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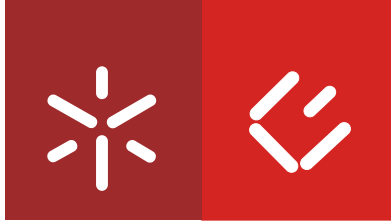**Universidade do Minho**
Escola de Economia e Gestão

Mine Ezgi MAVRUK

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Dissertação de Mestrado
Mestrado em Relações Internacionais

Trabalho efetuado sob a orientação da
Professora Doutora Isabel Estrada Carvalhais
e da
Professora Doutora Ana Paula Brandão

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Abstract

Refugees are amongst the most vulnerable groups in existence, often resulting in large flows originated from warfare or serious human rights violations, with millions being forcibly displaced while seeking survival and human dignity elsewhere. The ongoing Syrian mass refugee flow is a phenomenon affecting millions of Syrians, and by extent the whole world, notably the countries nearby, and a quite revealing one of many shortcomings in the international refugee regime and in the international cooperation between actors regarding the safety and human rights of the Syrian refugees, leaving often the countries in the region to fend for themselves in managing these complex and numerous flows.

Being a bordering country with Syria, Turkey is currently host to the largest number of refugees in the world, in a somewhat unhealthy political climate concerning Western cooperation.

The present dissertation aims at understanding how local actors in Turkey have adapted and are continuously providing support to hundreds of thousands of Syrian refugees, in a challenging multileveled (international, European, national, regional) political and institutional scenario, by focusing on the city of Adana and its various urban management responses. The ultimate utility of such case study is to expose the difficult relationship between the current body of refugee law emanated from the European Union and its operationalization in the field (outputs efficiency) resulting in a weak ensuring of the human rights of Syrian refugees.

Resumo

Os refugiados encontram-se entre os grupos mais vulneráveis existentes, resultando frequentemente em grandes fluxos provenientes de guerras ou de graves violações dos direitos humanos, com milhões sendo forçosamente deslocados enquanto procuram a sua sobrevivência e a dignidade humana noutro local. O fluxo em massa de refugiados sírios em curso é um fenómeno afetando milhões de sírios, e por consequência o mundo inteiro, particularmente os países adjacentes, muito revelador das várias falhas no regime internacional dos refugiados e na cooperação internacional entre atores para garantir a segurança e os direitos humanos dos refugiados sírios, deixando os países da região por conta própria na gestão destes fluxos complexos e numerosos.

Sendo um país fronteiriço com a Síria, a Turquia alberga presentemente o maior número de refugiados do mundo, num clima algo insalubre no que respeita à cooperação ocidental.

Esta dissertação visa entender a forma como os atores locais na Turquia se adaptaram e prestam apoio contínuo a centenas de milhares de refugiados sírios, num cenário multinível (internacional, Europeu, nacional, regional) desafiador a nível político e institucional, focando na cidade de Adana e nas suas várias respostas de gestão urbana. A derradeira utilidade de um estudo de caso como este é de expor a relação complicada entre o atual corpo legal para os refugiados emanado da União Europeia e a sua operacionalização no campo (eficiência de saída) resultando numa fraca grantia dos direitos humanos dos refugiados sírios.

Palavras-chave: Refugiados sírios, Turquia, Adana, autoridades locais, ONGs, Regime internacional dos refugiados, direitos humanos.

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List of acronyms

AFAD	Disaster and Emergency Management Presidency
AIDS	Acquired immune deficiency syndrome
AKP	Justice and Development Party
CAT	Committee Against Torture
CHP	Republican People's Party
DGMM	Directorate General for Migration Management
ECHO	European Civil Protection and Humanitarian Aid Operations
EU	European Union
GDP	Gross Domestic Product
GIZ	German International Cooperation Agency
HDI	Human Development Index
HIV	Human immunodeficiency virus
IHD	Human Rights Association
ILO	International Labour Organization
INGO	International non-governmental organization
IOM	International Migration Organization
IRO	International Refugee Organization
ISIL	Islamic State of Iraq and the Levant
ISKUR	Provincial Directorate of Labour and Employment
MENA	Middle East and North Africa
MHP	Nationalist Movement Party
NATO	North Atlantic Treaty Organization
NGO	Non-governmental organization

OHCHR	Office of the United Nations High Commissioner for Human Rights
PKK	Kurdistan Workers' Party
PRM	Bureau of Population, Refugees, and Migration
SGDD-ASAM	Association for Solidarity with Asylum Seekers and Migrants
STL	Support to Life
TBMM	Turkish Grand National Assembly
TUIK	Turkey Statistical Institute
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations International Children's Emergency Fund
US	United States

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Introduction

This Master's dissertation is intended to be an analysis to the current legal body of the international refugee regime and its effectiveness in practice in addressing the current major humanitarian refugee crisis in Syria, namely by focusing on Turkey, the country hosting the largest number of Syrian refugees, and the local instruments at its disposal in the urban setting to ensure the human rights of the refugees are met, by observing developments in the city of Adana, one of the main metropolitan poles of the country and a hot destination for refugees, being located close to the border with Syria.

By assessing the evolution of the concept of human rights and the current state of the international refugee regime, determining the origin of the Syrian crisis and its human rights violations leading to the mass migration flows, studying Turkey's policies and adaptation in the area and by doing on-site research in the city of Adana by liaising with government agents and NGOs working with Syrian refugees in the urban setting, we expect to answer the main research question "**How has the local response adapted to Syrian refugee management in the city of Adana after the big flow of migration to Turkey between 2013 and 2016?**" and a subset of secondary questions: "How did Turkey respond to the crisis regarding policies, instruments and laws?"; "How did the international community get involved in the process with Turkey and what has been done in practice between the period of 2013-2016?"; and finally "How are national NGOs approaching the crisis and how effective are they in supporting refugee management?".

By the end of this research, we are expected to present a clear summary of the effectiveness of the current international refugee regime in providing Turkey with the proper instruments to manage, at the city level, the big flows of Syrian migrants in desperate need of assurance and fulfilment of their human rights. To note though, that the effectiveness cannot be analysed solely from the perspective of the providers (international regimes, national governments), but also from the perspective of the agents, that is, local authorities, NGOs and refugees themselves and their own understanding of how the available instruments maybe or can be operationalized. In that sense, we reject the victimization approach that opts to conclude for the flaws of the international regime of asylum (structure) *tout cours*, and prefer to underline

the relevance of exploring the micro-actorness. This reveals the agency's involvement with the structure, whether to expose the flaws inherent to this (the limits of the regime itself, or instance), or to reveal the agency's practices of resistance and non-compliance with the structure which leads by its turn to the identification of the underlining causes of the (in)effectiveness in the field.

Justification and delimitation of the research object

The topic of this case study was chosen in light of the events stemming from the Syrian crisis of the beginning of this decade, given the lack of conclusive measures adopted by the international community to ensure the protection and well-being of the refugees resulting from this war, which further highlights the shortcomings of the current international refugee framework. With the situation quickly becoming a global problem with the numerous migration flows towards the European Union (EU) making headlines due to the human tragedies witnessed in the Mediterranean Sea, the weight of the control and mediation of these flows was given to the neighbouring countries, with Turkey highlighted as the country at present that hosts the largest population of Syrian and non-Syrian refugees in the world. This has made of Turkey an experienced actor in the field which nonetheless faces serious challenges with this specific, unprecedented human flow. Given this fact, Turkey is a natural choice for studying the effects that the current refugee regime (strongly carved by the European Union migration and asylum policies as part of its external policy) has over the management of a refugee crisis, namely in ensuring the protection of human rights and the safety of vulnerable individuals. And since the Syrian war is nowhere near a conclusive ending, with its outcome possibly resulting in further conflict in an already highly unstable region, the millions of Syrians affected and forcibly displaced, face an uncertain future, stuck in a limbo, staying as temporary (unwanted) guests in countries where the growing number of voices against their presence, makes all the more difficult their already scattered lives. As such, it is vital to bring further light upon an issue representing one of the most poignantly complex and urgent challenges of our time.

This case study came into existence through the observation of the city of Adana, in Turkey, currently hosting approximately 150,000 Syrian refugees with many government agents and NGOs operating relief efforts.

Turkey's open-door policy has been widely lauded and praised, and the country effectively became the main actor in operating aid efforts for the Syrian refugees in the recent years.[1] The Turkish Government has been creating the necessary institutions for the administration of its regional response plan: coordinated by a Deputy Prime Minister, the Syria Response in Turkey is inserted within the framework of the Temporary Protection Regulation, which is coordinated by the Directorate General for Migration Management (DGMM) under the Ministry of Interior. The Prime Ministry's Disaster and Emergency Management Presidency (AFAD) creates and manages the Temporary Accommodation Centres (refugee camps) and coordinates the humanitarian assistance to Turkey in support of the Syria response, which involves all key ministries. Local institutions work closely with the refugees in order to facilitate their integration. One of the biggest reasons for the praise attributed to Turkey is thus its organizational structure and the quality presented by the dozens of camps set up to host Syrian refugees[2]. In fact, about 90% of Syrian refugees in Turkey are not hosted in camps, but live under very complicated circumstances with depleted resources, though in theory they all may have access to the same kind of assistance including food, health services, education, essential items for winter and protection, as well as specialised assistance for the most vulnerable people. The access to these basic facilities is often limited for various reasons, including problems in registering with local authorities and the language barrier, among others. As a result, many still live below the poverty line and in need of urgent assistance. It is with this scenario in mind that the city of Adana serves as the backbone of this work, enabling to research its urban-local refugee management practices and policies for the improvement of the quality of life of these Syrian refugees.

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[1] Please refer to Chapter 3 of this dissertation for further details on the number of Syrian refugees hosted by Turkey, as well as the country's policies and responses both in the camp and in the urban settings

[2] Unfortunately, as their capacity became quickly filled the vast majority of the refugees ended up being mainly hosted in the urban context instead, with little supervision and support, where they face increasing risk to their health and well-being as well as numerous new challenges.

The practical goals of this work are to describe and analyse the current standing of the Syrian refugees in Adana, simultaneously providing a clear context of the crisis as a whole. It is equally important to determine the current international refugee laws countries are adhering to (Turkey included), in order to identify what is lacking and consequently hindering the lives of the Syrian refugees.

Focusing on the local perspective of the political responses of Adana allow the understanding of the Turkish national directives for refugee management, as well as identifying the laws and policies while characterising them. Observing their effectiveness at the local level enables the assessment of the role of the government and local institutions in managing the refugee crisis. Additionally, it is also essential to understand the responsible local communities and NGOs that are facilitating this process, and how cooperation among them is being developed. Equally significant will be to understand the extent to which the international community's support is locally present.

The ongoing challenges faced by refugees and by extent the limitation to their freedoms caused by the existing legal framework is one of the main reasons for the need to explore this topic. Insufficient data on the relationship between legal instruments, deriving from macro structures such as the international regime for refugees, and the local practitioners, is another main reason for undertaking this case study in Adana, along with the various actors involved: the Syrian refugees, academics, NGOs (local institutions) and local authorities. We found that it was unfortunate that there isn't more literature on this topic, given its central place in the international relations of today. Hearing from these different groups allowed to collect a wider range of qualitative data for analysis that we hope will help to fulfil the above-mentioned gap.

Additionally, we hope this research will be relevant to break down the evolution of the Turkish urban-local refugee management, which we deem is most relevant especially for the main actors involved: the refugee population in the Turkish cities of Adana (and Turkey as a whole in a smaller scale), the local institutions and the local authorities. Finally, we also expect to identify the international community's contribution and its relevance.

With this study, it is hoped to achieve a body of work of both positives and negatives supported by official sources to produce a case study representative of the refugee management in Turkey, that can be used to build upon it and improve the development of the policies for the settlement and quality of life of refugees.

Research problems

The Syrian refugee crisis is the biggest ongoing humanitarian issue in the world. With the eruption of the Syrian civil war in the beginning of 2011, a staggering total of 13.1 million people were in 2018 in need of some sort of humanitarian assistance, including 6.1 million persons internally displaced and 5.5 million refugees living in other countries. This disastrous and urgent situation has been further aggravated by the lack of an efficient international response, highlighting flaws in the current international refugee regime and policies (national and European in particular) and leaving millions of refugees with their most basic human rights hindered as a result.

Fueled by the Arab Spring of late 2010 and early 2011, no one could anticipate the magnitude the Syrian crisis would eventually obtain, especially with similar situations in MENA[3] countries such as Egypt, Tunisia or Bahrain being swiftly quenched either by a change of regime or by further oppression from the ruling elites. But the resilience of the Syrian people in fighting the government after decades of abuse and human rights violations, combined with the sectarian nature of the Syria's politics, paved the way for an armed conflict. This fractured even the international community, with world powers supporting (politically as well as economically and militarily) different political camps, hence delaying further any solution. The conflict has evolved and now entails many new questions and difficulties, especially given the unstable status of the region, with terrorism and separatist groups following their own agenda. In the midst of this catastrophe, several millions of innocent civilians see their rights and lives at stake.

The research problem highlighted by this case study is the lack of widespread research into local management for the integration of refugee flows, such as the Syrian one to Turkey. It

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[3] The Middle East and North Africa (MENA) is a diverse region encompassing approximately 22 countries in the Middle East and North Africa. Four MENA countries, including Syria, are in a state of civil war, with the other three being Iraq, Libya and Yemen.

is vital to determine whether the support refugees are receiving is adequate and protective of their most basic human rights, or not.

With a modern history of healthy cooperation with Syria (at least up until the beginning of the crisis), Turkey has been following an open-door policy for the neighboring Syrians and has since become the country hosting the biggest number of refugees, with more than 3.5 million being registered Syrians. Considering the inefficient international response to the human crisis, Turkey has become a main actor in the scope of Syrian refugee management, changing its previous migration and refugee policies in order to reflecting and accommodating this unprecedented situation. This case study, however, looks less to the national level, and more to the local level. The intent is to examine how the local entities responsible for the management of the refugee flows in big urban centers such as Adana, respond on a daily basis to the need of improving the situation of the refugees hosted outside of the camps.

This is further aggravated with Turkey's focus on short-term solutions for refugees instead of long-term integration, treating Syrian refugees as temporary guests instead of new additions and contributors to Turkey's economy. Increased tensions in certain areas with local populations due to the increasing number of refugees and the lack of clear communication from authorities also contribute increasingly to worsen the situation. Nevertheless, the weight of these local responses is measured as vital to provide the much-needed aid and assistance in the integration of the millions of Syrians in Turkey. As such, the main questions raised by this research for which we seek to provide the answer are:

- What have been the local responses to Syrian refugee management in the city of Adana after the big flow of migration to Turkey between 2013 and 2016?

- How did the Turkish government respond to the crisis regarding policies, instruments and laws?

- How did the international community got involved in the process with Turkey and what has been done in practice between the period of 2013-2016?

- How are national NGOs approaching locally the crisis and how effective are they in supporting refugee management?

In order to answer these questions, we chose the city of Adana, one of Turkey's main cities which is located in the south-east of the country in proximity to the Syrian border, and currently hosting approximately 150.000 Syrian refugees. Serving as the test sample for this case study, we conducted on-field interviews to governmental and non-governmental agents with the purpose of determining the current situation of the Syrian refugees settled in the urban landscape of Adana, namely how the cooperation between local, national and international agents is established to properly manage the Syrian refugees.

Furthermore, the timeframe established for this case study spans the beginning of the adaptation of Turkey to the increasing number of refugees from 2012 to 2016, period in which major advancements and steps were undertaken to improve past policies and structures which were proving ineffective. It is important to mention though that only from 2016 onwards (with special incidence in late 2017 and 2018) the structural and policy changes started to be felt, and cooperation along with improved management started to take off more assertively. As such, most interviewees for this dissertation exemplified personal experiences that occurred mainly in 2017 and 2018.

Methodology

Following serious consideration into the most suitable methodological approach to follow once we settled on the topic, and given the ongoing and mutating nature of the Syrian crisis and its effects on refugees, we have selected the case study as the most suitable research option within a qualitative design approach, as it enables the comprehensive study of a delimited scenario of though great complexity in its multiplicity of actors, processes and variables. As Creswell theorised (2007, 73):

> Case study research is a qualitative approach in which the investigator explores a bounded system (a case) or multiple bounded systems (cases) over time, through detailed, in-depth data collection involving multiple sources of information (e.g., observations, interviews, audiovisual material, and documents and reports), and reports a case description and case-based themes.

Given the topic at hand, and considering the problematic embodied by the lack of widespread resources in Turkish local urban refugee management, following this methodology permitted to set up semi-structured interviews and exploratory interviews with the actors involved in the process, namely NGOs representatives, governmental officials and the refugees themselves, in order to obtaining a first-hand testimony on the efficiency that current measures are achieving, thus enabling us to construct our case more accurately.

By using the process of inference, we were able to focus on the subjects of our research questions by basing ourselves on the qualitative nature of the research undertaken (King, Keohane and Verba 1994, 46). Additionally, the social and human rights component was always a main point of focus of the research, not so much in determining their definition but instead in terms of the extent to which the most basic human rights and securities are ensured to the Syrian refugees in Turkey.

From a macro-level theoretical lens, this case study is built upon the international Relations theory of Social Constructivism, in which we are given freedom to seek the comprehension of the world we live in, allowing to develop subjective but well fundamented meanings (valid interpretations) about the chosen topic through interaction with others (Creswell 2007, 20).

The social nature and implications of the crisis for the refugees could very hardly allow for a different theory to be explored, given the ideal philosophy of constructivism that emphasizes the social construction of reality, including human relations, thoughts and concepts (Jackson and Sorensen 2006, 164), therefore being the most appropriate for this case. We do not ignore, however, that the political implications of the issue and relative inaction from the major actors, imply a structural component in the sense that it is the current social world that is restraining the refugees' thoughts and actions hence effectively predetermined by the current political institutions and regimes (Sibeon 1999, 139).

This research takes an agentic stand in the Structure/Agency debate, with the latter standing up more appropriately to the relationship of interaction proposed by social constructivism (Wendt 1999, 165), along with the strategies of migrants and refugees to

overcome important problems of their current condition (Lacroix 2013, 2). Authors such as Richmond (1988, 17) argue that 'an adequate sociological theory of migration must incorporate an understanding of social action and human agency, the question of conflict, contradiction and opposition in social systems, the meaning of structure and change, and the importance of power'. Others, such as Emirbayer and Mische (1998, 1012), recognize the need for the reconceptualization of human agency in order to better represent specific instances such as a refugee flow. The present dissertation is aligned with the thoughts of these authors, though the work of Essed, Frerks and Schrijvers (2004, 2) represents even better the point we seek to transmit, by stating that the

> notion of agency centralises people, conceptualised as social actors who process their own experiences and those of others while acting upon these experiences. (...) Moreover, agency forms a sharp contrast to the more established approaches where refugees are pictured as passive victims of violence and disaster, or as mere recipients of relief aid. Making agency central is helpful to avoid undue generalisations.

We seek also to demonstrate the agency present in Syrian migrants in Turkey. In parallel, and while less obvious, a component of critical theory is embedded in the reflection of the impact of the national and local policies in refugee management, as well as the extent of the involvement of the international community.

Concerning the aspect of data collection, a vital and extensive component for the correct development of the research, multiple sources were consulted and analysed to form the backbone of this work, including documents from primary (government reports, reports from international agents, research reports, treaties, legislations, journals etc.) and secondary sources (books, articles and magazines) originating from different types of media such as paper-printing and computer files and proving invaluable during the first exploratory phase of this case study. All sources are meticulously documented in the bibliography at the end of this work.

Afterwards, on-site observations and informal talks with refugees along with semi-structured interviews and recordings with governmental institutions, NGOs and refugees

provided the main body of data to address the research questions, offering a testimonial indication of the effects of existing policies and practices in Turkey and their direct relationship with local migrant integration into normal daily life, thus paving the way for a constructivist approach to the questions raised in this dissertation. In summary, documental collection and analysis along with on-site observations and interviews were the major techniques used to organize this research.

Equally important for the structuring of the final chapter of this dissertation was the determination of specific tasks in order to achieve significant results for the research, namely:

- Studying and monitoring the accuracy and effectiveness of the urban-local refugee management in the city of Adana from 2013 to 2016, particularly concerning the Syrian refugees;

- Assessing the cooperation dynamics between NGOs and local authorities;

- Understanding how refugee flows are affecting Turkey at the local and national levels;

- Characterizing the extent of the involvement and support of the international community at the local level.

Structure

Presented in a method of analysis starting at the macro level, following with the meso level and concluding with the micro level, the first chapter of this dissertation aims to present the conceptual frame that sustains the whole work, by taking a thorough look at the term refugee with its human rights component. In order to determining if the Syrian refugees have been assured in their most basic human rights, it is important to understand the very own concept of what human rights actually are and how the concept has evolved over time, with the works of several authors and the Office of the United Nations High Commissioner for Human Rights (OHCHR) own account serving as the backbone. Next, doing a similar evolutionary analysis to the history of the international refugee regime will allow to specify its strong and weak points in protecting refugees' human rights, by understanding the constantly adapting nature of the regime as a reactionary and not preventive measure. The 1951 Geneva Convention and the 1967

Protocol stand out as the main legal bodies of the regime, though far from being the only instruments shaping it as we know today. The chapter continues drawing on the same indissociable line between refugees and human rights by underlining and presenting the motives and benefits in adopting a human rights-based approach to refugee management, before concluding and further expanding the history of human rights by studying the main international organizations and actors in the area, their importance and how they contribute to the well-being of these vulnerable groups.

Chapter two is essentially an historical account of the genesis of this humanitarian crisis. A country long-noted for the sustained human rights abuse on its citizens, from persecution to torture, Syria's foundations ended up being one of the most shaken among all countries of the MENA region in the aftermath of the Arab Spring. As such, the chapter begins by explaining how what we now know as the Arab Spring came to be, along with its implications for human rights in one of the regions they have been violated and overlooked the most, thanks to the literary review of several authors in this area. This event ties the next strings of the chapter together, namely the origin of the conflict in Syria, which finally erupted following decades of abuse from the al-Assad ruling family and the Ba'ath Party it belongs to. A look is taken at the recent history of the country, the causes and motivations for the civil unrest, until the boiling point caused by the Arab Spring. Next, following many years of civil war and millions of displaced persons, migrants and refugees, an account is given on the outcome of the situation along with the tracking of human rights in Syria, which has been a hot topic among the international community for decades. Finally, a brief account on the relations between Syria and Turkey is also given to provide a background of Turkey's reasons for involvement, its assistance to refugees and its open-door policy towards Syrians.

The third chapter focuses on Turkey's responses to the enormous Syrian migration flow as documented by both foreign and Turkish authors, and goes on to frame Turkey's previous legal policies towards migrants and the mechanisms developed as a response to it, given its unprecedented and unpredictable nature. Even though basing its policies on the 1951 Convention and the 1967 Protocol, the Syrian refugee flow presented Turkish authorities with unique circumstances they had to adapt to, with the added complication of managing refugees

in the urban context calling for brand new measures to be established. Official numbers and accounts recorded by Turkish authors, the International Crisis Group, the United Nations High Commissioner for Refugees (UNHCR) and Turkey's own agent Directorate General of Migration Management are provided, highlighting the dimension and urgency of the Syrian crisis now affecting Turkey's internal balance as well, with these newfound challenges for Turkey and its population further delimited. With several years to adapt and try to overcome these challenges, a look is taken at the basic services provided to Syrian refugees by Turkey in order to ensure and protect their human rights, while dealing with the complicated issue of resettlement in urban areas following the long-exhausted capacity of the refugee camps set up at the beginning of the crisis. To conclude the analysis of Turkey's involvement, the issue of international cooperation (or lack thereof) and the impact of the refugee deal struck with the EU is brought up, yet further highlighting another flaw on the management of this crisis and ultimately how state sovereignty reigns over individual rights.

Chapter four explores the data collected in the fieldwork performed in Adana, next to governmental agents and NGOs which have been working closely with Syrian refugees in the urban context. It is a mixture of literary review and on-site semi-structured and exploratory interviews with responsible persons within these organizations in order to have an official, first-hand account into how Turkey has adapted to the Syrian migration flow, which type of projects and humanitarian responses are in place and being developed for Syrian refugees in Adana, and the extent of the funding and international cooperation in this matter. It is intended to be an account of the adaptation of the Turkish refugee management to the Syrian flow, the challenges still present in this city, what could be done differently to improve, and ultimately if the human rights and the needs of the refugees are being met.

Chapter 1 – Refugee statute in a Human Rights perspective

This introductory chapter is meant to explore the concept of "human rights", the established definition of "refugee" and the adaptability and current standing of the international refugee regime, along with the operationalisation of the humanitarian organisations in assisting refugees. It is a contextual chapter which provides an important background of information to understand how the concepts of "human rights" and "refugee" came into existence and consequently evolved into what we understand them to be today. Humanitarian organisations revolve around both of them, and their importance also deserves to be highlighted. Finally, an analysis of the international refugee regime is made, enabling a wider understanding of its adaptive nature and immediate shortcoming in managing previously unseen refugee flows, such as the current Syrian flow.

