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# TÜRKİYE'DEKİ SURİYELİ GÖÇMENLERİN SİYASİ VE HUKUKİ DURUMU

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***ÖZ***

*Suriye'de Arap Baharı'nın etkisiyle başlayan olaylar iç savaşa dönüşmüştür. Bu iç savaştan kaçan ve can güvenliğini sağlamak isteyenler başta komşu ülkeler olmak üzere dünyanın pek çok ülkesine sığınmışlardır. Suriyeliler Türkiye'ye ilk kez 29 Nisan 2011'de gelmeye başlamış ve sayıları günümüzde yaklaşık 3,5 milyona ulaşmıştır. Hukuki olarak geçici koruma altına alınan Suriyeliler bu süreçte Türkiye'yi ekonomik, politik ve sosyal açıdan oldukça etkilemiştir. Başta temel ihtiyaçlar olmak üzere pek çok hizmet sunulmuş ve maddi olarak milyarlarca dolar harcama yapılmıştır. Ülke yardımseverliği ve insani normlara verdiği değerin yanı sıra dış politikasında benimsediği yumuşak güç yaklaşımıyla her zaman Suriyelilerin yanında olmuştur. Türkiye'nin bu davranışı uluslararası toplumda takdirle karşılanmış, bazı ülkelerle ilişkilerde iyileşme sağlanmış ve yardım sözleri verilmiştir. Fakat projeler ve fonlarla kısmen sağlanan yardımlar, uluslararası toplumun ilgisizliğiyle istenen seviyeye ulaşamamış ve Türkiye bu konuda yalnız bırakılmıştır.*

***Anahtar Kelimeler:*** *Suriye İç Savaşı, Geçici Koruma Statüsü, Yumuşak Güç, Dış Politika, Uluslararası Toplum*

## LEGAL AND POLITICAL SITUATION OF SYRIAN IMMIGRANTS IN TURKEY

***ABSTRACT***

*In Syria, the events that started with the effect of the Arab Spring have turned into civil war. Those who escaped from this civil war and want to provide safety for their lives have taken shelter in many countries of the world, especially in neighboring countries. Syrians have begun to arrive in*

*Turkey for the first time on April 29, 2011 and today the number has reached nearly 3,5 million. In this process, Syrians who are legally under temporary protection, have greatly affected Turkey economically, politically and socially. At first, many services were provided, including basic needs and billions of dollars were spent financially. In addition to its value to humanitarian norms and philanthropy, the country has always been stand by the Syrians with its soft power approach adopted in foreign policy. Turkey's behavior has been met with appreciation in the international community, provided improvement in relations with some countries and promises of help are given. However, the project provided partial funding and assistance has not reached the desired level with the disinterest of the international community and Turkey was left alone in this regard.*

***Keywords:*** *Syrian Civil War, Temporary Protection Status, Soft Power, Foreign Policy, International Society*

## INTRODUCTION

The Arab Spring, which started at the end of 2010, has affected many countries in North Africa and in the Middle East, including Syria. In Syria, which has witnessed the longest and painful process of the Arab Spring, increasing demands for democracy and demonstrations have been met by the hard intervention of the Assad government. The growth of events led to the establishment of various dissident organizations against the government. The conflicts that started between the government and the opponents dragged the country into civil war, while the Syrians, concerned about the safety of life and property, began to leave the country. Accordingly, the demands in domestic politics have evolved into a foreign policy issue that has completely affected the international arena. This development, intense immigration in countries like Turkey, have necessitated regulation in domestic politics.

Syrians who leave the country started to arrive in Turkey on April 29, 2011 (Dinçer et al., 2013:7), and that the question for what their legal status was raised. Since they are called "asylum seekers" or "guests" by public opinion, they are mainly called "refugees". To eliminate this complexity in the literature, authors such as Poyraz (2012:61-64), Kaya and Eren (2014:28-31), Bozbeyoğlu (2015:64-65), Çelik (2015) have defined the concepts of refugees, asylum seekers and temporary protection. By examining the distinction of these concepts and the rights they possess, they have identified in a similar way the Syrians situation in terms of laws and contracts.

Of course, determining the legal status of Syrians in Turkey, is not enough alone. Certain policies have been followed for humanitarian aid and protection in order to grant rights to the Syrians under the Geneva Convention and the country's own immigration law. In 2013, changes have been made in immigration law. In this process, Turkey has made nearly all necessities for Syrians. The country expected both material and humanitarian support from international structures and countries, but the expectations were not fully

met. The examination of what causes these conditions is very important for the solution of the problem.

The aim of this study is to answer what the legal status of Syrians in Turkey and what rights they have, how much of these rights were given in the country's domestic policy, and how political steps have an impact on Turkey's foreign policy in international arena. In this context, primary and secondary sources and statistical data related to the Syrians will be used.

## LEGAL SITUATION OF SYRIAN IMMIGRANTS IN TURKEY

The first step to determine the legal status of foreigners in Turkey, was adopted in 1934 under the name of Resettlement Law no. 2510. This law regulates the concepts of migrants, refugees and asylum seekers. For foreigners outside this law, Passport Law and Law on Residence and Travel of Foreigners in Turkey were adopted in 1950 (DGMM, 2015:12).

