



Hacettepe University Graduate School Of Social Sciences
Department of International Relations

**THE IMPACT OF MASS MIGRATIONS ON IMMIGRATION
POLICY OF TURKEY**

Özlem PEHLİVAN

Master's Thesis

Ankara, 2017

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4

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ETİK BEYAN

Bu çalışmadaki bütün bilgi ve belgeleri akademik kurallar çerçevesinde elde ettiğimi, görsel, işitsel ve yazılı tüm bilgi ve sonuçları bilimsel ahlak kurallarına uygun olarak sunduğumu, kullandığım verilerde herhangi bir tahrifat yapmadığımı, yararlandığım kaynaklara bilimsel normlara uygun olarak atıfta bulunduğumu, tezimin kaynak gösterilen durumlar dışında özgün olduğunu, Yard. Doç. Dr. Özlen ÇELEBİ danışmanlığında tarafımdan üretildiğini ve Hacettepe Üniversitesi Sosyal Bilimler Enstitüsü Tez Yazım Yönergesine göre yazıldığını beyan ederim.



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ABSTRACT

Pehlivan, Özlem. *The Impact of Mass Migrations on Immigration Policy of Turkey* Master's Thesis, Ankara, 2017.

This thesis aims to examine the impact of mass migrations on immigration policy of Turkey. Republic of Turkey has been engaged in migration issue since its foundation in 1923. In fact, due to her geographical location Turkey has always been a host and a transit country in migration. Therefore, Turkey has had to deal with migration flows at massive scale several times due to her geographic location and political instabilities in her neighbourhood. Obviously, mass migrations have great impact on the sociological, economical and political life of a country and they are extremely hard to be controlled. Therefore, it requires a lot of resources and effort by a country to cope with migration issues. In this vein, Turkey also has made several laws and regulations and established different commissions, institutions on specific migration flows such as concerning the exchange of populations between Greece and Turkey, migrations from Bulgaria or later on from Syria.

In this thesis, mass influxes to Turkey are examined historically. The push and pull factors of mass migrations to Turkey are introduced besides Turkey's responses to these mass influxes. This thesis argues that Turkey couldn't secure efficient time and resources to the immigration issue and opted for short term solutions rather than making comprehensive law and establishing a special institution on migration for a long time. This was mainly because of both huge number of refugee influx from Syria as never seen before and European Union's pressure on Turkey have strong control on this refugee influx.

Key Words

Geographical Limitation, Mass Influxes, Migration Law, Immigrants, the Immigration Policy of Turkey, Refugees

ÖZET

PEHLİVAN, Özlem. *Kitlesel Göçlerin Türkiye'nin Göç Politikası Üzerine Etkileri*, Yüksek Lisans Tezi, Ankara, 2017.

Bu tez kitlesel göçlerin Türkiye'nin Göç Politikası üzerindeki etkilerini incelemeyi amaçlamaktadır. Türkiye kurulduğu günden beri göç konusu ile meşgul olmaktadır. Üstelik Türkiye coğrafi konumu nedeni ile her zaman göç konusunda geçiş ülkesi veya ev sahibi ülke olagelmıştır. Coğrafi konumu ve yakın çevresindeki siyasi istikrarsızlıklar sebebi ile zaman zaman göç akışları ile baş etmek zorunda kalmaktadır. Kitlesel göçlerin bir ülkenin ekonomik, sosyal ve siyasi yaşamına kontrol etmesi zor büyük etkileri olur. Bu nedenle, kitlesel göçlerin üstesinden gelebilmek büyük kaynak ve çaba gerektirir. Bu doğrultuda Türkiye karşılaştığı her kitlesel göç için, Türk-Yunan nüfus mübadelesinden Bulgaristan'dan gelen göçlerden ve en son Suriye'den gelen kitlesel akına kadar, ayrı kanun ve düzenleme yapmış ve farklı göç kurumları kurmuştur.

Bu tezde Türkiye'nin aldığı kitlesel akınlar tarihsel olarak incelenecektir. Kitlesel göçlerin itici ve çekici etkenlerinin yanı sıra Türkiye'nin bu kitlesel akınlara verdiği karşılıklar da sunulacaktır. Bu tez, Türkiye'nin göç politikası oluşturma hususunda yeterli zaman ve kaynak ayırmadığını ve kapsamlı bir kanun oluşturup uzman bir kuruluş kurmaktansa kısa süreli çözümler uyguladığını ileri sürer. Ancak, bir yandan uluslararası kitlesel göçlerin artışı, diğer yandan Avrupa Birliği ile ilişkileri ve birliğe katılım süreci, son olarak Suriye'den mülteci akını ve bunu AB'nin kontrol etmek için uyguladığı baskı Türkiye'yi belli bir göç politikası benimsemeye zorlamıştır. Bunun yanı sıra, Türkiye coğrafi kısıtlama uygulayarak Avrupa dışından mülteci kabul etmemektedir. Ancak, bununla birlikte Türkiye farklı coğrafyalardan birçok mülteci akını ile baş etmek zorunda kalmaktadır.

Anahtar Sözcükler

Coğrafi Kısıtlama, Kitlesel Akınlar, Göç Hukuku, Göçmenler, Türkiye'nin Göç Politikası, Mülteciler

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ABBREVIATIONS

DGMM	Directorate General of Migration Management
EEC	European Economic Community
EU	European Union
EUROPOL	European Police Office
FTRCP	Foreign Turks and Related Communities Presidency
GRETA	Council of Europe Convention on Action against Trafficking in Human Beings
IGCR	Intergovernmental Committee on Refugees
IOM	International Organization for Migration
IRO	International Refugee Organization
IWL	International Workforce Law
LFIP	Law on Foreigners and International Protection
MERS	Ministry of Exchange, Reconstruction and Settlement
MFA	Ministry of Foreign Affairs
Mol	Ministry of Interior
NATO	North Atlantic Treaty Organization
NGOs	Non-Governmental Organizations
TCC	Turkish Criminal Code
TCL	Turkish Citizenship Law
TCS	Turkish Republics and Turks and Related Communities Exam
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNRRA	United Nations Relief and Rehabilitation Agency
US	United States
USA	United States of America
WW I	The World War I
WW II	The World War I

INTRODUCTION

Turkey is located on Anatolian Peninsula which has always been the scene of migration flows as being a bridge between East and West. Geographical location attaches Turkey a special importance on migration issue. At the same time, Turkey's population has been consisted of mostly immigrants. Moreover, the founder and founding constituent power were immigrants. These immigrants have generally come to Turkey en mass. These migration influxes have always great impacts. First of all, these movements create a need for legislation in order to determine who are admitted, to whom which status are given and what rights they enjoy and what responsibilities Turkey takes for them. Mass migrations also create a need for an institution for carrying out migration process. But, sometimes Turkey's responses to admitting mass influxes have been different. In addition, Turkey's concern on meeting mass influx is seen in legal documents of Turkey. Geographical limitation on accepting refugees and measures against mass influxes in action plans or regulations are tangible outcomes of this concern. However, mass influxes interest more than one state unless they are intrastate event. Hence, Turkey, which is a bridge country in migration, needs to be in cooperation with related states, or sometimes have a conflict with neighbours, or is sometimes urged to adopt a certain policy towards mass migrations. All in all, Turkey has to engage in migration issue since she has been established.

Actually, migrations occur every time in everywhere at any time in the world. In the world history, there has always been migration; and nevertheless, only mass migrations, which have great impacts, come into prominence every time. For instance, the Migration Period closed the First Ages and the Middle Ages started. Migration becomes important and draws attention when there is a mass migration which is hard to be controlled and requires much effort to cope with. Just the same, mass migration came into question in 20th century as a result of two world wars. Those wars displaced people across the world and great

number of people migrated among states. Some states received mass influxes, at the same time some states lost their population and some of them were receiving their descendants while losing their population. In those years, migration flows rose as an important problem in the agenda of world politics. It brought about the basic legal document and the institution. The United Nations High Commissioner for Refugees was established and the Geneva Convention on the Status of Refugees in 1951, and 1967 Protocol have taken effect.

Turkey has always been a part of those events as mentioned above. Turkey was among those states which were receiving their descendants while losing their population in those years. Turkey is also a party to the Geneva Convention on the Status of Refugees and its Additional Protocol. But, first of all, it should be noted that Turkey placed a geographical limitation on it. Therefore, Turkey does not admit refugees coming outside Europe. Over several years, Turkey has approached to migration issue with security concerns, and thus, she has continued to maintain geographical limitation.

The migration history of Turkey is important in order to understand the migration policy of Turkey. Turkey was established after the World War I, at the same time as Turkey experienced mass migrations after that war. Turkey made population exchange agreements and received Muslims from former Ottoman lands and sent her non-Muslim populations to her European neighbours. Actually, it was in harmony with the migration policy of other states then. In those years, it was common to exchange populations by agreements in order to create national homogeneity in a state.¹ Formerly, population exchange had begun in the time of Ottoman. Turkey also followed Ottoman policy on migration in the early years of her establishment. First of all, Turkey adopted Ottoman institutions on migration in the early days. Already, the reasons of migration to Turkey dated back to Ottoman times. Here is a point that, Ottoman began to follow a certain migration policy after Crimean War (1856), because she was in

¹ Eric D. Weitz, "From the Vienna to the Paris System: International Politics and the Entangled Histories of Human Rights, Forced Deportations, and Civilizing Missions", *American Historical Review*, 113, No:5, 2008.pp.1313-1343
<<http://ahr.oxfordjournals.org/content/113/5/1313.extract>> [Access date:05.01.2016]

need of labour force in agriculture.² In the early days of Turkey, she was in need in of labour force, too, not only in agriculture but also in every field of production. There was a strong need for people economically. Yıldırım draws attention to human factor and “the impacts of the exchange of Greek and Turkish populations on how to change social fabric, ownership structure and power relations of Turkey” in his study.³ Migration of Greeks from Anatolia to Greece was a loss of production as well as loss of human source for Turkey. In that period, Turkey had to establish a ministry and commissions in order to manage mass migration and reconstruct the country. Turkey admitted those people because of economic and sociologic reasons. Over the years, Turkey’s economy changed and after 1950’s Turkey became sending country. With the increase of unemployment in Turkey, by signing labour recruitment agreements, Turkey sent her citizens to European countries which were in need of labour force. Meanwhile, on August 29, 1961 Turkey ratified 1951 Geneva Convention (Ratification Act No:359) and on July 1, 1968 when Turkey ratified 1967 Protocol, Turkey decided to place geographical limitation considering regional events; especially Turkey had concerns for possible mass influxes from Middle East. Since 1968, refugees who came to Turkey outside Europe have been called “asylum seekers” by Turkey. They have applied to UNHCR for refugee status and resettling to third country. Until their applications are answered by UNHCR, they are allowed to stay in Turkey. In those years, the number of refugees outside Europe was low and UNHCR resettled them immediately.⁴ However, Turkey cannot avoid this concern anyway. After, 1980s Middle East and Central Asian countries had conflicts, social, political or economic problems. Turkey approached the issue with security concerns regarding national security and public order. Ongoing migration flow to Turkey and to Europe through Turkey began from there. Therefore, migration has become an important issue between EU-Turkey relations as there is an ongoing negotiation

² İlhan Tekeli, “Türkiye’nin Göç Tarihindeki Değişik Kategoriler”, in *Kökler ve Yollar*, (ed.) Ayhan Kaya and Bahar Şahin, İstanbul Bilgi Üniversitesi Yayınları, First Edition, İstanbul, 2007, p.452.

³ Onur Yıldırım, *Diplomasi ve Göç Türk-Yunan Mübadelesin Öteki Yüzü*, İstanbul Bilgi Üniversitesi Yayınları, 1. Edition, İstanbul, 2006.

⁴ Ahmet İçduygu (ed.), *Kentler ve Göç Türkiye, İtalya, İspanya*, İstanbul Bilgi Üniversitesi Yayınları, 2012, p.35.

between them on EU membership of Turkey. Turkey is included in Budapest Process⁵ which consists of EU countries and its neighbours aims at managing migration and cooperating on irregular migration issue with source and destination countries together. Turkey is also included in the Global Forum on Migration and Development⁶ and has worked on migrant hosting societies' perceptions on migrants, promotion of mobility for sustainable development and private sector.⁷ Since 1980s, the number of refugees, asylum seekers, migrants and irregular migrants in Turkey has increased day by day. Meanwhile, Turkey has still managed her migration policy with the Turkish Citizen Law (adopted in 1928) and Settlement Law (adopted in 1934). In the meantime, the refugee influx from Middle East, in the late 1980's and in the beginning of 1990's, was a turning point for Turkey. It caused that Turkey amended (referred to as 1994 Regulation) her legislation on migration. However, Turkey had faced mass migration from Europe (Bulgarian Turks) and Middle East (Iraqis) at that time, but Turkey's responses to those influxes were different. While welcoming her descendants, Turkey was unwilling to admit Iraqis refugees. On the other hand, Turkey's European Union (EU) membership process was affecting Turkey's migration policy. It had an influence on admitting Iraqis. Moreover, this process' strong effect is on migration policy of Turkey and institutionalization of this policy. As a requirement of the accession process, Turkey has to harmonize her legislation with the legislation of EU. Turkey became a member of International Organization for Migration (IOM) in 2004.⁸ After 2005, Turkey focused on revising her migration policy in order to access to the EU. Finally in 2013, Turkey made a comprehensive law on migration policy in line with EU standards

⁵ Republic of Turkey Ministry of Interior, Directorate General of Migration Management, Official website, Budapest Process.

<http://www.goc.gov.tr/icerik6/budapestesureci_576_577_578_icerik> [Access date:18.12.2016]

⁶ Republic of Turkey Ministry of Interior, Directorate General of Migration Management, .Official website, GFMD (Global Forum on Migration and Development)

<http://www.goc.gov.tr/icerik3/gfmd--kuresel-goc-ve-kalkinma-forumu-_409_576_581> [Access date: 04.11.2016]

⁷ Republic of Turkey Ministry of Foreign Affairs Official website, Türkiye'de Düzensiz Göç, <http://www.mfa.gov.tr/turkiye_de-duzensiz-goc.tr.mfa> [Access date:08.12.2016]

⁸ Republic of Turkey Ministry of Foreign Affairs Official website, Turkey on Irregular Migration, <<http://www.mfa.gov.tr/turkey-on-irregular-migration.en.mfa>> [Access date:08.12.2016]

and established an institution for migration management.⁹ Turkey also ought to lift geographical limitation in order to become a full member to the EU.¹⁰ But still, Turkey is one of the four states¹¹ which retain geographical limitation to the 1951 Convention. On the one hand Turkey maintains geographical limitation and does not admit refugees outside Europe. On the other hand, Turkey has to manage a mass migration outside Europe. This is migration flow from Syria suffering from civil war since 2011. Turkey is hosting 2,733,655 Syrians¹² and has become one of the top refugee hosting countries as Syria has become the top of source countries of refugees.¹³ Turkey has followed open-door policy since the beginning of the crisis without a certain migration policy, without an institution for migration, without a specific law on migration; with various and different laws, with geographical limitation. Syrians in Turkey, who are refugees according to 1951 Geneva Convention, are not granted refugee status by Turkey. The geographical limitation causes conceptual confusion for the status of these people. Turkey had tried to make that confusion clear with issuing directives, bylaws, guidelines or instructions. Having not specific law and institution for migration until 2013, Turkey also tried to conduct other mass migrations with separate laws and different regulations. Refugees who came to Turkey outside Europe have been called asylum seekers until 2014 when the Law on Foreigners and International Protection was put into effect. Thereafter, they are called conditional refugees in accordance with this law.

Turkey has close relations with the European Union and United Nations on migration. Both organizations give a definition of mass influx. The UNHCR defines mass influxes with these four characteristics; “considerable numbers of

⁹ Turkey enacted the Law on Foreigners and International Protection and established General Directorate for Migration Management affiliated to the Ministry of Interior, in accordance with the National Action Plan for the Adoption of the European Union Acquis in the Field Of Asylum and Migration 2005.

¹⁰ See the National Action Plan for the Adoption of the European Union Acquis in the Field Of Asylum and Migration 2005.

¹¹ Other countries are Monaco, Congo and Madagaskar.

¹² UNHCR, Syria Regional Refugee Response.

<<https://data.unhcr.org/syrianrefugees/country.php?id=224>> [Access date:14.10.2016]

¹³ See UNHCR, Facts and Figures about Refugees, <<http://www.unhcr.ie/about-unhcr/facts-and-figures-about-refugees>> [14.10.2016].; Amnesty International, Global Refugee Crisis by the numbers, <<https://www.amnesty.org/en/latest/news/2015/10/global-refugee-crisis-by-the-numbers/>> [Access date:14.10.2016]

people arriving over an international border; a rapid rate of arrival; inadequate absorption or response capacity in host States, particularly during the emergency; individual asylum procedures, where they exist, which are unable to deal with the assessment of such large numbers.”¹⁴ The EU defines mass influx “arrival of a large number of displaced persons, who come from a specific country or geographical area, whether their arrival is spontaneous or aided.” in the Temporary Protection Directive. It also draws attention to pressure on the national asylum system because of mass influx.

Since the beginning of the establishment of Turkey (1923), Turkey had to deal with various mass migrations. First of all, Turkey was established with mass migration. Turkey has to engage with migration because of her geographical location. According to Icduygu, there are historically three periods of migration policy of Turkey: 1934-1994 neglecting the issue, 1994-2001 immediate response, 2001-2009¹⁵ period shaped by EU accession talks. Between 1934 and 1994, Settlement Law, Passport Law, the Law on Residence and Travel for Aliens in Turkey (1950) and the Law No 2527 (Year 1981) Facilitating Foreigners of Turkish Ancestry to Perform their Occupations and Crafts Freely in Turkey and Their Employment in Public and Private Establishments or Business have always enabled people of Turkish origin migrate to Turkey, get citizenship and have a job easily. After having numerous refugees coming from outside Europe and increase in the number of economic migrants, Turkey has focused on controlling migration between 1994 and 2001. After 2001, harmonization of Turkish migration policy with migration policy of EU and Turkey-EU cooperation on border controls were came into prominence. After that, migration came on the high agenda of EU-Turkey relations. Turkey spent efforts for the management of international migration due to accession to EU. At the same time, EU has encouraged Turkey to make laws on migration in line

¹⁴ UNHCR, The UN Refugee Agency, “Burden and Responsibility Sharing in Mass Influx Situations Conclusion on International Cooperation and Burden and Responsibility Sharing in Mass Influx Situations”, 8 October 2004.