1.1. The history of human rights

The paradigm of human rights is a highly divisive topic within its own community, with many different points of view towards its philosophy and interpretation. It is somewhat of an ethical and legal dilemma. Different people inserted in distinct cultures have a divergent opinion on what human rights mean to them, what they stand for, and how they should be applied. As such, there are many challenges to the human rights framework that makes it impossible to settle for a universal definition, though the denotation that human rights are hegemonic and universal (Shestack 1998, 233) has been the preferred Western idealization of the concept. According to this idealization and following the definition of the Office of the United Nations High Commissioner for Human Rights (OHCHR), these are legal guarantees which protect individual persons but also groups of persons, from actions interfering with their freedom, entitlement and human dignity; they are universal, legally protected, internationally guaranteed and cannot be taken away. Human rights are universal rights held by individuals just for being part of the human species, shared by everybody in an equal manner notwithstanding race, sex, nationality and economic background, and they are the result of historical evolution that shaped them over time, culminating with the Universal Declaration of Human Rights adopted by the General Assembly of

the United Nations in 1948 (Ishay 2004, 3). The human rights *rationale* implies therefore that no human being can be subjected to any type of discrimination, and that if a state does not root itself on a human rights approach, then it is not a constitutional state (Torun 2007, 417). Governments and state authorities are obliged by the human rights law to respect, protect and fulfil this status. Some of the rights guaranteed over the years and codified under international treaties and attributed to all human beings include: the right to life, liberty and security; freedom of association, expression, assembly and movement; the right to the best health care achievable; freedom from arbitrary arrest or detention; the right to a fair trial; the right to work in favourable conditions; the right to adequate food, housing and social security; the right to education; the right to equal protection of the law; freedom from arbitrary interference with privacy, family, home or correspondence; freedom from torture and cruel, inhuman or degrading treatment or punishment; freedom from slavery; the right to a nationality; freedom of thought, conscience and religion; the right to vote and take part in the conduct of public affairs; the right to participate in cultural life (OHCHR, 2006, 1-2).

If we analyse the history of human rights, we can determine that its notion and manifestations have long been present in many documents and traditions of different cultures over time (and not just in the Western tradition), embodied as a question of natural ethics for example demonstrated by Hammurabi's Code of ancient Babylon, in traditions of moral conduct by religions such as Hinduism, Buddhism, Christianity or Islam, in the mass education promoted by Confucianism, or even the natural laws and capacity for reasoning endorsed by ancient Romans and Greeks (Ishay 2004, 6-7), which despite their marked differences all share basic notions of common good and similar calls for personal rights. For example, in 15th century India, the country was noted for a growing religious tolerance, eventually granting a legal status to religious minorities, resulting in a high level of civilization and high achievements in the areas of architecture and painting. In China, civilization and inventiveness was equally incredible with its production of paper, gunpowder and compass, just to name a few, predating their appearance in Europe, and under Confucianism the country presented an advanced and centralized ethical and political system. The Islamic culture was noted as a major influencer in religious, cultural,

intellectual, architectural and artistic terms, with a huge reach spanning from the Middle East to North Africa.

With these civilizations easily matching or even at times surpassing the West in grandeur, it is curious how none promoted a universal ethics of rights (Ishay 2004, 66-67). In fact, it was with the ascendance of the West and due to specifics circumstances (such as the Reformation, the evolution of science and mercantilism, maritime expeditions, or the emergence of revolutionary classes to name a few) that a modern position of human rights was developed, with the Revolutions in England, America and France contributing to the diffusion of a universal discourse of rights (Ishay 2004, 69) and the Age of Enlightenment permanently transforming the Western world, introducing new awareness into universal rights. In fact, the 1787 Constitution of the United States emerged as the world's first modern written constitution, and includes the concept of "innate" that serves as the basic characteristic of human rights. The French Revolution of 1789 gave another important boost to the development of human rights, with the French Constitution of 1791 further emphasizing the importance of human rights for individuals within a state authority (Karaosmanoğlu 2012, 85-86).The 19th century saw the industrial revolution and the rise of socialism further modifying this early shape of human rights, and this progress was evident over the course of the century with the abolishment of slavery nearly everywhere serving as a prime example of a mind state shifting towards a universal and equal good; though women, child welfare, homosexuality or decolonization, just to name a few of the most vulnerable groups of people, still had a long way to go (Ishay 2004, 155-156). Up until this point though, human rights were not treated as nor considered universal, but as the subject of nationality instead (Karaosmanoğlu 2012, 87). It was finally in the 20th century, with the great challenges posed to humanity by the two devastating Great Wars during the first half of the century, that the need to create institutions able to maintain peace became apparent, and that the internationalization of human rights began.

Indeed, it took the World War II and its numerous hideous crimes against human beings for human rights to be shaped as we know them, and to gain a new dimension and a first official attempt at framing a global definition.

Following the victory of the Allied powers during World War II in 1945, they started to shape a new international order, unveiling plans for an international organization that would be responsible for securing both peace and human rights, which would be delegated to the United Nations Commission on Human Rights. With the support of the United Nations Educational, Scientific and Cultural Organization (UNESCO) conducting inquiries next to writers and thinkers from member states into the different perspectives of human rights in the world, it was then identified, thanks to the distinct religious, intellectual and cultural backgrounds of those inquired, that human rights extended wider than the limits set by the Western tradition, challenging the notion that universal human rights were a Western invention and arguing that it coincided also in the East (and not solely in the West) with the beginning of philosophy. As a direct result of this work, the Universal Declaration of Human Rights was ratified in 1948, in New York; this landmark in human rights history was especially significant due to the contrasting cultural backgrounds of the Human Rights Commission, constituted by members with different cultures and philosophies who cast their differences aside and transcended them to reach a common understanding on human rights (Ishay 2004, 16-17). The declaration and its thirty articles based on the pillars of dignity, liberty, equality and brotherhood (Ishay 2004, 3) encapsulated the first official definition of human rights and represented the evolution of secular and religious notions of rights, declaring the rights of individuals to life, liberty and security, while prohibiting slavery, torture, discrimination, arbitrary arrest and other forms of institutional oppression (Meskell 2009, 309).

Since then, human rights became embodied in approximately 80 international documents (treaties, declarations etc.) adopted by the UN and ratified by countries starting at the end of World War II in a rather interesting historical order, since naturally the 1948 declaration wasn't as comprehensive as the human rights framework is nowadays. Following that declaration of 1948 which recognized the international rights of individuals, women, children, disabled individuals, migrants, minorities and indigenous groups, respectively, increasingly saw their rights recognized as well over a period of almost six decades, as the following two figures demonstrate.

Figure 1 – Partial list of International Declarations on Human Rights (OHCHR 2006)

INTERNATIONAL DECLARATIONS
ON HUMAN RIGHTS

- Universal Declaration of Human Rights (10 December 1948), A/RES/217A(III), http://www.unhchr.ch/udhr/lang/eng.htm.
- Declaration on the Elimination of Violence against Women (20 December 1993), A/RES/48/104, http://www.ohchr.org/english/law/eliminationvaw.htm.
- Declaration on the Right to Development (4 December 1986), A/RES/41/128, http://www.ohchr.org/english/law/rtd.htm.
- Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (9 December 1998), A/RES/53/144, http://www.ohchr.org/english/law/freedom.htm.
- United Nations Millennium Declaration (8 September 2000), A/RES/55/2, http://www.ohchr.org/english/law/millennium.htm.

For a fuller list of international human rights conventions and related instruments, see the compilation posted on: http://www2.unog.ch/intinstr/uninstr.exe?language=en.

Source: OHCHR, Frequently Asked Questions on a Human Rights-based Approach to Development Cooperation

Figure 2 – Seven landmark UN treaties of Human Rights (OHCHR 2006)[4]

THE SEVEN "CORE" UNITED NATIONS
INTERNATIONAL HUMAN RIGHTS TREATIES

Treaty	Adopted	States parties	Monitoring body
International Covenant on Civil and Political Rights (ICCPR)	1966	155	Human Rights Committee
International Covenant on Economic, Social and Cultural Rights (ICESCR)	1966	152	Committee on Economic, Social and Cultural Rights
International Convention on the Elimination of All Forms of Racial Discrimination (CERD)	1965	170	Committee on the Elimination of Racial Discrimination
Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)	1979	181	Committee on the Elimination of Discrimination against Women
Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)	1984	141	Committee against Torture
Convention on the Rights of the Child (CRC)	1989	192	Committee on the Rights of the Child
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (MWC)	1990	34	Committee on Migrant Workers

Source: OHCHR, Frequently Asked Questions on a Human Rights-based Approach to Development Cooperation

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[4] Equally important binding documents include: Convention on the Political Rights of Women (1953), Declaration of the Rights of the Child (1959), Convention on the Elimination of Discrimination against Women (1967), Declaration on the Rights of Disabled Persons (1975), Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992), Declaration on the Rights of Indigenous People (2007).

We can trace this framework of human rights as being mainly Eurocentric in nature and established by Westernized ideals at a time when most refugees were Europeans, whereas the refugee demography of our time has radically changed. Therefore, the human rights framework might not be conclusive and intrinsic for Middle-Eastern or Asian people; it is necessary to understand that not everything a British man takes for granted is the same way for a Saudi Arabian woman, for example. This is known as cultural relativism, when certain human rights are diluted or rejected as being inconsistent with cultural and religious beliefs and practices (Hamd 2016, 4). As such, human rights and their scope and application vary between regions and are determined by political, social and religious ideals. The UN itself recognises that the implementation of human rights depends on cultural issues (OHCHR 2006, 5). As a practical example, the bigger portion of Arab inhabitants in the MENA region have their human rights limited by the will of their states, thus enjoying human rights bounded by law and governmental interests. Citizens have, as a result, the impression that human rights are attributed by their governments, defeating the ideational nature of human rights as universal and transcendent (Hamd 2016, 1). The human rights obligations are indeed limited by some treaties, in a way that their enjoyment can be trumped in favour of national security or public order (OHCHR 2006, 3). This is where the line gets blurred and some governments may see a loophole, paving the way for human rights violations under dubious pretences. And even though Western governments are highly critical of these countries failing to defend their citizens or violating what they might perceive as basic human rights as stated throughout the evolution of the human rights framework over the decades, there is no severe punishment for such acts because there is no international authority policing and enforcing human rights as a universal law. The interpretation of human rights by each nation is what determines its national scope and importance.

The traditional roots of the Western ideal of human rights frame them, as written by Winston (2007, 279), as 'objective, transcultural, and transhistorical moral truths'. They are typically classified as rights in the social, cultural, political and economic scopes: freedom, equality, dignity etc. resulting against the many different forms of oppression. It is the human security versus the national security, in which the first refers to the imperative safety of individuals (Oman 2010, 279). While internal challenges to this definition seek a philosophical

interpretation as to how we can justify these rights to ourselves, external challenges from outside the Western liberal tradition are posed by Eastern authoritarian governments, which while internationally recognizing that human rights are universal, still administer them depending on national aspects and historical, cultural and religious backgrounds; this point marks the contrast between the naturalist and constructivist theories of human rights as well. Despite the ratification of many treaties on human rights over the years, countries such as Syria are prime examples that human rights are not universally equal in the different regions of the world.

Still, human rights came a long way since 1948, though the critical failures to the concept identified over the decades are yet to be resolved. The advancement of technology and global information nonetheless propelled human rights and related organizations to a new dimension, with an important body of international legislation already underway, and their future looked promising up until the turn of the 21st century and the catastrophic September 11th 2001. As a consequence of this disaster, the tightening of international security and war on terrorism brought back the state-centred approach of national security over individual and ethical rights, and nationalism over international cooperation, seriously hindering the progress of human rights. The climate of fear resulted in the major powers, from the United States to Europe, applying highly restrictive measures towards entrance into their borders, with a rising anti-immigration sentiment echoed by the increase in popularity of extreme right-wing parties throughout Europe. Nowadays, even if the advance of human rights remains slow, it is undeniable that, as written by Meskell (2009, 309), 'the notion of international human rights has become today's lingua franca, speaking to issues of inequality, injustice and politics in their broadest terms. The discourse of human rights is everywhere, a pervasive and thick stratum that overlays our understandings of nationalisms and internationalisms, indigenous movements, historic repressions, and global inequities'.

1.2. The international refugee regime

The international refugee regime is the framework collecting conventions, treaties, agencies and both governmental and private funding destined to aid and protect people

displaced from their home countries by persecution or the atrocities of war (Keely 2001, 303); it is the result of cumulative reactive measures adopted over the decades, as conflicts rose and institutions were created to deal with their situations and consequences.

While historically there has always been conflicts between different entities forcing people to flee their homes in order to resettle under safer conditions, it was not until the 20th century that it started to be recognized as a serious dilemma needing focus and solving, as a shared sense of accountability for providing protection to these vulnerable people began to be fomented internationally. Thus, with the outbreak of World War I, the international refugee regime started to take shape. The term 'refugee' itself was popularized in 1921 by the High Commissioner of the League of Nations, and what later became known as the international refugee regime started to be shaped from then on, which is the legal framework around international migration built on safety and persecution defining the rights, responsibilities and obligations of refugees and asylum seekers to their countries of origin and destination. The regime first originated due to the consequences following the Balkan Wars, World War I and other international conflicts, and continuously updated following further global humanitarian crises to address issues not originally conceived, upon the failure of previously adopted measures.

In the late 1910's, as a result of the ravage caused by the Russian Revolution and World War I, more than one million people fled from Russia towards safer environments. Since there was no official framework to aid these people, help came mainly from donations, which still lacked the coordination of a central body to facilitate the process and make it more effective. It was in response to this that the Joint Committee of the International Committee of the Red Cross and the League of Red Cross Societies held a conference on the 16 of February of 1921 to define the status and protection measures of these people. Dr. Fridtjof Nansen was then appointed as the League of Nation's first High Commissioner for Refugees, adopting the term "refugee" and identifying them by their countries of origin while also creating "identity certificates", known as the Nansen Passport or Nansen certificates, that were issued to the Russian refugees that were successfully examined and screened in camps and had no documents, being refused entry by other nations (Lippert 1999, 300). Several institutions were formed to tackle the refugee problem

of that era, such as the Intergovernmental Committee on Refugees, the Office of the High Commissioner of the League of Nations for Refugees and the Nansen International Office for Refugees. These institutions came, over time, to be represented by members of different European countries, leading to the drafting of the 1933 Convention Relating to the International Status of Refugees. This convention, according to Jaeger (2001, 730), "dealt with administrative measures, refoulement, legal questions, labour conditions, industrial accidents, welfare and relief, education, fiscal regime and exemption from reciprocity, and provided for the 'creation of committees for refugees'." It was effectively the first collective measure adopted by the international community in a reactionary nature, while also being the first international convention developed with the purpose of aiding people targeted by forced displacement resulting from conflict (Triola 2014, 2). Thus, this was effectively the first firm step in the scope of the international refugee regime.

The next major step to the refugee framework was taken following another human tragedy and the deadliest conflict in human history, namely World War II. On the 15 of December of 1946, the International Refugee Organization (IRO) was established by the UN General Assembly to focus on the resettlement of the refugees at the global scale, rather than tackling reparation or rehabilitation. But given the enormous number of refugees growing incessantly, it quickly became apparent that the goal of the institution would not be achieved; the IRO was set to be dissolved in 1950, thus the process would have to be completed before then. Along with several other institutions, the IRO still managed to resettle one million people between 1947 and 1951, and following its dissolution the ongoing and urgent need for a similar body providing the same type of services was immediately felt. As a result, the Commission on Human Rights and the Economic and Social Council asked to the Secretary-General for a study to be developed in the scope of the refugee situation, in order to provide a course of action for the UN on the best way to manage stateless individuals. The resulting study, "A Study of Statelessness", focused on different vital aspects such as social security, education, expulsion and many others, concluding that an independent organ (such as the League of Nations' High Commission) was mandatory to ensure certain services and basic security in the lack of national protection, while conferring a status by itself would not be enough to secure the regularization of a stateless person in the

framework of law, and also suggesting that this independent organ should be permanent and not have an expiration date (Jaeger 2001, 734-735). After careful consideration, the UN established the UNHCR (UN High Commissioner for Refugees) in 1950 along with the main legal body of the international refugee regime, the 1951 Convention Relating to the Status of Refugees, also known as the Geneva Convention, which was drafted during a Conference in that city from the 2nd to the 25th of July of the same year (Harvey 2015, 2). The primary focus of both the UNHCR and the Convention was the significant flow of stateless people resulting from the Nazi regime's devastation, which underlines the evolving nature of the international refugee regime as a reactive framework. The Convention also prohibited the rejection and expulsion of refugees and asylum seekers when there was a justified fear of persecution of these individuals (Pacella 2011, 346). But unfortunately, the scope of the UNHCR was limited as the budget assigned to it to provide aid was relatively low ($300,000), as was the period of time conceded for its authority (a temporary period of three years). Similarly limited in scope, the Convention only applied to persons affected by the war before the 1st of January of 1951, and not to future stateless individuals. Nonetheless, the Convention was the first and only universal binding instrument of refugee protection, defining the rights and securities of refugees, as well as providing a first ratified description of the terms constituting the basis of a "refugee"; constituted by 46 articles, it addresses multiple rights such as non-refoulement, non-discrimination, freedom of movement and identity, among others, while reinforcing the principle of resettlement and repatriation (Triola 2014, 3-4).

In the years following the Convention the UNHCR remained mainly inactive, despite the Cold War (surfacing in the aftermath of World War II) causing thousands of stateless people in dire need of assistance. The UNHCR's pace was mainly due to a lack of funds combined with the limiting nature of the Convention, thus various agencies unrelated with the UN dealt with the refugees from the Cold War instead. During this period, the survival of the UNHCR was even questioned, until receiving a funding of three million dollars from the Ford Foundation that changed its course (Triola 2014, 5). Effectively, in 1956, both the UNHCR and the 1951 Convention were called into action to manage a flow of 200,000 Hungarians fleeing their country towards Austria and Yugoslavia, exactly in the year when the temporary authority granted to the UNHCR

earlier was due to expire. As a UN General Assembly Resolution in that same year bestowed authority to the UNHCR to aid the Hungarians, it became increasingly apparent that having a humanitarian international organisation unrelated with politics was helpful and useful to manage situations of this nature; the successful outcome of the UNHCR in managing the Hungarian refugees ultimately ensured its own survival. Shortly after, in 1958 and 1959, the UNHCR and the 1951 Convention were again deemed useful away from their narrow scope of creation, by managing (under approved assistance) Algerian refugees in Morocco and Tunisia as well as Chinese refuges in Hong Kong. As the decade of the 1960's was calmer in terms of large numbers of refugee flows (unlike the troubled past decades), the General Assembly examined the shortcomings of the 1951 Convention and in order to address them, a Protocol drafted and approved by the General Assembly and the UNHCR's Executive Committee was created; thus, once enough states ratified it, the 1967 Protocol Relating to the Status of Refugees was added to the 1951 Convention Relating to the Status of Refugees, with both constituting the basis of the international refugee regime thus far. The main amendments in the 1967 Protocol were the removal of the time and geographical limitations presented in the 1951 Convention, while giving greater authority to the UNHCR (Triola 2014, 5).

The years following the 1967 Protocol further shaped the international refugee regime, as in the 60's and 70's the occurrence of African decolonization resulted in spikes of violence and several refugee flows. The severity and humanitarian urgency of these flows was due to the widespread poverty and relatively low living standards in the countries of origin of the refugees, who were fleeing to similarly poor countries with low conditions already struggling to maintain their own populations. As a mechanism to cope with this special predicament, the UN and the Organization of African Unity drafted the 1969 Convention on the Specific Aspects of Refugee Problems in Africa, since the nature of the assistance needed in the African continent was more direct in action and less focused on legal aspects than the assistance provided previously in Europe, which furthered the initial perspectives of the definition of refugee. Later, in the late 70's, the UNHCR would face its first situation of burden-sharing, originating from Vietnamese refugees fleeing their country by boat only to be rejected and sent back once reaching the shores of other countries in the vicinity. The international community needed to come together to agree

on possible solutions, and as a result the Comprehensive Plan of Action for Indo-Chinese refugees came to fruition following the International Conference on Refugees and Displaced Persons in South-East Asia, held in Geneva in 1979. This plan of action was rooted on a three-way agreement between the countries of origin, the countries offering asylum and the donor countries. Once again, the UNHCR's role in this agreement was vital for the expansion of the international refugee regime (Triola 2014, 5).

Later, from the 1980's onwards, the international refugee regime transformed into its current form. International conflicts and consequent high numbers of refugees escalated in such a steady pace that the UNHCR could not manage. Large groups of stateless people were located all around the world, and the UN General Assembly had more refugees and asylum seekers than they could possibly aid, with the added issue of having increasing trouble in defining the status of each individual. It was this uncertainty around the status of each person and the elevated number of refugees that led to the creation of the Dublin system, with the adoption of the Dublin Convention in 1990, further expanded in 2003 with the Dublin Regulation, which was in turn updated in 2013. The Dublin system facilitated the process of applying for asylum, as the number of refugees needing support since the turn of the millennium had escalated to an unparalleled 25 million people (Feller 2001, 587). As a result, the UNHCR and the international refugee regime established thus far shifted to trying to control these unmanageable flows, from their previous stance of resettlement and repatriation. Countries traditionally open towards migration holding refugee camps started to suffer hostility and violence, making them less willing to allocate their resources to address the refugees, especially if the situation in the home countries of the refugees weren't nearing an end anytime soon (Triola 2014, 6). As such, temporary protection became a norm for states trying to avoid permanent settlers, leaving refugees in a state of limbo as it is the current case of Syrian refugees in Turkey.

As it can be seen and understood, the international refugee regime is in constant evolution and mutation since it's expanded with each major, unprecedented refugee crises as previous measures fail. However, the current framework is clearly failing at protecting and ensuring the rights of Syrian refugees, which deserve and need the highest level of protection due to their high vulnerability, especially in the current climate of warfare in which attacks on

civilians increasingly constitute a military strategy, resulting in disproportionate, irregular and vast migration flows. In fact, the consequences and nature of modern conflicts are generating more refugees than ever, partially due to conscious actions and war tactics resulting in human rights violations. The 1951 Convention and 1967 Protocol, on which the international refugee regime is largely built upon, was originally designed to deal with the problematic situations of that time, following World War II, and their shortcomings are increasingly apparent in today's climate, especially in the topics of burden-sharing and asylum-seeking which have been lamentable. And while both the Convention and the Protocol ensure the protection of the refugees under international human rights law, the problem lies in this implementation and enforcement of their human rights, with refugees only obtaining a fraction of the rights they are legally entitled to (Purkey 2013, 261). As such, it is urgent to reassess the framework and continue to build it to properly manage the Syrian refugees.

1.3. Refugees and human rights

Refugees are without any doubt the target of many human rights violations, not only in their countries of origin, but also during the entire process of displacement. To amend this, the instrument of international human rights law is set for helping to safeguard the refugees by setting up standards and providing mechanisms to protect them against refoulement or expulsion, dangers to life and physical harm, arbitrary detention, insufficient food, shelter, medical care or education, sexual abuse or separation from family. It can be used to protect refugees and asylum-seekers in various ways, including prevention and continuous support (UNHCR 2006, 4). Refugees are in fact among the most vulnerable groups of our society, and are prone to human rights violations – they can't return to their home countries which are still at war, they are not offered resettlement, and they face problems with the integration in their countries of first asylum (Purkey 2013, 262); among the refugees, the UNHCR defines the following groups as requiring specific protection needs in general terms, but also in the scope of human rights: women and girls, children, elderly persons, disabled persons, HIV positive persons and AIDS victims and non-nationals (UNHCR 2006).

Refugees and human rights should ideally go hand in hand, though historically it hasn't been the case with aid instead coming in a way to address their immediate needs, at times at the cost of their human rights. A new approach brings a change of perspective, in the shape of a human rights-based approach; in both moral and legal terms, a human rights-based approach to refugees is the right thing to do, and leads to more sustainable results in human development, though this approach is fairly modern since before World War II states applied international law hoping to alleviate the problem instead (Momin 2017, 57). It is a conceptual framework based on international human rights standards projected to promote and protect human rights, seeking to analyse and amend inequalities, discriminatory practices and unjust distributions of power (OHCHR 2006, 15), being advocated by the OHCHR and other relevant agents of the UN and civil society, bringing the treatment of refugees as humans to the top of the discussion, managed by the principles of non-discrimination, inclusion, empowerment and accountability (Inter-Parliamentary Union 2015, 145). Following the events of World War II, it was obvious that leaving refugees up to the treatment of the same actors persecuting them was oxymoronic, since refugees flee from their home countries exactly due to the risk of human rights violations, and it would become impossible to protect their human rights. A renewed sense of international responsibility to protect refugees targeted by persecution in their own nations contributed for the morality of the human rights-based approach and the recognition of the rights of refugees over the following decades.

International refugee law came to be officially encompassed in the 1951 Convention Relating to the Status of Refugees (known as the Geneva Convention), which in turn drew from Article 14 of the Universal Declaration of Human Rights of 1948 that states "the right to seek and to enjoy in other countries asylum from persecution" (Harvey 2015, 3). With it, the refugee status saw a first officialised definition in Article I.A.2 of the 1951 Convention, which stated that an individual would be considered a refugee if the following was applicable:

> As a result of events occurring before 1 January 1951 and owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail

himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it. (Source: Convention relating to the Status of Refugees, https://www.ohchr.org/en/professionalinterest/pages/statusofrefugees.aspx)

The Convention provided three main protections to refugees, namely non-discrimination (no discrimination should be made by states based on race, religion or country of origin), non-penalization (states would not penalize refugees for illegally entering a country without authorization) and non-refoulement (states would not expel refugees towards a location that could endanger their lives). The International Covenant on Civil and Political Rights of 1966 introduced new principles into human rights laws extended to refugees, such as reinforcing non-discrimination and the rights to private and family life, liberty, security, freedom, equality and culture, as well as prohibiting torture and other means of physical and psychological punishment. The 1967 Protocol Relating to the Status of Refugees built on the principles introduced by its predecessors and removed geographic and temporal limitations (Momin 2017, 60); though in Turkey specifically, these limitations were not removed and are still a hindrance for the Syrian refugees of today (Ineli-Ciger 2014, 29).