The second step regarding the legal status of foreigners in the country is the adoption of the Convention on the Status of Refugees in 1961, which was signed by 26 countries in Geneva in 1951. With this acceptance, it was aimed to draw attention to the problem of refugees (or foreigners with a broader expression) in international arena and to encourage assistance in cooperation with countries. In addition, facilities such as the placement of these persons, integration and returning to their country when the circumstances are appropriate have been secured (TGNA, 2:1961). In short, this agreement makes it possible to determine the statute and rights of foreigners in the country and solve the problem in an international context.

Another step towards foreigners in the country was acepted in 1994 that "The Regulation on the Procedures and the Principles Related to Mass Influx and the Foreigners Arriving in Turkey either Individuals or in Groups Wishing to seek Asylum either form Turkey or Requesting Residence Permits with the Intention of Seeking Asylum form a Third Country". This regulation, which is the first domestic regulatory document (DGMM, 2015:12) on international protection (asylum), was prepared in accordance with the 1951 Geneva Convention and the Additional Protocol signed in 1967 and in the asylum applications, relevant authorities and NGOs are identified (IGAM, 2015). Despite being updated in 2006, the changing conjuncture and migration have been ineffective due to the impact of dynamism.

With the increase of Syrians in Turkey, in 2012, "Citizens of the Syrian Arab Republic in order to mass influx to Turkey and Acceptance of Stateless Persons Residing in the Republic of Syrian Arab Republic and Hosting Guidelines" was published. But the effects of the increase in the number of Syrians in Turkey and the requirements of the European Union harmonization process, the inadequacy of existing regulations and laws, has led to the need for a more comprehensive immigration law.

In 2013, Foreigners and International Protection Law, which no. 6458, was adopted. With this law, foreigners entering, staying and departing has

determined principles and procedures for international protection and temporary protection. In addition, the Directorate General of Migration Management (DGMM) was established and the duties and authorities were organized. Actually the establishment of such an institution shows that, Turkey was previously a transit country for migration to Europe, it has become target country, especially in the civil war in Syria and thus the immigration policies are treated more seriously. It also defined new concepts of legal status and explained the changes. The principle of non-refoulement, which formerly had only refugees, has also enacted with this law and covered the other legal sitatiution (Legislation Information System, 2013).

**Refugee**

According to the 1951 Geneva Convention, which is a universal text on international migration, the definition of refugee is "As a result of events that took place before January 1, 1951, and the person who fear of being persecuted for reasons of race, religion, nationality, membership of a 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". It has been emphasized that the definition of "events before by 1 January 1951" in the aforementioned definition must be understood as "events before 1 January 1951 in Europe, or events happening in Europe or elsewhere before that date" (Multeci-Der, 2016:2). So, there is a geographical limitation and time constraint.

In order to use the refugee situation of foreigners who come to the country, they must not commit crime and war crimes against peace/humanity. Before seeking refuge in the country, they must not be guilty of any serious or non-political crime in another country and of behavior contrary to the purposes and principles of the United Nations. Apart from these cases, parties are obliged to make the same treatment to regugees as citizens in social situations and as foreigners in legal, income-generating jobs, without discrimination of any religion, race or country. There is provision of non-punishment for illegal ways such as entrance to a country without a passport, and provision of non-refoulement except for reasons related to national security or public order. (Multeci-Der, 2016:3-12). This non-refoulement policy is independent of time and geographical limitation. Limitations have only been effective in determining the legal status of foreigners and their rights. For example, this principle and existing limitations are preventing the continuation of refugee situation in the country (Korkut, 2008:25).

Turkey has recognized the refugee situation when become the part of contract in 1961. With the signing of the Additional Protocol to the Geneva Convention in 1967, the "events before 1951" in the definition were removed, meaning that the time constraint was lifted. The geographical restriction situation has been left to the initiative of the countries (DGMM, 2015). Turkey has accepted

geographical restrictions with drawback. So in domestic law, only those who come from Europe are eligible to be recognized as refugees (Cihangir, 2015).

Article 61 of the Law no. 6458, adopted in 2013, defines refugees in the following way: "Due to events happening in European countries; for fear of being persecuted for racism, religion, nationality, a certain social group membership or political considerations, foreigner who is outside his/her country of citizenship and who can not benefit from the protection of this country or who does not want to take advantage of fear or a stateless person who is outside of his / her country of residence due to such events, does not return there or does not want to return because of the fear in question refugee status is granted after status determination procedures (Legislation Information System, 2013)". In the definition it appears that the geographical restriction is still ongoing. Syrians who came to Turkey to escape the civil war in their country are not Europeans. So it is not possible to be defined as a refugee.

**Asylum Seeker**

The concept of asylum seeker in Turkey, was defined in 1994 with the adoption of "The Regulation on the Procedures and the Principles Related to Mass Influx and the Foreigners Arriving in Turkey either Individuals or in Groups Wishing to seek Asylum either from Turkey or Requesting Residence Permits with the Intention of Seeking Asylum form a Third Country". According to regulation, if a person is outside of the country because rightly afraid of racial, religious or political reasons, can not take advantage of his/her country's citizenship or not want to benefit from fear or a person who is out of the country of their former residence and who do not return there or who do not want to return because of his/her fear is referred to as asylum seeker (Multeci-Der, 2016). It is noteworthy that the only difference between the definitions of refugee and asylum seeker in the regulation is the definition of refugee of "from Europe", but not in the definition of asylum seeker. In other words, the foreigner who comes to the country under the same conditions is called a refugee from Europe and an asylum seeker from outside Europe.