<<http://www.unhcr.org/excom/exconc/41751fd82/conclusion-international-cooperation-burden-responsibility-sharing-mass.html>> [Access date:04.12.2016]

¹⁵ This book was completed in 2009, so after 2009 was not included in the book.

with EU standards, but demands of EU focus on (EU's) security.¹⁶ Turkey's migration policy is generally being shaped by conjuncture. In recent years, the migration policy of Turkey is undergoing transformation. The mass refugee flows from Syria and EU-Turkey relations have accelerated this transformation.

In this thesis, migration history of Turkey is divided into three periods and mass influxes, legislation made for managing the influx and institutions established for carrying out the process are examined. The first period includes between 1918 and 1945. In that period, Turkey met mass influxes of Muslims and Turks from former Ottoman lands and followed nation building policy. Turkey exchanged her population and welcomed immigrants by agreements. The second period includes between 1945 and 1980. Those years Turkey met mass influxes from Balkans, people, who were Muslim and Turk, migrated to Turkey because of ongoing homogenization policy in Balkans. The third period includes after 1980 until 2017. After 1980, globalization in the world has also affected Turkey and irregular migration to Turkey increased. Moreover, Turkey and EU relations have grown and improved. In addition, wars and conflicts in the very near region Turkey triggered refugee flows to Turkey. Meanwhile, Turkey has enacted laws many laws, regulations or decrees and also established institutions in order to cope with these mass influxes. Turkey admitted immigrants and refugees due to economic, sociological, demographic and political reasons. In the first period, they were accepted for nation building and as a labour force for construction of the country. In the second period, even though Turkey sent her citizens as a labour force to abroad, Turkey admitted Bulgarian Turks, who were skillful workers, as qualified workers as well as with the aim of ongoing nation building and getting their votes for religious reasons. In the third period, Turkey accepted Turks and non-Turks due to domestic and international reasons. Bulgarian Turks were admitted in accordance with nation building policy of Turkey which was followed since the establishment. Iraqi Kurds were admitted with the aim of getting Kurdish citizens' votes by the ruling party of that period. They were also admitted because of humanitarian grounds which were imposed to Turkey as a

¹⁶ İçduygu (ed.), *ibid.*, pp. 34-42.

result of domestic and international pressures. Turkey's will to be a member of the EU was another factor in her decision. However, Turkey's relation with the EU has gained more importance on her immigration policy in the later years. Furthermore, migration policy of Turkey has gained importance and come on the world's agenda in recent years with mass influxes to Turkey and her responses to these migration flows.

There have been many studies, researches on the issues abovementioned. Mass migration events that Turkey met were examined in many studies. Especially, there are many studies on population exchange. The institutions on migration have been examined separately in the matter of establishment, abolishment and managing the process. Legislation on migration, especially certain laws (such as Turkish Citizenship Law, the Settlement Law,...) have been studied. There is a compromise on that Turkey has followed a nation building process and approaches the issue with security concerns. This thesis puts forth that Turkey has implemented her immigration policy with special laws, special institutions on each case by examining mass migrations which forced Turkey to make laws and establish institutions on immigration. Even if, there are comprehensive laws (such as Turkish Citizenship Law, the Settlement Law, the Passport Law, 1951 Geneva Convention,...) Turkey enacts special laws or makes international agreements (such as Treaty of Friendship and Residence Agreement, the Convention Concerning the Exchange of Greek and Turkish Populations, 1994 Regulation, the Circular on the Admission and Accommodation of Mass Arriving Syrian Asylum Seekers,...) while accepting immigrants, asylum seekers or refugees and responding mass migrations. In this thesis, the cases of mass migrations are examined regarding special laws enacted and institutions established for each relevant case. Rather than forming a certain immigration policy, establishing an institution for migration and making a comprehensive law on migration, Turkey has carried out the process of mass influxes by special legislations (separate laws and regulations) and temporary institutions on immigration.

The research question of this thesis is "What is the impact of mass migrations on immigration policy of Turkey?" The hypothesis of this thesis is that Turkey

has enacted different laws and established different institutions on migration for each case. Rather than determining and implementing certain policy and established permanent institution on migration, Turkey which has met mass influxes all along history should make a certain policy and establish a special institution on migration. In order to understand the immigration policy of Turkey and the impact of mass influxes on this policy, Turkey's legislation on migration and Turkey General Directorate of State Archives of the Prime Ministry of the Republic of Turkey, Republican Period Fonds are examined as primary sources. Books, articles, reports and thesis on migration policy of Turkey and institutions on migration established since 1923 are examined.

In this thesis, the transformation of migration policy of Turkey is examined through mass migration influxes which force Turkey to enact a specific law on migration instead of responding every mass influx with regulations, and to establish an institution for migration. The institutions governing migration to Turkey are introduced on the reasons and aims of their establishment, duties and bodies of them. The legislation of the immigration policy of Turkey is also introduced. The laws, regulations, agreements on migration are examined. Relations with the EU are also examined on migration as having an impact on legislation of Turkey, because accession to EU requires harmonization of Turkish legislation with EU's legislation and they are also neighbours which suffers from irregular migration. Mass migration influxes, which are hard to be controlled and to cope with, having impact on immigration policy of Turkey, are examined. For this purpose, pull and push factors of these mass migrations are defined. Responses of Turkey against and Turkey's policy towards these mass migrations are set forth.

CHAPTER 1

THE PERIOD BETWEEN THE TWO WORLD WARS

1.1. The Historical Background

The immigration history of Turkey cannot be separated from the immigration history of Ottoman; because, in the early years, the Republic of Turkey engaged with mass influxes from former Ottoman lands by exchanging populations or admitting Muslims from there.

By all means, there are similar implementations between the migration policy of Turkey and the history of migration policy of Ottoman. Actually, immigrants have been the same people. Surely Turks, Muslims and some Jews came to Ottoman and they continued to come to Turkey then. They migrated to Anatolia sometimes in small numbers or sometimes in great numbers. When the numbers of immigrants are high, there is always a need for institution with the purpose of coping with them, managing migration process, transporting and settling down immigrants, and accommodating their needs. In the Ottoman period, various commissions on migration were established for immigration flows.¹⁷ Turkey has responded immigration flows in a similar way. Turkey admitted immigrants based especially on religion. McCarthy interpreted that admitting Muslims instead of people speaking Turkish is accepted the continuation of Millet System¹⁸ of Ottoman State. That system was based on definition of identities on religion.¹⁹ The purpose of this study is not comparing immigration policies of Ottoman and Turkey. It is certain that there are similarities on push and pull factors, as well as responses of these two states

¹⁷ Kemal Arı, *Büyük Mübadele Türkiye'ye Zorunlu Göç (1923-1925)*, Tarih Vakfı Yurt Yayınları, 3. Edition, İstanbul, 2003, p.23.

¹⁸ Millet System means that different religious groups were accepted as one nation in Ottoman State. The word "millet" is not used as the same meaning in the republican era.

¹⁹ Renee Hirschon, "Ege Bölgesi'ndeki Ayrışan Halklar", in *Ege'yi Geçerken 1923 Türk-Yunan Zorunlu Mübadelesi*, (ed.) Renee Hirschon, translated by Müfide Pekin and Ertuğ Altınay, İstanbul Bilgi Üniversitesi Yayınları, 2. Edition, 2007, p.11.

against mass influxes. At the same time, it should not be overlooked that Turkey is a successor of Ottoman State. Republic of Turkey is counted as the continuation of Ottoman State in terms of policies, legislation and institutional.²⁰ Nevertheless, Ottoman State was a monarchy, Turkey is a republic. The new established Republic of Turkey made reforms on legislation, institutions and social fabric. Though, some of those reforms dated back to Tanzimat (reorganizations/reform) era. “Leaders of that era and its followers aimed to make reforms on legislation and understanding of law extending over a period of time.”²¹ However, this thesis focuses on immigration policy of Turkey. As the historical background of migration to Turkey, it is necessary to refer to migration to Ottoman.

Ottoman Empire had been expanding for many years, so emigration was foreground in those times. But, after 1683 Vienna defeat, Ottoman Empire began to retreat as a result of ongoing defeats and loss of territory. Then she became receiving country and had to engage in immigration. Most immigrants were Muslims (they were not only Turks) while others were Jews. Muslims and Jews were forced to migrate or killed in Europe. In those years, their destination was Ottoman State. Actually, mass migrations to Ottoman State began after 1856 Crimean War. Muslim and Jewish people from Caucasus and Balkans (where were former Ottoman lands) migrated to other side of Ottoman lands. In those days, Turkish identity was arising in Rumelia, because most people living there were Turkish and they had common language, culture and religion. That Turkish national identity included also West Anatolia. After 1878 Greeks, Serbs, Bulgarians wanted to establish their new independent states of only their ethnics. For this reason, those states expelled every Muslim people even if she/he was of Greek, Serb, Croat, Ulah, Bulgarian etc. origin. Eventually, their migration to Ottoman started. During and after 1912-1913 Balkan Wars, Muslims in Balkans were forced to migrate to Ottoman again. Actually, they

²⁰ Nuri Yurdusev, “Osmanlı Mirası ve Türk Dış Politikası Üzerine”, in *Yeni Dönemde Türk Dış Politikası Uluslararası IV. Türk Dış Politikası Sempozyumu Tebliğleri*, (ed.) Osman Bahadır Dinçer, Habibe Özdal, Hacali Necefoğlu, 2.Edition, USAK Yayınları, Ankara, 2010, pp.47-49.

²¹ Justin McCarthy, *Osmanlı'ya Veda İmparatorluk Çökerken Osmanlı Halkları*, translated by Mehmet Tuncel, Etkileşim Yayınları, 2006, p.367.

prefer to come to Ottoman lands. There are several reasons for this. First of all, they were persecuted and oppressed because of their faith. The lands, where they migrated to, were other Ottoman lands and Muslims were living there. Ottoman was motherland for them. In their new homelands, immigrants felt that they were a part of the new society. So, there was not an integration problem. Muslim immigrants felt themselves as a part of Ottoman Muslim society. Because, they all lived under the same governance and same rules, they also shared the same culture. Not only their faith but also Ottoman political culture was the other factor that's why their destination was Ottoman and then Turkey. Non-Turkish Muslims under Ottoman rule adopted common law order and common values which was output of that law order. So, they were assimilated easily in the immigrated lands; that's why most people in Turkey are Muslim today. Those immigrants and local people interacted sociologically, economically, politically and culturally; finally, they created new Turkish identity which was different ethnically Turkish. This identity is based on Ottoman political culture and shared history. 1864 Ottoman Citizenship Law was also effective on this issue. That law aimed to create Ottoman nation.²² Muslim immigrants were closest to local Muslim society and defined themselves Ottoman-Muslims. Local Muslims and Muslim immigrants all created one Turkish identity. However, Ottoman settled down them not in groups; they were settled in small numbers in different places. Those immigrants also contributed to increase in agricultural production in Ottoman and they also engaged in Ottoman Army. While Balkan Muslims prefer to migrate to Ottoman/Turkey; other Muslims living in Ottoman (such as Arabs) even if they were Turkish origin (Kazan Tatars) did not prefer to migrate to Ottoman. Karpas puts forward a reason that pan-Islamism was implemented in Anatolia and Rumelia by Ottoman with the aim of social, cultural and demographic integration. However, it was implemented with the aim of providing political integration of Arabs to Ottoman State. Karpas also argues that Crimean Tatars lived under Ottoman rule and adopted Ottoman political culture, so they are close to Anatolian people. They can easily adapt Anatolian way of living. But, Kazan Tatars did not

²² Legislation in Turkey also aims to create Turkish nation as that law did.

live in Ottoman, so a few Kazan Tatars migrated to Ottoman State.²³ In the time of Turkey, immigration of Muslims has gone on. Though, Muslims have been settled down Anatolia in small groups in different places, creating one nation/one Turkish identity by assimilation was aimed.

As Turkey has always been in need of an institution on migration while meeting mass influxes, there was also a need for an institution to cope with mass influxes for Ottoman State. Moreover, Turkey resumed and maintained Ottoman implementations on immigration as establishing institutions when needed in case of mass migration. While there was immigration in the time of Ottoman, municipalities settled down immigrants who applied to municipality for the settlement. But, after Crimean War, as mass migration influxes brought about a new institution which was specialized on migration, Commission on General Management on Immigrants (İdâre-i Umumiyye-i Muhâcirîn Komisyonu) was established affiliated to Ministry of Health and Social Aid.²⁴ Then, another mass influx occurred from Balkans. In the beginning of mass migrations from Balkans, Ottoman was unprepared for hosting and settling number of immigrants. At first, Ottomans hosted immigrants in their homes. Then, with the aim of managing immigration, Ottoman established Immigrant's Commission (Muhacirin Komisyonu).²⁵ Turkey, also did the same thing, established an institution for each case when there were mass migrations one of which was population exchange.

1.2. Migrations from Balkans and the Exchange of Populations

Migrations from Balkans to Turkey dated back to Ottoman times. Actually, population exchanges had started since Ottoman period. 1877-1878 Ottoman-

²³ Kemal H. Karpat, *Osmanlı'dan Günümüze Etnik Yapılanma ve Göçler*, Timaş Yayınları, İstanbul, 2013.pp.13-128.; Yıldırım, *op.cit.*,p.165.

²⁴ Canan Emek İnan, "Türkiye'de İskân Siyaseti: İskâna Yönelik Örgütsel Yapı Üzerinden Bir İnceleme/ Settlement Policy In Turkey: A Study on the Organizational Structure of Settlement", *Yönetim ve Ekonomi Araştırmaları Dergisi*, No:22, 2014, p.85.

²⁵ İlhan Tekeli, "Türkiye'nin Göç Tarihindeki Değişik Kategoriler", in *Kökler ve Yollar*, (ed.) Ayhan Kaya and Bahar Şahin, İstanbul Bilgi Üniversitesi Yayınları, First Edition, İstanbul,2007, p.452.

Russian War triggered mass influx to Ottoman lands. When Ottoman was defeated by Russia Muslim population leave (their own lands) loosen lands and moved to remaining Ottoman lands. After 1912-1913 Balkan Wars, population exchange occurred between Balkan states. After Balkan Wars, Ottoman presence was unwanted for Greece, Bulgaria, Albania and Serbia ²⁶ and Balkan states gave importance to homogenization of their populations in order to consolidate their sovereignty.²⁷ During the wars, Balkan Turks migrated to Ottoman State where their cognates live continuously.²⁸ Clearly, those states aimed their population become homogenous. Balkan migrations were used as internal and foreign policy tool by Balkan states.²⁹ Bulgaria and Ottoman exchanged Bulgarian and Muslim population in 1913. Before World War I, Ottoman envoy and Greek prime minister talked on exchanging Greeks and Muslims between two states, but it did not occurred when the World War I (WW I) started.³⁰ Wars and population exchanges as a result of those wars between Turkey and Balkan states went on. Ottoman Empire collapsed after the World War I; Turkey triggered War of Independence against the Allies. Greece was one of the rivals in the Turkish War of Independence. In the end, Turkey won the War; Lausanne Peace Treaty was signed between the parties on July 24, 1923. Exchange of populations between Turkey and Greece was one of the main issues of the Lausanne Peace Treaty. At that time, Turkey also made agreements on immigration with Balkan states with the aim of increasing economic and military power and for the need of increase in her population after several wars.³¹ In 1925, Turkey and Bulgaria signed an agreement on migration of Muslim population living in Bulgaria to Turkey. But, exchanging Muslim and Greek population became a problem and took a long time to solve. It creates a

²⁶ Yıldırım, *op.cit.*, p.35.

²⁷ Arı, *Büyük Mübadele...*, *op. cit.*, p.15.

²⁸ McCarthy, *op. cit.*, pp.249-251.

²⁹ Nurcan Özgür Baklacioğlu, "Yugoslavya'dan Türkiye'ye Göçlerde Sayılar, Koşullar ve Tartışmalar", in *Türkiye'nin Göç Tarihi 14..Yüzyıldan 21. Yüzyıla Türkiye'ye Göçler*, (ed.) M.Murat Erdoğan and Ayhan Kaya, İstanbul Bilgi Üniversitesi Yayınları, 1.Edition, İstanbul, 2015, p.193.

³⁰ Elçin Macar, "Yunanistan'dan Anadolu'ya Göç: Nüfus Mübadelesi", in *Türkiye'nin Göç Tarihi 14. Yüzyıldan 21. Yüzyıla Türkiye'ye Göçler*, (ed.) M.Murat Erdoğan and Ayhan Kaya, İstanbul Bilgi Üniversitesi Yayınları, 1.Edition, İstanbul, 2015, p.174.

³¹ Karpat, *Osmanlı'dan Günümüze...*, *op.cit.*, p.96.

need for legislation and a special institution on migration owing to the high number of exchangees and immigrants.