In practice, however, and despite these human rights' safeguards for refugees, no source of international law obliges states to grant asylum. Plus, the duty to protect is an ideal in decline, as quite illustrated by the current Syrian refugee crisis, where states have been putting difficulties in following and applying a universal approach to the protection and assurance of refugees' human rights. In fact, many Western governments have been implementing restrictive policies such as visa controls, measures of interdiction or carrying sanctions to dissuade asylum-seekers from looking to settle on their country (Edwards 2005, 293). However, and paradoxically, applying to this kind of human rights-based approach to refugees may bring several benefits. Indeed, host states can benefit economically by providing timeless asylum, following a policy of long-term integration, since many refugees are qualified workers with specific skillsets that could contribute to the national labour force in various sectors currently lacking in specialized workforce. Additionally, entrepreneurism could see a boost with different businesses created by

refugees from the ground up. National banks could see deposits in their safes increase substantially. These three examples are just a few illustrating how refugees can contribute positively to a host country's economy, which are in fact practical examples occurring presently in Turkey. The economy isn't the only sector benefiting though, since the international image of a host country is improved greatly, namely as being altruistic, along with the issue of national security considering that refugees are important sources of information addressing the tense situation in their countries, which is accentuated when the both countries of origin and destination are geographically close. Adversely, short-term solutions of integration combined with maintaining refugees in camps can foment a breeding ground for extremism, where refugees are more vulnerable to terrorist propaganda. But it is understandable that managing complex, forced mass migration flows such as the Syrian flow brings numerous challenges to countries and their national sovereignty, thus some of their human rights are sacrificed in the process.

While countries are increasingly aware that international cooperation is inevitable to achieve success, this cooperation is currently incomplete and ineffective, creating a protection gap affecting more people over time. The 1951 Geneva Convention introduced requirements of protection for refugees but gave free willingness to countries towards accepting migrants or not, creating a blurred line that results mainly in short-term solutions of integration instead of a positive and balanced international refugee framework (Angenendt and Koch 2017, 5). As further developed by Angenendt and Koch (2017, 6):

> While the international community has put considerable efforts into establishing stable international structures in policy areas like climate change, trade and finance, the equivalent for global migration governance remains lacking. While the refugee protection regime – despite being threatened by erosion – is firmly institutionalised and rooted in international law, migration policy remains a patchwork of regional and bilateral agreements and coordinating mechanisms.

Indeed, there is a gap between international refugee law and international human rights law, from which countries of destination seem to rely on to turn down asylum applications or provide long-term solutions of quality of life. This gap, and the previous framework of

international refugee law centred around the 1951 Convention and the 1967 Protocol, places the main issue in the hands of the countries of origin, and not enough on the countries of destination (Edwards 2005, 294). It is an issue of state sovereignty versus individual rights, in which due to the lack of a global system of regulation for the movement of people, state sovereignty reigns supreme (Inter-Parliamentary Union 2015, 19). As such, there is still work needed to increase the application of human rights into the approaches centred on refugees. Migration governance is still flawed and fails to protect the rights of migrants. The Sustainable Development Goals adopted by the UN in 2015 promised to address the framework of migration, along with the two global impacts prepared by the international community in 2016, and these will certainly have an impact on current policies, but their practical long-term results remain to be seen (Angenendt and Koch 2017, 6).

1.4. The role of humanitarian organisations in managing refugees

As it was previously demonstrated, prior to World War I there wasn't a proven approach towards refugee management through systems of support and aid, nor many international organizations widely providing such assistance to refugees in a bid to improve their human rights and basic living conditions. This was to be changed with the unexpected formation of an international refugee regime around the time of World War I, with institutions around it contributing to improve the well-being of refugees in harsh conditions.

At the end of World War I, relief organisations with an international scope such as the Red Cross, Save the Children Fund, Near East Relief and the American Relief Fund aided thousands of Russian refugees in Europe. But as their resources were reaching full depletion and considering these refugee flows couldn't be sent back to Russia (due to a legal decree passed there revoking the citizenship to people who lived outside the Soviet Union for longer than 5 years, or who had left Russia after November of 1917), it became apparent that the existing management programme had failed. It was to address this failing relief system that the International Committee of the Red Cross and the League of Red Cross Societies organized a meeting in February of 1921, deciding for the creation of an office dedicated to refugee

management within the League of Nations (which became the Commission for Refugees). The Commission for Refugees coordinated the delivery of relief and facilitated the process of resettlement for the many stateless Russians of the era, while keeping a network of voluntary organisations such as the Red Cross to continue being responsible for the funding of these efforts (the Red Cross, prior to the establishment of the High Commission, was already organizing camps and providing food and assistance to the Russian refugees).[5] During this era, the funding for humanitarian aid came from private philanthropic efforts, and not from state donors. The Commission of Refugees only came to coordinate the different types of humanitarian organizations, and not to fund or help with funding (Lippert 1999, 300). Another important organization of this time was the International Labour Organization, which recognized the importance of preserving the rights of workers across all countries and went on to produce conventions further increasing the rights of migrants.

The next major humanitarian organization focused on refugee management was created in 1938, following an international conference in Evian (France) in March. Dubbed the Inter-Governmental Committee on Refugees, it wasn't a universal actor in the scope of refugee relief, but instead had a specific focus on the groups of German and Austrian Jews fleeing the territories were the Nazi regime was settled. It marked the first time that public funding was allocated towards refugee relief, as well as being the first international refugee organisation based on a permanent scope. Later, in 1947, the International Refugee Organization was created as a temporary agency of the UN, expected to provide emergency assistance to refugees and displaced persons. Finally, in 1951, the major actor we know today as the UNHCR was established by the UN, though at the time created as a temporary agency (like most refugee agencies before it) promoting voluntary repatriation, local integration and resettlement as solutions to problems concerning the refugees. Though at the time of its conception, its scope was very narrow with limited authority, not having the right to set up camps, transport refugees or provide them with funding. It was only by the 1970's that it became, along with other governmental and non-

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[5] The Red Cross and Red Crescent Movement has been in fact providing humanitarian assistance since 1862 (International Federation of Red Cross and Red Crescent Societies, 4), which demonstrates that there was a focus on assisting people in need for many decades predating the first World War, though not a centrally coordinated and focused one at that, which would only focus migrants and refugees at a later time once greater awareness was created.

governmental organizations of regional, national and international scope, a major actor in refugee assistance and development. In fact, the growth, involvement and increased scope of these organizations grew exponentially over the years: while in 1962 there were only 92 NGOs involved in UNHCR programmes over 16 countries, in 1996 there were 495 UNHCR partner organisations and 255 offices in 123 countries. The resources of the UNHCR have also grown exponentially, with an administrative budget provided by the UN and an operational budget stemming from public donations from voluntary states, with the latter almost reaching $1.5 billion in 1996 (Lippert 1999, 303).

The UNHCR and the many INGOs around it are indispensable to ensure that the human rights of the refugees are respected, and to aid vulnerable groups in need. National and regional institutions, from government agents to NGOs, even though separate agents from the UN, are just as important in protecting and promoting human rights at the national level (Inter-Parliamentary Union 2015, 155). However, their scope of action remains limited by the current framework and policies.

Chapter 2 – The background of the humanitarian crisis in Syria

"If, one day, the people will to live, then fate must obey. Darkness must dissipate, and the chain must give way"

Al-Qasem AlShabe, *The Will to Life*

This chapter focuses on the origins of the Syrian crisis, which eventually became the most severe humanitarian issue in recent times. Thus, it explains the Arab Spring and the state of human rights in the region, which are the motivating points for the Syrian uprising, before focusing on the ruling of the al-Assad family and the multiple human rights violations committed against the Syrian population, resulting in the civil war ongoing today. To conclude the chapter, the Turkish-Syrian relations are analysed to better understand the position taken by the Turkish government towards the Syrian refugees.

2.1. The Arab Spring

What became known as the Arab Spring was a wave of demonstrations and protests throughout the MENA countries that took place sensibly over the course of two years, from December 2010 to December 2012. The list of countries affected is large and the intensity of the protests varied greatly. While it is intricate to try to point similarities and common reasons for the outcry among the different states, as each case is its own, it is generally agreed that socio-political reasons and the deprivation of human rights were the general, common main triggers for the wave of protests sweeping through the region. The Arab Spring started various social movements for regime change in the MENA region, and though they were interconnected each country was an individual example (Bhardwaj 2012, 76). At the time, the MENA region was apparently stable in political terms with long-ruling regimes maintaining a firm grip on power, and oppressed populations struggling for a living under economic and political difficulties (Özekin and Akkas 2014, 76). And despite severe socio-economic issues as well as human rights deficiencies, nothing could predict the scale of what would become. Yet, the authoritarian regimes of the region thought untouchable and unaffected by protest began to cede to them as they increasingly 'swept from Tunisia through North Africa and the Middle East' (Bhardwaj 2012,

77). It is crucial to place the Syrian crisis in the light of the Arab Spring for a broader understanding of the situation the country currently sits in.

2.1.1. Understanding the Arab Spring and its resurgence

A series of multiple distinct but connected events haunting the MENA region for decades seemed to have paved the way for the demonstrations to span this widely. The elevated percentage of unemployment (especially among the educated youth), social inequality, human rights deprivation by regimes, the lack of democracy and liberalism and corruption, especially aggravated by the global economic crisis and increases in prices, drove the population to the edge. In fact, despite notable growth of the GDP in some of these countries under dictators in the decade preceding the Arab Spring, little socio-economic change was perceivable. On the other hand, the HDI was progressing as well, with increasing schooling and life expectancy, and decreasing infant mortality. Consequently, with an educated and unemployed large young mass more socially conscious and politically aware, forms of protest and outcry unprecedented before gained new heights. The deprivation of freedom and widespread corruption were especially two big problems haunting the region for decades; democracy and participation in politics has barely touched the Arab world, despite the ratification of several human rights and democratic treaties by some of its countries over the years – these have been generally disregarded and neglected. It can therefore be considered that the MENA region has been significantly behind other developing regions concerning voice and accountability, receiving the worst scoring in 2010 (Özekin and Akkas 2014, 81). As such, this combination of factors, facilitated by the age of technology and information, enabled the Arab Spring to occur.

The MENA countries have greatly varied state and political structures, but in general these are either monarchies, praetorian republics or ethno-religious democracies; and it was in the praetorian republics with long-term dictators that the biggest events occurred, aggravated by the violent response and oppression of these governments towards the demonstrations of free speech and political awareness. These biggest events took place in Tunisia, Egypt, Libya, Yemen, Bahrain and Syria. The notoriety of the outcomes in these six states was mainly due to the actions

of their governments as well as the role of their security forces, on a couple of cases being somewhat passive spectators allowing for the demonstrations to occur, while on others responding with a violent crackdown resulting in elevated numbers of deaths and injuries, in a direct attack on freedom and human rights of their populations. While in Tunisia and Egypt the military essentially stepped aside and allowed the demonstrations to take place, resulting in the deposition of their dictators, Libyan, Syrian, Yemeni and Bahraini leaders responded violently, fracturing their own militaries and public opinion in the process, with the cases of Libya and Syria eventually inviting foreign intervention due to severe human rights violations and failure to protect their own civilians. Yet there is another reason further distinguishing Tunisia and Egypt from the remaining, and this is where it is necessary to draw the line between similarities and differences. The republics of Libya, Syria, Yemen and Bahrain are indeed different than the ones of Tunisia and Egypt due to the fragmentation of their societies along sectarian and ethnic lines. This spells a long history of internal conflict and politically silenced opposition and contributes greatly to the emergence of marginalized armed militias seizing opportunities such as major protests for their own agendas, fomenting further separation. In a sense, the Arab Spring also showcased and put forward the different dynamics of the MENA, in the ethnic, religious and sectarian context.

In summary, for the Arab Spring to occur, according to Özekin and Akkas (2014, 77):

> Rather than a single driving factor, a set of longstanding socio-economic and socio-political problems afflicting the Arab world for nearly half a century has constituted a common casual motivation behind the uprisings, whose outcomes have varied from country to country depending on a combination of factors, such as government responses, the role of security forces, foreign intervention, the ethnic and sectarian makeup of the affected societies and the politico-institutional characteristics of state structure.

Analysing the six major events more than seven years after the first incidents in Tunisia allows to shed some light upon the consequences of long-term government abuse and corruption, sectarian differences and internal struggles for power, and international involvement and influence which ultimately mirrors the current situation of Syria.

2.1.2. Major events during the Arab Spring: causes and outcomes

Even though demonstrations and protests of different scale occurred in over a dozen countries of the MENA region, there are six countries, all members of the Arab League, which were deeply affected by them, as the initial wave of peaceful movements eventually transformed into uprisings seeking to topple regimes resulting in violence, riots or civil wars. These countries deemed major events were Tunisia, Egypt, Libya, Yemen, Bahrain, and Syria. In common, these countries were praetorian republics (with the exception of the Kingdom of Bahrain) with long-term dictatorships and a similar set of decade-long problems than the remaining region. But distinguishably, their security forces responded differently to the public outcry which ultimately influenced the outcome of each situation. The sectarian nature of the societies involved and the political structure and performance of the regimes did the rest; it is important to understand why and how, as Syria is in this lot.

In Tunisia, the spark that started the Arab Spring, the 23-year rule of Zine El Abidine Ben Ali would eventually come to an end after the self-immolation of a 26-year old street vendor of vegetables from Sidi Bouzid, Mohamed Bouazizi, on December 17th of 2010, who proceeded to commit the act out of desperation after having his scales confiscated by a municipal officer, with his cart of produce tossed aside. Sources differ concerning the exact nature of the altercation between them, but it is known that Bouazizi, working to support his family and siblings, went to the governor's office to complain about the incident and have his scales returned. When the governor refused even to grant him a simple audience, he went to a nearby gas station to buy a can of gasoline, returned to the street in front of the governor's office, doused himself with it and set himself on fire. This would contribute to motivate the population to protest the elevated rate of unemployment, the price raise of food, corruption, social freedom and human rights. Bouazizi's action, speaking volumes in terms of government abuse and social discrimination, would spark a popular unrest throughout the whole country resulting in the ousting of Abidine Ben Ali's 23-year long rule on January 24th 2011, consequently inspiring subsequent protests in the region which have not only 'transformed the Middle East, but also produced tremendous uncertainty regarding political transition and social cohesion after the uprisings' (Özekin and

Akkas 2014, 76). 338 people were killed and more than 2000 injured in Tunisia during the protests alone (Fox News 2012). In Egypt, Hosni Mubarak would have a similar fate as his 29-year rule ended shortly after, on February 11th, following mass demonstrations spanning little over two weeks aimed at police brutality under the state's authority, as well as state of emergency laws and similar reasons as their Tunisian counterparts, namely high unemployment, inflation of food prices, lack of democratic freedom and low level of human rights. At least 846 people were killed during the protests, with more than 12000 subsequently arrested (Haaretz 2011; The National 2011). The relatively low number of deaths and injuries in both the cases of Tunisia and Egypt, at least in comparison with their Syrian, Libyan, Bahraini and Yemeni counterparts, can be attributed to the role of the militaries in each of the countries, which directly refused a direct order to employ force and violence against the people. Most of the casualties and injuries were, as such, produced by the police and security services of Ben Ali and Mubarak. In time, both would be deposed as a result of the mass protests, with Ben Ali fleeing to Saudi Arabia and being tried *in absentia*, and Mubarak standing trial and convicted to prison.

On the other hand, the cases of Libya, Bahrain, Yemen and Syria differ substantially as the role of the government and its security forces fomented further violence (in already divided sectarian states), and the consequent escalation into full-scale conflicts. In Bahrain, a monarchy ruled by the Sunni professing Al Khalifa family since 1783, a series of anti-government protests were held in 2011, which continued for several years following the initial violent repression of the protests by the government with the support of the Gulf Cooperation Council and the Peninsula Shield Force. The population of Bahrain and its opposition to the government is composed by the Shia majority, conflicting with the Sunni-led monarchic government, demanding further democratization, more freedom of speech and human rights, as well as protesting the high rates of unemployment and corruption. More than 30 people lost their lives during the protests, in frequent clashes with police and the military which employed heavy weaponry against the population, with another 3000-plus arrested (BBC News World 2013), where torture was widespread. In Yemen, Ali Abdullah Saled led the country for 33 years until his deposition in February 2012 following mass demonstrations mirroring the same conditions and requests as Yemen's MENA counterparts. During the 13 months of protests, there were a

reported 2000 deaths and 22000 injuries (The Washington Post 2012) as a result of the violent crackdown by security forces. Saled and many members of the government were members of the Hashid tribe, considered the strongest and most influential in Yemeni, while the country is divided, by a slight margin, between a majority of Sunni and a lower number of Shia. In Libya, a well-known example in the West due to the involvement of the international community, the ousting of Colonel Muammar Gaddafi and his 40-year rule came after a bloody full-scale civil war with an estimated 9000 to 30000 deaths and 50000 injuries (Arab Times 2012). The armed conflict, fought between the 15th of February until the 23rd of October 2011, resulted as a directed consequence of the government's actions against demonstrators in February 2011, protesting for a democratic state, freedom of speech, the improvement of socio-economic capacities and human rights. Security forces opened fire against protestors as a measure of containment and saw the formation of multiple opposing armed militias as a result, whose sole objective in common was the ousting of Gaddafi. The international community was quick to act in this situation as well, enforcing bombings by several forces of the North Atlantic Treaty Organization (NATO) against the government of Gaddafi. The war was intense as sides were advancing strategically for control of territory and would eventually come to an end in October 2011 following the capture and killing of Muammar Gaddafi. The conflict in Libya is intricate as it also touches on the issues of tribalism and sectarianism, and the truth is nowadays, more than six years after the liberation of Libya was declared, the fractured opposition continues fighting a civil war for control of the territory.

The situation in Libya is the one more closely related to Syria, as it touches on many of the same issues: a long-time dictatorship, separate internal armed militias with only one thing in common (wanting to oust Assad), sectarianism, and the conflicted involvement of the international community. The people of Syria has also been suffering from the similar set of socio-economic problems and human rights violations than its MENA counterparts, in a mixture of issues accounting for the largest refugee population in the world.

The differences and reasoning between each situation/country should never be unaccounted for, as duly summarized by Doster (2013, 24):

It should not be forgotten that Egypt is different from Yemen, Tunisia is from Syria, Libya is from Bahrain. There is no homogenous, holistic Arab world. Likewise, the masses that come out of the streets, fill the squares and act in the same way are not homogenous in terms of their class location, political preferences, expectations, demands. There are also those who go out on the streets with the request of bread, those with the request of freedom. There are liberals too, the left wing too. There are also Islamists, secularists. Nationalists are also involved, there are also movements closely linked to Western centers. There are well-educated, language-speaking, computer technology-oriented young people, but also there are job seekers, untrained, unskilled young people. There are organized and militant groups, there are also people who participate in a political act, for the first time spontaneously, individually.[6]

2.1.3. Human rights in the MENA region before and after the Arab Spring

Regarding the topic of human rights, it is difficult to generalize considerations about the region since MENA is large and very diverse. In part due to its long history with dictatorships and authoritarian regimes, the region has lagged behind the rest of the world, along with the Sub-Saharan region, in terms of social equality and respect for human rights and basic liberties. Multiple conflicts occurred over the decades for reasons ingrained in profound social disgust about political corruption, ethnic sectarianism and social poverty. A particular moment of social outrage was the 2011 Arab Spring that emerged also as an important moment for human rights in the countries affected. However, it is important to note that once we talk about human rights, we may be providing actually diverse meanings to their content, as we need to be aware that our ideology of human rights may not be the same than the ideology of an inhabitant of the MENA region. As such, we must acknowledge that the definition of human rights can vary greatly from one society to another. Thus, and according to Hamd (2016, 1):

In Arab Spring countries, human rights accorded to the majority of Arab citizens are predicated on- and derived from - the will of the state, as expressed through State policies and laws. Based on this understanding, citizens enjoy human rights

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[6] All sources in Turkish language have been translated by the author of this dissertation.

only to the extent that these rights do not infringe on the state's 'interests', a term that has been used abundantly in order to restrict many political and economic rights. This, in addition to state nepotism, rendered the human rights system an expression of state interests, rather than a manifestation of the underlying principles of human rights, and an (re)assertion of state supremacy rather than a guarantee for human dignity.

As such, the national legislation of these countries did not include rights and values but assigned shares and privileges, making human rights an instrumental and interest-based system. Thus, inhabitants of the region had the impression that human rights depended on the will of the state, which is a distorted definition of the original ideational nature of human rights. In this context, and while the Arab Spring proved a change concerning the popular approach to human rights, there is still work to be done to transform it into a cultural asset commonly accepted and cherished by citizens.

Consequently, for better or for worse, the Arab Spring had an impact on virtually all countries where protests were undertaken, with different outcomes and levels of success. In countries where protests were more contained, authorities have, in most cases, announced political reforms with a human rights element to meet demands made by the protestors in order to maintaining their rule and calm down the political situation. The long-term effects are though still to be seen, since most problems affecting the region have persisted for decades and have a deep structural component.

In Tunisia and Egypt, their dictators were deposed rather peacefully, but the population is still suffering from poor economic conditions, and high unemployment rates, which means that a substantial part of the reasons that lead to the people's insurgence persists. Besides, as in the case of Egypt, the changes in the political regime and governmental system did not met democratisation and are indeed quite worrying in terms of the guarantees they may offer in the long rum to individual human rights and liberties.

Countries such as Algeria and Bahrain announced a state of emergency in early 2011, under which their authorities and security forces conducted practices which violated human

rights norms. The state of emergency measure is, indeed, a big issue for MENA countries and human rights violations; often lasting for decades, the state of emergency causes serious problems and fracture within a society since it paves the way for authoritarian regimes to fuel their oppressive measures, containment of freedom of information and human rights violations. As it was seen during the Arab Spring, the regimes abused the measure in order to deploy their security forces in an abusive manner. Authorities charged the demonstrators oppressively and violently, initiating internal conflicts with some examples escalating to civil wars, inviting international involvement. Thus, 'the human rights situation deteriorated in the immediate aftermath of demonstrations during the early part of 2011' (Bakrania 2011, 2). Vulnerable groups such as women are extensively discriminated; migrant workers constitute a big percentage of the labour force in the region and are, except in a few countries, excluded from labour laws and subject to a counterproductive immigration sponsorship system; also, repressive laws are particularly problematic, fomenting discrimination and fear among minorities.

In any case, little practical change in human rights can be assessed from the wave of protest started in late 2010, with minorities being increasingly persecuted, general population still suffering socio-economic issues, and civil war in some countries resulting in high numbers of death, IDP's and migrants seeking for better living standards. Accountability is another issue persisting, as the perpetrators of the worse crimes against humanity are still to be held responsible. As such, despite the improvements achieved in some countries, struggling for human rights continues (Hamd 2016, 17).

2.1.4. Assessing the outcome

The Arab Spring upheavals led to the deposition of dictators in just two countries, but to serious further internal fracturing in most of the cases. The ousting of Ben Ali in Tunisia remains the sole example of transition into a democratic government, though the Tunisian people is still discontent and suffering from severe economic crisis. The ousting of Mubarak in Egypt led to a military coup shortly after a new pro-Islamist government had been established to replace him, led by the military and Egyptian army chief General Abdel Fattah el-Sisi who is currently its

president, with critics calling for similarities between his policies and former dictators of the region. In Libya, the country plunged into two civil wars, one during its alleged liberation, and the second which is ongoing since 2014, with mass destruction and civilian casualties in the process on a daily basis. In Yemen, the ousting of Saleh during the Yemeni Revolution led to Saleh himself allying with former enemies, namely the Houthis (of the Shia minority), to take the power back by force over a 4-month period, in late 2014/early 2015; Saleh was subsequently killed by the Houthis in 2017 after switching sides yet again. The country is under civil war since 2015. In Bahrain, the ruling Khalifa royal family, supported by GCC's military, suppressed the uprisings with violence which only contributed for further internal fracturing and sectarian polarisation, in a ticking time-bomb waiting to explode once again.

As much as the apparent reasons for the Arab Spring were the noblest, namely deposing regimes in favour of democratic governments, having greater civil freedom, a better socio-economic situation, and enforcing the respect for human rights, a sombre side of the protests definitely existed in which long-term silenced and armed oppositions seemed to have seized the opportunity to launch full-scale internal conflicts. More seriously, along the MENA region, a proven direct consequence of this devastation and fragmentation was the settlement and strengthening of jihadism and extreme Islamism in several of these debilitated territories, with militias and terrorist groups taking part directly in civil wars such as those in Syria, Libya and Yemen; and controlling national territories in a clear threat to state sovereignty and regional security. In this scope, the term 'Arab Winter' was coined, alluding to the resurgence of Islamic extremism and authoritarianism embedded in the aftermath of the Arab Spring.