By adopting Law no. 6458 in 2013, the concept of asylum seeker has been transformed into the concept of conditional refugee. Conditional refugee is defined in the same way as the asylum seeker, with the geographical restriction still considered. In addition, it is stated that this attribute can be taken after situation determination procedures. Here it is not enough to have asylum in Turkey from except Europe, it should be of a request and the application process. Also by the law, who obtained conditional refugee status, can remain in Turkey until they insert a third country. This is a consequence of the extension of the non-refoulement principle to the conditional refugee and secondary protection situations, with the Article 4 of the Law (Legislation Information System, 2013).

Asylum seeker or, newly, conditional refugee situation is defined as a situation that can be obtained as an individual application result. The Syrians can not

benefit from the opportunity for individual applications that come in a massive way to Turkey. Syrians can be conditional refugees if they can apply individually or if mass applications are processed, provided they meet the necessary conditions.

**Subsidiary Protection**

The concept of secondary protection is designed to be applied to persons who are unable to benefit from the 1951 Geneva Convention and the Additional Protocol of 1967, but who are at risk of torture, inhuman violence or violence, which are not life-threatening in their own countries. The fact that these people do not benefit from a universal contract on immigration law and refugee does not prevent them from being protected. Secondary protection is secured by the provisions of internationally recognized contracts such as the European Convention on Human Rights, the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Covenant on Civil and Political Rights (Ergüven ve Özturanlı, 2013:1036) and the national judgments of the countries.

Secondary protection in Turkey was defined by Law no. 6458 and complements other situations. Due to the fact that those who do not have refugee or conditional refugee conditions will be subject to death penalty, torture, inhuman and degrading treatment if they are returned to their home country or to the country of their former residence, or if they will face serious threats to themselves in international or national armed conflict situations, or if they do not wish to benefit, they are put under secondary protection after situation determination (Legislation Information System, 2013). This concept assumes a complementary role because it offers a third situation alternative to being a refugee or conditional refugee.

If a person can not be a refugee and a conditional refugee and has a danger of being subjected to ill-treatment if sent to his/her country, secondary protection apply. For Syrians, there is a danger of being subjected to ill-treatment when they are sent back to their country. However, individual applications made to be refugees or conditional refugees due to mass migration are not processed due to concentration, and it is not possible to determine whether the Syrians are carrying this condition. While one of the conditions is met, there is no definite conclusion about the other. So it prevents of secondary protection.

**Temporary Protection**

Although it is not a new concept that has emerged in recent years, there is no universal definition of the content, limits and scope of temporary protection. Like the provisions of the 1951 Geneva Convention relating to other legal situations, such as refugees and asylum seekers, were not created for temporary protection (Ciğer, 2016:64). In the past many countries have opened their doors to people who escape from negativities such as civil wars, violations of human rights and violence in their own countries and have provided temporary protection until they can return to a third country or their

own country. But the lack of a universal definition and procedure of temporary protection, countries such as Turkey and international organizations has led to the determination of the provisions define their own laws. Therefore, there may be some application differences between countries as well as many common points.

Temporary protection is defined by the International Organization for Migration in the following way: "In the event that a massive influx of people from a third country who do not return to their own country, in particular for the benefit of interested persons or other persons, it is the procedure that provides exceptional emergency and temporary protection to the person if there is a risk that the system can not be operated without adversely affecting the effective functioning of the asylum system" (IOM, 2009:19). Therefore, this concept carries the ad hoc character and the solution is focused. When confronted with a mass migration, it can be said that the concept of temporary protection was established by the possibility that this individual's individual application for international protection was subject to a long and difficult process.