1.2.1. The Immigration of Bulgarian Turks

The loss of Ottoman territory caused immigration of Muslims. Since 1878, Ottoman had guaranteed Turkish/Muslim minority rights by treaties. 1909 Istanbul Protocol provided equality between Bulgarians and Turkish minority and freedom of religion for the Turkish minority. As Ottoman did, Turkey tried to guarantee Turkish/Muslim minority rights by treaties. In 1925, Turkey and Bulgaria signed Treaty of Friendship. This treaty enables Bulgarian Turks migrate to Turkey and also provided enjoying minority rights in Neuilly Treaty which was signed by Bulgaria in the end of the WW I. And Bulgarian Turks could enjoy with the minority rights based on 1947 Paris Treaty which was signed by Bulgaria in the end of the WW II.³² Anyhow, immigration of Bulgarian Turks has continued. Tekeli calls migration to Anatolia between 1860 and 1927 as “Balkanization Migrations”. Those mass migrations occurred as a result of secession of Ottoman into nation states. The reasons of those mass migrations were wars and violence in Balkans, so those migrations are called forced migration. Those new nation states aimed at religion, language and cultural unity. Accordingly, it was inevitable to force others to emigrate. Generally, mass migration of others occurs after war with establishment of nation state immediately, but migration of others went on in the following decades. Also,

³² Baskın Oran (ed.), *Türk Dış Politikası, Kurtuluş Savaşından Bugüne Olgular, Belgeler, Yorumlar, Cilt/Volume II: 1980-2001*, İletişim Yayınları, 7. Edition, İstanbul, 2004, p.177.; Karpat, *Osmanlı'dan Günümüze...*, *op.cit.*, 2013, p.246; Kader Özlem, “Bulgaristan Türklerinin Tarihsel Süreç İçerisinde Dönüşümü, AB Üyelik Süreci Ve Türk Azınlığa Etkileri/The Transformation of Turks of Bulgaria in Historical Process And The Effects Of EU Membership Process of Bulgaria to Turkish Minority”, *Uluslararası Sosyal Araştırmalar Dergisi*, The Journal Of International Social Research, Volume 1/2 Winter, 2008, pp.345-353.

Jews migrated to Anatolia besides Muslims from Balkans. Irredentist policies of new nation states in Balkans also caused migration flows between them.³³

After the establishment of the Republic of Turkey, this time Turkey began to engage immigrants from Bulgaria. Bulgarian Turks lived almost peacefully between 1919 and 1923. After a coup, King Boris came into power and adopted "Bulgaria belongs to Bulgarians" policy which worsened political, social and economic conditions of Bulgarian Turks. Therefore, they began to migrate to Turkey. Then, on October 18, 1925 Bulgaria and Turkey signed Treaty of Friendship and Residence Agreement (Dostluk Anlaşması ve İkamet Sözleşmesi) that enable control on regulating migration. The migrants were let to bring their belongings, moveable properties and animals by these agreements. Between 1923 and 1933, 101.507 Bulgarian Turks came to Turkey. Then, they went on coming to Turkey, because there was still political pressure on Bulgarian Turks; in addition, Turkish graves were destroyed, Turkish schools were closed and there were propaganda films against Turks.³⁴ After 1933, migration of Bulgarian Turks continued to Turkey every year whereby 1925 Treaty of Friendship between two states. In those years, this influx did not overburden Turkish economy or loss of Bulgarian economy.³⁵ On the contrary, Turkey's economy enjoyed that immigration; because she was in need of labour force. Turkey which followed a nation building policy in those years, also welcomed her descendants. But, immigration of Bulgarian Turks in 1950 and 1989 were going to have economic effects for Turkey and Bulgaria.³⁶

Turkey maintained her closest ties with Bulgarian Turks, as Ottoman did. Turkey signed only an agreement on immigration of Bulgarian Muslims in order

³³ İlhan Tekeli, "Türkiye'nin Göç Tarihindeki Değişik Kategoriler", in *Kökler ve Yollar*, (ed.) Ayhan Kaya and Bahar Şahin, İstanbul Bilgi Üniversitesi Yayınları, First Edition, İstanbul, 2007, pp.447-453.

³⁴ Hikmet Öksüz, "İkili İlişkiler Çerçevesinde Balkan Ülkelerinden Türkiye'ye Göçler Ve Göç Sonrası İskân Meselesi (1923-1938)", *Atatürk Üniversitesi Atatürk İlkeleri Ve İnkılâp Tarihi Enstitüsü Atatürk Dergisi*, Vol:3, No:1, May 2000, pp.177-180. After 1933 until 1939, 79.412 Bulgarian Turks migrated to Turkey.

³⁵ Bilal N. Şimşir, "Bulgaristan'daki Türk Azınlığı, Balkanlar'da Türk Kültürü", <www.balgoc.org.tr/2003/dergi/sayi_48_balkanlarda_turk_kulturu.doc> [Access date:23.08.2016]

³⁶ The issue will be mentioned in chapter 2 and 3 under the title "The Immigration of Bulgarian Turks"

to manage this immigration process. During those years, Turkey established institutions on immigration. Transportation and settlement of Bulgarian Muslims, as well as other immigrants, was carried out by those institutions. They will be examined below.

There were other former Ottoman lands where mass migration made for Turkey.

1.2.2. The Immigration of Romanian Turks

Romania was another former Ottoman land where many Muslims and Turks lived. Those people migrated to Turkey through years. After the World War I, Romania carried out demographic changes in Dobruja where most of Turks lived. Romanians were settled down there by the government. Then, the Land Reform was enacted that affected Turks most of whom were agriculturist. That reform stipulated to leave one third of their lands to Romanian immigrants. Because of losing their lands and other political and social pressures, Turks decided to migrate to Turkey. Between 1923 and 1933, 33.852 Romanian Turks came to Turkey. Due to raising nationalism in Turkey and problems of 1929 World Economic Crisis, Turkey was willing to accept them. Economic problems and ongoing settlement of Romanians in Romania were push factors for Turks. Between 1934 and 1938, 79.868 Romanian Turks immigrated. Continuing migration from Romania increase in years, so Turkey and Romania signed an agreement on migration of Turks from Dobruja in 1936.³⁷

Turkey signed an agreement on migration with Romania, as she did with Bulgaria. That immigration process carried out by institutions on migration. In the early years of the republic, there were mass influxes to Turkey from Balkan States. One of those states was Yugoslavia which consisted of Kingdom of Serbs, Croats and Slovenes.

³⁷ Öksüz, *ibid.*, pp.180-183.

1.2.3. The Immigration of Yugoslavian Turks and Muslims

Yugoslavia enacted Land Reforms in 1919 and 1928. Those reforms caused economic loss for Muslims in the country, besides 1929 World Economic Crises created another economic problem. In addition, there was a political tension between Turkey and Yugoslavia. Hence, 108.179 people migrated to Turkey from Yugoslavia between 1923 and 1933. Turkey enacted decrees on transportation, accommodation and settlement for those immigrants. After the improvement of relations between two countries in 1934, immigration quite decreased.³⁸ Instead of signing an agreement on migration with Yugoslavia for managing immigration, as Turkey did with Romania and Bulgaria, Turkey carried out that process with decrees for the nonce.

1.2.4. Other Immigrants from Balkans

Actually, in the early years of the republic, Turkish descendants were accepted rather than Muslims in those years. Notwithstanding, 1.200 Albanian Muslims admitted in Turkey in 1923. At first they were rejected by Turkey and they stayed in Bulgaria. But condition in Bulgaria for them was worse, so they were admitted and settled down different places in Turkey for once. In addition to, Hungarians applied to Turkey for immigration, but they were rejected after asking opinion to Ministry of Foreign Affairs.³⁹ In those years, some Albanians wanted to migrate to Turkey, but Albania and Turkey did not give visas to them.⁴⁰

The number of immigrants and their origin were important. In those years, a great number of people came to Turkey from Balkans. Muslims and Turks, who

³⁸ *Op. cit.* pp.183-185.

³⁹ *Op. cit.* pp.186-187.

⁴⁰ Nurcan Özgür Baklacioğlu, "Yugoslavya'dan Türkiye'ye Göçlerde Sayılar, Koşullar ve Tartışmalar", in *Türkiye'nin Göç Tarihi 14. Yüzyıldan 21. Yüzyıla Türkiye'ye Göçler*, (ed.) M.Murat Erdoğan and Ayhan Kaya, İstanbul Bilgi Üniversitesi Yayınları, 1.Edition, İstanbul, 2015, p.199.

were Ottoman citizens formerly, migrated to Turkey that was established on Anatolia which was a remaining Ottoman land. Turkey, which aimed to establish a nation state, is also a successor of Ottoman. While losing her non-Muslim population during and after many wars, Turkey built new nation with immigrants, especially with immigrants from Balkans. As it was stated by Tekeli “Balkan immigrants facilitated the establishment of nation state of Turkey.”⁴¹

Even though, there were mass influxes to Turkey, the great number of immigrants came to Turkey with a population exchange between Turkey and Greece. Though, that issue was one of the unsolved problems of Lausanne Peace Treaty. It remained as a big problem for years for Turkey and Greece. Solution of the problem took a long time; meanwhile, commissions and institutions were established or abolished, and laws enacted, amended or abolished. It was certain that they were necessary for admitting and settling down a great many immigrants.

1.2.5. The Exchange of Greek and Turkish Populations

Greece was under Ottoman rule for 400 years and became independence in 19th century. After that, Ottoman lost territory while Greece was expanding. Meanwhile, they exchanged their populations while exchanging their territories. After the collapse of the Ottoman Empire, Turkey assumed migration issue as soon as the republic was established. After the World War I, Ottoman Empire collapsed and Turkish people went to the War of Independence against the Allies of the WW I and Greece. In the end, Turkey was victorious and signed the Lausanne Peace Treaty with the Allies and Greece.

The Lausanne Peace Treaty is assumed as the founding treaty of the Republic of Turkey. However, boundaries were made certain with this treaty; there were some controversies between Turkey and Greece. One of the controversies is the Greek population living in Turkey and Muslim population living in Greece.

⁴¹ İlhan Tekeli, “Türkiye’nin Göç Tarihindeki...”, *op. cit.* p.452.

For Lausanne Peace Talks Turkish delegation was instructed for population exchange about minorities in Turkey.⁴² Turkey saw minorities against her independence because of her Ottoman past and politics of the period. Minorities became a problem which might be cause and justification for involvements in domestic affairs. Actually, before Lausanne Peace Talks started, Greece had to engage nearly one million Greeks. Greek-Turkish War caused a tragedy in Anatolia. Resident Greeks in Anatolia migrated to Greece with the Greek Army with the fear of being punished because of cooperation with the Greek Army.⁴³ Those who left Anatolia and migrated to Greece with the Army was a big problem for Greece. While they were economic burden for Greece, at the same time, they were economic loss for Turkey. The Allies and Greece proposed forced migration instead of a voluntary migration; and they also insisted that Greeks living Istanbul to stay in there, because of their trade relations.⁴⁴ Homogenization of populations by population exchange was seen essential by the Allies in Lausanne Talks in order to prevent to stop conflicts between different religious or ethnic groups.⁴⁵ Meanwhile, this issue came to agenda of League of Nations and Dr. Fridtjof Nansen was assigned to the issue for recommending a solution. He proposed voluntary migration to Turkey and Greece. Turkey accepted the proposal in principle and insisted West Thrace Muslims to stay outside population exchange and Greece insisted Greeks living/resident in Istanbul to stay outside population exchange. Allies believed that peace would bring with the population exchange. They thought that it should be forced and finish before sowing time. But, Greece was opposed to forced migration and wanted repatriation for those leaving Anatolia with Greek Army before, because 350.000 Muslims was going to be exchanged with 1.600.000 Greeks.⁴⁶ Finally, Turkey, Greece and the Allies agreed on forced exchange of populations. Turkey and Greece aimed to establish their nation

⁴² Oran (ed.), "*Türk Dış Politikası...*", *op. cit.*, p.217, 326.

⁴³ Macar, *ibid.* pp.174-175.

⁴⁴ Yıldırım, *op. cit.*, p.59-139; Oran (ed.), *Türk Dış Politikası...*, *op.cit.*, pp.329-334.

⁴⁵ Michael Barutciski, "Lozan'a Yeniden Bir Bakış: Uluslararası Hukuk ve Siyasette Nüfus Mübadeleleri", in *Ege'yi Geçerken 1923 Türk-Yunan Zorunlu Mübadelesi*, (ed.) Renee Hirschon, translated by Müfide Pekin and Ertuğ Altınay, İstanbul Bilgi Üniversitesi Yayınları, 2.Edition, 2007, p.42.

⁴⁶ Elçin Macar, *op.cit.*, pp.175-176.

states by homogenizing their populations. The Allies aimed to establish their “world order” with nation states as soon as possible. In those years, they imposed special articles on protection of minorities to those states in order to take nation states under their control, while new emerging nation states aimed to get rid of minorities.⁴⁷ Besides, new state, the Republic of Turkey, did not want minorities because of Ottoman past experiences and was against to give them privileges and prerogatives. The new state saw minorities against her independence. On the other hand, Turkey was also willing to create national bourgeoisie which was aimed since the late times of Ottoman; because trade and business were under non-Muslims’ control during Ottoman. However, minorities were thought to be a factor which causes external interference. Actually, minority rights took place in the National Pact (Misak-ı Milli) and it was decided that minorities in Turkey would be given minority rights at least as they had in other countries.⁴⁸ Turkey approached the issue in that manner. Eventually, the exchange of Greek and Turkish populations set the pace for future population exchanges for homogenization of populations aiming at finding a way to minority problem in a state.⁴⁹ But, this exchange had taken a great deal of efforts from reaching a compromise between states to transportation and settlement of immigrants.

When Turkey and Greece reached a compromise and signed “the Convention Concerning the Exchange of Greek and Turkish Populations” on January 30, 1923; the exchange of Greek and Turkish population emerged as a big issue to deal with. There were thousands of people who would be exchanged and there were numerous properties left by exchangees. With the purpose of carrying out and regulating the population exchange and estimating their properties which were left, there was a need of a commission. Therefore, Combined/Mixed Commission was established for that process. That commission was established with the Convention Concerning the Exchange of Greek and

⁴⁷ Baskın Oran, “Kalanların Öyküsü 1923 Mübadele Sözleşmesi’nin Birinci ve Özellikle de İkinci Maddelerinin Uygulanmasından Alınacak Dersler”, in *Ege’yi Geçerken 1923 Türk-Yunan Zorunlu Mübadelesi*, (ed.) Renee Hirschon, translated by Müfide Pekin and Ertuğ Altınay, İstanbul Bilgi Üniversitesi Yayınları, 2. Edition, 2007, pp.161-184.

⁴⁸ Yıldırım, *op.cit.*, pp.63, 111-139.

⁴⁹ Yıldırım, *op.cit.*, pp.7-35.

Turkish Populations for liquidation and evaluation of properties of exchangees, supervising/overseeing and facilitating exchange. It was powered to establish sub-commissions when it was necessary. Combined/Mixed Commission was consisted of four Turkish delegates, four Greek delegates and three delegates of states which did not engage with World War I. Any exchangee, who deserted any property in leaving/sending country, would be given a document by Combined/Mixed Commission. The value of the property was written on that document which enabled to exchangee be given property in equal value in receiving country. When population exchange finished, properties left by exchangees would be assessed between two states. Then exceeded quantity would be paid to other country.⁵⁰ In accordance with the Article 1 of the Convention Concerning the Exchange of Greek and Turkish Populations⁵¹, Muslims who established in Greece and Greeks who established in Turkey before May 1, 1923 were going to be exchanged. With the Article 2 “the Greek inhabitants of Constantinople and the Moslem inhabitants of Western Thrace shall not be included in the exchange”.⁵² However, then there came a dispute between two states on the Article 2. The reason was that two states overburdened due to great number of immigrants. Accepting those people and providing them property were nearly impossible for Turkey and Greece. Hereby, Turkey compelled Greeks for migrating; Greece compelled Muslims and Turks for migrating; and these two states confiscated properties of those relevant minorities in their territories. By doing this, they aimed to make each other agree on the related article and the person, who would be excluded exchange, would be assumed as established (yerleşik/etabli). However, the course of events

⁵⁰ Ercan Çelebi, “Mübadillerin Yunanistan’daki Mal Kayıtları ve Muhtelit Mübadele Komisyonu Tasfiye Talepnameleri/The Refugees’ Property Records in Greece And Various Clearance Documents Of The Mixed Exchange Commission”, *Çağdaş Türkiye Tarihi Araştırmaları Dergisi*, 5/12, Spring 2006, pp.35-46; Macar, op.cit., pp.176-177.

⁵¹ The Lausanne Peace Treaty VI. Convention Concerning the Exchange of Greek and Turkish Populations Signed at Lausanne, January 30, 1923,. Article 1:“As from the 1st May, 1923, there shall take place a compulsory exchange of Turkish nationals of the Greek Orthodox religion established in Turkish territory, and of Greek nationals of the Moslem religion established in Greek territory.”

⁵² Ministry of Foreign Affairs, “Lausanne Peace Treaty VI. Convention Concerning the Exchange of Greek and Turkish Populations Signed at Lausanne, January 30, 1923”. <http://www.mfa.gov.tr/lausanne-peace-treaty-vi_-convention-concerning-the-exchange-of-greek-and-turkish-populations-signed-at-lausanne_.en.mfa> [Access date:03.01.2016]

before World War II urged Turkey and Greece to reach a compromise about this issue. At the same time, these two states were in need of economic development and wanted to accomplish social reforms in their countries.⁵³ After many negotiations and several agreements, the issue was finalized by the Ankara Agreement on June 10, 1930. Turks in West-Thracian and Greeks in Istanbul, who came there before the Convention was signed, were accepted established. With that agreement, the properties deserted by exchangees were escheated to the departed country.⁵⁴

The exchange of populations and settlement of them took at least ten years. Though, as soon as Turkey came out of the war, Turkey made reports on social, economic conditions and health requirements of the country and established committees reconstruction and settlement of the country as well, before the Lausanne Conference.⁵⁵ As being a war-ravaged country, Turkey aimed to reconstruct the country as soon. Just then the exchange of Turkish-Greek population came up. However, the new Republic of Turkey was unprepared to control on abandoned/deserted properties. They were put under control of the Ministry of Finance. There were a lot of homeless local people who were in need of accommodation. Those abandoned properties were occupied by those local people.⁵⁶ On the other hand, there was a crisis in agricultural production in Anatolia for a decade because of wars and the number of emigrants who migrated to Greece was more than half million. Turkey lost her producer population. Emigrants were manufacturers or traders while immigrants were agriculturalists. Under those circumstances, the settlement of them was difficult. Immigrants were planned to be settled the places abandoned by emigrants. But, their properties were occupied by local people. In those years, local people were in need of housing and fields because

⁵³ Baskın Oran, “*Türk-Yunan İlişkilerinde Batı Trakya Sorunu*”, Mülkiyeliler Birliği Vakfı Yayınları-2, Ankara, 1986, pp.49-50. <<http://mulkiye.org.tr/wp-content/uploads/2015/09/2.pdf>> [Access date:21.07.2016]; İsmail Soysal, *Tarihçeleri ve Açıklamaları ile Birlikte Türkiye'nin Siyasal Anlaşmaları I.Cilt (1920-1945)*, Türk Tarih Kurumu. <http://www.ttk.gov.tr/templates/resimler/File/ktpbelge/antlasmalar/turkiye_yunanistan_30ekim1930.pdf> [Access date:27.07.2016]

⁵⁴ Oran (ed.), *Türk Dış Politikası...*, *op. cit.*, pp.346-347.