2.2.   The Syrian conflict

2.2.1. History of the Syrian Arab Republic and the rule of Hafez al-Assad

The Syrian Arab Republic, as it became known following its successful struggle for independence in 1946, went through troubled times until forming a union with Egypt in 1958, known as the United Arab republic, which in turn lasted until 1961 when it was terminated. In

the following decade following its re-establishment, the Syrian Arab Republic suffered many coups culminating with Hafez al-Assad's Corrective Movement in 1970, a coup which made him president until his death in 2000. In the country, the Sunni religious group was traditionally in control, but Hafez and, consequently, the rise to power of the Ba'ath Party in 1963 resulted in the decline of the traditional Sunnis (Joya 2012, 29). Based mainly in rural areas, the ascending Ba'ath Party meant a substantial change in the Syrian political and social panorama. Thus, to ensure stability for his rule, during all his tenure, Hafez al-Assad sought to establish and support alliances with 'political parties supporting the Arab nationalism and left currents under the name of 'the National Progressive Front' (*El-Cephetu'l Vataniyetu't-Takaddumiye*)' (Güçtürk 2014, 21). But these groups never really ceased their struggle to shift power, resisting over the 1970's and the 1980's with Hama in 1982 being the most notable example, with the grip of the Muslim Brotherhood in that city leading to a massacre which was hidden from the international community for close to 16 months (coincidentally, Bashar al-Assad is also reported to be responsible for a massacre in the same city some 30 years later, though the number of victims was substantially smaller). After the Hama massacre, the regime reinforced policies of peace and cooperation with the Islamic groups and respective allies, and went on to promote Islamism with the construction of several thousands of mosques over a thirty-year period (from the 70's to the 90's), projecting religious institutions and education facilities as well as increasing Islamic representation within the state (despite being, in theory, a republic, high ranking administration posts and key roles were fully controlled by the Assad Family). This contributed to a climate of conciliation throughout the 1980's. However, the 1990's brought new divisions which marked the beginning of the fall of the Ba'ath regime. With the newfound wealth of Islamism in the 2000's, the introduction of currents such as Salafism, supported by the same numerous institutions the government had built, a stronger opposition was born taking advantage of the newfound free market economy to reach workers and peasants for redistributing what the state should be accountable for (Joya 2012, 31).

2.2.2. Syria under Bashar al-Assad

It was in this climate that his son Bashar stepped up as President of Syria, after yet another demonstration of the grip the Assad family had on power when a constitutional amendment was applied reducing the minimum age for presidency from 40 to 34, making Bashar fit for succession. By receiving 97.29 percent of the votes, Bashar won the elections and went on to reproduce his father's steps to win the Sunni majority of the population by supporting its circles in major cities and strengthening relationships with Sunni clerics. This is of significant importance to the Assad family as they represent the Nusayri minority, hence winning favour of the Sunnis was deemed indispensable. As Bhardwaj notes (2012, 85):

> Syria's history of sectarian conflict and instability forced civilians to accept higher
> repression in exchange for security, and loyalty to the regime was further bought
> with side-payments in the form of social programs and welfare. Additionally, al-
> Assad's government countered its reliance on Alawite minority by attempting to
> integrate Syria's heterogeneous population through elite representation of both
> Alawite and Sunni sects.

In the beginning of Bashar's rule, a positive atmosphere settled in during a short period known as the Damascus Spring, a period of intense social and political debate when the problems of the country were open to discussion. However, it soon became apparent that little had changed, when parliament members seeking political reforms were imprisoned in February 2001, with some opponents who signed the Damascus Declaration in 2005 suffering the same fate (Güçtürk 2014, 14). The national security services of Syria regularly prohibited gatherings and media appearances of human rights groups and political activists (Human Rights Watch 2010, 7). As a result of the continuing oppression, Bashar al-Assad missed two opportunities to transition into a democratic state; the first following the Damascus Spring, and the second following the Arab Spring. The balance of Bashar's rule had little difference in terms of the improvement of human rights when compared to his father's rule, with a calculated 90 politicians and human rights activists arrested in the ten years following Bashar's presidency (Güçtürk 2014, 14). In fact, Bashar's efforts were mainly focused on improving the economy at the cost of public freedoms or creating new institutions of public utility (Human Rights Watch 2010, 2).

2.2.3. The conflict motivated by the Arab Spring

Following the continuous oppression of the government and motivated by the Arab Spring demonstrations of the MENA countries, the conflict in Syria began with protests on the 26th of January of 2011, escalating into an uprising on the 15th of March of the same year. Effectively, it started following peaceful nationwide protests created to oppose socio-economic policies that worsened the living conditions of peasants and workers, demanding rights of economic, political and social nature and not the ousting of the regime (Joya 2012, 31-32). These protests were influenced in the aftermath of the Arab Spring, and subsequent protests were increasingly fuelled by the government's repressive and violent answer as the latter was attempting to crush the demonstrations with force and violence, slowly contributing to the emergence of a violent movement favouring an armed struggle which would consequently lead to the civil war as we know it (Kirmanj 2014, 57). An early, well-publicized incident is considered to be the main point of shifting between peaceful and violent demonstrations, namely the Daraa incident on March 2011 where children taking part in the early actions were tortured (Güçtürk 2014, 14-15). These children wrote graffiti on their school wall, a message reading 'Doctor, your turn' in clear reference to Assad (who is also an ophthalmologist) and alluding to the ousting of his counterparts in Egypt and Tunisia, namely Hosni Mubarak and Ben Ali, respectively, suggesting it was now his turn. Atef Najib, chief of security forces in Daraa and a cousin of Bashar al-Assad, detained 15 of the minors and proceeded to have his forces torturing the youth, despite efforts from the families of the teenagers and thousands of protesters calling for their release (Vice News 2016). Subsequently, when the physically abused children were released, popular anger gained a new definition as protests grew bigger and louder every week (Human Rights Watch 2011).

The continuing violation of human rights by the Assad administration and its security forces continued to be observed during these demonstrations, which were countered with violence and oppression. By this time, hundreds of protesters had been killed and arbitrarily arrested, with the intervention of police, military and intelligence as well as the Shabbiha militia. To deter the population from participating in demonstrations, torture, rape and forced

detentions were some of the methods used (Güçtürk 2014, 15). This in turn led to a revolt in the first stage, when the population was still seeking reform through protest, and an armed struggle in the second, after the blatant disregard of the government for the public security and protection of its population and ongoing use of brutal violence and armament, with opponent groups increasingly seeking to violently depose the President, ultimately being successful in taking control of some regions and cities in the country setting the stage for the civil war. As such, the violent response of the regime only triggered further protest instead of the intended effect of suppressing them, as well as contributing to the escalation of the situation (Kaye 2012, 7).

2.2.4. The outcome of the conflict

While this dissertation is presented through the human rights perspective, it should be noted that geopolitics and the sectarian nature of its internal struggle drags the Syrian civil war on to its eighth year, with no end in sight and many uncertainties about its outcome. It is widely believed that if the al-Assad regime falls, the region will enter another civil war with similarities to post-Gaddafi Libya, because the opposition is composed by entirely separate entities with different ideologies - from Islamists/Sunnis and Kurds, to Alawis/Shiites - each with a different agenda and ultimately distinct consequences for the surrounding countries, and the world at its greatest extent. The strong presence and menace of jihadist and extremist groups in the region contributes to this feeling. Regional powers such as Iran and Iraq seek to strengthen the Syrian regime, while Saudi Arabia, the United Arab Emirates and Qatar support distinct factions within the Islamists. International powers are divided as well, with Russia and China being pro-Assad and the US and the EU pro-change. One of the most complex issues of the world today, the Syrian conflict's outcome is unknown and will have significant consequences in the Middle East and around the globe, as well as in the scope of regional life and geopolitics (Kirmanj 2014, 70). The country is effectively divided in four, with the Syrian government, the opposition (Syrian Sunnis), the Kurds, and jihadists controlling different portions of the country.

Internally, with the formation of several Islamic opposition groups and the interference of external powers, the Syrian conflict gained a dimension hard to characterize, and even harder

to solve. Proposing a change of regime by democratic means is now only a distant memory in the wake of militant groups financed and trained by both Middle-Eastern and Western powers, for different geopolitical motives. Syria ultimately became the stage of an international power struggle, where numerous atrocities and human rights violations are committed on a daily basis, with the normal civilian being the biggest loser as the initial calls for democracy got lost in 'a conflict that increasingly resembles a proxy war involving regional and global powers' (Joya 2012, 44). Amid the conflict, millions of civilians were trapped and an easy target for war crimes against their most basic rights and massive violations. As these human rights violations became the state policy, the UN and human rights organizations started to speak against these as committed by the regime, but also by opposing groups with the onset of the war. Among them, rape, ransom and abductions occurred daily at an alarming and increasing rate (Güçtürk 2014, 15). In fact, the increase was so dramatic that human rights organization had to alter their methods of operation, being unable to track individual cases any longer. The UN was unsuccessful in stopping massacres or applying effective sanctions, despite confirmed usage of chemical weapons, and the perpetrators of these crimes remain to be accused, reflecting an essential flaw in the international judicial system when perpetrators of similar situations in the past were not held accountable. This contribution to a sense of lack of accountability only fuels further human rights violations to be committed.

The conflict escalated into the biggest humanitarian crisis since Rwanda's genocide in 1994, defined by some as the worst humanitarian disaster since the cold war, affecting such a massive number of Syrians that the four neighbouring countries can't cope with. It is in this scope that Turkey is a main actor, hosting by far the largest number of refugees originating from the consequences in Syria and managing a set of response policies to aid the refugee population. As the human tragedy worsened, the Turkish authorities have followed a policy of 'open door' for Syrians fleeing from the chaos, opening its arms to shelter them along the border and within temporary shelters and centres in Turkey, becoming one of the most important actors on the situation (Koyuncu 2014, 13).

2.2.5. Human rights in Syria

Syria has been for the past 40 years a state of repeated human rights violations, widely criticized by human rights organizations for oppression and violence against opposition groups. Despite its ratification of several International Covenants and Conventions on human rights and acceding to the Geneva Convention, progress in this field is very limited. A country ruled by the Assad family and a single party, it was back then already the stage for terrible abuse perpetrated mainly by the Ba'ath regime. Hafez al-Assad, member of the Ba'ath Party, was President of Syria for more than 29 years, title he held since staging a coup d'état in November 1970 known as the Corrective Revolution when he was a General and Minister of Defence. Syria was in state of emergency from 1960 until 2012, after the beginning of the conflict. In the duration of this state of emergency, the perpetrators of human rights violations such as the Hama massacre of 1982 were never brought to court, due to the lack of good democracy functioning of the institutions. Citizens who were opponents of the regime were even forced to live in exile. The government effectively ruled by emergency powers, with Syria's feared security agency "mukhabarat" arbitrarily arresting people and keeping them in undisclosed locations for months, while subjecting them to torture (Human Rights Watch 2010, 2).

The well-known issue of resorting to torture and related immoral means in Syria is further documented with Syria's non-ratification of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, prompting the UN Committee Against Torture (CAT) to criticize the country for the lack of a definition of torture in legal procedures despite its prohibition in the Constitution and calling for the criminalization of torture to be enforced (UN Committee against Torture 2010). Additionally, the US State Department described Syria as an 'authoritarian regime' and noted that 'the government systematically repressed citizens' ability to change their government. The security forces committed arbitrary or unlawful killings, caused politically motivated disappearances, and tortured and physically abused prisoners and detainees with impunity. (…) The government violated citizens' privacy rights. The government imposed severe restrictions on civil liberties: freedoms of speech and press, including Internet and academic freedom; freedoms of assembly

and of association, including severe restrictions on nongovernmental organizations (NGOs); and freedoms of religion and movement. An atmosphere of corruption pervaded the government. Violence and societal discrimination against women continued, as did sexual exploitation, increasingly of Iraqi refugees, including minors. The government discriminated against minorities, particularly Kurds, and severely restricted workers' rights' (Bureau of Democracy, Human Rights and Labor 2011).

Before March 2011, the most serious human rights violations occurred in the 1980's under Hafez al-Assad's rule, with several massacres during operations in 1980 in Alshaghoor, Sarmadah and Kinsafrah, and most notably in the Tadmor Prison, where Rifaat al-Assad (Hafez's brother) and following an assassination attempt against Hafez, led an operation in the prison where members of the Muslim Brotherhood were imprisoned. Approximately 1000 prisoners (Güçtürk 2014, 25) were killed during the operation. Prisoners who attended the prison give chilling reports of daily torture, abuse, executions, human rights violations and inhuman conditions for living. This prison was closed in 2001 but re-opened in 2011 to imprison protestors of the current uprising (though captured and destroyed in May 2015 by ISIL (Islamic State of Iraq and the Levant). Two years later, in 1982, occurred the biggest massacre of Hafez's rule, dubbed the Hama massacre, in which a military operation led again by Rifaat al-Assad besieged the town of Hama for 27 days, in an effort to quell an uprising by the Muslim Brotherhood who, since 1976, was campaigning against the Ba'ath regime. Air and artillery bombardments were employed indistinguishably against civilians and dissidents, resulting in an unknown number of casualties estimated to be between 10,000 and 25,000. The international community only learned about this incident 16 months later, by the time too late to establish a valid balance of the operation, as the Syrian government managed to hide what happened in Hama for a long time. These crimes in the 1980's further illustrate the lack of accountability against the perpetrators, as Rifaat al-Assad (known as the butcher of Hama) never faced an international trial and now lives unpunished for his actions in Europe.

During Bashar al-Assad's rule, what was thought to be a positive start to his presidency with the release of political prisoners, returning dissidents and open forums for discussion about the problems of the country was abruptly stopped with the imprisonment of 10 dissident leaders

asking for political reforms just a few months after his start, in February 2001. These were the first of 92 political and human rights activists arrested by July 2010 since Bashar's rise to power, though this number is much likely higher due to the persecution of minorities such as the Kurdish. Before March 2011, the most notable reaction against the government occurred in 2005 when more than 250 opposition figures requesting democracy and reforms issued the Damascus Declaration and labelled the government as 'authoritarian, totalitarian and cliquish', calling for a democratic and equalitarian Constitution. Not only was this call overlooked by the government, but it resulted in the arrest of some of the signatories and in the extradition of others (Güçtürk 2014, 27).

After the Arab Spring, and with the protests of March 2011 and the consequent government crackdown, human rights violations and crimes against humanity rose to a frequency very hard to track accurately, made harder by the total refusal of cooperation from the Syrian government. By July 2011, just four months shy of the beginning of the conflict, UN High Commissioner for Human Rights Navi Pillay stated that 'NGOs and others are now reporting that the number of men, women and children killed since the protests began in March has exceeded 1,100, with up to 10,000 or more detained' (UN Dispatch 2011), with reports of heavy weapons and tanks being used against peaceful protests and detainees being tortured and mutilated by security forces. The High Commissioner was part of an OHCHR investigative mission that was barred from entering the country, thus conducting three field researches in the region, and she increasingly expressed concern over murder, persecution, torture, suppression of liberties and forced disappearances. By this time, all communication means nationwide were cut, human rights commissions were being denied entrance to the country, and journalists were barred from investigating reports. A new UN report covering January 15 to May 15 of the year 2013 stated that crimes against humanity and human rights violations continued rampant (Güçtürk 2014, 34). An extensive list of massacres attributed to government forces and affiliated militia include numerous atrocities ranging from murder, rape and torture, to violations of the international human rights law such as summary executions, arbitrary arrests and destruction of property (Güçtürk 2014, 35). While opposition groups have similarly committed war crimes, the dimension

of their acts has not reached the size of those committed by government forces and affiliated militia.

2.3. Turkey-Syria relations

Due to Turkey's geographical proximity with Syria, it is natural to assume a common history of socio-political aspects between the two nations. It is widely believed that stability between the two is important to keep the regional system balanced. However, in recent years there were divergencies and commonalities first separating them to the extreme, then bringing them closer to a stable political environment. However, with the outbreak of the crisis in 2011 and in the following years, the Turkish government further distanced from Syria and publicly voiced its opposition and support against the Syrian regime in the outcome of the civil war. The vast majority of refugees originating from Syria ended up fleeing to Turkey, either to settle there temporarily, or to seek passage to Europe. As such, it is important to observe and analyse the evolution of the Turkish/Syrian relations over the years.

The Turkish/Syrian relations can be accurately described as fairly uncommon due to the radical changes suffered in a very short time-frame; in just over a decade the countries went from the edge of war to being regional allies, regressing back to enmity following the situation in 2011 (Hinnebusch and Tür 2013, 1).

The first phase in the steady deterioration of the relations between the two came over three topics, namely the annexation of the Hatay Province (a long-term hot topic of conflict between the countries), water sharing (of the river Euphrates crossing both nations) and Syria's apparent support of the Kurdistan Workers' Party (PKK), labelled a terrorist organization by Turkey, by sheltering a founding leader of the organization as well as PKK camps across the country. With successive diplomatic failures to solve these issues over the years, it came to the extreme of Turkey threatening Syria with total war, with the Turkish Second Army mobilized across the border and a General reading the final ultimatum to Syria in the summer of 1998; tension was subsequently eased with the Adana security accord signed between both countries later in 1998, with Syria effectively expelling Abdullah Öcalan, a PKK leader wanted by Turkey,

from Syria and by declaring the PKK as a terrorist organization, joining Turkey in a common fight against it. As such, the Adana protocol was the first step official step in the healing of the Turkey-Syria relations (Al Jazeera 2014).

The Adana security accord was effectively the first step taken towards a better political climate between Turkey and Syria, establishing direct communication of a joint security committee; the accord was also facilitated by the Turkish government's 'zero problems' policy and approach towards neighbours. The presence of the Turkish President Sezer at the funeral of Hafez al-Assad confirmed that better relations were being formed and beginning in the early 2000's the countries gradually shifted towards the normalization of relations and later into amity (Hinnebusch and Tür 2013, 2). The similar opposition by both to the approaching war in Iraq was one more step in this direction, culminating in Bashar al-Assad's historic visit to Turkey in 2004 while publicly declaring that the emergence of a Kurdish state in Iraq would cross a 'red line' both for Turkey and for Syria. In 2004 still, then prime minister Erdoğan refused an invitation from Israeli prime minister Sharon based on that countries' repressive actions in Palestine, visiting Syria instead. As stated by Koyuncu (2014, 20):

> The economic integration of the two countries and their relation have been followed by high level strategic cooperation agreements and the preparation of action plans in the fields of foreign affairs, energy, commerce, public works, defense, interior affairs, transport, agriculture, health and environment. In other words, steps were taken in the direction of common destiny, common history, common future with Syria, which was seen as an enemy shortly before.

Over the next few years similar diplomatic endeavours were undertaken, cementing the ground of these newfound Turkish/Syrian relations, culminating at the end of the 2000's when Turkey was walking further away from its previous Israel-alignment towards a more regional approach. It was in this period that the relations between the states evolved into a strategic alliance and cooperation 'through the influence of internal dynamics and conjunctural developments' (Koyuncu 2014, 20).

However, things would yet take another turn to sour, following the Syrian uprising of 2011. As Turkish leaders urged Assad to respond with political reform rather than violence in the first stages of the conflict, the latter's attempts of aggressively oppressing the demonstrations resulted in a shift of tone from Ankara (Hinnebusch and Tür 2013, 3). In fact, Turkey was now hosting conferences of the Syrian opposition and sheltering their armed forces and camps, as well as trying to get a UN Resolution against Syria in collaboration with the Arab League. In June 2011, the Free Syrian Army, an anti-government armed force constituted by Syrian army defectors, was hosted in and helped by Turkey (Hinnebusch 2015, 15). In response, the Syrian regime took down a Turkish warplane in June 2012. Since then, numerous further incidents fracturing the relations between both nations have occurred. With this enmity well present, no further steps were taken towards reconciliation, and in the wake of Syria's ongoing crisis and socio-political uncertainty, it will most likely remain as such.

Chapter 3 – Turkey's response to the Syrian human flow

The third chapter of this dissertation, following the background information on the origin of the Syrian crisis and Turkey's approach towards Syrian refugees provided on the previous chapter, focuses on Turkey's set of responses and policies in the field of immigration and the consequent challenges brought by a previously unseen refugee flow such as this one originating from Syria. It is here that the flaws of the international refugee regime become more apparent, with Turkey developing new responses tailored to the Syrian refugees in order to attempt to address some of these shortcomings. Hence, it is vital to understand these adapted responses to understand the public services currently provided by Turkey to the Syrian refugees, which are also analysed in this chapter. Additionally, we provide a small quantitative analysis of the mass refugee flow, with its numbers allowing for a proper contextualisation of the situation at hand. Finally, we conclude with the EU-Turkey Refugee Deal, which represents the past and current standing of the international cooperation between states in managing this situation, and how active it actually is with a special focus on the financial front.

3.1. Turkey's immigration policies

Turkey has been a country of asylum for refugees for a long time, though being often and erroneously labelled solely as a country of emigration. The truth is it has long transformed both into a transit country and a country of immigration (İçduygu 2015, 3). Historically, immigration waves to Turkey can be traced back to the early 1920's with the formation of the modern Turkish State, though most were constituted by people of Turkish culture and descent, dominating the immigration and asylum systems of the country for decades to follow; nationalistic policies set to enforce the nation-building process encouraged these flows (Tolay 2014, 3). It was not until the early 1980's that immigration to Turkey widely started to include people who were neither of Turkish descent nor Muslim, marking a radical shift from previous flows. This was the result of the gradual globalization of the world and freedom of movement, with people increasingly seeing Turkey as an economically and politically stable country.

In addition to these migrants who saw Turkey as a final destination, many more saw the country as a safe passageway to Europe, seeing Turkey's importance as a transit country towards the West. Those people originated mainly from a conflicted Middle East with the Iran-Iraq war and the Gulf crisis in full effect, in addition to oppressive policies by countries such as Afghanistan and Pakistan. These mass movements from the Middle East represent unique challenges for Turkey, contributing to constantly shape Turkey's policies in the field. Nowadays, Turkey's immigration policies are the result of decades of work and adaptation, with the Syrian mass refugee flow constituting the biggest challenge ever encountered thus far.

3.1.1. The Syrian mass refugee flow in numbers (2011-2016)

The first flow of refugees from Syria entering Turkey was relatively small; the first group crossing the border seeking shelter is generally understood to have been constituted by 252 refugees, on April 29th 2011. From April 2011 until July 2011, 15,000 Syrians were settled in tent cities in the Hatay. By the end of July, 5,000 had returned to Syria as conditions were temporarily stabilized; at the end of 2011, only 8,000 Syrian refugees were settled in Turkey. But the inflows grew exponentially in 2012 onwards with the escalation of the crisis - by March 2012, there were around 15,000 registered refugees in Hatay, with many thousands more unregistered in other provinces.

The Turkish government established additional tent cities in other southern provinces, such as Gaziantep, Kilis and Sanliurfa, though these would soon prove insufficient when the ceasefire talks in mid-2012 were ineffective. From then on, 20,000 Syrians were seeking shelter in Turkey per month, reaching a total number of over 224,000 by the end of 2013, and in average growing to 55,000 per month by late 2014. As the crisis continued to drag and the number of refugees was growing incessantly, especially after ISIL's occupation of Northern Syria, the Turkish government created different approaches to limit new arrivals, by providing support to NGOs in managing camps within Syria as well, near the border with Turkey, by providing humanitarian assistance to the thousands in need, as well as increasing border control for policing possible

threats to national security due to the heightened presence of militia and terrorist groups in the region, as a direct result of the heightened ISIL influence in the region.

By 2016, 2.1 million Syrian refugees were registered in Iraq, Jordan, Egypt and Lebanon, with an additional 2.7 million hosted in Turkey, making Turkey the country with the largest number of refugees in the world (Öztığ 2016, 140). Concerning the internal distribution, as of November 2016 and as published by the DGMM, there were eight Turkish cities hosting more than 100,000 refugees, in descending order: Istanbul hosting 413,406; Sanliurfa hosting 398,551; Hatay hosting 377,731; Gaziantep hosting 318,802; Adana hosting 149,049; Mersin hosting 135,921; Kilis hosting 122,734 (representing more than 48% of the total population of the city); and Bursa hosting 100,665. Izmir and Mardin complete the top ten, with the first hosting 95,610 and the latter 93,071. Southern Turkey is therefore the area most widely hosting Syrian refugees.

Figure 3 – The ten Turkish provinces with the most registered Syrian refugees (International Crisis Group, 2016)

Ten Provinces with Highest Number of Registered Syrians
(as of 10 November 2016)*

Province	Total Population (excluding Syrians)	Number of registered Syrians	% of Syrians**
1. Istanbul	14,657,434	413,406	2.7
2. Şanlıurfa	1,892,320	398,551	17.4
3. Hatay	1,533,507	377,731	19.8
4. Gaziantep	1,931,836	318,802	14.2
5. Adana	2,183,167	149,049	6.4
6. Mersin	1,745,221	135,921	7.2
7. Kilis	130,655	122,734	48.4
8. Bursa	2,842,547	100,665	3.4
9. Izmir	4,168,415	95,610	2.2
10. Mardin	796,591	93,071	10.5

*   Figures of the Turkish Directorate General of Migration Management (DGMM).
** Figures rounded.

Source: International Crisis Group, Turkey's Refugee Crisis: The Politics of Permanence

Setting exact numbers to this intricate flow is nearly impossible due to several variables affecting the outcomes. A substantial number of refugees are unregistered, thus making the total numbers mere estimates. The most widely cited sources to cover this aspect are the UNHCR in the international front, and both the AFAD and the DGMM governing authorities in Turkey. The 2013 AFAD report on Syrian refugees wrote that 200,386 Syrian refugees were living in the Turkish camps, accounting for 36% of the total Syrian refugee population, while at least 350,000 were living in various cities (Republic of Turkey Prime Ministry Disaster and Emergency Management Presidency 2013, 12), demonstrating early on a tendency that only aggravated over the course of the years with the unregistered numbers growing bigger. The DGMM Annual Migration Report of 2014 wrote that by the end of that year the number of Syrians under temporary protection was 1,519,286 (T.C. İçişleri Bakanlığı Göç İdaresi Genel Müdürlüğü 2014, 75). The DGMM report published in the following year, along with the UNHCR annual report of 2015, wrote that over 2.5 million Syrian refugees were registered that year, with 950,000 registered in 2015 alone (United Nations High Commissioner for Refugees and United Nations Development Programme 2015, 33). Both sources, for their 2016 reports, estimated the total number to be well over 2,800,000, with more than 90% of them residing outside of camps (United Nations High Commissioner for Refugees and United Nations Development Programme 2016, 31). As it is apparent, the numbers grew sharper over the course of the years with the aggravation of the civil war and terrorism in the region, and the unaccounted unregistered refugees expose further humanitarian needs to be addressed.