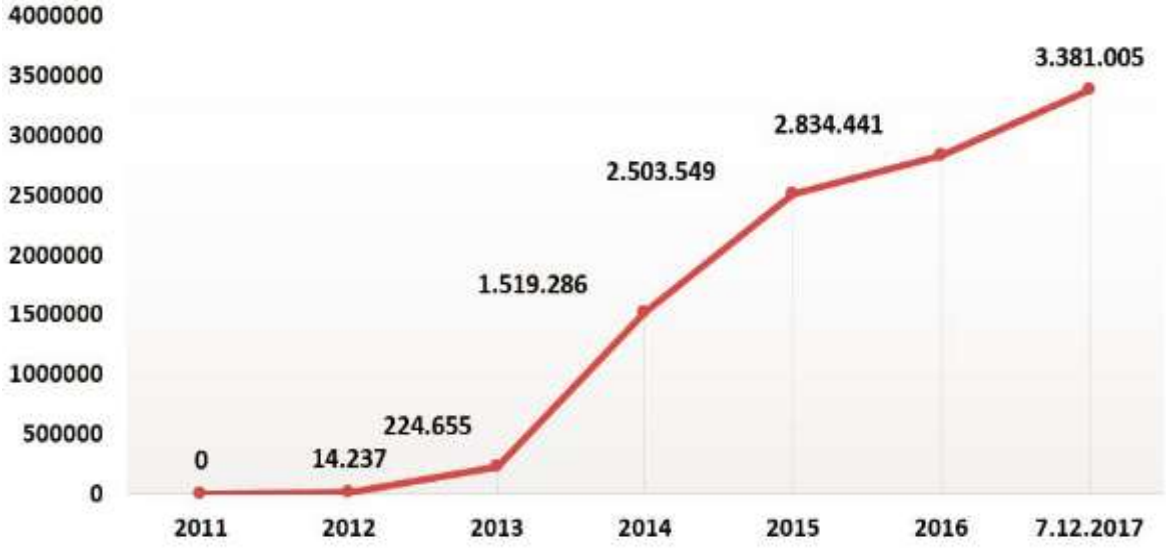
Turkey is adopted this situation in Law no. 6458 and its Article 91: "Temporary protection may be provided to foreigners who have come to or passed our borders in order to find urgent and temporary protection, which is forced to leave the country, does not return to the country of separation.". In the process concerning the persons to be under temporary protection, it has been decided to make the assignment by the Council of Ministers. As a result of this assignment, the Council of Ministers established the Temporary Protection Regulation in 2014. Syrians under the Regulation, mass or individual come up to the border with Turkey and the presence or absence to applying for international protection is taken under temporary protection (DGMM, 2015). Temporary protection applied to Syrians does not give international protection situation, although it is part of international protection such as refugees, conditional refugees and secondary protection. Because applications for international protection, the application can not be processed in Turkey for more efficient and rapid progression (Çelik, 2015:73).

Open door policy for Syrians, adapt to non-refoulement principle, giving them urgent and basic needs, delivering health, education, giving services for the business market and social life, Turkey's evidence compliance with these procedures (DGMM, 2015). In order to end the temporary protection period, it is necessary to end the conflicts in Syria, the conditions in which life and property security can be provided and the restructuring of the country in terms of infrastructural and political and legal aspects must be completed and permanent peace must be achieved. It can not foresee a close date for all this to happen. Therefore, Turkey's Syrian policy applications and services will continue for a long time.

## THE EFFECTS OF SYRIAN IMMIGRANTS ON TURKISH DOMESTIC AND FOREIGN POLICY

As a result of the civil war that started in 2011, at least 6,5 million people have been displaced in Syria so far and 4,9 million people have escaped to other countries. Turkey, both geographical location and hospitable with a protectionist attitude towards the Syrian, is the country where the most intense Syrian population can be seen. According to the DGMM Statistics, the number of Syrians in Turkey has increased since 2011 and 7th December 2017 has been identified as 3,381,005 people. (DGMM, 2017). The following graph shows Syrian refugees who are under temporary protection in Turkey and the number of those who have registered. The number somehow has changed over 6 years.

**Graph 1:** *Number of Temporary Protected and Registered Syrians in Turkey*




***Source:*** *DGMM, 2017*

As seen in Graph 1, the start of the civil war in Syria, 250 people concerned about security of their life and property for the first time on 29 April 2011 and they arrived to Turkey (TGNA, 2012:3). The process started and Syrians number has increased steadily. The highest increase was experienced by 1,294,631 more people between 2013 and 2014. By the end of 2017 it is about 3,5 million Syrians are living in registered form for temporary protection in Turkey. In addition to this, it is estimated that the number of unregistered Syrians is around 100 thousand to 300 thousand (DW, 2017).

Under these conditions, Turkey, in addition to the principle of non-refoulement, adopted in which one of the provisions of international migration law and domestic law, has been a result of their support to the Syrian humanitarian norms and values. Turkey's responsibilities and political steps have increased. Political decisions and practices are offered as a service rather than a right.

## Implementations of Syrian Immigrants on Turkish Domestic Policy

Syrians living under temporary protection situation in Turkey, basic needs are provided and are intended to live in an overlapping manner to humanitarian norms and values. In this context, various decisions have been taken in internal politics through laws, regulations and circulars. The most comprehensive political practice for temporary protection is the Temporary Protection Regulation established under the Law number 6458. In Chapter 6 of the Regulation, services to be provided are included. Thus it is provided shaping of policy towards Syrians. It has been decided that the services will be provided by the Disaster and Emergency Management Precidency (DEMP) under the Prime Ministry.

Syrians', arriving in Turkey, thanks to the non-refoulement principle and the open-door policy, first biometric data are recorded. The persons registered by DGMM are given temporary identity document and foreign identity number in accordance with Article 22 of the Regulation. Thereby the Syrians, as well as the stay in Turkey, also gain the right to benefit from the services provided. Temporary identity documents do not grant the applicant the right to apply for Turkish citizenship (Official Gazette, 2014). However, according to Article 12 of the Citizenship Act number 5901, it is seen that some of the Syrians provided conditions for foreigners seeking to become Turkish citizens (Legislation Information System, 2009). In this direction, until November 2017, a total of 38 thousand citizens of Syria were given Turkish citizenship. On the other hand, the reasons such as the inadequacy of the qualifications of the Syrians to be granted citizenship, the desire of these people to maintain their present legal status and the reaction of the Turkish people constitute the problematic aspects of this policy (Erdoğan, 2017:8).