⁵⁵ Yıldırım, *op. cit.*, p.235.

⁵⁶ Arı, *Büyük Mübadele...*, *op. cit.*, pp.8-15.

theirs were destroyed during the war. Though, settlement was a main problem in whole country. Turkey made plans and projects for the settlement of them and aimed to establish a permanent institution on migration. Politicians were also aware of the problem. But, immigrants were forced to move several times to different places because of unsuccess on settlement.⁵⁷ At the same time, Hirschon sets forth that “population exchange collapsed political, social and economic structures; therefore reconstruction of them was too hard.”⁵⁸ Settlement of immigrants and integrating them into the economy were essential. So, settlement was urgent for Turkey. Furthermore, qualifications of exchangees were different from each country. While Greeks were entrepreneur and skillful; Muslims were agriculturists. At the same time, it means that Turkey lost her entrepreneur and skillful (urban) population and got agriculturist (rural) population instead of them. That difference caused a problem on settlement of them. On the other hand, Anatolia was ruined and trading class left the country. So, Turkey gave importance and priority to settlement of immigrants rather than growing economy by labour immigration.⁵⁹ In addition to this, settlement brought about economic burden, Turkey also aimed to prevent any interference in her internal affairs by homogenizing her population and settling immigrants without external loan.⁶⁰ New state settled down immigrants casually as soon as possible without taking account of details of their skills and qualities. Unfortunately, many immigrants could not be settled appropriate areas properly according to their qualifications, so they were not able to integrate the economy and get economic self-sufficiency as soon.⁶¹ However, they also brought new techniques in agriculture.⁶² Anyway, they were settled down anyhow with great efforts by government of that period.

⁵⁷ Yıldırım, *op. cit.*, pp.143-173.

⁵⁸ Renee Hirschon, “Lozan Sözleşmesinin Sonuçları: Genel Bir Bakış”, in *Ege’yi Geçerken 1923 Türk-Yunan Zorunlu Mübadelesi*, (ed.) Renee Hirschon, translated by Müfide Pekin and Ertuğ Altınay, İstanbul Bilgi Üniversitesi Yayınları, 2. Edition, 2007, p.19.

⁵⁹ Ayhan Aktar, “Nüfusun Homojenleştirilmesi ve Ekonominin Türkleştirilmesi Sürecinde Bir Aşama: Türk-Yunan Nüfus Mübadelesi 1923-1924”, in *Ege’yi Geçerken 1923 Türk-Yunan Zorunlu Mübadelesi*, (ed.) Renee Hirschon, translated by Müfide Pekin and Ertuğ Altınay, İstanbul Bilgi Üniversitesi Yayınları, 2. Edition, 2007, pp.111-160.

⁶⁰ *Ibid.* pp.113-116, 134-138.

⁶¹ Yıldırım, *op. cit.*, pp.234-261.

⁶² Arı, *Büyük Mübadele...*, *op. cit.*, p.2.

Many immigrants came from former Ottoman lands to Turkey; however, the number of exchangees was the highest one. Therefore, great efforts was spent, resources were mobilized for immigrants. But, the real need was institution and legislation. Therefore, Turkey established commissions, ministries and enacted laws. During those years, immigration policy of Turkey was admitting Turkish immigrants according to Agreements. Exchange was done in accordance with the Lausanne Peace Treaty. But, there were some other articles for Turkey to admit immigrants from another former Ottoman Land, Cyprus.

1.2.6. Turkish Cypriots

Cyprus Island was former Ottoman land from where people have migrated to Anatolia since 1878. Ottoman conquered the island in 1571, since then Turks were settled down there. After three centuries later, Great Britain occupied the island in 1878, and annexed the island in 1914 when WW I began. Ottoman and Great Britain were enemies in that war. Turks started to migrate to Ottoman after 1878, because Turks were eased out of offices by British officials, and they had to sell their properties to Greeks living in the island. But the important thig was that Greeks requested “enosis”⁶³ from Great Britain in the early days of the occupation.⁶⁴ After 1914 the number of Turks migrating to Anatolia increased, because they rejected to be nationality of Great Britain.⁶⁵ After the collapse of Ottoman Empire after the WW I, her successor Turkey considered Turkish Cypriots in the Lausanne Peace Treaty. With the Article 20 Turkey recognized the annexation of the island by England. With the Article 21 Turkey assumed to grant her nationality to Turkish Cypriots who wanted to leave the island and migrate to Turkey within two years after signing the Lausanne Peace Treaty.

⁶³ “Enosis” means the unification of Cyprus to Greece.

⁶⁴ Zafer Çakmak, “Kıbrıs’tan Anadolu’ya Türk Göçü (1878-1938)/ Turk Migration from Cyprus to Anatolia (1878-1938)”, *A.Ü. Türkiyat Araştırmaları Enstitüsü Dergisi*, No:36 Erzurum 2008, pp.201-207; Salahi R. Sonyel, “İngiliz Yönetiminde Kıbrıs Türklerinin Varlık Savaşımı (1878-1960)”, *BELLETTEN*, 224, Cilt/Vol: LIX, No/Sayı: 224, Yıl/Year: 1995, April, pp.133-135. <<http://www.ttk.gov.tr/index.php?Page=Dergilcerik&IcerikNo=483>> [Access date:25.11.2015]

⁶⁵ Çakmak, *ibid.*, p.207.

With the purpose of carrying out immigration from Cyprus, Turkey opened a consulate on the island.⁶⁶ Turkey sent an act to the consulate that she declared to give field and home to Turkish Cypriot immigrants who were poor.⁶⁷ There is not certain numbers on how many Turkish Cypriots immigrated to Turkey in those years. English officials on duty in the island sent a report to England in 1928 and stated that 5.000 Turkish Cypriots migrated to Turkey. Turkish Consulate stated that 9.327 people were granted Turkish nationality.⁶⁸ Birlik newspaper, which was published in Cyprus, stated that 9.310 people chose Turkish nationality.⁶⁹ Those immigrants were generally settled down Mediterranean region of Turkey considering their professions in horticulture and citriculture.⁷⁰ In those years, there were two views on migration to Turkey between Turkish Cypriots. One view was in favour of migration to Turkey, *enosis* was considered as a future threat and being minority was seen a problem. The other view was against migration from the island. It drew attention to the strategic importance of Cyprus for Turkey. Great Britain was expected to support Turkish minority against *enosis* demand of Greeks, because Great Britain was supporting minorities against majority in her dominions.⁷¹

After the end of the right of option of nationality within two years that was given in Lausanne Peace Treaty, Turkish Cypriots still wanted to migrate to Turkey because of economic reasons. Turks were removed from working in public sector by British officials and economic crises worsened the economic conditions of Turks.⁷² Turkish Cypriots students who went to Turkey for having education preferred to stay in Turkey to find a job, because their families lived in poor conditions in Cyprus. Young Turkish Cypriots desired to live independence

⁶⁶ Fahriye Emgili, "Kıbrıs'tan Türkiye'ye Yapılan Göçlerin Kıbrıs Türk Basınına Yansımaları (1923-1938)", *Karadeniz Araştırmaları*, No:39, Autumn 2013.p.114; Çakmak, *op. cit.*, p.211.

⁶⁷ *Ibid.*, p.120.

⁶⁸ Çakmak, *op. cit.*, p.212.

⁶⁹ Emgili, *op. cit.*, pp.126-127.

⁷⁰ Çakmak, *op.cit.*, pp.214-220; Emgili, *op. cit.*, pp.116-119.

⁷¹ Emgili, *op. cit.*, pp.121-132.

⁷² General Directorate of State Archives of the Prime Ministry of the Republic of Turkey, Fonds of Republican Period, "Kıbrıs Milletvekili Necati Özkan'ın Kıbrıs Adası Türkleri hakkında verdiği bilgi.(1936)" Fond Code:30..10.0.0 Place No:611.120..9.;; Emgili, *op. cit.*, p.121,128.

country in freedom; they also saw themselves as a part of Turkey.⁷³ Another reason was that Great Britain prevented Turkish Cypriots who graduated from Turkish higher education schools (whether in Turkey or Cyprus) to work in the island and it was laid down as a condition that to graduate from English universities to become a doctor or a lawyer.⁷⁴ Unemployment caused Turkish Cypriots to think about migration to Turkey. But, with the end of the two-year right of option, Turkey discouraged Turkish Cypriots to migrate to Turkey. Considering the strategic importance of the Cyprus Island, Turkey wanted Turkish Cypriots to stay in the island. Turkish Cypriots sailed to Turkey with small boats but Turkey did not admit them in order not to encourage them to leave the island. In addition, according to a report which was sent from Turkish Consulate in Cyprus, Turkey knew that economic conditions were worse for Turkish Cypriots.⁷⁵ However, there was Premiership Decree which enabled Turkish Cypriots to be a refugee or immigrant (serbest göçmen) in Turkey. In accordance of the Decree, Turks who took refuge in Turkey from Aegean or Mediterranean islands before April 20, 1941 were accepted as refugees or immigrants if they were not able to return or be repatriated.⁷⁶ However, there has not been any report on whether the Turkish Cypriots or Turks from Aegean islands benefited from the decree. As stated before, with the end of the two-year right of option, Turkey has been always opposite to immigration of Turkish Cypriots. Although, Turkey encouraged and facilitated immigration from Balkans, immigration from Cyprus was discouraged. However, Turkey provided them an opportunity to opt their nationality voluntarily for a while.

⁷³ General Directorate of State Archives of the Prime Ministry of the Republic of Turkey, Fonds of Republican Period, "Kıbrıs'taki Türk Azınlığı hakkında Türk Konsolosluğu'nun sunduğu yazı.(1937)" BCA Fond Code:30..10.0.0 Place no:124.886.18.

⁷⁴ General Directorate of State Archives of the Prime Ministry of the Republic of Turkey, Fonds of Republican Period, Kıbrıs'taki Türk Azınlığı hakkında Türk Konsolosluğu'nun sunduğu yazı.(1937) Fond Code: 30.10.0.0, Place No: 124.886.18.

⁷⁵ General Directorate of State Archives of the Prime Ministry of the Republic of Turkey, Fonds of Republican Period, "Hariciye Vekâlet'inden Başvekâlet'e gönderilen Kıbrıs'taki Türklerin durumu hakkında Kıbrıs Türk Konsolosluğu'ndan alınan Rapor. (1938) Fond Code: 30.10.0.0, Place No: 124. 887. 3. 14. 09.

⁷⁶ General Directorate of State Archives of the Prime Ministry of the Republic of Turkey, Fonds of Republican Period, Yunan ve Bulgar Batı Trakyası ile Akdeniz ve Ege denizindeki adalardan Türkiye'ye gelip memleketlerine iade edilemeyen Türklere mülteci ve serbest göçmen muamelesi uygulanması. BCA Fond Code:30..18.1.2. Place No:96.72..3.

1.2.7. Overview

As stated above, after the World War I, Ottoman Empire was collapsed and the Republic of Turkey was established. Turks and Muslims living former Ottoman lands migrated to Turkey. Their origin was Turk and their nationality was Turkey's predecessor Ottoman. Wars, Balkan Wars and World War I, tired Ottoman population living in loosen Balkan lands. The new states which were established after those wars followed a policy to make their population homogenous. Therefore, Turks and Muslims were unwanted and expelled to Turkey. In Balkans "Muslim" is synonym for "Turkish". Balkan Muslims are named Turks, even if they do not speak or their ethnic origin is not Turkish. Turkey has also accepted Muslims as Turks as Ottoman did.⁷⁷ The number of Balkan immigrants was very high. Therefore, specialized institution and legislation were necessary and the need. Turkey had to cope with a great many immigrants and settle down them in the country. When exchangees came to Turkey, they were in very poor and miserable condition.⁷⁸ Turkey had to provide then accommodation. The immigrants went on coming to Turkey in next decades. In those years, Turkey established several institutions, bodies or commissions. Those were the Ministry of Health and Welfare, the Directorate for Immigrants affiliated to Ministry of Interior, the Ministry of Exchange, Reconstruction and Settlement, the Ministry of Health and Social Aid and the Commission on Central Settlement which carried out immigration process. And legislation on immigration was necessary and the need. Turkey enacted the Law on Exchange, Reconstruction and Settlement (Law no: 368) in 8 November 1923, made her Constitution in 1924, adopted the Turkish Citizen Law in 1928, enacted the Settlement Law in 1934. Immigration was carried out by those institutions and laws to a certain time. Then, some of those institutions were abolished and some laws were amended in the course of time according to

⁷⁷ Karpat, *Osmanlı'dan Günümüze...*, *op.cit.*, p.241.

⁷⁸ Ercan Çelebi, *Mübadele, İmar ve İskân Vekâleti (Kuruluşu, Teşkilat Yapısı ve Faaliyetleri)*, Graduate School of Social Sciences, Unpublished PhD Thesis, Ondokuz Mayıs University, Samsun, 2005, p.267.

developments on mass immigration events. Those institutions and legislation will be examined in this chapter until the World War II.

1.3. Institutions on Migration

As previously mentioned, in order to cope with a great number of immigrants and carry out immigration, institution on migration was an important need and necessity. Therefore, Turkey established several institutions or commissions in that period.

First of all, migration to Anatolia was ongoing since before the collapse of Ottoman Empire. Turkey's population is consisted of Ottomans; Turkey is somewhat continuation of Ottoman, and the staff, who established and were governing Turkey, were Ottomans and immigrants.⁷⁹ Yıldırım states that Turkey sustained Ottoman institutions on migration totally just the same; but, they were unsuccessful on the issue because of red tape, very high number of immigrants and inadequate supervision. When the government of the new state was established in 1920 in Ankara, it resumed with Ottoman institutions. In the field of migration, it put all relevant institutions under General Directorate of Immigrants (Muhacirin Müdüriyeti).⁸⁰ So, it is not possible to think immigration policy of two states were unrelated from each other.

During Ottoman State, immigration policy was carried out by regulations, by-laws or instructions. But, after 1912, there was a strong need for a policy and legislation on settlement of immigrants.⁸¹ General Directorate of Tribes and Immigrants was established in 1914 for mass migration from Balkans as a result of wars. Mass migrations continued after the establishment of Turkey. Right after the wars, World War I and Independence War, there were mass population movements. The Ministry of Finance, the Ministry of Interior and Ministry of

⁷⁹ Karpaz, *Osmanlı'dan Günümüze...*, *op. cit.*, 2013.

⁸⁰ Yıldırım, *op. cit.*, pp.43-55 and 285-286.

⁸¹ Çelebi, *ibid.*, p.77.

Health and Welfare tried to manage immigration together. But, it was hard for them in terms of coordination, lack of organization and lack of authority.⁸²

During WW I and Independence War, there were a lot of people immigrating and emigrating. After those wars, there was a population exchange that should be done immediately and the number of exchangees was half million. So, Turkey established a ministry in order to exchange them and settle down all immigrants.

1.3.1. The Ministry of Exchange, Reconstruction and Settlement (MERS)

Under this title, reasons of the establishment of the ministry and experiences on this issue from the past are elucidated as well as the establishment and abolishment of the ministry.

There was a need for separate and specialized agency for dealing with mass migration and settlement of immigrants. In that period existing institutions which were lack of organization and authority were not able to conduct immigration.⁸³ In 1922, Ministry of Health and Welfare (Sıhhiye ve Muavenet-i İctimaiye Vekaleti) was charged to manage immigration by the Law No: 929. Red Crescent took care of immigrants, provided them accommodation, food and health care.⁸⁴ Meanwhile, Joint Commission offered to settle immigrants in winter as soon as possible because exchangees set off. Besides, they should go into production, at the same time repairment of houses and settlement of immigrants were urgent. There was a need for an organization to plan the settlement. Organization empowered with comprehensive authority was seen

⁸² İlhan Tekeli, "Involuntary Displacement and the Problem of Resettlement in Turkey from the Ottoman Empire to the Present", Center for Migration Studies Special Issues, July 1994, pp.202-226 <<http://onlinelibrary.wiley.com/doi/10.1111/j.2050-411X.1994.tb00808.x/epdf>> [Access date:03.10.2016]; Canan Emek İnan, "Türkiye'de İskân Siyaseti: İskâna Yönelik Örgütsel Yapı Üzerinden Bir İnceleme/ Settlement Policy In Turkey: A Study on the Organizational Structure of Settlement", *Yönetim ve Ekonomi Araştırmaları Dergisi*, No:22, 2014, pp.85-88.

⁸³ Arı, *Büyük Mübadele...*, *op. cit.*, p.24.