Figure 4 – Number of registered Syrians in Turkey (2012-2016) (International Crisis Group, 2016)
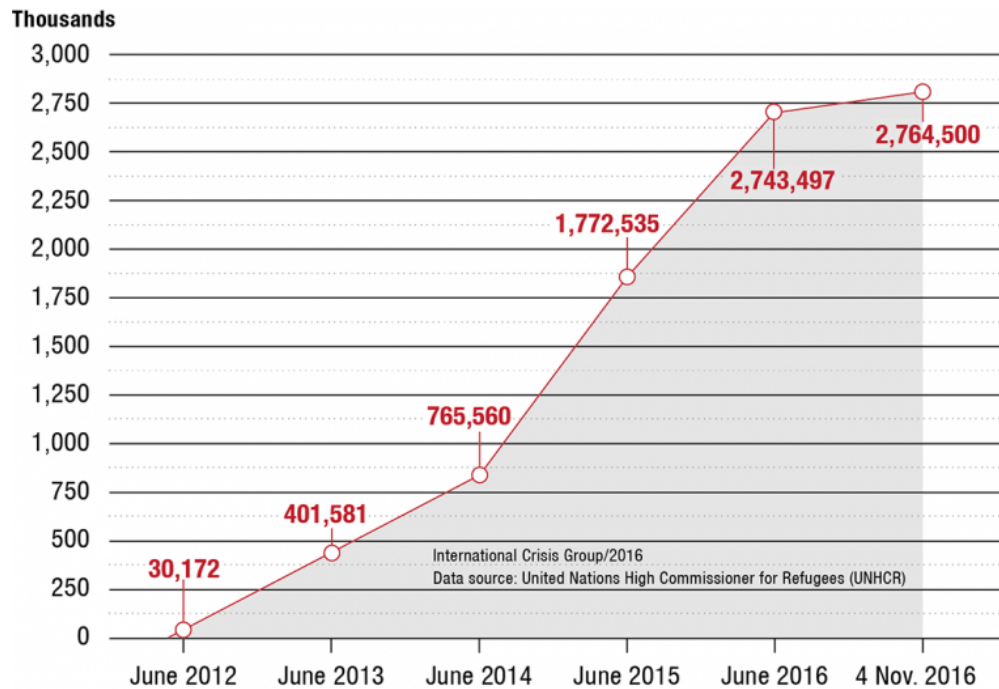
Source: International Crisis Group, Turkey's Refugee Crisis: The Politics of Permanence

3.1.2. Turkish law on foreigners and international protection

The first detailed legal regulation on refugees and asylum seekers in Turkey was drafted in 1994, following the mass movement of refugees originating from Iraq in the early 1990's, and which stayed mostly in effect until the breakout of the Syrian crisis. Prior to it, solely a few documents had established the policies concerning entry, exit, stay and residence of refugees, though not specifically addressing either asylum nor labour rights.

The first official document was the 1934 Settlement Law, which favoured migrants of Turkish descent and culture, and this preference was present in the legal framework for decades to follow, despite newer legislation replacing the Settlement Law over the years; it was always used as a base. The second was the 1951 Geneva Convention and its subsequent Additional Protocol on refugees, from 1967. Despite Turkey having ratified both, it presented limitations since it only granted asylum rights to EU citizens, and as a result many refugees arriving from

non-Turkish and non-Muslim backgrounds were deemed illegal by that law. The first registered mass influx of migrants to Turkey, consisting of 500,000 refugees (Kirişci 2014, 7) fleeing violence aimed at ethnic minorities from Iraq in 1991, effectively contributed for Turkey to review its policy and draft the aforementioned 1994 Regulation on Asylum which provided further clarification on conditions for requesting asylum in Turkey, though keeping the geographical limitations of the Geneva Convention on which it built from. As such, non-EU asylum seekers, even if granted refugee status from the UNHCR, were still not allowed to remain in Turkey. The law granted them instead a temporary protection status while their status as refugee was under evaluation by the UNHCR and Turkey's Ministry of the Interior, time during which they had limited access to social services and the labour market. Further policies, such as the 2006 law on settlement, have failed to address and change the traditional policy of admission and requirement for Turkish descent and culture in order to be considered for settlement (Ihlamur-Öner 2013, 193).

Concerning flows managed by these policies, the first mass refugee movement to the new Turkish republic originating from the Middle East, started in the early 1980's and extended throughout the decade, with the Iranians seeking refuge from the new regime after 1979. Akin to the Syrian crisis, Turkey adopted an open-door policy and hosted Iranians as temporary guests, with a total of 1.5 million refugees from Iran benefiting from this approach (Aras-Gökalp and Şahin-Mencütek 2015, 197). The next significant mass flow was registered in 1989, when more than 300,000 Pomaks and Turks fleeing the persecution perpetrated by the Communist regime in Bulgaria at the time looked for safety in Turkey (Kirişci 2014, 7). Considering the 1934 Settlement Law, these refugees were entitled to settle with the possibility of applying for Turkish nationality based on their Turkish descent and culture. Just a couple of years later, in 1991, close to 500,000 people fleeing Saddam Hussein's persecution of Kurds and other minorities in northern Iraq made way to Turkey (Kirişci 2014, 7). Turkey's action in this situation differed due to the well-publicized history of conflict between the Turkish government and the Kurdish population, in which the first considers the latter a national security issue; firstly, Turkey denied these refugees entrance to the country, but the inhospitable conditions of the mountains and the winter quickly escalated the issue into a humanitarian crisis. Following national and

international pressure, the Turkish government collaborated in an effort to set-up a safe zone in Iraq so that these refugees could subsequently return home. As a result of this experience, Turkish policy makers established the 1994 Regulation on Asylum, which clearly stated that national security preceded human rights considerations, defining the necessity of taking action before a mass influx of refugees could cross the Turkish border (unless the government deemed otherwise), and if they did cross the border, authorities would need to keep them in camps concentrated around it. Still based on the Geneva Convention's geographical limitation which stated that only asylum seekers from the EU could apply for refugee status, this regulation dictated the management of the next migrations flows, such as the Albanian and Bosnian refugees in the second part of the decade of 1990, who were granted temporary protection and subsequently returned home after the situation in their countries normalized.

In practice, signs of improvement for Turkish policies have been demonstrated, beginning in the early 2000's, with Turkey's gradual 'EU-isation' which included the need to review Turkey's migration and asylum legislation. Due to EU requirements, Turkey had to shift its policy in line with EU directives in the field, and legislation was passed in support of this process, including the Law on Work Permits of Foreigners (Law No. 4817) in 2003, which facilitated the bureaucratical process for labour migrants and transmitted a more welcoming image towards the migrant labour force. Ten years later and following multiple policy revisions and mutations towards a more inclusive approach, and as a response to the dramatic increase of the Syrian migration flow since 2011, in April of 2013 the most significant advancement in the field was undertaken with the adoption of the Law on Foreigners and International Protection introducing historical reforms in line with international and EU standards, bringing Turkey closer to a modern and fair management system. The new law, along with the Temporary Protection Status applied one year later in April 2014, finally removed the past limitations to people who didn't have neither Turkish descent nor culture, introduced formally the principle of nonrefoulement, and focused on the integration of refugees, irregular refugees and asylum seekers according to international norms, even though the geographical limitation to asylum seekers as per the Geneva Convention remained (İçduygu 2015, 6). It establishes also how the Temporary Protection status must be provided and what refugees need for registration, admission and departure while benefiting

from this status. It defines the responsibilities and rights of Syrians under Temporary Protection and regulates their identification process as well as the services available to them under this policy, whether they are registered or not, as well as outlining the cooperation between local, national and international actors involved in the response (The World Bank 2015, 3). Additionally, shortly after in 2015, the Directorate General of Migration Management (DGMM) was established specifically to work in the area, which was previously handled by the Security General Directorate, effectively demonstrating an evolution in the country's public policies and a different level of commitment towards migration management. The DGMM took the responsibility of registering every Syrian refugee, and both the Disaster and Emergency Management Authority (AFAD) and the DGMM work closely with UN agencies in this scope. Equally important national actors and policymakers include the Ministries of Education, Labour and Social Security, Health, and Family Affairs and Social Policies, along with provincial governors.

These new instruments reflected a more suitable approach to the situation at hand, which was previously unheard of: never Turkey had seen such a high number of refugees crossing its border, neither did it ever applied an open-door approach for such a significant amount of non-EU refugees. This forward-thinking solution came into existence following years of criticism by the international community concerning Turkey's treatment of refugees and asylum seekers due to the lack of a comprehensive policy. Indeed, the continuous mass flows of Syrians, which exceeded the most extreme numbers expected, came to challenge this evolution of the Turkish policy on migration and asylum seeking and forced authorities to create these new mechanisms to cope with the situation, including a new Temporary Protection Regulation specially adapted to it.

3.1.3. Turkey's policy towards Syrian refugees: the Temporary Protection Status

In the outcome of the human tragedy arising due to the Syrian civil war, the Turkish government has declared a policy of 'open doors' and nonrefoulement for the neighbouring Syrian civilians affected by the devastation, by providing temporary shelter both in camps and in various provinces, becoming the main actor in the scope of sheltering Syrians and providing

human and social needs including food, health care, education, psycho-social support, security, religion and communication (Koyuncu 2014, 16).

From 2011 on, with the arrival of the first groups of Syrian refugees, to early 2013, the biggest majority of them lived in camps managed by the AFAD, along with NGOs. However, from 2013 onwards, the number of refugees grew exponentially and eventually outgrew the capacity of the camps, starting to seek shelter in cities instead. The vast majority of the Syrian refugee population is now concentrated outside of camps, having a significant presence and consequent impact in the areas where they are located, along with the problem of keeping an accurate account of the people since many urban refugees are not registered. These refugees seeking shelter with family, have settled through local organisms or simply by their own means of subsistence, struggling to find appropriate housing and access to services. Their lack of labour permits results in searching employment in the informal economy, in exchange of low payed jobs often under dangerous conditions. On the other hand, the Turkish population is concerned about their arrival in big numbers which contributes for the increase of accommodation costs in some areas, unemployment or decrease of salaries in entry-level jobs. The Turkish state is also growing increasingly burdened financially, with limited support from the international community. At the start of 2015, the state's expenditure had crossed the US $5 billion threshold, with the international community covering only about 3 percent of this value (İçduygu 2015, 1). Thus far, Turkey was reluctant of including the international community in the management of the situation, believing to be able to cope by itself, though it became apparent that the crisis was escalating incessantly reaching unmanageable levels.

In this scope, with the aim of further increasing the quality of life of the Syrian refugees, Turkey has gradually shifted away from the 1994 Regulation on Asylum, towards a policy encompassing its open-door policy, as well as securing temporary protection, nonrefoulement and ensuring humanitarian assistance. The new Law on Foreigners and International Protection of April 2013 shed new light on the rights and status of Syrians, and along with it came a new Temporary Protection Regulation in October of 2014 setting out new provisions for bureaucratical processes (including registration and documentation), providing a legal temporary stay in the country to refugees until the optimal conditions of safety are reached in Syria. These

policies marked the first steps towards managing the migration flows more thoroughly, making use of the benefits of migration at the same time reducing human rights violations to migrants and refugees as much as possible, keeping a healthy balance between security and human rights (Açıkgöz and Ariner 2014, 24). The latter introduced temporary residence permits and access to social services and benefits including education, health care and the professional labour market (Berti 2015, 44). It improved overall standards of protection to Syrians while clarifying their rights, setting regulations able to protect a significant number of people entering Turkey as a refugee in the event of a mass influx, even though not providing a time limit for the duration of the status of 'guest' these refugees would receive (Ineli-Ciger 2014, 30-32).

Additionally, the Syrian refugee crisis had such an impact that the Turkish government started revising policies from other areas as well, shifting the approach to refugee management from state-centred to global governance with the involvement of the international community and NGOs, as well as a more realistic approach towards long-term management and planning. An August 2016 law made it possible for refugee workers with legal residence in the country to apply for permanent residence, while shortly after, in September of the same year, the government signed a binding document to formalize its relationship with the UNHCR and initiate the application of an EU-Turkey plan to improve the management of the refugees in the country (Çorabatır 2016, 2). Since late 2016 Turkey has been, despite significant public concerns, gradually implementing a process granting citizenship to qualified refugees, with over 10,000 having been granted citizenship by early 2017 with the numbers possibly rising to 50,000 by the end of the assessment of the applications (Betts, Ali and Memişoğlu 2017, 22).

Despite the positive changes and the demonstrated adaptability by the Turkish government, it is visible that the Syrian migration flow to Turkey has put the government's hosting capacity under serious strain, finding the country unprepared and in a complicated moment of policy revision. With the Syrian internal situation being far from a somewhat satisfactory conclusion for its citizens, encompassing long-term solutions for refugees becomes vital for their well-being, and a crescent involvement and support of the internationally community not only in financial terms but also in policymaking is vital to achieve this end. As such, and while the Temporary Protection Status for Syrians is a step in the right direction, further

policy revision focusing on long-term solutions would further improve the human rights and quality of life of the Syrian refugees living in Turkey.

3.1.4. Challenges brought to Turkey by the increasing Syrian human flow

There are significant challenges brought to Turkey as a consequence of the situation in Syria, not only financially, but also politically and socially. From the onset of the crisis, Turkey has been concerned with the state of affairs in Syria, considering its significant Turkmen and Kurdish populations and its geopolitical importance for the region. A situation such as a Syrian civil war would presumably entail large amounts of migration towards Turkey, as well as foment a potential cauldron of militia and terrorist groups that could pose a risk to national security. As such, the Turkish government tried to mediate the early situation by encouraging Assad to reform Syrian policies, but as it was unsuccessful with its proposition, it tried to support anti-Assad forces instead attempting to bring a swift end to the issue, taking sides in a regional conflict for the first time in its foreign policy history (Aras-Gökalp and Şahin-Mencütek 2015, 200). But as it is increasingly clear that the intricate conflict in Syria is not returning to normal in the foreseeable future, the long-term situation of the refugees is shrouded with uncertainty. They are not able to return home anytime soon, and pose challenges and difficulties to Turkish policies. The ever-growing population concentrated outside of the camps pose additional challenges to local authorities and indigenous populations, with an urgent necessity of addressing their basic needs from education and health to shelter and employment. This is especially relevant since more than half of the Syrians in Turkey are under 18, with the language barrier causing serious issues in many fronts and hindering their natural development (Eren 2016, 135) and causing fears over the resurgence of a 'lost generation' adhering to crime in order to subsist (International Crisis Group 2016, 12).

The initial idealization of the Syrian refugees as "guests" in Turkey has been gradually switching place with the more realistic focus on long term staying, though there is still work to be done in the context. With the capacity of the camps long outgrown, Syrians in urban areas have their conditions determined by the ethnic component of the local society they are inserted in, along with the history and demography of the host cities/districts. As such, conflict is at times

likely to occur due to different social and/or religious ideologies conflicting, such as the large Alawite populations of Hatay strongly opposing the increasing number of Sunni Syrians settling locally; Syrian Kurds settle more easily where large Kurdish populations are concentrated, while Turkmens are more openly received by Turks. Another social issue reported is the small-scale practice of polygamy (illegal and a crime in Turkey) in the southern part of Turkey, where some Syrian refugee women become second wives of Turkish citizens or get married before they are 18 years old; NGOs reported thousands of cases of unlawful marriage in the province of Kilis alone (Ahmadoun 2014, 3). These issues are a few examples constituting a challenge in the sense that a more local, personalized and individual approach to the refugees needs to be employed to ensure their success in social and religious terms (İçduygu 2015, 10).

Economic factors also determine the attitudes towards Syrian refugees, with the local indigenous populations growing increasingly concerned with the rise of the rent and housing costs that the mass flow of refugees entails, along with the increase of local unemployment through the competition for jobs and the decrease of salaries. The poor living conditions of Syrians also expose them to more visible roles with negative connotations, such as begging in the streets, thus negatively influencing the opinions of the locals. Consequently, many locals end up believing that Syrians commit crimes or constitute a security issue (ORSAM and TESEV 2015, 16-17), as well as a large economic burden for the state while many Turkish live in poverty and are left unattended. While the public perception of the role of the state in providing economic benefits to Syrian refugees is largely exaggerated and unrealistic, it is true that the Turkish government has spent large amounts of money in managing the situation, with the expenditure reaching US $5 billion by early 2015 (İçduygu 2015, 11), thus contributing to worsen the Turkish public opinion on Syrian refugees. As such, it can be understood that the rather significant number of Syrian refugees in Turkey has gradually resulted in negative feelings throughout the Turkish population, with economic and social factors contributing to the escalation of tension in multi-ethnic provinces (Öztığ 2016, 146). This is despite the fact that Syrian refugees have also been noted as contributors to the Turkish economy, with Syrian deposits in Turkish banks increasing exponentially, as well as the number of companies and business in cities like Mersin and Gaziantep (Öztığ 2016, 142-143).

With the increasing involvement of the international community slightly alleviating the economic issue, it is yet not enough as the Turkish government is mainly policing the crisis by itself. A greater international cooperation and opening by the Turkish government in other fronts is necessary for the best management possible, as the mass flows started in a moment when Turkey was revising its policies on refugees and asylum seekers, thus being theoretically unprepared to provide the best answer possible. At first, Turkey even opted out of the Syrian Regional Response Plan of the UN and wouldn't cooperate with the UNHCR other than providing very basic needs as the government believed they would be able to cope with the situation by themselves; however, time proved them wrong. It is undeniable that progress has been made since the first flow of refugees entered in 2011, but increasingly focusing on a policy of long-term integration with international assistance instead of temporary protection would certainly benefit all parties involved and help tackle the challenges brought up to the country (Kirişci 2014, 2), although there is still work to be done in order to earn the full support of the population regarding this issue. As a consequence, the government response has been mainly humanitarian in nature, seeking to provide the best standards possible to the refugees in the short-term. Policy management and application has been largely conditioned by this, as demonstrated by Çorabatır (2016, 15):

> Under the coordination of the prime minister's chief advisor on migration and humanitarian aid, seven working groups composed of representatives from relevant ministries drafted a series of needs assessments in early March 2016 addressing the following themes: (1) humanitarian assistance, (2) education, (3) health, (4) municipal infrastructure, (5) social support and harmonization, (6) labour force and economy, and (7) migration management. These sector-based needs analyses cover 2016 to 2018, an initial "first stage" that can be built upon after 2018 depending on developments inside Syria.

Nonetheless, these working groups developed detailed norms in specific areas, such as the work permits for Syrians under temporary protection passed by the government on January of 2016, and further policies reducing barriers to the refugees can encourage a greater level of stability and understanding.

The Turkish government is coming to terms with the necessity of providing long-term solutions of integration and protection for the Syrian refugees, though in practice these have largely been dependent on guarantees of support and burden sharing by the international community. Turkey has publicly expressed dissatisfaction, on multiple occasions, over the low level of international support concerning the issue, especially regarding financial support. Additionally, there is considerable work to be done in the scope of shaping public perception of the Syrian refugees, with many misinformation and confusion around them contributing to alienate both the refugees and the Turkish population (Tolay 2014, 9); greater transparency over the benefits that Syrians under Temporary Protection obtain could contribute to ease social tensions (The World Bank 2015, 9). This, combined with the shortage of suitable accommodation, basic income and enough coverage for education and health care has pushed thousands of Syrians to leave Turkey towards Europe, considering the impossibility of seeing peace in Syria in the short term (Csicsmann 2016, 93).

3.2. Assessing the Turkish public services provided to Syrian refugees in a Human Rights perspective

In the scope of humanitarian assistance, with the beginning of the refugee influx in April of 2011 Turkey started by establishing emergency tent camps in the province of Hatay to host the first 263 Syrian refugees crossing the border (Öztığ 2016, 140). The initial response of the Turkish authorities was to follow this strategy and set up refugee camps across the border with Syria, which were under the supervision of AFAD until the establishment of the DGMM in 2015, with the latter being the supervising authority since and authorized to work with international organizations and NGOs. With the incessant continuation of the civil war, millions continued to cross the Turkish border in the following years either to settle locally, or to cross over to Europe, with the escalation of the number happening from 2014 onwards after ISIL's takeover of the northern region of Syria.

An issue of national pride, the camps (officially dubbed 'temporary protection centres') have been described as 'well-established towns with primary and secondary schools, health

clinics, community centres, supermarkets, playgrounds and even laundry rooms' (Dinçer et al. 2013, 93). They meet the basic needs of the refugees, with the provision of education facilities and health centres, playgrounds and social areas, food and phone booths for public usage, earning Turkey a lot of praise for the conditions they were able to provide. The upkeep of the camps costs, the Turkish government an estimated 450 million euros per month of their own resources, with the total by October 2015 estimated at over 6.5 billion euros (Çorabatır 2016, 11). By 2016, a rather low number of registered Syrian refugees were settled across 26 temporary accommodation centres in 10 cities, having access to education and health services, in addition to accommodation and food, but also social and psychological support. And as much as the Turkish camps have been providing positive public services, their capacity was fast outgrown by the huge number of refugees, with the vast majority of them seeking shelter outside of the camps instead for various reasons, posing different policy problems that authorities needed to review since these groups would face higher risks in every capacity that they otherwise wouldn't by being settled in camps. This refugee population accounted for over 90% of the total, being settled in an urban setting seeking more opportunities, especially in the professional context, and posing a different issue for the Turkish government and local authorities to manage in order to ensure their well-being (Öztığ 2016, 141).

As long as they are registered with the authorities and possess a valid ID number, Syrians living in urban areas have access to free health care, with the unregistered entitled to emergency care only. Up until August of 2015, they also benefited widely from freedom of movement (now living in all 81 provinces of Turkey). In August of 2015, the Ministry of Interior, based on the Law on Foreigners and International Protection and the Temporary Protection Regulation of 2014, ordered local governorates to control this movement, with the aim of enforcing the Syrians to reside and exercise their rights to education and health care in the provinces they were assigned (Çorabatır 2016, 12).

In the professional context, the biggest majority of Syrian workers are employed in the construction, manufacturing, agriculture and heavy industries where they are vulnerable to exploitation due to not having the right to work under Turkish labour laws. To improve this situation, Turkey has implemented a system of work permits for Syrian refugees living in Turkey

for a minimum of six months in January of 2016, forcing employers to pay the national minimum wage, but these have been issued in a rather scarce number due to several restrictions. Prior to that system, only approximately 20,000 Syrians were issued work permits between 2011 and 2016, accounting for 1% of the working age population, in contrast with the estimated 500,000 to 1,000,000 employed in the informal context. Consequently, the system is expected to have a bigger impact in improving this context, though a big part of the Syrian labour force is still highly vulnerable as the applications remain below expectations as the process is still recent and public awareness is not high enough (Betts, Ali and Memişoğlu 2017, 20).

In the scope of providing services and protection for urban refugees, local and international NGOs (along with previously settled Syrian residents) are also very important actors. However, despite the projects they have in place for them, they remain limited in scale and quantity due to the high demand and insufficient cooperation with the government. As such, the role of national and foreign NGOs remains limited due to the lack of a common understanding on the issue.

Specifically regarding international NGOs, during the first two years since the start of the crisis, they were not officially allowed to operate in Turkey. They travelled nonetheless to the region and focused mainly on cross border relief operations, gradually working within Turkey through partnerships with national NGOs. Their scope in Turkey remained somehow limited, though cooperation with the government improved by the beginning of 2014 with the growth of the refugee flows; many were allowed to operate inside the country though they are still imposed limitations that hinder their performance, as well as political obstacles in working with local NGOs. Despite this, they grew exponentially in number since then and by 2016 there were an estimated 80 international NGOs working closely with Syrian urban refugees living in border cities (Memişoğlu and Ilgıt 2017, 331). Notwithstanding, there is a considerable amount of criticism aimed at international organizations by the Turkish government and NGOs, claiming their role to the irrelevant and more focused on data analysis rather than contributing directly to improve the day-to-day routine of the refugees (Kanat and Ustun 2015, 35). Concerning Syrian aid groups, they provide basic services with special focus on education, despite facing financial difficulties.

In parallel, an issue preventing the full understanding between the government and international donors is the approach of focusing on Syrians as temporary guests instead of permanent refugees, as the donors expect the Turkish government to implement transparently long-term measures, while these have been mainly focused on the short-term. The lack of widespread international aid has also resulted in disagreements between the Turkish governments, NGOs, donors and international agencies concerning the management of the funds and the projects, since the Turkish government insists to remain directly responsible for its projects and implementation. Additionally, many NGOs have demonstrated a lack of coordination resulting in the duplication of services while others remain unattended (Çorabatır 2016, 13-14). The apparent lack of general understanding and communication is hindering the relations between the different political and social actors.

The open-door policy and overall welcoming approach have mostly found a warm reception from the population, though some local responses have been marked with issues. Initially, Turks went as far as making personal financial contributions in support of Syrian refugees, as demonstrated in a 2014 survey where 31% of the respondents across 18 provinces confirmed it (The World Bank 2015, 5), though with time muter or generally negative opinions have mainly taken over. In economic terms, the arrival of the refugees has brought a mixture of financial improvement (since some refugees have assets and invest in the local economy) and unfair competition, with some companies taking advantage of the situation to illegally hire a cheaper workforce (consequently causing the increase of local unemployment and decrease of salaries); the costs of living (especially rents) grew significantly as well, leading to some resentment from the locals. The public reception is also determined by the demography of the province where the refugees are hosted, with sectarianism playing a significant role for either peaceful relations or tension considering Turkey's diverse population, including millions of Alevi and Kurds. Critics to the presence of the refugees point to the increasing islamisation of the Turkish culture and scattered cases of child labour and human trafficking, though the situation has mainly been stable. Many refugees are well integrated into life in Turkey, with multiple successful Syrian businesses visible.