With the policy of giving citizenship, the Syrians will be able to gain the right to vote, which is one of the basic duties of citizenship. If they have this right, there is a high probability that they will vote in favor of the ruling party, which carries these practices for their own benefit, both within the political lines of their own countries and within the frame of loyalty. Therefore, it would be possible for the government to achieve a bi-directional gain with this policy.

According to Article 37 of the Temporary Protection Regulation, housing needs of some of the Syrians under temporary protection are given according to the Directive on the Establishment, Management and Operation of Temporary Housing Centers put into effect by DEMP. Temporary housing centers consist of 27,934 tents and reinforced concrete partitions and 30,911 containers in 10 cities. It is home to 228,546 people (DEMP, 2017). In these centers, basic needs such as food, health and education services are presented in addition to the housing. The remaining 3,152,481 people live outside temporary housing centers.

Within the scope of a project carried out jointly by DEMP and UN High Commissioner for Refugees (UNHCR), there are differences in terms of prosperity and social opportunities for people living outside these centers,

although trying to provide the same services as living housing center (Çetinkaya et al., 2016:6). Sometimes the news in the media, which reflect the life struggles in low standard, in the miserable environments of the Syrians outside the housing centers or in the bad houses, proves the difference. In this case, the Syrians under temporary protection in Turkey, reveals the inadequacy of policies towards housing. As a result, it is not possible to establish new centers due to lack of resources or to host the Syrians much higher than the capacity.

Health services for temporary protected Syria are regulated in Article 27 of the Regulation. Accordingly, it is determined control and responsibility is in the Ministry of Health and what the scope of the measures and supports are. Provisions such as basic and urgent health services and treatment and drug share from patients will not be taken and all health care fees will be paid by DEMP (Official Gazette, 2014). Regardless of whether they are inside or outside the temporary shelter centers, registered Syrians can benefit from health services covered under the Health Implementation Notification and emergency health services, incentives, preventive and preventive health services. Unregistered Syrians and those injured from the border are only able to benefit from contagious and epidemic prevention and emergency medical services. It has been determined basically that the residence of the health services provided to the Syrians is located on the spot (Ministry of Health, 2014).

DEMP, with a circular published in 2015, states that Syrian should receive health services in places where their lives are allowed, except for vaccinations, can not be provided by the Social Security Institution in the scope of health services that are not covered by compensation, and the provision of psychological support and rehabilitation services by DEMP is underlined (DEMP, 2015). Also in 2015, an announcement made by Social Security Instution facilitated the treatment and prescribing by using MEDULA-Hospital and MEDULA-Pharmacy systems of Syrian people under temporary protection status (Saglik Aktuel, 2015).

By December 2017, the number of doctors in temporary housing centers was 124 and the number of health personnel was 162. In addition, approximately 31.5 million polyclinic examinations, approximately 919 thousand consignment to the hospital, 1,326,849 inpatient treatment, 276,158 deliveries and more than 1 million operations were performed (DEMP, 2017). When the health policies for the Syrians under temporary protection are examined, it is seen that for the registered Syrians, there is a service that does not have a narrow scope and does not involve any financial burden. But considering where thousands of Syrians are not registered in the territory of Turkey, to take advantage of all Syrians should be expanded to provide work. Psychological rehabilitation needs to be increased. Further, according to the IGAM's Syrian Barometer, more than 295 thousand Syrian babies were born in Turkey since 2011. In 2017, there is an average of 306 births per day

(Erdoğan, 2017:3), so it is necessary to consider the services of reproductive health in a very serious and comprehensive manner.

Education services for Syrians in Turkey has been shaped according to Article 28 of the Regulation. It is stated that the Ministry of National Education (MoNE) belongs to the control and responsibility of the educational activities both inside and outside the temporary housing centers. Pre-primary education, primary and secondary education shall be carried out within the framework of MoNE legislation, and associate, undergraduate, graduate and doctorate shall be determined by the Presidency of the Council of Higher Education. It is also agreed that language, vocational and hobby trainings may be organized for all age groups, according to the requests (Official Gazette, 2014). In the DEMP Circular, there are provisions, such as the provision of educational services on the registered place and temporary education centers can be established according to population density (DEMP, 2014).

MoNE, DEMP and other institutions are aiming with the education policies to ensure the continuation of the Syrian students who stop their education. Students are targeted to studying to keep up with their peers and receive a quality education service when they go to stay in Turkey or Syria or in a third country. In line with this goal, it was emphasized that education should not be contradictory to the curriculum of MoNE and that Arabic-speaking people should be included in the education services in order to overcome the language barrier (Ertaş ve Kıraç, 2017:104-105).

With these educational policies, a total of 612,603 Syrian student education services were utilized, with 83,246 in the housing centers, 360,493 in public schools, 170,267 in temporary education centers and 8,597 in open schools. For adults, 87,168 people from vocational education and 216,60 people from general education were benefited (DEMP, 2017). As a result of the policies implemented, thousands of people were educated and a system named YÖBİS was established and the education of the Syrian students was followed and the importance given to the education was shown. In addition, studies have been initiated to place the Syrians in the remaining vacancies in the schools (CNN Turk, 2017).