⁸⁴ Aslı Cihangiroğlu, *Atatürk Dönemi Türkiye'de İskân Çalışmaları (1923-1938)*, Graduate School of Social Sciences, Unpublished PhD Thesis, Fırat University, Elazığ, 2010, pp.206-209

necessary for improving immigrants' poor living conditions, for even psychology of immigrants for future society.⁸⁵ Government of Republic of Turkey was criticized for not having a certain settlement policy. Attention was drawn on that European states had certain settlement policies. Anatolia was ruined and exchangees were needed for reconstruction. It was also emphasized that exchangees had problems and there was a need for a separate ministry. Any directorate under a ministry was rejected by deputies; the importance of a ministry was emphasized due to the size of the problem.⁸⁶ In those years, the press criticized the government because of past failures, no specialized organization and no trained personnel.⁸⁷ In consequence, the Council of Ministers prepared a report which proposes the establishment of the Ministry of Exchange, Reconstruction and Settlement; because, there was a strong need for a separate institution for the management of exchange and reconstruction. For this purpose, laws on exchange, reconstruction and settlement of different countries (Belgium, France and Germany) were examined. Finally, the Ministry of Exchange, Reconstruction and Settlement (MERS) was established on October 23, 1923. It was charged with extensive power. Its organizational structure was determined by the Law no: 366 on November 1, 1923 and in accordance with this law, the ministry were comprised of two institutions; Directorate General of Exchange and Settlement and Directorate General of Reconstruction. Then, the Law on Exchange, Reconstruction and Settlement (Law no: 368) was enacted on November 8, 1923.⁸⁸ The MERS embarked on provincial organizations as soon.⁸⁹ The Ministry of Exchange, Reconstruction and Settlement was charged with transporting exchangees, providing food and accommodation for them and settling them and it was going to provide food for two months to immigrants after settlement. It was also allowed to use all state's

⁸⁵ Arı, *Büyük Mübadele...*, *op. cit.*, pp.22-23.

⁸⁶ Kemal Arı, "Cumhuriyet Döneminin İlk Yıllarında Türkiye'de Mübadele, İmar, İskan İşleri ve Mustafa Necati", *Mustafa Necati Sempozyumu*, Kastamonu Eğitim Yüksekokulu, Kastamonu, 9-11/May/1991, pp.44-57.

<<http://web.deu.edu.tr/ataturkilkeleri/eski/tr/inc/content.php?contentid=215>> [Access date:23.08.2016]; Arı, *Büyük Mübadele...*, *op. cit.*, pp.22-31; Cihangiroğlu, *op. cit.*, p.216.

⁸⁷ Çelebi, *op. cit.*, p.42.

⁸⁸ *İskân Tarihçesi*, Hamit Matbaası, İstanbul, 1932, pp.13-50.; Arı, "Cumhuriyet Döneminin...", *op. cit.*, pp.44-57.; Çelebi, *Mübadele, İmar ve İskân...*, *op. cit.*, pp.42-44.

⁸⁹ *İskân Tarihçesi*, pp.13-50.; Çelebi, *Mübadele, İmar ve İskân...*, *op. cit.*, p.59.

means for exchange, repair and settlement. It was authorized to establish committees for doing its duties. Immigrants, who were settled after 1910, would be resettled by the ministry according to their skills. Buildings constructed after 1922 had been free of taxes until 1930. The paraphernalia, tools and machinery, which were needed for repairing for factories, machines or workbenches destroyed in the war, were free of duties. The MERS had a private budget. It had also authority to evacuate the occupied houses.⁹⁰ The exchangees would be settled in the houses which were abandoned by Greek exchangees. But, they were occupied by internally displaced Turks whose houses were destroyed during the war.

There were failures on combatting occupation of abandoned houses. On the other hand, the MERS issued circulars on how to manage and conduct the process in details, but there were still failures. The MERS gave priority to the problems of exchangees, despite it was charged with all immigrants after 1912 and internally displaced people.⁹¹ The MERS focused on transportation of exchangees and neglected settlement of them in abandoned properties. In that process, it worked together with the Red Crescent. Unfortunately, it could not reach every immigrant in every area, because of lack of organization.⁹² It was hard for the ministry to handle the issue that there were a great number of people and the country was in ruins because of wars.

But, after a year, the implementation and deficiency of the Ministry of Exchange, Reconstruction and Settlement was begun to be criticized fiercely. There were problems on authority confusion of officials and allegations of corruption.⁹³ On December 11, 1924, with the Law no: 529, the Ministry of Exchange, Reconstruction and Settlement was abolished and its duties were transferred to the Directorate General of Settlement affiliated to the Ministry of Interior. It was thought that the Directorate General of Settlement could take advantage of

⁹⁰ *The Law on Exchange, Reconstruction and Settlement, No: 368, November 8, 1923. This law was consisted of 20 articles.*

⁹¹ Arı, *Büyük Mübadele...*, *op. cit.*, p.36.

⁹² Yıldırım, *op. cit.*, pp.286-291.

⁹³ *İskân Tarihçesi*, pp.50-52.; Emek İnan, "Türkiye'de İskân...", *op. cit.*, p.88.; Çelebi, *Mübadele, İmar ve İskân...*, *op. cit.*, pp.276-280.

means, capabilities and facilities of the Ministry of Interior.⁹⁴ One of the reasons of the abolishment of the MERS was that it could not prevent infiltration to the country. Turkey approached the issue with security concerns and delegated authority to the Mol that was believed to control the borders effectively and authenticate identification.⁹⁵ The MERS was established on migration and it had bodies for carrying out the process well. But, it was found inadequate and its duties were transferred to a directorate affiliated to other ministry whose capabilities were better.

There was another private organization that should be explained. It was Mixed/Joint Commission, which was established under the MERS, for carrying out migration of Turkish-Greek exchangees.

1.3.2. Mixed/Joint Commission (Karma Komisyon)

Mixed Commission was established for carrying out Turkish Greek population exchange in accordance with the Article 11 of the Convention Concerning the Exchange of Greek and Turkish Populations which was signed in Lausanne on January 30, 1923. Mixed Commission was consisted of four Turkish, four Greek, three persons elected by Assembly of League of Nations. This commission was charged to conduct exchange of populations, to liquidate and quote a price for properties of exchangees, to give deed/certification that indicates the quantity of properties left by exchangees for giving to receiving state. The commission was entitled to set up sub-commission when it was needed. It was also fully charged for solve every problem that occur during exchange of populations, also problems between two state.⁹⁶ When there was a problem, exchangees contacted with their governments through the commission by individual applications. However, they were not paid for the properties they

⁹⁴ *İskân Tarihçesi, op. cit.*, pp.52-53.

⁹⁵ Emek İnan, "Türkiye'de İskân...", *op. cit.*, pp.88-89.

⁹⁶ See the Articles 11-17 of *the Convention Concerning the Exchange of Greek and Turkish Populations* January 30, 1923 for the duties and authorisations of the Mixed/Joint Commission (Karma Komisyon).

left. The commission also determined the people who were exempt from exchange.⁹⁷ The commission had worked until 1934.⁹⁸

As stated before, the number of exchangees was the highest among the immigrants. So, Mixed Commission was charged only with exchangees. Even, the Ministry of Exchange, Reconstruction and Settlement was abolished one year after the establishment; Mixed Commission worked until 1933 when the exchange of populations finished. It was an essential need. When the number of immigrants was high and it required coping with, the need for an institution came about and Turkey established a ministry and commission as she will do in the following decades.

1.3.3. Ministry of Interior

As stated before, in 1924 duties of the MERS transferred to the Ministry of Interior (Mol). Right after, the Mol focused on settlement of immigrants. They were divided into groups according to regions where they were going to be settled.⁹⁹ Settlement was going to be done with supervision of governorates.¹⁰⁰ Then the settlement of immigrants was conducted by the Mol. In accordance with the Law no: 885 which was enacted on May 31, 1926, the Ministry of Interior was authorized to accept immigrants with the Article 1 of this law.

Seven years later enacting the Law no: 885, Turkey made the Settlement Law (No:2510, date 14.06.1934). This law established the Commission on Central Settlement (Merkezi İskan Komisyonu) with the Article 42. Personnel of the commission were assigned from Ministry of Interior, Ministry of Foreign Affairs, Ministry of National Education, Ministry of National Defense, Ministry of Economy, Ministry of Finance, Ministry of Agriculture, Ministry of Health and

⁹⁷ Yıldırım, *op. cit.*, pp.262-273.

⁹⁸ Ercan Çelebi, "Türk ve Rum Ahalinin Mübâdelesine Dair Oluşturulan Komisyonlardan Muhtelit Mübâdele Komisyonu ve Faaliyetleri", *Erzincan Eğitim Fakültesi Dergisi*, Cilt/Vol:8, No:1, 2006, pp.107-120.

⁹⁹ *İskân Tarihçesi*, pp.52-56.

¹⁰⁰ Emek İnan, "Türkiye'de İskân...", *op. cit.*, p.89.

Social Aid, Agricultural Bank (Ziraat Bankası) and at most three personnel, who are expert in the field, outside. Commission on Central Settlement was charged with the transportation of immigrants and settlement of them taking into account of social, economic and health conditions. The Ministry of Interior was given authority on regulating the settlement of immigrants and displaced people. Ministry of Interior was charged with sectionalize places where immigrants and displaced people were going to be settled.¹⁰¹ People, who wanted to be settled in Turkey, were allowed with the order of Mol. The acceptance of refugees and immigrants was determined and regulated by ordinance of the Mol. It was also authorized with the settlement of nomad Gypsies and Non-Turkish origins and expelling them. The Mol had authority to change places where they settled within two years.¹⁰²

Shortly after adopting the Settlement Law, new laws were made or there came some amendments in some laws and changes were done in structural organizations of institutions related to immigration. Within the framework the Law on the Amendments on Some Articles of Central Organization and Duties of Ministry of Interior (No: 2577, date 15.07.1934) (in Turkish 2577 Sayılı Dâhiliye Vekâleti Merkez Teşkilât ve Vazifeleri Hakkındaki Kanun'un Bazı Maddelerinin Tadiline Ait Kanun), one of the branches of Mol was charged to examine the situation of the people, who would come to Turkey, depending on the Turkish blood and culture and decide where they might be settled. The Law on Transferring Settlement to the Ministry of Health and Social Aid and Its Administration with a Separate Budget (2849 Sayılı İskân İşlerinin Sıhhat ve İçtimai Muavenet Vekaletine Devrine ve Ayrı Bir Bütçe ile İdare Olunmasına Dair Kanun) was enacted on November 21, 1935. With that law, the Ministry of Health and Social Aid was charged with settlement of immigrants and technical issues, Ministry of Interior continued to accept immigrants and decide the areas where they would be settled. According to Emek İnan, policy determination and

¹⁰¹ Three regions were sectionalized according to settlement of people. The first region was supposed to be full of Turkish culture and second region was supposed to be represented by Turkish culture, third region was supposed to be banned for residence. Emek İnan, "Türkiye'de İskân...", *op. cit.*, p.89.

¹⁰² The Settlement Law No:2510, the Articles 1, 2, 3 and 5.

cultural issues went on to be responsibilities of Mol.¹⁰³ The Directorate for Immigrants, which had been established under the auspices of the Ministry of Interior in 1924, was transferred to Ministry of Health and Welfare on 18 November 1935.¹⁰⁴ In those years, Turkey engaged in and gave much importance to the settlement of immigrants and nation building intently.

After the abolishment of the Ministry of Exchange, Reconstruction and Settlement, the Ministry of Interior has engaged with migration until today. The Directorate General of Security Department of Foreigners, Borders and Asylum affiliated to Mol had been charged with immigration to recent years. Then, Directorate General for Migration Management was established in 2013 affiliated to Mol. Those institutions are examined historically in following chapters according to periods.

Abovementioned laws were enacted in order to regulate the process, and working and operation of institutions mentioned above. Legislation of Turkey and her separate laws on migration, citizenship, settlement etc. will be examined in details in this chapter under the next title “Legislation of Turkey”.

1.4. Legislation in Turkey

Most immigrants came after the World War I whereby agreements signing with Balkan States. So, the acceptance of immigrants was decided in those agreements. Exchange was carried out with Convention Concerning the Exchange of Greek and Turkish Populations. The Law on Exchange, Reconstruction and Settlement was enacted in 1923 after signing the Convention. The settlement of immigrants was carried out by the commissions, directorates or ministries which are stated above. New established Turkey gave importance to settlement of immigrants and their participation to production, fabrication and manufacture as soon as possible.¹⁰⁵ Those immigrants were

¹⁰³ Emek İnan, “Türkiye’de İskân...”, *op. cit.*, pp.89-91.

¹⁰⁴ Çelebi, *Mübadele, İmar...*, *op. cit.*, p.279.

¹⁰⁵ *İskân Tarihçesi*, 1932.

granted Turkish Citizenship due to their Turkish descent and origin. Turkey enacted Turkish Citizenship Law in 1928 and the Settlement Law in 1934. Those laws were in effect nearly 80 years until the Law on Foreigners and International Protection was adopted in 2013.

1.4.1. Turkish Citizenship Law (1928)

Turkish Citizenship Law was adopted in 1928. It consisted of 17 articles. The definition of “citizen” in 1924 Constitution of Turkey was the same as 1876 the Constitution of Ottoman (Kanuni Esasi). Accordingly, Yurdusev sets forth that Ottoman almost completed her nation building, in the second half of 19th century, Ottoman became almost nation state.¹⁰⁶ So, it can be interpreted that Turkey continued to follow Ottoman immigration policy. Though, these two states, one is predecessor and other is successor, experienced the same immigration history.

The acquaintance of Turkish Citizenship was stated in the first six articles of the law. People, who are of age and resident in Turkey for five years, might ask Turkish Citizenship from the Council of Ministers; but in exceptional circumstances five year residency is not requisite. Foreign children who were born in Turkey might ask Turkish Citizenship when be of age. Foreign children who were born in Turkey before January 1, 1929 were granted Turkish Citizenship. The Council of Ministers was authorized by this law to grant citizenship.

In case of mass migration, there was not any article granting Turkish Citizenship in a mass. Turkey accepted immigrants by bilateral agreements and gave all them Turkish Citizenship. Turkey was in need of those immigrants because she lost quite a number of her population who died in the wars or migrated to another country after wars. Therefore, settlement of immigrants was very

¹⁰⁶ Nuri Yurdusev, “Osmanlı Mirası ve Türk Dış Politikası Üzerine”, in *Yeni Dönemde Türk Dış Politikası Uluslararası IV. Türk Dış Politikası Sempozyumu Tebliğleri*, (ed.) Osman Bahadır Dinçer, Habibe Özdal and Hacali Necefoğlu, 2. Edition, USAK Yayınları, Ankara, 2010, p.48.

important for economic and social reasons. Migrations to Turkey after WW I were forced and involuntary. Those people left their properties and came to Turkey and they were in need of housing. With the purpose of these, Turkey enacted the Settlement Law in 1934. At the same time, Turkey, whose economy was damaged after wars, was in need of those people for providing and increasing production.

1.4.2. The Settlement Law (İskân Kanunu) 1934

The Ministry of Exchange, Reconstruction and Settlement was established and the Law on Exchange, Reconstruction and Settlement was enacted in 1923. That law carried out the settlement of immigrants for a decade. Then the Settlement Law (No:2510) was enacted on June 14, 1934.

In accordance to this law Turkish descendants were accepted and Council of Ministers was authorized to determine who Turkish was. If the Council accepted their Turkish origin, they were called migrant and those people were settled down in the first regions which were supposed to be full of Turkish culture or second regions which were supposed to represent Turkish culture. Those who were accepted as immigrants were granted Turkish citizenship with a cabinet decision. On the other hand, those who were anarchist, spy, nomad Gypsy or expelled from Turkey were not accepted as immigrants. In the Settlement Law, refugee was defined a person who wanted to live in Turkey temporarily because of compelling reasons. If a refugee applied to the state for living in Turkey permanently s/he was subjected to the Citizenship Law. Refugee or migrant who had Turkish origin were let to settle where they want, but others had to settle in areas where the government decided. Immigrants of Turkish origin were settled down to areas which are appropriate/similar to weather conditions and way of lives where they came from. Non-Turkish origins were settled down in small groups, they were not let to constitute a majority. In accordance to the law, state's vehicles provided free transportation for immigrants and refugees. Their properties or animals were free of customs duty. In Article 16, Turkey

considered unity of family for settlement, especially Turkish origins were settled down with or near their relatives. If houses, places, fields which were allocated for immigrants or refugees were occupied, after evacuation they would be given to immigrants or refugees. In accordance to Article 36, immigrants and refugees who would come from abroad were given free passports and visas by Turkey. In accordance to the Article 4, those who were forced to migrate to Turkey with an agreement were admitted with a decision given by the government.

In accordance with the legislation of Turkey, Muslims and Turks or people of Turkish descent and origin were accepted as migrants whether they were refugee or migrant. Özgür Baklacioğlu elucidates the issue; the term “migrant” derived from migration policy of Ottoman. Muslim immigrants were called as migrant by Ottoman; “migration” meant forced migration because of religion. The definition of migrant and refugee were made in 1934 Settlement Law. Refugee implied temporariness and insecurity for migration policy. In the early years of Republic of Turkey, although migrants were registered by the Ministry of Health and Welfare, refugees were accepted by Mol. Immigrants from Bosnia, Serbia and Kosova were accepted as refugees or migrants. But, after 1950s immigrants from Balkan states, Bulgaria and West Thrace, have been accepted as migrants in spite of being refugees.¹⁰⁷

1.5. Overview

Turkey was established after the collapse of Ottoman Empire. Turkey always made wars in the early days of her establishment. On the one hand Turkey tried to establish the country and strove for the establishment of nation state, on the other hand Turkey tried to build her nation and create national bourgeoisie¹⁰⁸. For instance, The Law on Artisans and Services Reserved for Turkish Citizens, which did not allow foreigners to work for certain occupation, was adopted in 1932. “After it was put into effect in 1934, it caused 9.000 Greeks established in

¹⁰⁷ Özgür Baklacioğlu, *op. cit.*, pp.195-196.

¹⁰⁸ Yıldırım, *op. cit.*

Istanbul lost their jobs.”¹⁰⁹ While Turkey was building her nation mostly with immigrants, those people changed the qualifications of the population consisting the acceptance of refugees and immigrants was determined and regulated by ordinance of the Mol. Turkey. Turkey gave citizenship to immigrants with Cabinet Decision.