Nevertheless, the majority is still hindered by the lack of legal guarantees and long-term solutions. Allowing Syrians to work and granting them more political and religious freedom, as well as starting to change the wrongful public perception created that Syrian refugees are only temporary guests with widespread access to government benefits, are steps needed to take towards a suitable policy (Chemin 2016, 72). A bigger opening from the Turkish government towards international cooperation other than in the financial scope by allowing international actors and INGOs to operate more widely, as well as greater dialogue, understanding and common goals between NGOs and the Turkish government are other steps in benefiting the Syrian refugees. Syrians are generally thankful for the protection and services Turkey provides, with many still considering remaining in the country after the crisis in their country is resolved, while many others would rather stay in Turkey awaiting the opportunity to build a new Syria rather than travelling to the EU with little prospects of coming back (International Crisis Group 2016, 4).

3.3. The significance of the EU-Turkey Refugee Deal

The EU-Turkey refugee deal of March 2016 is of great significance due to officially marking a common approach of international cooperation between political actors, with views to improve the human rights and living conditions of the Syrian refugees. Equally important is the fact that it marks a change of pace from the EU towards Turkey, as relations between both actors have historically been marked with ups and downs, but through its ratification a new level of mutual commitment was demonstrated (Provera 2016, 6). In the other way around, it is also significant for exposing a different train of thought from Turkey, now more dedicated towards finding international solutions, which effectively marked a gradual change of mind over the course of the years of the crisis.

As soon as the first groups of Syrian refugees entered Turkey in April 2011, with the Turkish government declaring its open-door policy, the UNHCR, UN agencies and the international community offered assistance which was initially refused, as Turkey believed to be able to cope with the situation by itself (since the authorities believed the situation would be

temporary and promptly solved). But as the number of refugees was ever-growing by mid-2012, the Turkish government adopted different strategies by focusing on 'zero point delivery' in an attempt to slow down the arrivals of refugees and providing them with the necessary assistance within the Syrian border (Aras-Gökalp and Şahin-Mencütek 2015, 203), while requesting international assistance to the UNHCR and to some UN agencies, granting them access to certain camps and authorization to provide assistance; though keeping many restrictions and willingness over fully controlling the operations without international interference.

According to the Turkish government, the sharing of responsibility contains two main components, namely financial support and resettlement. At the beginning of the Syrian crisis in early 2011, the Turkish government had rejected help from the international community, firmly believing the situation to be temporary and being able to deal with it by itself. With the growing uncertainty around it by mid-2012, Turkish authorities changed their policy and opened their doors in favour of international cooperation. Since then, Turkey has been a beneficiary country in the multiple Syrian Regional Refugee Response Plans, receiving funding through it pledged by donor countries. These have however only pledged an average of 30 percent of the total amounts requested, thus paling in comparison with the Turkish expenses in the management of the crisis. By 2014, the Turkish government declared that it had only received a funding of $250 million from the international community since the beginning of the crisis, falling extremely short of its expectations and of what it conceived to be a valid assistance (Ahmadoun 2014, 2). An explanation for this issue is advanced by Çorabatır (2016, 17), suggesting that Turkey's initial attitude towards rejecting international cooperation and the subsequent change of opinion though maintaining the willingness to directly control the humanitarian spending by itself was met with reluctance by the international community, reflected by the total amounts pledged. Thus, the first component of the sharing of responsibility according to the Turkish government has not met their expectations. Concerning the second component (resettlement) Turkish authorities have also been dissatisfied since the number of resettlement places offered for refugees in Turkey has been relatively low. Steps to improve both situations were taken with the increasing involvement of the international community.

By the end of 2015, official estimates elevated Turkey's expenditure at $7.6 billion since the beginning of the civil war in 2011, with a scarce 26 camps established for 2.2 million Syrians. Thus, only 15% of the total number of refugees was able to benefit from this setup (Elman 2015, 1). In the summer of that year, Turkey was mainly managing the situation by itself (especially in financial terms, with the international community's involvement focused on assisting in providing services but also in periodical donations), but by then the migration surge had left the regional scope to affect Europe as well. As such, the EU resorted to improve relations with Turkey due to its geopolitical importance and to help manage the flows in an attempt to reduce the high number of refugees seeking European countries (Ihlamur-Öner 2014, 43). A prominent issue contributing to this were the thousands of refugee deaths mostly by drowning trying to cross to the EU; many of these refugees originated from Turkey, who due to the harsh conditions for the many millions living in the urban setting, were desperate in seeking better conditions, entrusting their lives to smugglers (Elman 2015, 7). This situation was extremely scrutinized by the media and met with significant public backlash as a result of the treatment of refugees by some European countries as well as the many thousand lives lost at sea. Turkish international relations (especially with the EU) saw a positive turn in tendency through various new arrangements and regulations, demonstrating an increased commitment towards cooperation in the management of the enormous refugee flows. As EU leaders had failed to find an internal solution of burden sharing and redistribution for the influx, they sought to transfer this responsibility to Turkey (Memişoğlu and Ilgıt 2017, 329).

Turkey was receptive towards this newfound interest and in March of 2016 a joint action plan between Turkey and the EU outlined financial support destined at helping Turkey in managing the humanitarian crisis; this plan was not only focused on the management of the situation at hand, but also at improving EU-Turkey relations in a broader context, opening a new chapter in cooperation between the two actors. The plan was set forward in a discussion between European Commission president Jean-Claude Juncker and Turkish president Erdoğan on October 5th 2015, and reinforced by Angela Merkel's visit to Istanbul roughly two weeks later on October 18[t]th (Krumm 2015, 31). In the scope of the refugee crisis, it consists in providing assistance to support the refugees and the local communities in Turkey, and in preventing illegal flows towards

the EU; for this second part of the plan it was agreed that Syrian refugees would be resettled from Turkey to EU countries, that visa regulations for Turkish citizens visiting the EU would be abolished, and that advancements in the long-term negotiations of Turkey's entrance into the European Union would be undertaken. As far as Turkey is concerned, it was agreed that it would readmit refugees moving illegally to Greece as well as significantly decrease the flow of refugees and asylum seekers towards the EU by increasing its efforts in providing suitable national and local solutions (Provera 2016, 3).

In the financial front, the agreement saw the EU pledging a funding of 6 billion euros over the course of 3 years (Çorabatır 2016, 1-2). This funding was bringing the financial support of the international community closer to Turkish expectations, but its application has been extremely slow, with only 50 million Euros received by early 2016 (Csicsmann 2016, 93). And even though the financial aspect is of course important, as stated by Çorabatır (2016, 1), 'international responsibility sharing needs to extend beyond the financial dimension if EU policymakers are to persuade Turkey to create credible and durable in-country solutions'. In fact, the EU-Turkey relations have long been troubled, and Turkey became a perfect example of the restrictions raised by the EU when it started its extensive policy reform to meet the criteria in order to restart the negotiations for accession (Aydin and Kirişci 2013, 375). The refugee crisis has somehow forced the EU to remember the importance of Turkey for its aspirations, reopening the decade-long negotiations and seeking solutions for a common benefit, though at a somewhat slow pace (Benvenuti 2017, 2). Humanitarian organizations such as Amnesty International had identified the need for the EU to support transit countries such as Turkey in order to develop suitable policies, as well as increasing humanitarian assistance and resettlement opportunities (Amnesty International 2015). Therefore, political stability and trust needs to improve for this cooperation to be effective, and to help Turkey to revise its migration and asylum-seeking policies in an effective manner for the well-being of the refugees; the on-and-off Western interest will only contribute towards reinforcing the Turkish perception that 'is interested only in its strategic and political interests' (Kanat and Ustun 2015, 46).

Chapter 4 – Urban-local Syrian refugee management in the city of Adana

The final chapter of this dissertation is dedicated to the data collected locally in Adana on the urban Syrian refugee management, through the point of view of the local actors actively involved. They are representative of the evolving Turkish response to Syrian refugees in ensuring their human rights and basic liberties, in light of the flaws of the international refugee regime Turkey adheres to. Hence, this point of the work is the result of the research done in the three previous chapters, combined with the on-site research performed in the city of Adana. We also explain why Adana is especially relevant for this study, before providing our methodology and structure for the on-site research. Finally, we dissect the various topics of the interviews performed next to nine local actors, from governmental to non-governmental representatives, which provide the main body of information on the effectiveness of the policies adopted and the current standing of the cooperation between actors, including internationally, along with the current state of the Syrian refugees in Adana. This enables us to answer our research questions and draw our conclusions.

4.1. Introduction

The city of Adana is a major Turkish city, currently the fifth most populated of the country. Given its proximity to the Syrian border, less than 330 km far, it became consistently ranked as one of the top ten Turkish cities with the biggest number of Syrian refugees, especially as they grew into the cities once the capacity of the camps set up across the border was swiftly outgrown. The bulk of the research work undertaken for this case study focuses thus on Adana and on its local refugee management responses, which are representative of both the investment of Turkey ad its difficulties in improving over the last years the rights and well-being of Syrian refugees, as well as refugees, asylum seekers and migrants in the wider context.

In order to providing the best research results possible, we have examined the work of the local actors managing the ongoing influx of Syrian refugees, in regard to the evolution and

development of the migration policy in lights of the increasing immigration to Turkey originating from Syria. Since Adana is divided in several districts, it has different municipal and non-governmental actors operating, and as such we provide information demonstrating the local management of the different migration management actors working closely with the refugees, such as the Seyhan, Yüregir, and Adana Metropolitan municipalities, the Directorate of Provincial Immigration Administration, the Yüregir Social Services Centre Directorate, the Directorate of Provincial Disaster and Emergency Management (AFAD) as well as local NGOs such as the Association for Solidarity with Asylum Seekers and Migrants (SGDD-ASAM), Support to Life (STL), and the Human Rights Association.

With this case study research, our objective is to demonstrate in practice how the Turkish policy reforms occurring over the past decade have been changing the way the responsible institutions operate, with special focus on the responses that have addressed the Syrian refugee crisis and the improvement of their human rights and quality of life. These modernised Turkish migration policies, outlined in detail in the previous chapter of this work (Chapter 3), have changed the political framework of the migration law and forced the Turkish state actors, local and national non-governmental organizations (NGOs) to re-adapt and operate in a manner previously unseen, to meet the specific needs of the Syrian refugees currently widespread in the country and needing urgent assistance.

4.1.1. Methodology

Defining the methodological approach to reach this end was crucial to achieve the most accurate results possible. The contemporary character of the topic of this research called for the development of the case study as the main approach, supported by a full range of evidence such as documentation, interviews and observations (Charles Schell 1992, 3). While we had also to perform a limited amount of quantitative research to justify the statistical data presented over the course of this work (mostly supported by official reports and primary documents), the methodological approach remained mainly interpretivist, hence, qualitative in nature.

The interviews performed with local actors were the main vehicle for the creation of a valid constructivist body of work on the ongoing local urban refugee management in Adana, since they were designed to get the knowledge and experience of the interviewees on this topic and allowed us to explore this complex issue by having access to practical and contextual factors (Open University and Save the Children, 11). Interviews, especially in the case of semi-structured interviews, allow room for discussion on the topic that go further than just obtaining answers on the questions asked (Hitchcock and Hughes 1989, 83), enabling opportunities for the interviewer to achieve a wider set of results on the topic at hand.

With this methodology in mind, this case study was constructed through extensive literature review including governmental reports and data collection from a variety of literary works, along with the case study research in Adana, by setting up exploratory and semi-structured interviews with the main actors (municipalities, state bodies and local NGOs) in the time frame between August-September 2017 and June-July-August 2018. While the exploratory interviews enabled a first look into the ways these institutions operate and an informal, wider look into the policies being enforced and their practical effects on institutions and refugees, the semi-structured interviews gave us more control over the information we sought to obtain from the interviewees while giving us freedom to follow new leads as they appeared (Bernard 1988), allowing to draw a more detailed picture of the ongoing scenery of local refugee management.

Specifically concerning the semi-structured interviews, we have established a set of similar questions slightly adapted according to the different categories of interviewees, but favouring consistency in data collection in order to enabling us to compare the answers in the context as a whole. Interviews were recorded using a tape recorder, after obtaining permission from the interviewees to do so. Aside from being a basic practice of ethics in the fieldwork, it was indispensable for collecting and transcribing with minimum error or bias, the data that has been analysed and used to write this chapter.

The duration of each semi-structured interview ranged from 30 minutes to 1 hour, and were performed next to responsible persons in the municipalities of Seyhan, Yüregir and Adana Metropolitan. The sole case that we did not obtain permission for recording was next to the

Yüregir Social Services Centre Directorate, which couldn't allow it for security reasons. In this instance, written notes were meticulously collected and used instead. I must also stress that I am Turkish and therefore I had no need for translation assistance during fieldwork.

The following questions were asked, previously compiled and tailor-made to enable answering the research questions and provide a valid case study:

- According to recent research, the highest number of Syrian refugees hosted outside of camps in Turkey ranks Adana in the sixth place. How do you explain the reason for this?
- Can you give information about the existing social services that you have provided for the Syrian population between 2013-2016?
- As a result of the Syrian influx, which difficulties have you faced both for the people working in your institution and for the people living in this city, as well as for the city of Adana itself?
- Which solutions have been developed by your institution to face the problems and difficulties you have described in response to the settlement of the Syrians in the city?
- How did you participate in coordination mechanisms at the provincial level?
- How is the cooperation between the government and your institution performed?
- How is the support provided to your institution?
- Which are the applications and projects developed by your institution in cooperation with UN agencies and international donors?
- How has cooperation between NGOs and local authorities developed?

The exploratory interviews performed, on the other hand, were done with the Directorate of Provincial Immigration Administration and the AFAD. We presented to every institution a declaration from the University of Minho signed by this project's supervisor, Professor Isabel Estrada Carvalhais, explaining the topic and the research and confirming that their names would not be used in this study.

Although the findings are not particularly exhaustive, the most important points have been emphasized on the role played by the key actors in local management of large groups of displaced persons, and more specifically of the Syrian refugees.

4.1.2. Structure

This chapter takes into account all points written thus far and serves to demonstrate their practicality within a specific context in a meso and micro level of analysis. In other words, it presents the city of Adana as a singular case of a Turkish city with a significant presence of Syrian refugees, along with the urban management mechanisms that exist to accommodate these refugees, mainly developed and adapted following the recent changes in the Turkish migration framework accelerated with the outbreak of Syrian mass migration into Turkey. This in turn highlights the flaws of the international refugee regime and personifies the myriad of problems found by the Syrian civilians since the beginning of the civil war.

The next point of this chapter will briefly outline the history and demography of Adana along with the institutions working with refugees in the different districts of the city, thus operating as the contextual backbone of the chapter.

Afterwards, and prior to gathering our conclusions, we perform the analysis of the data collected on-site by presenting a body of text representative of the experiences of those working face to face with the refugees, whose work is determined by the ongoing framework of refugee law, hoping to determine the stronger and weaker points of the current policy climate and how it directly relates to and affects the human rights and well-being of the Syrian refugees. This part is vital to identify the biggest challenges to basic needs and human rights the refugees continue to face, outlining the urgent character of their situation and the necessity for crucially addressing them despite the important and positive efforts made by the governmental and non-governmental actors thus far.

4.2.   Adana's regional relevance and local humanitarian responses

4.2.1.   Adana as one of Turkey's major urban poles

With over 3000 years of history, Adana is strategically located in the Eastern Mediterranean area and has an important geopolitical relevance. The city, located in the centre of the Çukurova region (mostly known as Cilicia), is located in the Northeast of the Mediterranean Sea.   The geo-cultural Çukurova region, where the Adana, Mersin, Osmaniye and Hatay metropolitan cities are located, is a large and flat area where the agricultural land is rich and arable, hosting approximately 5.62 million people[7]. The city of Adana is located in an area where many different cultures have been interacting with each other throughout history, but it's also located in an important gulf of Asia, Europe and Africa (Yörük 2012, 287). Adana, both due to its position in Turkey and its proximity to border countries such as Iran, Syria and Iraq, is an important crossing point and as a result of its strategic location, from the ancient times until now the city has preserved its importance as one of the main Turkish cities.

According to the statistics from the Turkey Statistical Institute (TUIK), Adana is the sixth most populous city in Turkey with, as of 2017, a population of 2,216,475[8]. Since it is located on fertile lands, agriculture along with the textile and industrial sectors are the biggest source of income, attracting both internal migration from Turkey and external migration from the bordering countries looking to settle in and contribute to the local labour force. Even though it is a big city, the cost of living is not expensive unlike other major Turkish cities, making it even more attractive for migration. As stated in the study of Memişoğlu (Memişoğlu, Ali and Betts 2017, 24), the socio-economic profile of Adana and the development of the textile sector and agriculture as well as being close to the border provinces make the city of Adana attractive.

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[7] Adana Metropolitan Municipality website, available at: http://www.adana.bel.tr/adana/
[8] Turkish Statistical Institute website, available at: http://www.tuik.gov.tr/UstMenu.do?metod=temelist

Figure 5 – Location of Adana within Turkey (World Atlas 2015)


Source: World Atlas, Where Is Adana, Turkey?

The late Ottoman period had an important multicultural impact in the city, as a location where different ethnic elements and cultures were integrated. In addition to the Greek, Italian, British, Romanian, French, Russian, Dutch and Serbian people who settled in around the period of World War I, there were also Armenian and Rûm people established locally (Özdemir 2007, 204). Although the Ottoman Period is a period in which migration, especially from people of Arab origin, intensified greatly, wars had an important role in the creation of new migration flows. When the Ottoman Empire entered World War I in 1914, Muslim refugees from the occupied territories, especially from Syria, Mesopotamia and Eastern Anatolia, migrated to the city of Adana, which was located among the unoccupied areas of Anatolia (Özdemir 2007, 29).

4.2.2. Adana's management of Syrian refugees

Adana is one of the Turkish border cities where Syrian migrants have widely settled in, even before the beginning of the political crisis in Syria. In 1998 it was the site of the signing of a protocol (colloquially known as the Adana Protocol) between the Turkish and the Syrian governments, a major milestone in the rekindlement of the relations between both countries (Cagaptay and Evans, 2012). The choice of the migrants to settle in the border cities has different reasons, one of the biggest being the wish to be closer to home hoping for a positive change in their homeland, after which they could swiftly return to their culture, families and lifestyle.

According to the TUIK (TUIK, 2017), between the years of 1980-2017 the city of Adana saw 49,509 registered migrants of various ethnicities; this is representative of a city where migration is relevant and frequent. Adana is divided in 15 districts: the main ones with the higher populations are Seyhan with 800,387, Yüregir with 424,999, Çukurova with 364,118 and Sarıçam with 163,833 (TUIK, 2017).

Figure 6 – The geography of Adana (Coğrafya Harita 2016)
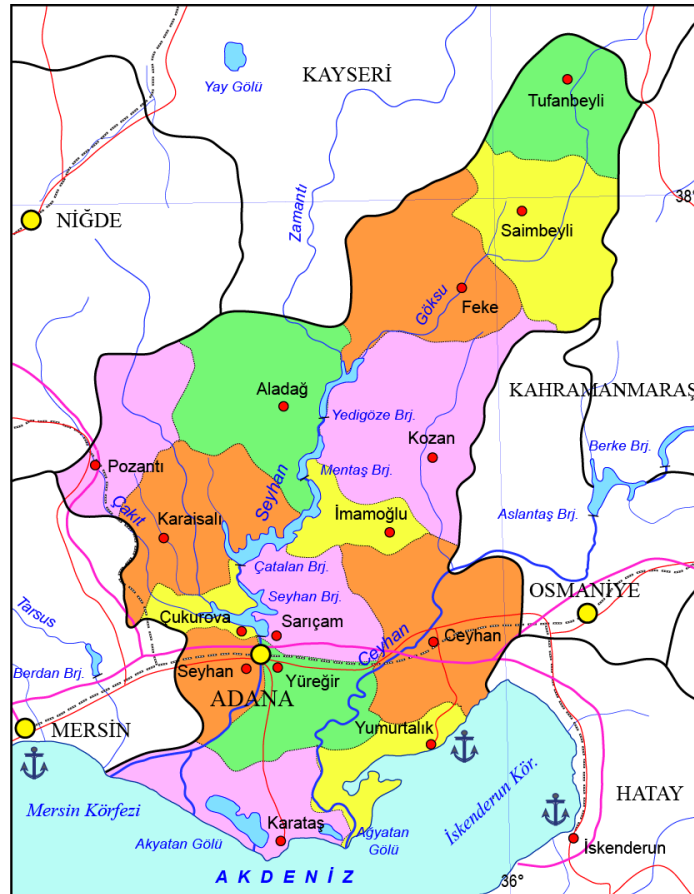
Source: Coğrafya Harita, Adana Administrative Map

Following the events in Syria in 2011 which caused mass flows of refugees to arrive to Turkey around that period, with the open-door policy adopted by the Turkish authorities, the government entrusted AFAD to manage the registration process of Syrian refugees and to manage the camps set in cooperation by the government, AFAD and the Turkish Red Crescent (known locally as Kızılay). At first, Syrian refugees were mostly accommodated in camps set up

specially for them, and as a result the numbers given in the first Turkish official reports following the outset of the crisis are representative of the camp population. In Adana, the Sarıçam Temporary Shelter Centre was established for Syrians in 2013. According to the report "2013 Turkey Migration Report" from the Republic of Turkey's Ministry of Interior Directorate General of Migration Management (DGMM), it is shown that in the Sarıçam Temporary Shelter Centre the Syrian population was 11,847 (T.C. İçişleri Bakanlığı Göç İdaresi Genel Müdürlüğü 2013) in 2013, with 2014 bringing little change in this number according to the same source: 11,109 (T.C. İçişleri Bakanlığı Göç İdaresi Genel Müdürlüğü 2014). But when we look at the DGMM's 2015 report, it is shown that the number of Syrian refugees under Temporary Protection from the Sarıçam camp went down to 10,746 (T.C. İçişleri Bakanlığı Göç İdaresi Genel Müdürlüğü 2015). Starting from 2016, DGMM's report started to communicate the number of Syrian refugees as a whole, meaning not just from the camps but also the refugees settled in the urban context, the latter of which was presented under the title "Distribution of Syrian Foreigners Under Temporary Protection by Provinces" where the number of registered Syrians in Adana was 149,738. As of 2018, the number of registered Syrians in Adana under the policy of Temporary Protection is 225,220, while the number of registered Syrians in the Temporary Shelter Centre in Sarıçam is 25,864[9].

In Turkey, the refugee policy is ruled by the government, with the regional governorates acting on behalf of the national government and local municipalities having an equally important role in shaping the socio-economical aspects of integration. In the cities with the biggest presence of refugees, it is the governorates who are mainly responsible for coordinating the different actors involved in the local refugee response, whether these are governmental or non-governmental actors (Memişoğlu, Ali and Betts 2017, 22-23). The local government in Adana represents different political parties, and consequently the forms of operation and local responses for refugees are varied. The biggest municipalities which have an important weight in the city and have an important role with their local responses for refugees are the Metropolitan Municipality, managed by the Nationalist Movement Party (MHP); the Seyhan Municipality,

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[9] DGMM website, available at: http://www.goc.gov.tr/icerik6/gecici-koruma_363_378_4713_icerik

managed by the Republican People's Party (CHP); and the Yüregir Municipality, managed by the Justice and Development Party (AKP). Another state body was established in 2014 and is connected to the Adana Provincial Directorate of Family and Social Policies, namely the Yüregir Social Services Centre Directorate. This centre was not created specifically for Syrians, but to provide social services by focusing on protective, preventive and supportive measures, as well as in the development, guidance and counselling of children, the youth, women, disabled individuals, elderly people and their families. The Provincial Directorate of Family and Social Policies also attributed responsibilities to this centre for accommodating Syrians seeking help.

The Directorate General of Migration Management (or DGMM, the new major bureaucratic agency established in 2013) took over the management of the Syrian refugee situation from AFAD. With the Law on Foreigners and International Protection, the DGMM started to operate in 81 provinces, 148 districts and outside of Turkey (T.C. İçişleri Bakanlığı Göç İdaresi Genel Müdürlüğü 2015). In Adana, the provincial directorate of this institution is a main governmental institution responsible for the legal process and registration of foreigners along with matters of permanence in Turkey as well as entrance of foreigners to Turkey, expulsions and deportations, international protection, temporary protection and protection of human trafficking victims in accordance with the determined policy, legislation and aims to the Directorate General.

Regarding the profiles of NGOs, SGDD-ASAM has been operating in Adana since 2015 and is one of the main NGOs related with migrants and asylum seekers which was originally established in capital city of Ankara more than 20 years, working in a centre oriented system. Since its establishment, besides providing psycho-social support for asylum seekers and refugees coming from conflict zones, this NGO is also dedicated to help them to fulfil their primary needs, provide access for fundamental rights and social services for the refugees and asylum seekers in Turkey. Another NGO, known as STL, is an independent humanitarian organization established in 2005, seeking to help disaster affected communities and meeting their basic needs and rights, working in a centre oriented system with their headquarters located in Istanbul. STL started to work in Adana in 2016, and Adana was a temporary site for them in this year, while they carried out works concerning child labour during the seasonal agriculture period. The Human Rights Association (Insan Hakları Dernegi, or IHD) was founded in 1986 by 98 human rights defenders

with the aim of conducting supporting works regarding human rights abuses. IHD has 34 branches in Turkey and is a non-governmental organization with headquarters in Ankara. The Adana branch of the IHD could not carry out service-based works on refugees locally in the past, instead conducting more rights-based works starting from 2016.