**Table 1:** *Age Distribution of Registered and Schooled Syrians*

| **Age 0-4** | **Age 5-9** | **Age 10-14** | **Age 15-18** | **Total** |
|---|---|---|---|---|
| 499,307 | 463,045 | 346,648 | 288,649 | 1,597,649 |

***Source:*** *DGMM, 2017*

As it can be seen in Table 1, about 3.5 million Syrians are living in Turkey and they constitute almost half of young people should receive education. According to DEMP data, only 33,337 people can receive pre-school education from approximately 500 thousand people aged 0-4 years. Of the 809,693 people aged 5-14, 519,462 can receive primary education. 15-18 yaş aralığındaki Of the 288,649 people, only 59,804 were able to reach high school

and other class levels (DEMP, 2017). In addition, according to the survey conducted by UNHCR and DEMP, 83% of the surveyors of children of Syrian, which live in housing centers, can continue their education. Outside of the centers, only 14% were able to continue to education (Ertaş ve Kıraç, 2017:105). Therefore, most of the Syrian children in the education age can not access education services. To avoid lost generation gives importance to education policy in Turkey, it is seen that the access/participation is low due to the fact that Turkish language, which is the language of education, is not known by Syrian children and that the number of Syrians living outside the housing centers. Considering the Syrians in Turkey likely to be permanent, sufficient to arrive at work on education policy should constitute a priority.

Access to the labor market of the Syrians was regulated by Article 29 of the Regulation and it was decided that the procedures and principles should be determined by the Council of Ministers upon the proposal of the Ministry of Labor and Social Security. The applicants were given the opportunity to obtain a work permit, provided that the Syrians who obtained the temporary identification document had not exceeded the period of temporary protection in the determined sector, business area and geographical area (Official Gazette, 2014). In the Regulation on Work Permits for Foreigners Provisioned for Temporary Protection issued by the Council of Ministers in 2016, it is stated that unauthorized persons can not be employed, and the application and evaluation process, illiterate work permits, employment quotas are stipulated (Legislation Information System, 2016). According to this, there are conditions such as having temporary protection identity document, 6 months in temporary protection as of the application date, application by the employer to work in the city allowed to stay. In order to avoid rejection of applications, the number of employees under temporary protection must be less than 10% of the Turks working in the same place (Ministry of Labor and Social Security, 2017).

According to the Refugee Lives Monitor, prepared by INGEV and Ipsos Social Research Institute, 31% of Syrians are included in the labor market and the unemployment rate is measured as 17.2%. It is stated that more than 35% of unregistered and about 29% of registered people are working. (INGEV, 2017:3). In the Syrian Barometer created by IGAM, it is stated that the political steps taken have not reached its goal. Thus, it is estimated that 800 thousand to 1 million Syrians are working, while only about 10 thousand people are allowed to work (Erdoğan, 2017:10). The high rate of informal work is causing the Syrians to exploit their labor and not benefit from their labour rights. The Syrians, whom the employers regard as cheaper labor, tend to run if they are allowed or non-allowed to work. This is seen as a factor increasing the already high unemployment. Therefore, first of all, political practices aimed at resolving the problem of unemployment throughout the country should be realized, and then procedures such as inspections and sanctions should be increased especially to prevent the informal work of the Syrians.

It is very clear that Syrians in Turkey need social assistance. This issue is stated in Article 30 of the Regulation according to the principles and procedures determined by the Ministry of Family and Social Policy under the Social Assistance and Solidarity Fund (Official Gazette, 2014). In the Circular published by DEMP in 2014, it was reiterated that Family and Social Policies will carry out services for special needs people who are temporarily protected and in need of social assistance. It has been stated that sensitive groups outside the housing center will be provided with psychosocial support to be used by organizations such as kindergarten and women's shelters, interpreting services and legal support in order to adapt to the social structure (DEMP, 2014).

Syrians in Turkey, public institutions, NGOs and public aid granted by total reached 25 billion dollars by the end of 2016. The country has reserved 0.75% of GNP for humanitarian aid in 2016, with 6 billion dollars being the second most international humanitarian aid after the US (DEMP, 2017). However, according to the Refugee Life Monitor of the INGEV, the proportion of social assistance recipients is only 13% (INGEV, 2017:4).

In Turkey, many political steps have been taken to ensure the social cohesion of the Syrians. Especially social adaptation trainings, seminars, sports, artistic and cultural activities for children and young people are organized. Since an increasing number of Syrians from 2011, remain possibilities in Turkey, also needs to be addressed more seriously when considering policies for social cohesion. There is also a great responsibility for civil society organizations here. Thus, it will be possible to avoid security concerns and conflicts arising from cultural differences, especially language, and from the social and economic influences of the Syrians in the country. Otherwise, a social isolation environment may arise, discourses of racism and hate may increase, and social peace structure may suffer.