Turkey admitted those with agreements signed with the countries where they came from, except Yugoslavia. Turkey admitted Muslims from Yugoslavia with a decree for the nonce. Turkey settled them considering their assimilation. With the purpose of this, Turkey settled them in certain places. As being a war ravaged country, there were great many waiting for the settlement. Those were immigrants and poor population of war ravaged Turkey and those who lost their houses because of wars. Turkey established a ministry for the settlement of those people. The Ministry of Exchange, Reconstruction and Settlement carried out the settlement with issuing circulars. One of the branches of Mol was charged to examine the situation of the people, who would come to Turkey, depending on the Turkish blood and culture and decide where they might be settled.

While there was a law, Turkey preferred to handle issue with a decision or circulars. In that period, immigrants were not granted Turkish Citizenship with Turkish Citizenship Law, they were granted citizenship with Cabinet Decision. They were admitted to Turkey with treaties, agreements or a decree. They were settled down Turkey with the Law on Exchange, Reconstruction and Settlement (Law no: 368) and the Settlement Law (1934).

In those years, Turkey welcomed her descendants due to her nation building policy. Turkey issued circulars, directives or decrees and established a ministry and a commission because of the high number of immigrants. In addition, there should be a comprehensive legislation and a special institution on migration in order to cope with a great number of immigrants who came in a mass. It was

¹⁰⁹ Ayhan Aktar, “Nüfusun Homojenleştirilmesi ve Ekonominin Türkleştirilmesi Sürecinde Bir Aşama: Türk-Yunan Nüfus Mübadelesi 1923-1924”, in *Ege’yi Geçerken 1923 Türk-Yunan Zorunlu Mübadelesi*, (ed.) Renee Hirschon, translated by Müfide Pekin, Ertuğ Altınay, İstanbul Bilgi Üniversitesi Yayınları, 2.Edition, 2007, p.151-152.

always emphasized that there was a strong need for both legislation and institution. Turkey tried to meet her needs on migration with making laws and establishing a ministry, a commission and directorates under ministries. But, there were failures of institutions and settlement because of lack of organization and coordination between relevant institutions and the very high number of immigrants. However, Turkey accepted more than one million immigrants and settled down them.

CHAPTER 2

MASS INFLUXES AFTER WORLD WAR II AND BEFORE 1980

Because of the World War II, many people were displaced. There was a refugee crisis in Europe as it was after the World War I. The League of Nations, which was established after the World War I, struggled for refugee crisis and initiated to make cooperation to solve problems of refugees and to establish an organization on the issue. The efforts of League of Nations were important in order to understand the Convention Relating to the Status of Refugees (namely, 1951 Refugee Convention) to which Turkey was going to be a party. When the number of refugees was increased after the WW I, it became a crisis for nation states. Collapse of empires after the WW I, created serious problems for refugees and minorities. New nation states were born of collapsing empires. Crossing the border of nation states requires valid documents such as passports, visas etc. Those refugees were in need of documents which authenticate their identities. Providing identity cards, which enable them travelling, crossing borders, right to work, granting international protection, for them was a problem. It was solved by giving them Nansen Passports which was assumed as an identity card and travel document. At the same time, they were economic burden for the host country. Economies of those hosting states were also destroyed because of the WW I. So, those states brought the issue to the League of Nations. First of all, the statute of those displaced people or people left their countries should be determined. However, the issue was seen temporary, because it was thought that they appeared due to war. It was believed that they would return to their countries when peace was established. States' approaches towards refugees were different from each other. International Red Cross offered to establish High Commissioner for Refugees to the League of Nations. In 1929, it was established affiliated to the League of Nations. One year later, Nansen Office was established for refugees. Inter-war period, new refugees arose. Jews escaped from Germany in those years. Intergovernmental Committee on Refugees was established in 1938. Then,

World War II began in 1939 and the number of refugees increased continuously. During the WW II, efforts on the issue were made. In 1943, United Nations Relief and Rehabilitation Agency (UNRRA) was established and held responsible for displaced people. Resettlement of refugees was responsibility of Intergovernmental Committee on Refugees (IGCR), but lack of coordination and money were a problem for the Committee. In 1947, International Refugee Organization (IRO) was established, and UNRRA and IGCR were abolished. The policies of IRO were repatriation or resettlement of refugees or help their integration to where they camp. But, still there was a need for comprehensive organization and the definition of refugee. Even the WW II ended, there was too much to do for refugees. The United Nations High Commissioner for Refugees (UNHCR) was established with the decision of United Nations General Assembly on December 14, 1950 and started to work on January 1, 1951 and IRO was abolished. UNHCR was charged with providing international protection to refugees. It should be drawn attention that IRO was a pioneer to UNHCR and lessons drawn by IRO was leading exemplary for UNHCR. After the WW II, refugees arose all around the world not only in Europe as it was after the WW I. But, Europe was a destination for refugees. Works on refugees focused on interests and claims of Western States. Refugees coming from Eastern Block were on the agenda of Western States and it caused dissidence between Eastern Block and Western States. Eastern Block advocated repatriation of refugees and stated that if refugees did not turn traitor against their countries and did not cooperate with enemies during the war, they had no fear to repatriate to their countries. On the contrary, Western States advocated that refugees might prefer not to return their countries, that option was a human right and they were not forced to repatriate. The leader of Eastern Block Union of Soviet Socialist Republics and her allies stayed outside of the works on refugees, while the leader of Western States the United States of America and her allies were dominating the United Nations. Therefore, the Convention Relating to the Status of Refugees (1951 Refugee Convention) was a reflection of interests and claims of the West. Then, Additional Protocol which lifted the time limitation and accepted refugees due to the events occurred after 1951,

was adopted in 1967.¹¹⁰ Turkey is a party to the Convention Relating to the Status of Refugees. Turkey adopted the 1951 Refugee Convention with the Law No: 359 on August 29, 1961. Then, Turkey also adopted 1967 Additional Protocol with Cabinet Decision No: 6/10266 on August 5, 1968, placing a geographical limitation to the Protocol. Therefore, Turkey admits refugees from only Europe.

As returning to migration policy of Turkey, there were some changes in that period, first of all Turkey began to focus on emigration rather than immigration due to conjuncture. As stated above, after the WW II, Europe was in ruins. European countries and Turkey had some economic problems in those years. European countries were in need of labour force for reconstruction. Turkey did not participate in WW II, but there was unemployment in the country. In the beginning of 1950s, Turkish workers began to go to Germany by invitation letters which were sent by their acquaintances. In order to provide legal basis for labour migration, Germany and Turkey signed labour recruitment agreement on October 30, 1961. Then, Turkey went on signing labour recruitment agreements with other European countries. Turkey hoped that Turkish workers would get know-how and when they returned, Turkey would have skilled labour force. At the same time, unemployment problem of Turkey was expected to decrease. On the other hand, Turkey would enjoy remittances. The emigration of Turkish labour force went on next years.¹¹¹ Then, Turkey became a sending country. But, on the other hand, because of resultants of the World War II and political developments in Balkan countries, many immigrants came to Turkey from there in this period. Insomuch that there were some Balkan immigrants

¹¹⁰ Özlen Künçek, *Uluslararası İlişkilerde Mülteci Sorunu ve Batı Avrupa Devletlerinin Uygulamaları*, Graduate School of Social Sciences, Unpublished Ph.D. Thesis, Ankara University, Ankara, 1997, pp.1-103.

¹¹¹ Nermin Abadan Unat, "Türkiye'nin Son Elli Yıllık Emek Göçü: Yorum, Eleştiri, Öngörü", in *Türkiye'nin Göç Tarihi 14. Yüzyıldan 21. Yüzyıla Türkiye'ye Göçler*, (ed.) Murat Erdoğan and Ayhan Kaya, İstanbul Bilgi Üniversitesi Yayınları, 1. Edition, İstanbul, 2015, pp.259-276; Nermin Abadan Unat, *Bitmeyen Göç: Konuk İşçilikten Ulus-Ötesi Yurttaşlığa*, İstanbul Bilgi Üniversitesi Yayınları, Göç Çalışmaları Dizisi, 2006.

who enjoyed those labour recruitment agreements and migrated again to Europe.¹¹²

2.1. Mass Migrations

After the WW II, homogenization of populations went on in Balkan countries as it was after the WW I. So, migration to Turkey from there continued because of the same reasons as after the WW I was. Turkey accepted them due to her need for skilled and agriculturist population, and other internal factors. Turkey gave them citizenship and settled down them by virtue of General Directorate of Territory and Settlement. In this period mass influx came to Turkey from Balkans.

2.1.1. Migration from Balkans

Muslims have settled in some strategic places in Balkans, therefore Balkan states saw them as a source of problems.¹¹³ At the same time, those countries still went on following a policy on homogenization of their populations, so migrations of ethnic populations among Balkan states were common. In those years, also, Turkey was a destination country for Balkan's Turkish and Muslim populations. Between 1923 and 1949, Turkey welcomed immigrants from Balkans and accepted them Turkey as constituent of Turkey.¹¹⁴

Between 1953 and 1957, mass influxes of Albanians occurred to Turkey. The number of them is estimated between 150.000 and 340.000. After that, immigration of Albanians continued and 23.000-114.000 Albanians migrated to

¹¹² Özgür Baklacioğlu, *op. cit.*, p.216.

¹¹³ Karpaz, *Osmanlı'dan Günümüze...*, *op. cit.*, p.236.

¹¹⁴ Ahmet İçduygu, Sema Erder and Ömer Faruk Gençkaya, "Türkiye'nin Uluslararası Göç Politikaları, 1923-2023: Ulus-devlet Oluşumundan Ulus-Ötesi Dönüşümlere", *MiReKoc Araştırma Raporları*, Koç Üniversitesi Göç Araştırmalar Merkezi, İstanbul, 2014, p.138.

Turkey between 1960 and 1968. Turks living in Yugoslavia was assumed as an arm of Turkey, in those years Turkey and Yugoslavia were on opposite political sides. Turks in Yugoslavia met pressures, speaking Turkish and Turkish publications were prohibited, the members of Turkish organization were executed for making Turks afraid and discourage. Land Reforms were loss of their fields, or else loss of economic power for Muslims. At the same time, they were against communist reforms which were seen contrary to Muslim way of living and traditions. On the other hand, Yugoslavia implemented a policy which aimed to change ethnic demographics of the country. In those years, Turkey was still in need of those agriculturalists, talented and skillful Muslims instead of population that was lost because of wars. In addition, the ruling party in Turkey was in need of those Muslims' votes for elections, as well as those Muslims who migrated from their countries because of religious reasons, preferred Turkey to come. In 1951, Turkey declared to accept 250.000 immigrants from Yugoslavia and negotiations were made between two countries. Until 1968, Yugoslavia paid compensation to Turkey for Muslims' properties which were left in Yugoslavia. Turkey granted Turkish citizenship to Yugoslavian and Balkan immigrants, Albanians, Serbians, Bosnians and Macedonians based on Turkish descent and kinship. Actually, in 1950s, mostly Bosnians and Albanians who have relatives in Turkey preferred to migrate to Turkey. Some Yugoslavians, who were settled down Turkey but could not adapted to their new country, emigrated to Europe in 1960s by means of labour recruitment agreements.¹¹⁵ The reasons of migrations to Turkey and migrants who came to Turkey were the same as in the previous years. Political reasons causing migration, homogenization of populations continued, at the same time Turkey continued building her nation.

¹¹⁵ Özgür Baklacioğlu, *op.cit.*, pp.200-218.

2.1.2. Migration from Bulgaria

Since 1925 migrations of Bulgarian Turks to Turkey have been going on. Until 1950s Bulgaria almost closed her doors for her citizens not to go out for her need of labour force. So, a few Turks migrated to Turkey between those years. But, after the World War II new Bulgarian regime had a great effect on Turks' lives. Bulgarian state nationalized her lands. That was unfavorable for Turks because most of them were agriculturists. Turkish schools were nationalized too and shut down. Leaders of Turkish people were arrested without a reason. Bulgarian regime distrusted Turks and Turks got fears from new Bulgarian regime. Turks had got a concern that whether they were going to become Bulgarian. Therefore, they applied to Turkish authorities for migration to Turkey. Turkish Council of Ministers decided to admit Bulgarian Turks who were "serbest göçmen" or "refugee" and then grant them Turkish citizenship with a decree on May 31, 1947. Also, Bulgaria saw Turks, who were a great number minority in Bulgaria, as an obstacle towards creation of one nation. At the same time, Bulgaria wanted to create economic burden on Turkey with immigrants and punish Turkey owing to sending Turkish troops to Korean War and accepting Marshall Aid. On August 10, 1950 Bulgaria gave a Note 304-50-1 to Turkey and wanted Turkey to admit Bulgarian Turks within three months. As a response to that Note, Turkey call for Bulgaria to comply with 1925 Agreement and let Bulgarian Turks leave Bulgaria with their belongings, goods and animals. Then, Turkey began to admit Bulgarian Turks. But there were non-Turkish people, especially Gypsies, and this became a problem. Turkey closed her doors everyone coming from Bulgaria on the ground that non-Turkish origin people had been sent to Turkey by Bulgaria. Turkey declared that she would bring the issue to the United Nations. Then two states reached a compromise. Bulgaria accepted not to send non-Turkish people to Turkey and to readmit non-Turkish people who were sent. Then, Turkey opened her doors again. Meanwhile, Turkish Prime Ministry asked all governorates how many migrant they could settle in the cities considering migrants' skills. On the other hand, Turkish Prime Ministry organized nationwide aid campaign and also asked fund

to UN for Bulgarian Turks. On April 16, 1951 Turkish Government decided to give “iskanlı göçmen” (immigrant who will be settled by the state) status to every Bulgarian Turks who migrated to Turkey since January 1, 1950. On November 31, 1951 Bulgarian Government declared that she stopped migration to Turkey. Turkey settled Bulgarian Turks in cities, villages where they were needed for production. Houses, fields, production tools were given to them. 154.393 Bulgarian Turks migrated to Turkey in that period.¹¹⁶ At the same time, Bulgaria had been in doubt towards Turkish minorities in Bulgaria. Also, Bulgaria used them as tool in her foreign policy in 1950-1951. On the other hand, Bulgaria had concerns whether Turkey use those people against Bulgaria.¹¹⁷ In those years, Bulgarian Turks were admitted by Turkey and given Turkish citizenship easily on their Turkish descent.

Mass migration of Bulgarian Turks between 1950 and 1951 brought about an agreement on family unification between Turkey and Bulgaria in 1968. When Turkey closed her doors due to her security concerns, some family members of Bulgarian Turks stuck around Bulgaria and could not come to Turkey. Throughout the years, Bulgarian Turks who stayed in Bulgaria or immigrated to Turkey insisted on family unification. Therefore, Bulgaria and Turkey signed an agreement (on March 22, 1968) which allowed family members (some of whom migrated to Turkey before 1952) of Bulgarian Turks who were in Bulgaria to migrate to Turkey. In the preamble it was stated that the agreement would regulate the voluntary migration of Bulgarian Turks whose close relatives migrated to Turkey before 1952. Immigrant status was given them by the

¹¹⁶ Oran (ed.), *Türk Dış Politikası...*, *op.cit.*, pp.176-177; Filiz Çolak, “Bulgaristan Türklerinin Türkiye’ye Göç Hareketi (1950-1951)/ Migration Movements of the Bulgarian Turks to Turkey (1950–1951)”, *Tarih Okulu*, Spring-Summer 2013, Number XVI, pp.113-145; Mithat Atabay, “Çingene Sorunu ve 1950-1951 Yıllarında Bulgaristan’dan Çanakkale’ye Göçler/ The Gypsy Problem and Migrations to Çanakkale from Bulgaria in 1950-1951”, *Çanakkale Araştırmaları Türk Yıllığı*, Year: 10, Number: 13, Autumn 2012, pp.59-72.

¹¹⁷ Oran (ed.), *Türk Dış Politikası...*, *op. cit.*, pp.176-177.

agreement.¹¹⁸ Between 1968 and 1979, 116.521 Bulgarian Turks enjoyed that agreement.¹¹⁹

Between 1952 and 1987, Bulgaria was strongly opposite to emigration of Bulgarian Turks, because they were cheap labour force for Bulgaria. On the one hand, Turkey was eager to accept Bulgarian Muslims as immigrants; on the other hand, Bulgaria tried to prevent their emigration.¹²⁰ Despite everything, Bulgarian Turks migrated to Turkey somehow.

For that influx, legal document was the agreement between Turkey and Bulgaria as previously mentioned. They were given Turkish citizenship with that agreement. As there was a mass influx, the strong need for legislation and an institution emerged. Great number of Bulgarian Turk immigrants brought about the establishment of the General Directorate of Territory and Settlement.

2.2. Institutions on Migration

In that period General Directorate of Territory and Settlement was the main institution on migration. In addition to this, it was especially charged with Bulgarian Turks immigration.

2.2.1. General Directorate of Territory and Settlement

It was established as the General Directorate of Territory in 1945 with the aim of management of agricultural policy and settlement. It was affiliated to the Ministry of Agriculture. The settlement of immigrants from Bulgaria overburdened the Ministry of Agriculture after 1950. Then, it was transferred to the Prime Ministry as General Directorate of Territory and Settlement in 1951.

¹¹⁸ Grand National Assembly of Turkey official website, Tutanaklar/Proceedings <https://www.tbmm.gov.tr/tutanaklar/TUTANAK/MM_/d02/c035/mm__02035065ss0822.pdf> [Access date:21.06.2016]

¹¹⁹ Republic of Turkey the Ministry of Interior Directorate General of Migration Management official website, Mass Influxes <http://www.goc.gov.tr/icerik6/mass-influxes_917_1064_4770_icerik> [Access date:28.12.2016]

¹²⁰ Karpas, *Balkanlar'da Osmanlı...*, *op. cit.*, pp.336-356.

