and economic circumstances; the EU should reinforce the principle of solidarity and burden sharing among MS and establish an organized EU refugee resettlement system. This will not only save thousands of lives from dying in the Mediterranean Sea and protect their rights of socio-economic integration, and but it will also reduce the number of terrorists trying to enter Europe as Syrian Refugees.

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