**Effects of Syrian Immigrants on Turkish Foreign Policy**

In the foreign policy Turkey has adopted the use of soft power to act versatile with emphasis on interdependence in addition to the status quo attitude. This versatility brought about the claims of axis shifts, the Arab Spring in the Middle East and the ongoing Syrian civil war have caused interest to concentrate on this region. Turkey has entered into an effort to become a regional power in this region, assumed the regional mediation role. During the first years of internal confusion in Syria, the warnings and rhetoric against the violence that the Assad has inflicted on its people have taken place under the influence of this mediation. In Syria which did not comply the warnings, civil war began. Turkey, has used the soft power elements, has implemented an open door policy with the impact of the Syrian humanitarian norms. Along with this process, the Syrians, who received temporary protection status, have been used as a political tool in foreign politics and have become decisive in relations.

In the European Union (EU) to exceed 1 million in the number of Syrians have added a new dimension to the EU-Turkey relations and have led to the revival

of relations. In 2016, the Joint Action Plan and the Refugee Accords were established (EDF, 2017:26). In this context, the Readmission Agreement, which is used to control illegal immigration to the EU and to return those who have carried out illegal immigration to their own country or to the country they are transiting in transit to the EU (Köse, 2015:200), takes an important place. Agreement between the EU and Turkey was signed on December 16, 2013, it entered into force on October 1, 2014. By 2016, all of its provisions have been implemented. A Syrian passes will be handed back to the way the EU illegally from Turkey, the EU has instead decided to take a person. If the person is not from Syria, Turkey were obliged to take back that person. In return, the EU to Turkey for Turkish citizens visa-free travel in the EU and for two years to be spent Syrians 3 billion, 3 billion for the next two years to have committed a total of 6 billion euros in aid. But despite more than 1.5 years, in Turkey, it used in 60% of the 3 billion euros (Erdoğan, 2017:12). This is due to the fact that the tendency of the EU to give aid in the form of funds and projects. This tendency is prolonging the process. The fact that the financial aid has not been paid in full and that the visa-free travel has not yet been passed on for some reasons give a negative view to the relations. In contrast, in the scope of the Readmission Agreement, in May 2017, 1093 irregular migrants being returned to Turkey, 5024 Syrians sent to EU countries (Ministry of the EU, 2017:7). This can be considered a demonstration of EU responsibility.

Nevertheless, the EU and Turkey, when compared in terms of hosting Syrians, it is seen that the responsibility taken by the EU is quite low and inadequate. Because there are over 100 thousand Syrians in Turkey, at least 10 of the each city where they are densely populated while there are over 100 thousand Syrians in only two of the 28 EU countries. The number of Syrians is between 10 thousand and 70 thousand in 7 countries, and around 43 thousand in the remaining 19 countries (Erdoğan, 2017:12). From April 2011 to October 2017, the number of Syrians who want to take refuge in the EU is 996,204 (UNHCR, 2017). EU asylum lower when compared with Turkey. This is paralel with the small number of Syrian people in the EU. Turkey is Syria's neighbor, is an effective factor in this case. But it is well known by the public that EU countries are avoiding responsibility and efforts to prevent Syrian access to the EU. Preventions have been taken by EU countries such as military surveillance to ensure border security, controlled passage and restriction of access by wire ties. It is seen here that the EU countries have taken the state/military security to the forefront from human security. Preventions taken to hinder the access of the Syrians have been in conflict with the EU, which has made policy through human norms, and have damaged its reputation. Unlike the EU, Turkey has adopted an open door policy, the use of soft power and human security context, has been supporting the Syrians. Turkey has given the world a lesson in humanity, have empowered the international prestige in foreign policy.

Another example of Syrians' effect in foreign policy is on Turkey-EU relations and the accession negotiations. In the context of the Refugee Accord and the foreseen cooperation, the opening of new headings for the continuation of the negotiations has come. As a result of the discussions, the headings of "Coordination of Regional Policies and Structural Instruments", "Economic and Monetary Policy" and "Financial and Budgetary Provisions" which were vetoed by France have been opened (Özer, 2017:51-52). The opening of the headlines has contributed to the acceleration of the negotiation process and has started a positive process in relations. But when the general situation is looked at, the unresolved Cyprus issue, the rise of right-wing parties in the EU with causes like increasing racism, on Turkey's harmonization process in addition to fully fail to fulfill, disrupt stability as July 15 coup attempt of negative experiences. These are the Syrian issue cause the positive relationship make underestimated.

At the beginning of the Syrian crisis, Turkey did not choose to cooperate with UN about the first Syria Regional Response Plan (SRRP) and the UNHCR. Because Turkey is believed that it could manage the crisis with their own resources alone. But with the increasing number of Syrians who took refuge in the country and the violence of the crisis, policy change was forced. Thus, cooperation with the UN and its subsidiaries has been promoted and the international community has been intensified (Kirişci, 2014:38).

The UN, the Syrians in Turkey, UNHCR and the International Organization for Migration (IOM) is to reach through different institutions like. UNHCR, recording of the Syrians in Turkey, protection, housing, health, education and located in activities such as the provision of basic needs. Until they are settled in the third country, collaborates and cooperates with many ministries and NGOs in the process. The IOM supports policy makers in migration management and strategy setting, and cooperates and disseminates information with ministries, border agencies, other immigration organizations and law enforcement agencies. The IOM has helped in basic needs, food, health, education and social issues to nearly 1 million Syrians living in Turkey (UN Information Center, 2017). Aside from these, the UN institutions such as the UNDP, UNICEF, UNFPA have been supporting Turkey's activities.