Within the framework of the Establishment Law, Settlement Laws and the Law for Providing Land to Farmers, one of the duties of the General Directorate of Territory and Settlement was “to carry out immigration and accept immigrants who will be settled in accordance with special laws.” Then again, it was transferred to the Ministry of Construction and Resettlement in 1958.¹²¹ But, there were population increase and lack of resources, Turkey abandoned policy of the settlement of immigrants after 1960. However, Turkey has gone on admitting them as immigrants.¹²²

In the course of time, it has worked affiliated to various ministries (Ministry of Public Works and Settlement, Ministry of Environment and Urbanization, the Ministry of Agriculture, Ministry of Construction and Resettlement and the Prime Ministry) until 2005 when it was abolished. But in 2007, it was established again with the name of Agriculture and Rural Development Support Institution in accordance with the Acquis. After all, settlement is not its duty anymore; it focuses on agriculture and rural development.¹²³

2.3. Legislation in Turkey

In those years, new law which was on migration was enacted. Beside Turkish Citizenship Law and Settlement Law; the Passport Law of Turkey was added to Turkey’s legislation on migration. Aside from special agreements, Turkey got a new law which determines accepting foreigners.

¹²¹ Emek İnan, “Türkiye’de İskân...”, *op.cit.*, pp.91-93.

¹²² Ahmet İçduygu, Sema Erder and Ömer Faruk Gençkaya, “Türkiye’nin Uluslararası Göç Politikaları, 1923-2023: Ulus-devlet Oluşumundan Ulus-Ötesi Dönüşümlere”, *MiReKoc Araştırma Raporları*, Koç Üniversitesi Göç Araştırmalar Merkezi, İstanbul, 2014, p.144.

¹²³ Emek İnan, “Türkiye’de İskân...”, *op.cit.*, pp.92-94.

2.3.1. The Passport Law (Law No: 5682, July 15, 1950)

This law regulates entrance and leaving Turkey and determines the authority on this issue. In accordance with the Article 2, Turkish citizens and foreigners are allowed to enter into Turkey with valid passports or a passport substitute document. Foreigners are not admitted to Turkey if they have not such documents except immigrants who come by the permission of the Government. Those immigrants generally come to Turkey by special agreements (such as Family Unification Agreement between Turkey and Bulgaria) from Balkans and almost all of them have Turkish origin. In accordance with the Article 4, the entry of refugees and foreigners who come to Turkey intending for settlement excluding the procedure concerning settlement depend on the decision of Mol. As stated in chapter 1, Mol has been charged with acceptance of foreigners, in other words citizens of other states, who are migrants or refugees. Turkey has seen migrants, whether they are immigrant or refugee, as a security concern, so Mol has been authorized. As previously mentioned, Turkey always wants to have control on immigration and as it will be explained in the third chapter that Turkey is always unwilling to accept immigrants who are non-Turkish origin. In state of war, there are generally mass influxes and they flee from war. In the near region of Turkey, there have been wars or conflicts for a long time that's why Turkey has met mass influxes from there after establishing her nation and exchanging her non-Muslim population with Muslim population. Therefore, Council of Ministers is authorized for admitting foreigners in such cases and it is concretized in the Article 11; in the state of war or exceptional circumstances, Council of Ministers lays down some conditions for visa application to all or some foreigners for the entire or a part of the country. The entrance and exit of stateless people are regulated in two articles of the Passport Law. In accordance with the Article 18, stateless person is granted one of the two kind passports by Mol. One kind of these passports is for only one entry or exit for a month duration. The other kind is for more than three months less than six months. In accordance with the Article 26, entry visa is given to stateless persons, bearers of the Nansen passports and bearers of the travel documents

and alike documents (Affidavit, Lese passe etc.) by Mol. Rather than raising difficulties, Turkey provides two kinds of passports for stateless people or allows them enter Turkey if they have legal documents as mentioned in the related articles.

2.3.2. Amendments in the Turkish Citizenship Law in 1964

Turkey amended the Turkish Citizenship Law in 1964. It was consisted of 48 articles. Acquisition and loss of Turkish citizenship was determined by that law. The Provisional Article 2 of the law facilitated to be Turkish citizen for former Ottoman citizens.¹²⁴ The underlying reason of that article might be strong demand of Bulgarian Turks for family unification as previously mentioned; Turkey closed her door during Bulgarian Turks mass influx and families were split up. In those years, to reach a compromise on that issue took a long time between Turkey and Bulgaria. Also, there was a high demand for migrating to Turkey between Bulgarian Turks and Balkan Muslims.

2.4. General Overview

In that period, mass migrations from Balkans and nation building of Turkey went on. Homogenization policies of those states were the main push factor. On the other hand, Turkey and those states were on opposite political sides and that situation reflected on people who were used as a policy tool. During those years, Turkey had still been following nation building policy and Turkey was still in need of labour force between 1950 and 1960. Therefore, Turkey welcomed those immigrants and granted them Turkish citizenship. But, Turkish Citizenship was granted to Bulgarian immigrants with a decree, not with the law. They were

¹²⁴ This article is that: "If persons who were Turkish citizens by birth are stripped of citizenship according to the Ottoman Nationality Decree and the provisions of the Turkish Nationality Law number 1312 wish to reenter into Turkish citizenship within one year of the date of this law going into force..."

admitted by Council of Ministers. But, after 1960 things changed, receiving country Turkey became a sending country. Because of unemployment rates and economic situation, Turkey began to send her citizens abroad as labour force and aimed to get remittances. Turkey also adopted the Convention Relating to the Status of Refugees and its Additional Protocol in 1968 that is the year in which Turkey signed Family Unification Agreement with Bulgaria. Turkey placed the geographical limitation to the Additional Protocol; therefore Turkey does not admit refugees outside Europe.

As every time, when meeting mass migration flow, Turkey needed an institution for coping with migration. In that period, when Turkey met mass influx, General Directorate of Territory was charged with settlement of immigrants. It worked temporarily and was abolished when mass influx was ended. On legislation, Turkey enacted the Passport Law which regulated entrance and leaving Turkey, who were accepted and admitted in Turkey and determined the authority on this issue. In addition, Turkey amended the Turkish Citizenship Law and added new articles to it.

That period was relatively quiet rather than other periods. There were mass migration flows from only Balkans and immigrants were Muslim and Turkish origin people. It was rather continuation of the previous period in terms of nation building. In the next chapter, mass migration flows from different geographies, increasing irregular migration and the effects of Turkey-EU relations on the issue will be explained. Also, the dramatic changes which have taken place in recent years will be examined.

CHAPTER 3

IMMIGRATION POLICY OF TURKEY FROM 1980 UNTIL TODAY

After 1980, there have been turning points on migration to Turkey. First of all, Turkey has become sending, destination and transit country all in unison. In 1980s, as globalism had been raising Turkey adopted a free market economy besides giving importance to tourism. So visitors of Turkey increased, irregular migrants increased as well. In 1990s and 2000s, irregular migrants who come to Turkey left their homes for several reasons: poverty or less job opportunities in their countries, political, social, cultural reasons, religious pressures and concerns for future war. Those irregular migrants generally come to Turkey to go to Europe without valid documents. They sometimes failed to reach Europe; they go on stay in Turkey irregularly and make money than try to go to Europe again.¹²⁵ These irregular migrants sometimes cross the border from unofficial border point; this causes a security problem for Turkey beside a problem on her relations with her neighbours, especially with European neighbours. At the same time, Turkey's mountainous land borders and sea borders are uneasy to control; so it makes Turkey ideal transit country between Europe and Asia, Africa.¹²⁶ Thereby, irregular migration has become one of the main issues between Turkey and the European Union in negotiations to become a member of EU. Especially in 2000s and 2010s, this issue has always been on the top of the agenda of relations.

As to Turkey, irregular migrants are preferred by employers as foreign workers in Turkey because they can speak language, they are accepted well educated and disciplined; on the one hand, employing them without documents is an economic advantage for employers.¹²⁷ At the same time, it is certain that irregular migrants need to work to live in Turkey. However, irregular migrants

¹²⁵ See the results of surveys did by IOM in 1995 and 2003 on irregular migrants in Turkey in İçduygu (ed.), *Kentler ve Göç...*, op.cit., pp.29-33.

¹²⁶ İçduygu (ed.), *Kentler ve Göç...*, op.cit., p.15.

¹²⁷ İçduygu (ed.), *Kentler ve Göç...*, op.cit., p.25.

get vulnerable to or fall into exploitation (economic exploitation or forced sexual exploitation, etc.). First of all, they suffer from being paid no money for their works; they cannot make claims upon this. Besides, they cannot enjoy any right to social security. Moreover, they suffer from not being in safety; for example, in case of burglary, assault etc. they cannot apply to the police with the fear of deportation.¹²⁸ Thereby, they cannot enjoy basic human rights. Therefore, Turkey needs an effective legislation and a certain policy considering human rights. When there is irregular migration, migrant smugglers and human trafficking emerge. In order to prevent irregular migration, Turkey has taken measures. These measures are strict border controls, operations to migrant smugglers, increase capacity of law enforcement agencies.¹²⁹

In these years, Turkey also began to meet migrant smuggling and human trafficking problem. Turkey ratified the UN Convention against Transnational Organized Crime (Palermo Convention 2000) and its supplementary Protocols to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and against the Smuggling of Migrants by Land, Sea and Air.¹³⁰ It provides a legal instrument for Turkey on this issue. Turkey also made an agreement with EU on cooperation in this field in 2004.¹³¹ When migrant smuggling and human trafficking increase, the number of their victims is getting high, the issue gets visible and it is not possible to neglect it.

Irregular migration creates many problems, foremost human trafficking and migrant smuggling as stated before. Combatting these problems and dealing with the issue requires a legal basis and an institution. Therefore, "The Directorate General of Migration Management was established in order to make

¹²⁸ Bülent Çiçekli, Oğuzhan Ömer Demir, *Türkiye Koridorunda Yasadışı Göçmenler*, Karınca Yayınları, Ankara, 2013, pp.113-112.

¹²⁹ Republic of Turkey Ministry of Foreign Affairs Official Website, Turkey on Irregular Migration, <<http://www.mfa.gov.tr/turkey-on-irregular-migration.en.mfa>> [Access date:11.11.2016]

¹³⁰ The Grand National Assembly of Turkey Official Website, Law no: 4804 Issue date: 30.01.2003 <<https://www.tbmm.gov.tr/kanunlar/k4804.html>> and United Nations Convention Against Transnational Organized Crime and The Protocols Thereto https://www.unodc.org/documents/middleeastandnorthafrica/organised-crime/UNITED_NATIONS_CONVENTION_AGAINST_TRANSNATIONAL_ORGANIZED_CRIME_AND_THE_PROTOCOLS_THERETO.pdf [Access date:27.08.2016]

¹³¹ Republic of Turkey Ministry of Foreign Affairs Official website, Turkey's Efforts In Combating Organized Crime, <http://www.mfa.gov.tr/turkey_s-efforts-in-combating-organized-crime.en.mfa> [Access date:28.08.2016]

migration management more efficient and form a migration policy as well as stem irregular migration.” on April 2013.¹³² Then, Regulation on Combatting Human Trafficking and Protection of Victim was adopted by Turkey in 2016.

In 2010s, there are changing things on irregular migration to Turkey. They come to Turkey or use Turkey as a transit country due to their social networks. These networks are very important and helpful during their journeys. After 2010, In Cicekli and Demir’s study including 2009-2011 years, irregular migrants prefer Turkey as a destination country and they are prone to stay in Turkey. In their decision, Turkey’s developing economy, their social and cultural affinity with Turkish society, and Turkish people’s attitude towards foreigners are determinants. Some irregular migrants want to live and work in Turkey. However, there are many irregular migrants who want to stay and work in Turkey in order to make money to go to Europe.¹³³ In these years, on the one hand Turkey has met irregular migration, on the other hand migration influxes has gone on from Balkans.

Once again, Turkey met mass influx from Balkans again and accepted them as migrants and granted them citizenship. On the other hand, Turkey met mass influxes from Middle East. Those immigrants were non-Turkish people his time. In this period, to become a full member of EU has been given priority, so EU-Turkey relations gained importance. However, migration always has influence on these relations. In this chapter, different migration flows and Turkey’s responses to them, push and pull factors of these mass migrations, their impact on immigration policy of Turkey will be examined. Before 1980, Turkey met mass influxes from former Ottoman lands and those people were Muslim and Turk. But after 1980, Turkey began to meet different people migrating from different geographies because of different reasons. Refugees and immigrants who have come to Turkey in this period have social, political and economic effects to Turkey. First of all, Turkey has been forced to make a comprehensive law aligning with international standards. Turkey has also established a special

¹³² Republic of Turkey Ministry of Foreign Affairs Official website, Turkey on Irregular Migration, <<http://www.mfa.gov.tr/turkey-on-irregular-migration.en.mfa>> [Access date:28.08.2016]

¹³³ Çiçekli and Demir, *op. cit.*, pp.83-97,113-114 and 135

institution on migration affiliated to the Mol. As stated before, the General Directorate of Territory and Settlement had been charged with settlement of immigrants from 1950 to 2005. The General Directorate of Security was charged with admitting foreigners to Turkish territory. In 2013, the Directorate General of Migration Management was established with the Law on Foreigners and International Protection. Thus far, Turkey conducted and managed her migration policy with different laws, regulations, bylaws or decrees just as carrying out migration policy with different institutions in different times. In this chapter, mass influxes will be explained at first, and then legislation of Turkey will be introduced and finally the institutions on migration will be examined.

3.1. Mass Migrations

In this period, there have occurred mass migrations from Balkans, Middle East, Eastern Europe, Africa and Central Asia. Bulgarian Turks migrated to Turkey in a mass. There came refugee influxes from Iraq and Syria and the number of irregular or transit migrants from former Soviet countries and Africa increased. In these years, Turkey has to cope with a great number of immigrants who are refugee, asylum seeker, migrant or irregular migrant. However, Turkey has coped with especially refugees while maintaining geographical limitation. In this period, some refugees come to Turkey as irregular migrants. Even if they are refugees in fact, Turkey does not admit refugees outside Europe. Refugees, who come to Turkey outside Europe, have been accepted as asylum seekers by Turkey. Geographical limitation caused conceptual confusion for calling these people. Turkey enacted regulation and directive in order to solve this confusion for Iraqi and Syrian refugees. In this chapter, differences of Turkey's responses to these mass migrations and the reasons of her different policies towards these people and different Turkish laws related to migration and the amendments of them in years as a result of mass migration will be scrutinized. Another reason, which is too effective on migration policy of Turkey, relations with European Union is explained above and these relations will be referred

when necessary. The same sequence is followed as previous chapters. Before the legislation and institutions will be examined, the mass migration occurred in this period will be introduced.

3.1.1. Mass Influx from Bulgaria

Since the establishment of Turkey, Bulgarian Turks have migrated to Turkey because of the same reasons which were stated before on immigration of Bulgarian Turks. Those who migrated to Turkey have maintained their closest ties with their relatives in Bulgaria. They are always very interested in Turks living in Bulgaria. In addition, lobbying to Turkey by Bulgarian Turks is effective on Turkish Balkan Policy. At the same time, Muslims in Balkans accept Turkey as their protector. Besides, they generally want to migrate to Turkey in case of forced migration.¹³⁴ In 1989, the same thing happened; they came to Turkey en mass because of fear of assimilation.

After 1984 Bulgaria implemented 18th century policy which focused on deportations and assimilations of minorities with the purpose of creating one ethnic nation. Bulgaria claimed that Muslims, who converted to Islam, were Bulgarian and forced them to change their Muslim names into Bulgarian names. Turkish schools were shut down, mosques were expropriated, and Turks who protest Bulgarian government were imprisoned. In addition, there was another reason why Bulgaria forced them to migrate. In those years, Warsaw Pact members Romania and Bulgaria saw their Muslim citizens as their opponents like NATO member Turkey.¹³⁵ As a result of these, 300.000-360.000 Bulgarian Turks were forced to migrate to Turkey. This mass influx maintained until Turkey closed her doors to them, on August 20, 1989.¹³⁶ By doing this, Turkey

¹³⁴ Oran (ed.), *Türk Dış Politikası...*, *op.cit.*, pp.170-171 and Baskın Oran, "Balkan Türkleri Üzerine İncelemeler (Bulgaristan, Makedonya, Kosova)", pp.121-147.

<<http://dergipark.ulakbim.gov.tr/ausbf/article/view/5000053947>> [Access date:16.04.2015]

¹³⁵ Karpas, *Osmanlı'dan Günümüze...*, *op.cit.*, pp.13 and 245-247.

¹³⁶ Kemal Kirişçi, Sema Karaca, "Hoşgörü ve Çelişkiler: 1989, 1991 ve 2011'de Türkiye'ye Yönelen Kitleli Mülteci Akınları", in *Türkiye'nin Göç Tarihi 14. Yüzyıldan 21. Yüzyıla Türkiye'ye*

aimed to force Bulgaria to negotiate on regulating immigration of Bulgarian Turks.¹³⁷

In this period, Turkey welcomed these Turks and 240.000 of them were granted Turkish citizenship. They were also exempted from duty and they brought their belongings. Turkey provided public support for these immigrants. That kind of support for immigrants was lifted before, but Turkey made legislation that enabled this support.¹³⁸ On June 16, 1989, new article was added to the Settlement Law and they were accepted as immigrants to Turkey. This additional article facilitates them to become Turkish Citizen and be owner of properties in Turkey and allow them to settle down where they want to live. Furthermore, they enjoyed employment by state policies for labour market. They also enjoyed health care services and right to education granted them by state's educational opportunities.¹³⁹

After Jivkov was overthrown in November 1989, nearly 100.000 Bulgarian Turks returned Bulgaria.¹⁴⁰ After the regime change in Bulgaria, policy on minorities changed. Bulgarian Turks were allowed to have Turkish names and right of Turkish education, to publish books, journals etc. in Turkish. Turks, who were expelled in 1989, got a right to take back their properties, enjoyed the easement for employment and housing with a certain law (known as Doğan Yasası). This promoted nearly 155.000 Bulgarian Turks to return Bulgaria.¹⁴¹ Bulgarian Turks prefer to live in Bulgaria unless there is no pressure on them. When there is a problem they prefer to migrate to Turkey. Therefore, political, social and economic conditions in Bulgaria are important determinants on mass influx to Turkey.