Now, with this understanding on the profiles of the institutions operating in Adana under the new Turkish policies and government regulations, we can proceed to analyse the feedback gathered on-site from these actors concerning the Syrian refugees, their well-being and human rights protection.

4.3.   Dissection of the case study's on-site research: results of the interviews

Having reached the core of this chapter and the central piece of our research, this section intends to answer the main research question of the dissertation: "How has the local response adapted to Syrian refugee management in the city of Adana after the big flow of migration to Turkey between 2013 and 2016?". To achieve this, we have undertaken very specific methods of data collection by involving interviews (in total two exploratory interviews to different governmental institutions, and seven semi-structured interviews distributed between three municipalities, three NGOs and one governmental institution), documents and reports from a wide variety of sources, organized in a way that will also allow to address the secondary questions of this work.

The on-site observations were performed with officials from governmental institutions and representatives from non-governmental organisations in the city of Adana, in order to obtain a first-hand testimony on the efficiency of these agents in providing and managing the local mechanisms and responses for the Syrian refugees, as well as the effectiveness of the measures in achieving a satisfactory level of human rights protection. As far as the logistical aspect of this work, the interviews conducted with governmental institutions officials were performed efficiently with no difficulty in reaching the authorities who were quite cooperative for this work, though for the time frame of our work (between 2013-2016) the officials couldn't provide as much information as we expected since that period represented a complicated timeframe in

Turkish migration policies, with many new legislations being adopted and applied specifically to address the Syrian refugees; as such, only after 2016 more practical results in terms of projects and institutional cooperation started to emerge. The interviews with NGO representatives were performed equally efficiently, despite the structure of the central management of these organizations requiring time to access due to the bureaucratical process behind their functioning, also needing their permission to be able to share the information provided during the interviews publicly.

We have determined that the best structure for the questions, in order to obtain the relevant information we sought, was to separate them into different priority blocks, starting with the relevance of Adana as the destination for the refugees, focusing afterwards on the services provided in the city for them from 2013 to 2016, to proceed with the difficulties found by the workers and the local population in fulfilling such services, as well possible solutions that have been implemented to overcome the difficulties. Subsequently, we sought to determine the extent of the synergy between the new governmental measures and the different actors in Adana to understand how these are applied in practice.

To finalize this research, and following all the information gathered in the interviews, reports and documents, we focused on the challenges to basic needs and human rights of the urban Syrian refugees in Adana, through critical evaluation and local observation.

4.3.1. On the relevance of Adana as the destination for the refugees

An initial question asked was related to the reason why refugees preferred Adana. The intention was to understand the reasons underneath the high numbers of Syrian refugees in the city. The authorities in the municipalities had similar answers and reasons for this, but the top answer was the fact that Adana is a transit point for Syrians (being located close to Syria), and also because it is an agricultural and industrial region where Syrians under temporary protection are allowed to work, along with favourable climate conditions.

The authorized person from the newly created Migration and Immigrant Affairs Branch in the Metropolitan municipality stated that they attributed the reasons for choosing Adana to the economic conditions and the climate conditions in the region, stating:

> "Because life in Adana is easy and cheap for local people and refugees. Adana is preferred because there is a high need for labour in the agricultural sector and people with temporary protection status have the freedom to work in the agricultural sector."[10]

In 2016, the Regulation on Work Permits of Foreigners with Temporary Protection issued authorization for foreigners provided with temporary protection to work in seasonal agricultural or livestock works. They can apply to the Provincial Directorates in the province where they have the right to stay and work only in seasonal agricultural and livestock works (T.C. Çalışma ve Sosyal Güvenlik Bakanlığı 2016). However, the Ministry for foreigners providing temporary protection to work in seasonal agriculture or livestock may impose limits on provinces and quota (Türkiye Cumhuriyeti 2016)[11]. In the Strategy Development branch of the Seyhan municipality, the competent person who works with the Syrian refugees stated that there is too much Arab population in Adana, as they started to come there long before the Syrian crisis, also emphasizing the importance of the approach from the Mayor who is well-known and loved by this population, regarding Syrian people as "our citizen" in choosing the city of Adana.[12]

According to the report[13] prepared on the Syrians in the Seyhan district in 2015 by the Seyhan municipality, one of the reasons for arriving at Adana following interviews with refugees was the presence of at least one relative in the city (Municipality of Seyhan 2015, 33). The official who works in the Yüregir district municipality Cultural Centre and who is engaged in work related to the Syrian people, stated that being located in an area suitable for agriculture makes of Adana

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[10] Interview, Adana Metropolitan municipality, July 2018.

[11] The Regulation on Work Permits for Foreigners with Temporary Protection was decided to be put into force by the Council of Ministers on 11.1.2016. For an unofficial translation of the regulation, visit: http://www.refworld.org/docid/582c71464.html

[12] Interview, Seyhan district municipality, June 2018.

[13] Refugees in Adana Seyhan: Assessment and Emergency Solution Recommendations Report 2015 conducted by the Seyhan municipality in a project partnered with the Çukurova University, underpinned by the Çukurova Development Agency with contributions from the Association for the Support of Contemporary Living and Turkish Medical Association.

a preferred location and that before heading to other regions in Turkey or going abroad, refugees use this city as a transit point. This official stated the following:

> "Especially in the Yüreğir district, Syrians come here and build their own tents in empty lands. It's a process. Since it used to be the agricultural region of Çukurova, it is also a livelihood zone. Hence, it is a centre for finding jobs very quickly. For example, when entering the summer oranges or watermelon period and the sowing work is plentiful. The number is higher here because of the possibility to make their own subsistence."[14]

According to the authorities of the NGOs, the reasons for preferring Adana are a) its location, close to the border provinces, b) its work opportunities due to the agricultural sector, c) being a transit location, d) being suitable for the climate and e) being a good location for health care. An official working in the Multidirectional Support Centre of the SGDD-ASAM Association stated the following:

> "The first one is that it is close to the border provinces; the second is to allow the refugees to work in the agricultural area; and the third is to be used as a transit area. Adana is also seen as an advanced place in the field of health. Our hospitals are in constant demand."[15]

An official working in the STL emphasizes that the climate is very effective to choose this city, since there is no harsh winter and the city is cheaper than other big cities. Previously there was also a great deal of local migration, and at the moment refugee migration happens more in Adana.[16] In parallel with these reasons, an official working in the Human Rights Association emphasized the need for the labour force in Adana and said:

> "I think there is a need for an intensive workforce in both the agriculture and industry sectors. Because we know that there is a very high level of immigration in Adana with the seasonal agricultural work on the one hand, and on the other hand the shoe production. The regions where the Syrians are settled under

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[14] Interview, Yüreğir district municipality, July 2018.

[15] Interview, SGDD-ASAM NGO, July 2018.

[16] Interview, STL NGO, July 2018.

temporary protection are the agricultural regions of Adana outside the centre, and those living in the centre are the regions where agricultural workers have intermediary firms nearby."[17]

4.3.2. On the services provided for Syrian refugees from 2013 to 2016

Following the understanding of the reasons behind Adana as a major destination for Syrian refugees, it is equally important to understand which type of services have been provided to them in order to accommodate their well-being and protect their human rights. It is observed that different approaches and provisions regarding local services were given to achieve this end, while the timeframe of our focus was set between 2013 and 2016 which coincided with the most critical period in the city when Syrian refugees started to be more widespread.

On the topic of the services provided by the municipalities, we could establish that in the first years of the Syrian influx the Metropolitan municipality has provided more services to Turkoman refugees instead, with whom "they have common kinship with" than from refugees from Syria and Iraq, due to their "selective-solidarity approach" (Memişoğlu, Ali and Betts 2017, 25). The municipal authority stated that when refugees arrived to the city, they created a temporary guesthouse with the capacity of 150 people to accommodate the first numbers; despite this maximum capacity, the number of refugees in the guest house reached 300-350 people, despite the fact it was a short stay they could seek shelter in. The authority also stated that they were providing a house to refugees by renting, and the municipality started to collect social aid by forming a social media group, sending this assistance to the refugees regularly.[18]

The district municipality of Seyhan, which hosts more than half of the Syrian refugee population in Adana, talked about this topic starting from the year 2014 when the current management took over, and stated that the first thing the municipality did for the Syrian refugees was a field research. During the interview, the official provided their report on Syrian refugees to assist this academic work and stated that they were open to share more data if necessary. In this

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[17] Interview, Human Rights Association, September 2018.

[18] Interview, Adana Metropolitan municipality, July 2018.

study, the demographic characteristics and minimum living conditions of the Syrian refugees in the Seyhan district were determined and they explained that they started carrying out integration studies and projects based on the report's results. The official stated that, according to the report, most Syrian refugees living in Seyhan did not want to return to their home country and after this determination the representative stated their approach as follows:

> "This means we have to make a common living here with them. One of our most important tasks is to ensure that everyone living here can live together. We have to learn to live together with our friends from Syria in order to create a city more humane, while creating a sustainable city."[19]

Emphasizing that they have been providing social aid for the needs of the refugees, the official also highlighted the importance of ensuring their integration. The representative stated that they provided Syrian refugees with both vocational training and Turkish language training.

In the Yüreğir district, when the Syrians began to arrive in the first years with more population following 2012, a big part of them started to establish tent areas and lived in there; there were approximately 1600-1700 tents in those years.[20] The authority stated that those tent areas set up on empty terrains were in very bad condition, with zero infrastructure. In 2013, an attempt was made to build an infrastructure for them, namely special tents (to prevent the mud caused by the rain) using concrete in order to raise increase their basic living conditions, along with prefabricated buildings, bathrooms, toilets and laundries, with electricity and sewerage in the form of provision. In 2017, the official stated that the governor removed all of these tents and offered two options to the refugees: one of them, provided in cooperation with Turkish Red Crescent, was to arrange house renting and resettle them in those houses; the other option was to move to the Sarıçam Temporary Shelter Centre with new prefabricated buildings. Some of the refugees chose to settle in the camp area, while others chose to settle in the rented houses. The representative explained that the district had been vacated in this way and added that they still had tents in the neighbourhood, though the refugees were not allowed by the district

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[19] Interview, Seyhan district municipality, June 2018.

[20] Interview, Yüreğir district municipality, July 2018.

governorate to build group tents as community any longer. The official added that they provide Arabic-Turkish education in places connected to the municipality known as Cultural Houses, and that ongoing vocational trainings such as cookery, sewing-embroidery and hairdressing are given to women. The official went on to indicate that there are 11 Cultural Houses with a capacity of about 1000 people, explaining:

> "We are doing everything we can; but it is not possible for the Yüreğir municipality to do all of it. Adana is said to have about 150,000 Syrians. Maybe the ones who benefited from us are some 10,000. The possibility to help other survivors is a matter of power and space."

In exploratory interviews carried out with two authorized persons from the Provincial Directorate of Migration Management, one of the officials said that the civilian agency, which was established in 2013 and started to operate in 2014, is a significant milestone. The Provincial Directorate of Migration manages the registration of Syrian refugees under temporary protection and gives them a temporary document after recording their fingerprints. In 2013, the organisation has implemented the "Foreigners and International Protection Law" done in the immigration field, and in 2014 an increasing Syrian refugee population was issued with the "Temporary Protection Regulation" free of charge by the administration, handing temporary protection Identity Certificates allowing them to stay in Turkey. This document contains a foreign identification number that provides access to assistance and services, and the possibility of subscribing to other services including an electronic communication service (T.C. İçişleri Bakanlığı Göç İdaresi Genel Müdürlüğü 2014). At this stage, the official emphasized the importance of the Turkish Red Crescent and stated that the Turkish Red Crescent had started a program[21] funded by the European Union in cooperation with the Ministry of Family, Labour and Social Services and the UN World Food Programme, with the support of AFAD and the DGMM, effectively providing financial aid to citizens who had registered under the temporary protection status with a monthly allowance of 120 Turkish liras per person, and that a card was issued with cash transferred to that card. In addition to this money contribution, the Turkish Red Crescent also provided financial

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[21] For more information, visit: http://kizilaykart-suy.org/EN/index2.html

assistance to school-age children in order to cover their school expenses, since families were informing that their financial situations were inadequate and believed their children should work instead; the Turkish Red Crescent provided this aid in order to guide Syrian children to schools.

According to the report published by DGMM in 2016, Syrians in Turkey are represented by a wide margin of young population, of which 47% are children under the age of 18. Following the report published by Turkish Red Crescent in 2018, the Turkish Red Crescent Card Program started to be implemented within the camps in November 2012, and the aid program, which includes Syrian refugees outside the camp under the name of the Social Assistance Aid Program for Foreigners started in November 2016, with May 2017 introducing the Conditional Education Assistance Program to the regular attendees of the school, consisting of a transfer of certain amounts of money every two months according to their level of education (Türk Kızılayı 2018).

According to the report prepared by the Seyhan municipality, the Adana Provincial Directorate of Family and Social Policies started to take an interest in the Syrian refugees since 2013, including those living outside of the camps. They created a branch called "Children Forced to Work and Beg in Street" in order to rescue those children, which once identified they record their case and reach their families; if the situation of the family is not good, this information is reported to the Social Assistance and Solidarity Foundation, who in turn checks the living conditions of the family and provides help. But for the other families with normal conditions, the directorate warns them that in case they push their children to work or to beg again in the street they will face punishing measures (Municipality of Seyhan 2015).

The Yüreğir Social Service Centre Directorate, which is established in accordance with this institution and with who we could interview an official, started to operate in 2014, initiating work with Syrian refugees too. The authority stated that in their centre there is a psychologist, a child development technician, a translator along with opinion leaders dedicated to serve and assist, and declared that they tried to help the Syrian refugees.[22] The authority affirmed that they were experiencing difficulties in providing services to Syrians until 2017, but that they have made a

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[22] Interview, Yüreğir Social Service Center Directorate, July 2018.

significant progress in reaching them by developing projects that have improved their immediate conditions.

The SGDD-ASAM, one of the NGOs, has opened 5 offices in Adana so far and stated that the Multidirectional Support Centre, which is the office where the interviewee is located, started to serve in 2015, and explained the services as follows:

> "We, as the Multidirectional Support Centre, provide guidance on how to use referral mechanisms, along with social and legal counselling. In addition, we provide both psychological and health counselling. We provide rent support directed to the refugees who do not have much possibilities to afford housing. We are able to provide accommodation support to refugees with external referrals for a maximum of 7 days. In recent years, we have been distributing refrigerators and hygiene kits."[23]

The official said that there were mobile teams working on the field three days per week, and reported that when these teams identified the groups they deemed to be sensitive cases, the internal mechanism informed the authorities in the centre and those authorities would go to see the groups on the spot and provided both financial and food aid according to the situation at hand. Al-Farah Children and Family Support Centre, one of the other offices of the SGDD-ASAM established in Adana, deals with women and children refugees and works towards their needs. These services are provided not only to Syrian refugees but also to people from other countries such as Afghanistan and Iran. The official added that there are also Migrant Health Centres working in partnership with the Ministry of Health, and that children are followed up with vaccination and health conditions, while psychologists provide counselling.

Support to Life, one of the other NGOs in Adana, published its 2014 survey report stating that Adana was the Turkish city noted for hosting the highest number of Syrian refugees working a seasonal job, in great part due to its accessible location to Syrians being in Çukurova region of Southern Turkey and close to the Syrian border, while also benefiting from good weather and fertile lands which make this type of seasonal labour highly sought after throughout the year

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[23] Interview, SGDD-ASAM NGO, July 2018.

(Support to Life, 2014). The STL Adana official stated that they started working as a temporary site in Adana in 2016, and in that year they carried out activities through their mobile team in the tent area of the district of Yüreğir in the field of child protection in seasonal agriculture, but they ended up deciding to establish a permanent site in Adana due to the city being a permanent settlement for many Syrian families with at least one worker doing seasonal agricultural work.[24] The high population and effect of Syrian workers in this area was also highlighted in the report from the Development Workshop[25] in 2016, stating that the relevance of the local agricultural production such as citrus fruits determine the increasing role of Syrians in this regions. In 2017 the STL started permanent field work with individual case management, mostly through access to basic rights and services. The official stated that they had done a work with the Syrian refugees covering issues such as registration, healthcare, access to social benefits, cases of child and women protection and cases of child labour. The official highlighted their work in psychological and social support activities for both Turkish citizens, and Syrian families and their children who stay in tents and do not go to school, as well as for children doing more art activities and teaching activities to prepare them for school, describing the process by giving examples in the following way:

> "We try to find out why the child is not going to school. The family may say that the child could not go because there is no transportation, so we talk with the institutions that can provide school bus; or maybe the child doesn't have a school bag nor school supplies, so we contact the institutions that can supply these needs. We are also directing the Syrian families for registering with the relevant institution where they can obtain an identification number. The problems in the countryside are actually different from the problems in the city. We also organize seminars with parents about child rights, child labour, and child abuse."

On the side of IHD, its official stated that since 2016 they have been providing legal advice to people with limited opportunities, who could not have access to basic human rights in Adana.[26]

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[24] Interview, STL NGO, July 2018.

[25] The Development Workshop is a non-profit cooperative established to support the development of Turkey and to provide contributions to conduct sustainable, reproducible and successful projects of all scales. For more information, see website: http://www.ka.org.tr/212/About-Us

[26] Interview, Human Rights Association NGO, September 2018.

The official stated that they prepare a report on the general situation and human rights violations of refugees in Adana on every Refugee Rights day of the year, and exemplified what IHD's mission in the following manner:

> "We solve the problems of refugees who face violations of their right to shelter while holding a house rent contract. In order to support access to education for a person who wants to study, but who is prevented from studying by his / her family, we provide him / her with the public authorities in their respective fields, provide them access to education and support their family by cooperating with the necessary social assistance institutions and other organizations."

4.3.3. On the difficulties found by workers, local population and own city in developing services

Another topic discussed in the interviews was the difficulties experienced by the local authorities and workers who are responsible for aiding the Syrian refugees in the city of Adana. The Metropolitan municipality official stated that the employees were not prepared for a situation of this magnitude and that they had trouble with communication (since they didn't have the proper educational background training them for this) but also in the psychological context.[27] It was stated that there was a lack of institutional organizations, since the Migration Management Branch within the Metropolitan municipality was only established in the Spring of 2018, but also that the Adana civil society was not prepared to handle this issue. In the financial area, the city already had problems with the budget of the existing central government not fully meeting the problems of the city, as such a new problem needing management ended up being added. The official stated:

> "There are some municipal services planned for each person within a city. municipalities make the strategic planning according to the population living in that city; the green area ratio, waste ratio, clean water use, transportation, funeral services etc. Other services are planned accordingly as well. When you

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[27] Interview, Adana Metropolitan municipality, July 2018.

face a situation of sudden immigration reaching 15% of the city's population, the foundation is shaken and none of your strategic plans will hold."

The representative went on to comment on the deviations of the aforementioned strategic plan, which ends up reducing the rate of individuals' right to benefit from municipal services. With the sudden increase in population (many of them being extremely vulnerable), access to public transportation suffers increasing delays, as well as health service or social benefits. It results in an unplanned increase of the water usage and waste, as well as electricity and everything else inherent to city management, including infrastructural and municipal services.

In the meeting held at the municipality of Seyhan, the official stated that they had a lot of trouble in the district and explained that Adana is already a large and crowded city, which increased significantly with the arrival of the unexpected high population of Syrian refugees, resulting in infrastructure and superstructure problems.[28] According to the official, the major problem for the public and the municipal administrations is the assistance of the Syrian refugees mostly through Social Aid Works; in the time frame of this project, it was stated by the official that providing assistance to Syrians mostly through social assistance has created difficulties in the following manner:

> "The time period to discuss the issues related with returning is 1-2 years. This will be evident in a short time. In Syria, we are entering the 7th year and we are still looking from the social assistance framework. The integration process is not approached adequately. Therefore, managing all the issues related with Syrians through units such as the Department of Social Aid Affairs, who only does social aids, results in misplacement and many of these aids do not provide the expected response."

Another problem relates to the registered employment as a result of the work permits issued to foreigners under Temporary Protection with the 2016 regulation. The official stated that the permits are highly bureaucratic and challenging, and due to the elevated costs, the

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[28] Interview, Seyhan district municipality, June 2018.

employer is often faced with unregistered and uninsured employment, leading to bad work conditions and low wages. To support this statement, the 2015 report prepared by deputies of the Parliamentary Research Commission set up in the Turkish Grand National Assembly (TBMM) has highlighted that Syrian workers have caused wages to decrease:

> "Employers see foreign workers as a source of cheap labour and employ them even if they have no documentation or work permits. It has been observed that foreign nationals accept lower wages and heavy working conditions in desperation. This situation leads to risks both in terms of the labour markets and in terms of health and social problems, and significantly complicates the provision of services. Social explosions and mass fights can also occur as a result. Foreign workers are facing negative reactions from our country's employees because they cause the wages to fall." (Türkiye Büyük Millet Meclisi 2015, 119).

The official from the Yüreğir municipality stated that the employees and districts have been facing difficulties as a result of the different people, different cultures and difficult conditions, experiencing some negativity. The Yüreğir district of Adana is one of the most densely populated districts, as well as the poorest district due to the low level of education, high unemployment rate and weak economy. The Syrian population living in this district came mostly from the rural areas of Syria where the level of education was also very low, contributing little to improve the situation of the district while resulting in greater difficulties, especially in terms of security.[29] There were incidents in their neighbourhoods and the theft rate had increased, but the official emphasized that they had a hard time especially during the process of integration in terms of culture and society. When they went to visit the Syrian groups living in tents to assist with food packages and wearables in the first years, the official expressed the problem they faced as follows:

> "I do not say this just because they are Syrian, it may also be true for Turkish citizens. If there is a group of people who have never shared with a different community, like in this case, as much as you want to help and meet their needs, if education is not guiding those people in the direction where they can live

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[29] Interview, Yüreğir district municipality, July 2018.

together with the community it will never be possible to meet them. We provided some aid; we distributed food packs, coats and boots, for example. However, we saw that they had sold them in the market in the following day, and that there were people who were doing trade with these contributions."

The official, while emphasising the importance of education, stated that this situation has affected their workers in a negative way following such a hard work done to assist the refugees, and said that more work should be done to address the education issue. From 2017 onwards, this situation started to improve, and the official stated that by lifting the tents established in the empty areas and by transforming them into a more appropriate housing, life took a new dimension evolving more towards a city culture.

A representative from another governmental institution, the Yüreğir Social Service Centre Directorate, explained that in the beginning they were experiencing difficulties with the team providing help and assistance to the refugees because they didn't have enough workers nor translators, and this caused a lack of communication.[30] The official also declared that when the Provincial Migration Management started operating, some issues occurred in relation with the exchange of information between institutions, as well as in the collaboration between them. The official stated that due to the fact it was a newly established institution and the workload was high, problems occurred especially with the official procedures. Since the Yüreğir Social Service Centre Directorate provides assistance to unaccompanied children, including Syrian refugees, and tries to find solutions for them, in the beginning they were having difficulties due to the fact that children must first be identified by the Provincial Migration Management, a process which was long and cumbersome, thus delaying their work.

The ASAM official declared that the most common problem with the arrival of the Syrian refugees were the complaints from the local community regarding employment; the representative went on to exemplify that if a Turkish citizen works for 60 Turkish liras per day, the Syrian refugee will work with 30-40 Turkish liras per day, resulting in the local population

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[30] Interview, Yüreğir Social Service Center Directorate, July 2018.

seeing the Syrians as a cause for unemployment.[31] According to the observations of the ASAM employee, the socio-cultural levels of the Syrian refugees living in Adana and those living in the cities of Antep or Mersin (other cities with a high Syrian refugee population) are not the same, since there is not a highly educated and experienced professional population in Adana; the official stated that the population in Adana is coming from the rural parts of Syria instead. Another difficulty that the representative identified are the bureaucratic obstacles. There are too many current events affecting the general situation of the country such as the 2016 Turkish coup, the Turkish presidential elections etc. which shook the actors under the umbrella of the state, causing somewhat of a standstill in the bureaucracy dedicated to the refugees. The official from Support to Life similarly stated that the biggest challenge was the local people's reaction because there was too much misinformation circulating.[32] When the STL workers were supporting the refugees, Turkish citizens were convinced that the Syrians received a salary from the public funds or that they were going to study to universities without the hurdle of exams, causing a negative reaction towards them. On the other hand, the official stated that in cooperation with top officials in other institutions they were able to discuss and agree on the management of the issues regarding Syrian refugees. Another difficulty pointed out by the STL official, which is working especially with a group of seasonal agricultural workers in Adana, include the constant circulation of refugees; while some of the families stay in Adana for 12 months due to the agricultural work and produce, other families operate in mobile manner in other Turkish regions as well. These families work under the supervision of a delegate, with this person determining the place where the families will settle and work. With these new places being often uncertain, the official stated that it breaks the communication link, since NGO workers dedicate themselves to convince a family to send their children to school, to shortly discover that this family is no longer staying in the city. These situations difficult the work substantially, being more frequent in the Adana countryside where the agricultural workers are settled.

According to the IHD official, the biggest challenge is the complexity of the concept. The concepts of temporary protection, refugee and asylum seeker created confusion both to the

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[31] Interview, SGDD-ASAM NGO, July 2018.

[32] Interview, STL NGO, July 2018.