The UN has prepared to Regional Refugee and Resiliency Plan (3RP) and has the aim to help Turkey in improving the conditions of the Syrians. Areas planned for assistance include protection, food safety, education, health and nutrition, basic needs and livelihoods, and social cohesion. Plan aims to the international community to bring together and fund to be the partner with Turkey about Syrians. The progress of activities for Turkey's Syria, developments in the legislative, political steps that are described as examples of the roles and responsibilities of national institutions, has been effective in the development of this plan. Therefore, when evaluated in terms of the UN, Turkey's policy towards Syria is appreciated in the international arena and in foreign policy shows that creating a positive perception. With this perception, Turkey, the UN and international organizations have come together in order

to increase capacity. In September 2016, 139 international NGOs were accredited. Humanitarian aid and development have been tried to be harmonized, aimed to promote service delivery and to ensure maximum effectiveness. There are many organizations among 3RP partners, as well as various ministries in Turkey, UN affiliates, Crescent, Turkish Employement Organization, the World Health Organization, World Food Program, AAR Japan, Save the Children, Social Syria Community, British Council, Danish Refugee Council, Mercy Corps, GOAL, and so on (UNHCR, 2017).

The UN supports towards humanitarian aid operations and policy formation in Turkey. However, the same support is not given for capacity increase and budget. It was requested 890 million dollars for Turkey, which could only be obtained for 335 million dollars, corresponding to 38% (UNHCR, 2017). Under the 3RP, it was determined that the requirement to improve the conditions was 1.69 billion dollars, but only 740 million dollars, which is equivalent to 44% of this, is funded. Turkey is the most hosting Syrian in the world and UN is incapable of troubleshooting needs. The UN accepts this (UNHCR, 2017). This fact shows that the relevance of the international community to the issue is not much. In Turkey, naturally, it has led to a loss of confidence in foreign policy for the the UN's did not aid promises. Turkey's foreign policy in bilateral relations, it is necessary to choose the softer rhetoric that may be donor countries to the UN fund. Having a collaborative approach, secure and transparent accountability can help solve this problem.

The aids and funds of the international institutions and NGOs are expected to be effective in helping the Syrians but the aids remain at a symbolic level (Erdoğan, 2017:15). Moreover, according to the USAK and Brookings Workshop Report, Turkish and Syrian NGOs and their representatives are systematically excluded from international coordination meetings (2013:37). In the light of these developments, Turkey argues that is left alone in the international arena and remains biased and distant towards international organizations and NGOs. There is some criticism of the activities of international NGOs, the limited transfer of funds and the Turkey is left alone. To get rid of these criticisms, the legal process of NGO activities needs to be purify from bureaucracy and choose more practical way. So Turkey's policies and activities for the Syrians under temporary protection could provide the international community and cooperate with actors at all levels can play a more active role in foreign policy.

## CONCLUSION

Syria has faced a major crisis under the influence of the Arab Spring. The Assad government has been dragged into civil war with the demonstrations increasing the violence against civilians, which seeking their rights, and the emergence of armed opposition groups. Some Syrians who want to ensure the safety fled the civil war, have shelter in the neighboring countries such as Turkey and some of them have taken the right path to third countries are

using this as a passageway. Thus, the civil war in Syria is transformed into a crisis that concerns the whole world.

Turkey, with its open-door policy as well as being neighbors to the Syrian border, has become the most Syrians took shelter in country. The increase in the number of Syrians is necessary to determine their legal status in order to grant their rights under international protection. As a result, although they are called as refugees in public and in many sources, they are actually legally under temporary protection status. Since 2011, in Turkey's domestic politics, significant work is being conducted through laws and regulations towards that status. In the context of human security and human norms, basic needs such as accommodation, health, food supply are provided and policies are applied for education, employment and social cohesion. Turkey's these policies are known to spend more than 25 billion dollars.

The international community has appreciated Turkey's policies which are applied towards the Syrians, it shows an example for all world and even Turkey are naming as the world's most generous country. The formation of a positive outcome in this way has also affected the relations in the foreign policy positively. For example, the negotiation process with the EU has been reconsidered and negotiated. Moreover, primarily the UN, international organizations and NGOs, through projects and funds have supported the policies of Turkey. But the fact that the EU countries do not assume much responsibility for the Syrians, and in particular that the UN does not keep the promise of financial aid and funding, shows that the interest of the international community is still very low.

In later times, the Syrians in Turkey considering the possibility of continuing to live, it is necessary to ensure social cohesion and increase the scope of services provided for intellectual and healthy generation. More Syrians should be registered, and made aware of their rights and benefit from the services provided. Moreover, in foreign policy, especially keeping good relations with the donor countries, international organizations and NGOs to encourage cooperation with local NGOs and who want to work in Turkey should pave the way for international organizations. Otherwise, in the future, unless there is support from the international community towards the Syrians under temporary protection, Turkey will be faced with many difficulties both financially and socially.

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