Syrian refugees and the Turkish citizens, generating false information among citizens which directly affects the public reaction towards the Syrians (in a negative manner). The official stated that workers were having trouble in explaining the legal situation of the Syrian refugees in Turkey. The language barrier is yet another important issue; the official exemplified that when workers were going to legal trials concerning Syrian people, the defence made by Syrians in their mother tongue was not accepted by the court administration, and when workers wanted to defend on behalf of the Syrians it was deemed unethical. As a result, this kind of situations showcase that language trainings are currently insufficient. Mentioning that we have reached the 7th year living with Syrian refugees in Turkey following the war, every child should by now have access to all their rights and services, with the right to education having a central importance, but recently they were taking applications from Syrian youth who just managed to gain access to education. The official expressed that this is a big difficulty which is affecting both the Turkish citizens and the refugees. It is indeed a significant issue, because Syrian refugees in Turkey have a major young population, 47% are children under the age of 18, with 166,482 Syrian students studying in Turkey during 2016-2017 (T.C. İçişleri Bakanlığı Göç İdaresi Genel Müdürlüğü 2016).

Another problem highlighted by Memişoğlu, Ali and Betts (2017, 21) generating a more significant public reaction towards the Syrian refugees came following Erdoğan's public announcement in July 2016, addressing the possibility of conceding Turkish citizenship to the Syrians, which while ongoing at the time, had already affected 10,000 Syrians with the possibility of reaching 50,000 naturalised Syrians once all the pending applications were processed.[33]

4.3.4. On the solutions developed to face these difficulties

During the interviews, we decided to ask a set of follow-up questions focused in addressing the issues mentioned above, looking to understand what kind of solutions and mechanisms were developed by the authorities in the institutions to face those difficulties. The official from the Metropolitan municipality stated that due to the lack of budget from the central

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[33] For more information, visit: https://www.dailysabah.com/turkey/2017/09/23/turkey-processing-citizenship-for-50000-syrians

government, they first formed the aid organization called "Tulpar" on social media[34] and through this organization they delivered aid to the refugees in need thanks to the donations they were receiving.[35] The representative described the lack of organization in their municipality, since they didn't have a branch about migration up until 2018 with the creation of the Migration Branch Management, starting to manage issues related with refugees through this branch. They also developed an administrative software destined to register the refugees who previously received aid from the municipality, in order to be fairer and more equal to all other people in need.

The Seyhan municipality official stated that once they finished their report in 2015, thus being able to determine what needed to be done, the municipality gave higher priority to projects with international and national donors aimed at the employment of refugees.[36] With this approach, the municipality was involved in "Cash for Work" project in 2016 providing work for both the Syrian refugees and Turkish nationals commissioned by international organizations and supported through local NGOs. After the successful implementation of this project, a second Cash for Work project was commissioned by the same international organization, while they also signed protocols in 2017 with the mayor of the municipality as well as the STL regional manager for the project to be more successful in reaching a higher number of Syrian refugees and Turkish nationals. The representative stated that currently they are working on other projects with international donors and national NGOs and emphasised the importance of the cooperation with international and national actors, while recognizing that it's impossible to reach and help all refugees living in this district, even though the municipality is trying to do its best to create role models to affect refugees in a positive way and try to make living conditions better for everyone. The official stated that, to help overcome the language barrier, they are also arranging language courses and vocational courses in accordance with the Provincial Directorate of National Education in Adana.

The Yüreğir municipality official stated that when they first started to help refugees in the tent areas of the Yüreğir district with food, clothing and health packages, they were finding heavy

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[34] Website created by the Metropolitan municipality to collect aid:
https://www.facebook.com/AdanaBSB.Saglik.Isleri.Daire.Baskanligi/?ref=br_rs
[35] Interview, Adana Metropolitan municipality, July 2018
[36] Interview, Seyhan district municipality, June 2018.

difficulties due to the big population.[37] Therefore, workers tried to develop a numeral system by attributing numbers to a certain amount of refugees from each of the tents, allowing for a basic form of identification to help bring those families to the municipality's Cultural Houses and continue to provide assistance in those locations. This is due to the fact that in this district the bigger population of Syrian refugees were living in tent areas, therefore their solutions were more aimed towards those areas. The representative continued by stating that the municipality mayor and the provincial health management office signed a protocol related with health emergency, in which refugees who are sick and need urgent treatment can notify workers of the emergency services to obtain transportation to the hospitals. The official explained that during the first three years they were managing mainly with the application of these solutions, but added that currently, since the removal of the tents, workers concentrated more on educational courses and activities organized for refugees in the Cultural Houses, also as a way to increase demand for vocational courses while encouraging them, with the added benefit of providing a certain amount of money to the ones who participate and complete vocational and language courses thanks to a partnership celebrated between the municipality and the Provincial Directorate of Labour and Employment (ISKUR).[38]

The representative from the Yüreğir Social Service Centre Directorate stated that starting in 2018, a translator began working inserted within the team providing assistance to Syrian refugees, fixing their problem with miscommunication.[39] Regarding the long procedures, the official explained that new regulations, directives, teams and units were created by the ministry to relief the process and the areas of jurisdiction were further determined, allowing the institution to act more quickly in the field of family and children.

The SGDD-ASAM official explained that to overcome the difficulty related with the hard and long process of family reunion or identification, especially for the ones needing faster assistance due to sensitive reasons, workers gave priority to these cases. The representative continued to explain that they have started to work with public institutions by signing protocols,

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[37] Interview, Yüreğir district municipality, July 2018.

[38] Text only available in Turkish at: http://www.milliyet.com.tr/yuregir-belediyesi-nden-suriyeli-kadinlara-adana-yerelhaber-1771608/

[39] Interview, Yüreğir Social Service Center Directorate, July 2018.

even in the case of short-term cooperation, in order to skip some bureaucratic obstacles. But even without a protocol, the SGDD-ASAM has a good relationship with institutions by way of informal communication; they are also implementing partners of the UNHCR.

The official from STL expressed that in order to address the issue concerning the Turkish nationals' negative reactions toward Syrian refugees, their methodology consists of spreading awareness and explaining the truthful, realistic situation of the Syrian refugees to as much Turkish people as they can reach, with the STL communication team using social media channels to prepare and share information related with Syrian refugees to make issues more clear about their legal situation and services.[40]

The Human Rights Association official also shared that increasing awareness is a solution to prevent wrong information from spreading in the society, which ultimately causes tension between Syrian and Turkish nationals. Workers of the organisation try to reach regions where local Turkish nationals and Syrian nationals live together to provide people with accurate information.[41]

4.3.5. On the extent of the synergy between the new governmental measures and the different actors in Adana

With the impact of the Syrian refugees in Turkey, a new process of national restructuration began and continued with the establishment of provincial migration managements, as well as the election of a deputy governor responsible for the coordination of local actors in each province. As a result of our case study research, we established that the coordination meetings organized by the deputy governor along with the meetings organized by the provincial immigration administration were effective for local actors and NGOs to achieve their mission, and it has been expressed by the municipalities and NGOs that they were important not only to exchange vital information but also to observe which actor is responsible for specific areas of migration, and which works institutions should perform. These Governate coordination

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[40] Interview, STL NGO, July 2018.

[41] Interview, Human Rights Association, September 2018.

meeting were regularly held and greatly contributed to obtain a mechanism of informal communication between all actors operating in refugee management, developing an understanding of the flaws in the current services while reducing the risk of duplication of projects, which was a common problem in other Turkish cities (Memişoğlu, Ali and Betts 2017, 26).

The authorities in the Metropolitan, Seyhan and Yüreğir district municipalities stated that they had attended the meetings organized by the Governate. Among the NGOs, the SGDD-ASAM official stated that they were in the forefront of being in close cooperation with everyone working in this field and stated the following:

> "Since ASAM employees participated in the meetings, they were very active in the field, playing an illuminating role on many subjects. Such meetings can have participants from the Ministry of Security, Hospitals, Social Services, or the Ministry of Family and Social Policies. Therefore, since we are already in contact with the case management process, it is more beneficial in this way than to gather under a general coordination framework."[42]

The STL official also stated that they attended the Governate meetings, but also other meetings such as workshops about the potential of local refugees and their contribution to the development of Adana, organized by the Provincial Migration Management of Adana and the Çukurova Development Agency. The official emphasized that the Provincial Migration Management in Adana was open to the work of NGOs and their orientation; the receptivity of public institutions such as this allows NGOs to be more efficient and pragmatic in aiding the Syrian refugees (Memişoğlu, Ali and Betts 2017, 26).

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[42] Interview, SGDD-ASAM NGO, July 2018.

4.3.6. On the depth of cooperation between political actors and national and international NGOs

On the side of the DGMM, the provincial official explained that, as of late 2016, they have been carrying out a project addressing data verification, titled "verification of Syrian nationals under temporary protection" in order to obtain detailed information related with the Syrian refugees such as their level of education, changes of address, age and marital status, since this information wasn't documented at the beginning of the registration process in the DGMM because of the substantially high number of Syrians causing a busy work schedule. According to the provincial official, this project helped them to intervene in some cases such as in the detection of child marriages, child labour and sensitive groups such as disabled individuals. The official stated that these groups are very important for them and when they notice this kind of situations, they perform a direct intervention; for example, if they discover children subject to child labour, they immediately direct them to the Ministry of Education. They also have psychologists specialised in the field of child marriage and sensitive groups. This verification project is coordinated by the DGMM, conducted by the Provincial Directorates of Migration Management and supported by the UNHCR.

The Metropolitan municipality official explained that the link between local refugee management, government and municipality is provided by the Provincial Migration Management along with the coordination unit in the Governorate of the city, adding that since all the laws, regulations and circulars issued by the central government concern the municipality, this is the connection directing their relations.[43] Between the years 2013-2016, which is the time frame of this work, there weren't many successful projects being developed, which mainly took off after 2016. But between September 2016-September 2017 Adana was one of the cities involved in a project aiming to improve the quality of life of both Turkish citizens and Syrian refugees by augmenting employment and work opportunities in the provinces, titled "Improving the Labour Market Integration of Syrian Refugees and Host Communities in Turkey"[44] organised by the

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[43] Interview, Adana Metropolitan municipality, July 2018.

[44] For more information related with the project, visit: https://www.ilo.org/ankara/news/WCMS_577593/lang--en/index.htm

International Labour Organization's (ILO) Turkish office, financed by The Bureau of Population, Refugees, and Migration (PRM), and conducted with the Adana Metropolitan municipality, among others. According to the representative of the Metropolitan municipality, more projects with international agencies and cooperation with national NGOs took off in 2017 but especially in 2018, including that, at the time of writing, they are in the process of signing protocols with the International Migration Organization (IOM) to establish the "Migration Coordination Centre" in Adana, another pilot project under the leadership of the German International Cooperation Agency (GIZ) titled "Enhancing Social Cohesion at Local Level Through Capacity-Building of Migrant and Refugees Assembly".[45] The Adana Metropolitan municipality is involved in this project as the local practitioner. The official also added that the biggest extent of cooperation between the Metropolitan municipality and local NGOs has also started fairly recently, giving the example of the current project with SGDD-ASAM to establish a psycho-social support centre for migrants and refugees, for which they are in the process of signing a protocol.

The official from the Yüreğir district municipality explained that the financial support provided by the government is not directly to the municipalities; the government provides funds to the governorates, which represent the government in the provinces, who in turn establishes municipal projects through that funding.[46] So the municipalities never have direct access to the funding. Until 2016 the municipality was doing works with local institutions and NGOs, but in 2016 the Yüreğir district municipality signed a two-year rolling work plan with UNICEF aimed at child workers and their families, destined to increase their access to services from the socio-economic, educational and psycho-social spheres (UNICEF, 2018). About the cooperation between NGOs and the municipality, the official stated that local NGOs are very important and that their workers perform vital field works regularly, having a lot of information about people in need. He explained as follows:

> "Our cooperation continues nowadays. In the last 2 years, there has been a serious link between municipalities and NGOs. These are the local NGOs and some public institutions that have changed the way citizens regard the Syrians."

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[45] For more information related with the project, visit: http://uclg-mewa.org/uclg-mewa-project-on-enhancingsocialcohesion-at-local-level-through-capacity-building-of-migrantsandrefugees-assembly/
[46] Interview, Yüreğir district municipality, July 2018.

The official added that currently the municipality is in cooperation with SGDD-ASAM, having a budget to organize training for refugee women aimed at improving their vocational and artistic skills, with the municipality providing the location and the logistics.

Adana's municipality of Seyhan is keen on creating partnerships with NGOs and INGOs, with the mission of supporting livelihood projects (Memişoğlu, Ali and Betts 2017,25). The official from the Seyhan district municipality, district hosting more than half of the city's refugee population, stated that the municipality was involved in the "Cash for Work"[47] project funded by GIZ and conducted between 2016-2017, constituting one of the first formal examples of employment of Syrian refugees in Turkey following the government's policy of January 2016 related with their work permits. The project stressed the importance of involving the host community with the Syrians, employing 200 Syrians and 200 Turkish nationals as municipal workers in parks, gardens and green areas of district, with the contracts being provided by SGDD-ASAM. The official explained that following the successful conclusion of this project, a second "Cash for Work" project was implemented in 2017, also funded by GIZ along with the Seyhan district municipality in partnership with STL and the Chamber of Agricultural Engineer's Adana Branch, providing employment in the agricultural sector to 255 people; 130 of them being Turkish and 125 being Syrian.[48] The official expressed that thanks to these projects people start to understand each other better when working side by side, recognizing their unique cultural traits. The representative added that the municipality is currently continuing to develop projects with UN agencies and international donors. Overall, the opinion gathered from the official interviewed concerning the funding municipalities receive paints a picture of not being enough to reach big amounts of population in the city, and that there should be more efforts to develop projects which contribute to local management with funding coming from national and international agencies as an alternative.

The official of the Yüreğir Social Service Centre Directorate explained that they work in collaboration with the Turkish Red Crescent and the Provincial Migration Management, but also with NGOs such as SGDD-ASAM and STL especially in the area of family and child protection. The

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[47] For more information related with the project, visit: http://en.sgdd.info/?p=1215

[48] Interview, Seyhan district municipality, June 2018.

representative described their process, in which employees from NGOs who work on the field with refugees notify the institution for cases where they notice child abuse and child marriage; with this information the institution can go to those locations and do the necessary work, going as far as appealing in a court of law on behalf of the children, taking them under their protection. Economic support is provided if the family is living in poverty. The official stated that they are just in the planning process of a project consisting of a risk map for the development of social services for unaccompanied Syrians, supported by the UNHCR.

Regarding NGOs, the SGDD-ASAM, other than the aforementioned projects it is involved with, receives funding from the UNHCR and has completed other projects in Adana in collaboration with other international NGOs and donors, such as the "Special Needs Fund" project in 2016 which highlighted the needs of refugees in a vulnerable situation concerning sensitive issues including accommodation, health, education and legal needs. In cooperation with eight other SGDD-ASAM offices, the project reached a total of 2,083 beneficiaries/refugees (Syrians and non-Syrians) and was conducted with the collaboration of IOM. Their most recent project, "Assessment of the Needs of Syrian Women Under Temporary Protection in Turkey",[49] was conducted in partnership with UN Women, focusing on Syrian women under temporary protection status living in the urban context who are over 15 years old, in Adana and six other Turkish cities. The project focused on the integration process of Syrian girls and women, their income and their social life while also seeking to determine the level of interaction of the refugee women with the local people.

For STL, the official stated that they operate in humanitarian aid as an organization, therefore they apply to the institutions providing funds in this area. Once they successfully obtain funding, they start to work in the field by conducting research or project management.[50] The representative highlighted their child protection work in rural areas and seasonal agricultural fields, funded by UNICEF, along with the implementation of individual protection activities under the Refugee Support Programme ongoing since 2012 in other cities of Turkey as well, coming to Adana in 2017. In the scope of this project, STL workers provide help and assistance to refugees

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[49] For more information related with the project and the report, visit: http://en.sgdd.info/?p=1245#more-1245

[50] Interview, STL NGO, July 2018.

focusing on the access to basic services such as education and registration, while organizing sessions aimed at raising awareness towards the refugees in order to clarify their basic rights and pathways to access services. As part of the individual protection activities, the organization implemented the project "Enhancing access to effective services and protecting people of concern in Turkey", funded by the European Civil Protection and Humanitarian Aid Operations (ECHO).[51]

The Human Rights Association official representing the Adana branch stated that they never had a partnership with UN agencies or international donors, explaining that the association supports private and specific organizations, such as refugee organizations in Turkey.[52] The Human Rights Association works in coordination with some unions such as the Adana Union of Health and Social Service Workers in assisting refugees in need of social or health services, or with the Adana branch of the Education and Science Workers Union in providing access to education, both with the registration process and by signalling sensitive cases to the unions.

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[51] For more information related with the project, visit: http://www.hayatadestek.org/hayata-destek-2017de-20-bin-kisiye-bireysel-koruma-destegi-verdi/?lang=en

[52] Interview, Human Rights Association, September 2018.

Conclusions

With the outcome or an ending to the Syrian crisis growing increasingly uncertain as the situation continues dragging year after year, and following the research done in this case study next to Turkish local actors managing the Syrian refugee flows, the flaws of the current international refugee regime became highlighted to us, implying that new and adapted instruments should be inserted within the current refugee legal framework to make the protection of the human rights of the refugees more sustainable. With the civil war well into its seventh year, it is unacceptable that these refugees are still unable to live their lives normally in host countries since there are currently no long-term policies of integration supporting them. Turkey specifically has taken positive steps with the introduction of tailor-made policies for Syrian refugees, but still falls short of accomplishing this goal both due to the lack of cooperation and understanding with international actors and donors, and to the unwillingness of taking the political risk of widely settling in the Syrian refugees in the longer term.

Despite the good overall conditions of the Turkish camps, described by many including the UNHCR as comfortable and controlled (which effectively reduce the risks refugees face in the urban setting), most choose the cities due to the overcrowding of the camps (the number of refugees has far outgrew the expectations of the authorities), for having family or financial means to subsist, or because of entering illegally in the country, thus being unable to register in a camp. The work currently being done in Adana demonstrates that the Turkish policies of urban management are generally in the right place, with the local actors dedicated and concerned in attending to the well-being and human rights of the Syrian refugees. The critical areas of intervention (protection, shelter, health, education and employment) are being addressed albeit at a slow pace.

Regarding the area of protection, as it is implied, it is indispensable to ensure it to the refugee population, as "lack of basic security takes a direct toll and exerts a negative impact on virtually all assistance programs" (Berti 2015, 42), impacting vulnerable groups such as children from going to school or women from accessing employment or education ventures. It is complicated to have a heterogenous approach in this area since it is difficult to secure a widely

dispersed foreign population, subject to different local policies, comprising individuals at risk from harassment and discrimination.

Concerning the area of shelter, there should be conditions deemed good enough for living both within the refugee camps and within the cities hosting the migrants. Addressing the second issue, "Assistance in finding adequate shelter and providing services to the refugee population dispersed outside the camps has been a significant challenge for international and local stakeholders alike" (Berti 2015, 44), as the refugees will in the vast majority of the cases need financial support in order to find adequate housing with standard living conditions instead of setting for abandoned building or informal dwellings. The decline of available accommodations and the increase of rent prices will contribute not only to this, but also to impact the host community.

Addressing the area of Health and Education, it is vital to ensure sufficient staff and structures for appropriate conditions to provide these social services. It has great repercussions over the states, which need to avoid the deterioration of these services to their locals as well. The area of shelter has a direct consequence over the area of health, since people living in sub-standard conditions are more likely of contracting diseases that can result in outbreaks affect both the refugee and local populations. Having enough personnel and basic health care to meet this end is a significant challenge. Regarding the area of education, it is "similarly complex, with the international community and the host governments struggling to accommodate Syrian children and with the local educational system increasingly overcrowded, under financial strain, and with overworked personnel." (Berti 2015, 45). Host states struggle with the low enrolment levels of Syrian refugee children due to additional factors pertaining not only, but also, to the area of protection, with parents fearing for their child's safety or not being able to cope with the costs of books or transportation to schools. As a result, this can increase the language and cultural barriers having long term negative consequences.

Finally, the area of employment is no less complex with the high number of refugees greatly impacting the local job markets resulting in their saturation, to the point of accepting substantially lower salaries than the locals (contributing to a negative trend of decrease in wages

and, in a wider sense, unemployment), working illegally or under unsafe conditions to make ends meet. As such, refugee workers rely greatly on social aid such as vouchers or credit programs, which can in turn lead them to further debt and exploitation with the consequent inability to afford shelter, health care, education or basic services.

As it can be understood, the massive influx of Syrian refugees has undeniably a substantial impact on the economy, social services and job markets of Turkey, as well as on resources such as water, electricity, housing and sanitation. Over time, this can lead to increased social tensions between the local population and the refugee population, resulting in subsequent alienation of an already vulnerable group. There is an urgent need for a more positive and constructive dialogue between Turkey and the international actors, as well as on focusing in implementing policies of long-term integration, in order to appease the local Turkish population while attending to the protection of the human rights of the Syrian refugees.

From the information able to be gathered as a result of the case study on-site research, and in addition to the challenges faced by government and local actors, as well as both the Turkish and the Syrian populations, the issue of basic needs and human rights remains preponderant and important to determine. We have no doubt that our case study, the city of Adana and its local government and non-government actors in the area of refugee protection, are doing everything they possibly can to gradually improve the needs and human rights of the Syrian refugees living in the district. However, there is a valid reason for discussion as to how far they can take their work, before reaching the legal limitations preventing them to go further.

The greater issue causing hindrance, other than the lack of an effective international organised response to alleviate the load of Turkey, is the policy of Temporary Protection itself, and the limitations it presents when compared to the Refugee Convention. There are various disadvantages to temporary protection in the scope of human rights, since it is not grounded by any international convention, and is arbitrarily enforced by states as a means to avoid granting the official status of refugee (Akram and Rempel 2004, 13). On the other hand, the human rights and the refugee regime walk side by side, a fact represented by Article 14.1 of the Universal Declaration of Human Rights (Haddad 2010, 6). The somewhat informal system of temporary

protection enables states to replace the regularized refugee regime, even if the people in question would qualify under the Refugee Convention. As such, this process prevents permanent protection, one of the basic human rights, to extend and cover the individuals in question, in this case the Syrian refugees in Turkey. In the current climate, what will happen to the Syrian refugees under temporary protection in the long term is unknown, since the states hosting them can terminate the temporary protection status in a way that the highly codified clauses of the Refugee Convention wouldn't permit (Akram and Rempel 2004, 14).

It should however be stressed that the case of Turkey is a unique example, since the constant evolution of the policies of the country in this field went further than a basic temporary protection status and towards the direction of a refugee regime, especially since 2013 from which more specialized institutions and mechanisms for refugee management started to be created as a direct response to the Syrian refugee flow (Memişoğlu, Ali and Betts 2017, 19). It can be argued that Turkey hasn't yet stepped away from the limitations of the framework of the Geneva Convention (Memişoğlu and Ilgıt 2016, 318-319), but its very first Law on Foreigners and International Protection in April 2013 and the subsequent Regulation No. 29153 on Temporary protection in 2014 further clarifying the rights and status of the refugees (Ineli-Ciğer 2014, 28) were undoubtedly steps in the right direction, followed by the creation of the central management authority known as the Directorate General for Migration Management (DGMM). These mechanisms enabled Turkey, in a first stage, to secure the basic human rights for the Syrian refugees highlighted by the UNHCR under Conclusion No 22 on the International Protection of Refugees and the EU under the temporary protection directive as vital for a temporary protection policy, namely the access to health care, food, water, shelter and security, but also to education and registration. In a second stage, the country further expanded the scope of these rights over time, to include work permits enabling access to the labour market, and mechanisms enabling wider access to housing, medical care and higher education (The Council of the European Union 2001; UNHCR 1981). Still, no long-term guarantees and the lack of an inclusive legal framework are the biggest challenges to basic needs and human rights, ending up affecting all the actors involved, resulting in issues of various scale.

There is a significant challenge to the human rights of refugees especially in the field of labour, since Syrian refugees are mainly given informal jobs with low wages that do not provide social security or legal protection, with the conditions of the Syrians working in agricultural production being identically high-risk (Development Workshop Report 2016, 53). In fact, the spread of Syrian refugees working in agricultural production can in part be explained by this, given the reason that multiple members of the same family can be working in the same location, increasing the salary of the household which they wouldn't be able to do in a different labour sector (Development Workshop 2016, 143). In the city of Adana and its neighbour Mersin, for example, the sector of agricultural production witnessed a significant boost as it became easier for companies to find cheap labour (Development Workshop 2016, 73-74). However, it has been reported that it is two of the most vulnerable groups of refugees (children and women) that are carrying the worse burden from this type of work, lasting for many hours under harsh conditions, since children tend to start working at an early age at the expense of security and education, while women undertake the widest range of tasks (Development Workshop 2016, 143). The language barrier continues to hold many Syrians back as well, keeping many thousands unemployed; the lack of an effective professional screening also results in many highly educated individuals (such as architects, engineers and foreign language teachers) accepting low-security jobs for lower wages than Turkish workers (Memişoğlu, Ali and Betts 2017, 25).

By providing and securing economic and social rights such as health care, housing, education, identity papers and employment, the Turkish policies walk a step ahead than a standard temporary protection and set an example under which the current legal framework could be expanded, but ultimately fall short. The criticism is attributed mainly to the reason that these rights are limited and highly regulated, to which only a fraction of the Syrian population will be able to benefit. Despite this, the field work has shown us that institutions are being created over time to address the difficulties identified previously, and are doing what they can to provide a positive and secure environment for the Syrian refugees to live in. It is in this sense that actions of awareness and integration are vital for the betterment of the cultural and social relations between the Turkish and the Syrians, since ultimately, an unhealthy social climate could raise new issues to human rights and human security.

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