Göçler, (ed.) M.Murat Erdoğan, Ayhan Kaya, İstanbul Bilgi Üniversitesi Yayınları, 1. Edition, İstanbul, 2015, p.301.

¹³⁷ Karpat, *Balkanlar'da Osmanlı...*, *op. cit.*, p.350.

¹³⁸ Kirişçi and Karaca, *op. cit.*, pp.301-303.

¹³⁹ Aslı Şirin, "1989 Zorunlu Göçü ve Göçmenlerin Sosyal Entegrasyonu: Tekirdağ'daki Bulgaristan Göçmenleri Üzerine Bir Çalışma", was presented in International Balkan Congress that took place at Kocaeli University, Turkey on April 28-29, 2011.

¹⁴⁰ Karpat, *Osmanlı'dan Günümüze...*, *op. cit.*, p.248.

¹⁴¹ Oran (ed.), *Türk Dış Politikası...*, *op. cit.*, pp.488-490.

As stated before, the relations between Bulgarian Turks living in Bulgaria and in Turkey still continue today. Bulgarian Turks want to maintain their close relations with Turkey and their relatives living in Turkey. They had been demanding visa facilitation from Turkey. Finally, in 2001 Turkey lifted visa requirements for Bulgarian Citizens.¹⁴²

In this crisis, Turkey supported and welcomed Bulgarian Turks. At the same time, Turkey met another mass influx from her South Eastern neighbour Iraq. But, Turkey did not accept them at first, then, after international and domestic pressures Turkey admitted them unwillingly. They were never granted refugee status or citizenship by Turkey. After the crisis end, Turkey sent them back.

3.1.2. Forced Migration from Eastern and Southern Neighbors

In this period, Turkey met mass influxes from her neighbours, Iraq and Syria. These people are non-Turkish origin, so these mass migrations are different from the usual migration of Bulgarian Turks. However, Turkey's responses to these influxes were not the same. While Turkey welcomed people who came from her neighbour Bulgaria, Turkey unwelcomed people who came from her neighbour Iraq. Both mass influxes occurred nearly at the same time. Even if, these two groups were refugees according to 1951 Convention, Turkey admitted Bulgarians as immigrants, but Iraqi refugees were not granted refugee status by Turkey owing to geographical limitation placed to the Convention by Turkey. The reasons of this and Turkey's approaches to the issue will be discussed when introducing the events and 1994 regulation which was adopted related to the mass influx. However, Icdygu argues that migration policy of Turkey has been reactionary especially after 1980s, because foreigners have not suddenly migrated to Turkey in a great number until then. Turkey has also pursued nation-state perspective on migration policies in spite of globalization. On the other hand, Turkey has approached the issue with security concerns. Turkey-EU relations have been another determinant on Turkey's migration

¹⁴² Oran (ed.), *Türk Dış Politikası...*, op. cit., p.490.

policy. But, EU has focused on migration to Turkey and migration flows to other countries through Turkey.¹⁴³ Whereupon, Turkey has got a concern to become a tampon of refugees and irregular migrants, whose destination is Europe, for European countries. Finally, while Syrian refugee crisis is making Turkey one of the top refugees hosting country, Turkey has maintained geographical limitation. On the other hand, her immigration policy has been undergone transformation and change in terms of institutionalization and codifying her policy.

3.1.2.1. Influx of Refugees from Iraq

Iraq was the first non-Turkish refugee sending country en masse to Turkey which was unprepared to this mass influx. It was also important that Turkey drew lessons and got some experiences for such a humanitarian crisis. Before Turkey's response to this influx, push factors of this influx will be examined.

Since Iraq was established, there have been always ethnic conflicts or military coups. In addition to this, Iraq had wars with her neighbours, Iran and Kuwait, and five interventions by USA.¹⁴⁴ Although, there are many reasons for Iraqis to leave their country such as political, sociological or economical, the main reason is to survive. Moreover, oppressive regime is another foremost reason.¹⁴⁵ There happened a mass migration flow to Turkey from Iraq in 1988 and 1991. Kurds, Turkmens, Shiites and Christians escape from persecution besides political disorder, oppression on opponents and hardship because of economic embargos.

The first refugee flow, which is called Halabja Massacre, happened after Iraq-Iran War (1980-1988). Five thousand Kurdish people were killed with chemical attack on the ground that they helped Iran forces during the War.¹⁴⁶ Then, Iran

¹⁴³ İçduygu (ed.), *Kentler ve Göç...*, *op. cit.*, pp.33-34.

¹⁴⁴ USA intervened Iraq in 1993, 1996, 1998, 2001 and 2003.

¹⁴⁵ Çiçekli and Demir, *op. cit.*, pp.69-71.

¹⁴⁶ Didem Danış, "İstanbul'da Iraklı Katolik Keldani Göçmenler: Transit Göç ve Ulusaşırı Dini Ağlar", in *Kökler ve Yollar*, (ed.) Ayhan Kaya and Bahar Şahin, İstanbul Bilgi Üniversitesi Yayınları, First Edition, İstanbul, 2007, p.524.

closed her doors to Kurdish refugees. They crowded to Turkish border. At first, Turkey did not want to admit them. The reasons for this were security concerns, subsequent economic burden of hosting refugees. In the beginning Turkey closed her doors and sent back those, who passed Turkey-Iraq border and entered in territory of Turkey, to Iraq. It was also a breach of law, because Turkey is party to 1951 Convention and Turkey ought to oblige to non-refoulement principle. At that time, Turkey wanted to maintain good relations with Iraq. But then, Turkey opened her doors to Kurdish refugees, admitted them into her territory and declared giving them temporary residence permit but not grant them refugee status. 51.542 Iraqis came to Turkey for asylum.¹⁴⁷ The other reasons why Turkey opened her doors for Kurdish refugees were: the then Prime Minister Özal tried to evidence that Turkey, which applied to EU for full membership a year ago, was respectful to human rights. Özal also wanted to get votes of Kurdish citizens of Turkey for next elections.¹⁴⁸ This is a reflection of international migration policy to internal affairs. While Turkey was trying to cope with these refugees (according to 1951 Convention), there came another mass influx because of a war which was called Gulf War. When Iraq invaded Kuwait in 1990, it triggered a migration flow to Turkey; a group of foreign workers came to Turkey at first. Iraqis who did not want to go to military service left Iraq. At the same time, Iraq Army suppressed Kurdish opponents (in Northern Iraq) who revolted against Iraqi regime and Shiites (in Southern Iraq). 467.489¹⁴⁹ people consisting of Kurds, Turkmens, and Arabs came to Turkey to take a refuge.¹⁵⁰ In those years, Turkey was unwilling to admit these people who flee from atrocities or war. Because, during 1990's Turkey's threat perception was defined as crisis originated from Middle East together with internal problems of Turkey.¹⁵¹ But, Turkey opened her doors unwillingly to

¹⁴⁷ Republic of Turkey Ministry of Interior, Directorate General of Migration Management, Official website, History of Migration, <http://www.goc.gov.tr/icerik/history-of-migration_915_1026> [Access date:21.11.2016]

¹⁴⁸ Oran (ed.), *Türk Dış Politikası...*, *op. cit.*, pp.138-139.

¹⁴⁹ Republic of Turkey Ministry of Interior, Directorate General of Migration Management, Official website, Mass Influxes, <http://www.goc.gov.tr/icerik3/mass-influxes_917_1064_4770> [Access date:21.11.2016]

¹⁵⁰ Daniş, *op. cit.*, p.525.

¹⁵¹ Oran (ed.), *Türk Dış Politikası...*, *op. cit.*, p.551.

them again after the Gulf War. After Iraq was defeated by US Forces, Kurds revolted against Iraq. But, Iraq Army suppressed the riot in a bloody way. Hereupon, 1.000.000 Kurds congested to Iran-Iraq border, 500.000 Kurds congested to Turkey-Iraq border. Iran and Turkey wanted them to return to their home. While Iran closed her doors, Turkey opened her doors because of international pressures.¹⁵²

Turkey established camps which were close to Turkey-Iraq border for those people. Turkey also strove for bringing peace in order to repatriate those people to Iraq. Turkey also adopted the Regulation No. 1994/6169 on the Procedures and Principles related to Possible Population Movements and Aliens Arriving in Turkey either as Individuals or in Groups Wishing to Seek Asylum either from Turkey or Requesting Residence Permission in order to Seek Asylum From Another Country. As stated before, Turkey never granted them refugee status to them although they were refugees according to 1951 Convention.¹⁵³ After the crisis ended, those people left Turkey within years. But, there was a group which began to use Turkey as a bridge on their route since then.

In that crisis, there was a Christian group who came to Turkey with other ethnic and religious groups, it was Chaldeans. But their migration is different from others. Their migration has maintained since then, it is transit and chain migration. They leave Iraq because of their belief as well as the same reasons of other groups (the reasons were stated above). Migration of Chaldeans has been going on since 1991 through Turkey to other countries. In the beginning they generally migrated individually, but they have migrated with their families since 1996. They leave Iraq regularly or irregularly. They generally come to Istanbul by road. But some of them who come regularly their visas might be expired and they go on stay in Turkey irregularly. Those are accepted mostly by Australia and Canada. Their migration is leaded and facilitated by Chaldean

¹⁵² Oran (ed.), *Türk Dış Politikası...*, *op. cit.*, p.555, 584.

¹⁵³ Suna Gulfer Ihlamur-Oner, Turkey's Refugee Regime Stretched to the Limit? The Case of Iraqi and Syrian Refugee Flows, *Perception*, Vol.18, No.3, Autumn 2013, pp.191-200; Ahmet Icduygu, Damla B. Aksel, "Turkish Migration Policies: A Critical Historical Retrospective", *Perceptions*, Vol.18, No.3, Autumn 2013, pp.174-178; Kemal Kirişçi, *Syrian Refugees and Turkey's Challenges: Going Beyond Hospitality*, Brookings, May 2014, pp.7-11.

Church. Chaldeans has established a religious network which is coordinated by the Church. Chaldeans and Assyrians enjoy with this network. Istanbul is a first station after leaving Iraq. Their relatives and Church help them economically, sociologically and give them legal counseling. While staying in Istanbul, they do not contact with other Iraqis (Kurds, Turkmens or Arabs), their religion-based migration network is enough for them.¹⁵⁴ These people are not granted refugee status or accepted as immigrants in Turkey. They are accepted as asylum seekers in Turkey and generally resettled by UNHCR.¹⁵⁵ After Gulf War, church organizations played an important role on helping refugees in Middle East; churches spent more than one million USD for refugees.¹⁵⁶ But, after 2003, USA declared that Iraq, which was invaded by USA, was safe. Since then many EU countries and USA do not accept refugees from Iraq.¹⁵⁷ The migration policies of states have an effect on migration routes and regular or irregular migration. In this case, Turkey is a transit country for Chaldeans who go to North America or Australia. Their network in Turkey helps them. They can be resettled by UNHCR.

Iraqi refugees came to Turkey in 1989 and 1991 en masse. Turkey opened her doors them unwillingly on humanitarian grounds but never gave them refugee status. Turkey spent efforts in international arena to send them back to their country. After two decade, Turkey met another mass influx from her another neighbour Syria. Turkey opened her doors to them on humanitarian grounds but never gave them refugee status as she did during Iraqi refugee crisis. Again, Turkey spent efforts in international arena to bring the Syrian Civil War to end. Turkey established camps close to Turkey-Syrian border for them. There are some similarities between two mass influxes. However, Turkey insisted on

¹⁵⁴ Daniş, *op. cit.*, pp.521-544.

¹⁵⁵ For more details please visit this website: Chaldean Community Foundation <<http://www.chaldeanfoundation.org/wp-content/uploads/2015/04/CCF-Case-Statement-Overview-Pledge-Form.pdf>> [Access date:08.12.2016] and see Chaldean Australian Society Inc., Annual Report 2015.

<<http://www.chaldeanauss.org.au/wp-content/uploads/2014/05/Chaldean-Australian-Society-Annual-Report-2015.pdf>> [Access date:08.12.2016]

¹⁵⁶ Daniş, *op. cit.*, p.539.

¹⁵⁷ Daniş, *op. cit.*, p.526.

maintaining geographical limitation and has tried to cope with this influx without granting refugee status to numbers of Syrians.

3.1.2.2. Influx of Refugees from Syria

After the protests turned into civil war in Syria, mass migration of Syrians to neighbouring countries began. Then, Turkey, which is one of Syrian neighbours, became one of the top refugee hosting countries in the world. Actually, "Syrians have come to Turkey in irregular ways since 1998. Between 1999-2000 and 2006-2008, the number of irregular Syrian migrants in Turkey increased...They generally came from the cities which are close to border of Turkey."¹⁵⁸ After the start of the civil war, Syrians began to flee from Syria. Syrians who migrated to Turkey generally came from closest regions of Syria to Turkey because of the easement of arrival. They preferred to come to Turkey as there was a kinship between people of Turkey and Syria.¹⁵⁹

In the early days of the crisis, Turkey thought that Syrian civil war did not exist for a long time. Syrians were called as guest in those days. Since the beginning of the influx, Turkey has implemented open door policy and admitted them in Turkish territory. Turkey did the same thing what she did during the Iraqi refugee crisis; Turkey established camps which are close to Turkish-Syrian border for them. The establishment of these camps is in accordance with the Article 11 of the 1994 Regulation. Turkey is hosting nearly 3.000.000 Syrians; more than 250.000 of them are hosted in camps/accommodation centers. Turkey provides them sheltering, food, health care, security, education, religious service, translatorship, telecommunication and other services. For meeting their basic needs Turkish Red Crescent and Disaster and Emergency Management Presidency are working together. At the same time, Ministry of Interior, Ministry of Foreign Affairs, Ministry of National Education, security forces and NGOs are

¹⁵⁸ Çiçekli and Demir, *op. cit.*, p.73.

¹⁵⁹ Republic of Turkey Prime Ministry Disaster and Emergency Management Presidency (AFAD), Syrian Refugees in Turkey, 2013 Field Survey Results, pp.22-23. <https://www.afad.gov.tr/Dokuman/TR/61-2013123015505-syrian-refugees-in-turkey-2013_print_12.11.2013_eng.pdf> [Access date:20.02.2015]

working in cooperation for coping with this influx. Despite all, Turkey has not granted them refugee status as maintaining geographical limitation. There was vagueness/ambiguity on their status. Six months later, after their first arrival to Turkey, they were granted 'temporary protection' status by referring to 1994 Regulation in October 2011. Turkey confirmed this status for Syrians with the Circular on the Admission and Accommodation of Mass Arriving Syrian Asylum Seekers¹⁶⁰ in March 2012. Meanwhile, Turkey enacted the Law on Foreigners and International Protection (LFIP) in 2013 and established the Directorate General of Migration Management with this law. In accordance with the Article 91¹⁶¹ of the LFIP, Turkey granted temporary protection to Syrians.

This influx began in April 2011. Syrians are of non-Turkish origin as Iraqis. In this crisis, even if Turkey welcomed them, Turkey has never granted them refugee status. On the other hand, giving them citizenship has been brought to agenda since July 2016¹⁶²; it was declared that the Ministry of Interior has worked on giving Turkish citizenship to Syrian and Iraqis in Turkey.¹⁶³ But, on the other hand, in accordance with the Article 25 of the Temporary Protection Regulation, temporary protection (provided by Turkey to Syrians) are not be

¹⁶⁰ Circular no: 62

¹⁶¹ *The Law on Foreigners and International Protection*, Article 91/1: Temporary protection may be provided for foreigners who have been forced to leave their country, cannot return to the country that they have left, and have arrived at or crossed the borders of Turkey in a mass influx situation seeking immediate and temporary protection.

¹⁶² Cumhuriyet Gazetesi/Republican Newspaper website, "Erdoğan: Suriyeli kardeşlerimize vatandaşlık vereceğiz", July 2, 2016.

<http://www.cumhuriyet.com.tr/haber/turkiye/561675/Erdogan__Suriyeli_kardeslerimize_vatandaslik_verecegiz.html> and BBC Türkçe website, "Suriyelilere vatandaşlık açıklaması İngiltere basınında", July 4, 2016

< http://www.bbc.com/turkce/haberler/2016/07/160703_suriyeli_vatandaslik_basin> and Sabah Gazetesi website, "Hükümetten 'Suriyelilere vatandaşlık' açıklaması", 15 July, 2016 <<http://www.sabah.com.tr/gundem/2016/07/14/hukumetten-suriyelilere-vatandaslik-aciklamasi>>

¹⁶³ Deutsche Welle Türkçe website, "Erdoğan'dan Suriyeliler için vatandaşlık açıklaması", January 6, 2017. <<http://www.dw.com/tr/erdo%C4%9Fandan-suriyeliler-i%C3%A7in-vatanda%C5%9F%C4%B1k-a%C3%A7%C4%B1klamas%C4%B1/a-37043731>>

and Cumhuriyet Gazetesi/Republican Newspaper website, "Referandum hazırlığı... Erdoğan'dan kaymakamlara direktif: Kömür dağıtın", January 10, 2017

<http://www.cumhuriyet.com.tr/haber/turkiye/658045/Referandum_hazirligi..._Erdogan_dan_kaymakamlara_direktif__Korum_dagitin.html> and Haberekspress website, "Erdoğan: Suriyelilere vatandaşlık için bakanlık çalışıyor", January 10, 2017.

<<http://www.haberekspress.com.tr/politika/erdogan-su-iyelilere-vatandaslik-icin-bakanlik-calisiyor-h97316.html>> and BBC Türkçe website, "Erdoğan: Suriyeli ve Iraklıların bir kısmını vatandaşlığa alacağız", January 6, 2017. <<http://www.bbc.com/turkce/haberler-turkiye-38534106>> [Access date:02.01.2017]

taken into consideration when calculating the total term of residence permit durations and does not entitle its holder to apply for Turkish citizenship. So, they cannot apply to Turkish Citizenship in a way that is taking place in the Turkish Citizenship Law.

Syrian refugee crisis is ongoing. Turkey admitted them on humanitarian grounds and has been hosting them. Although giving them citizenship was brought on the agenda, Turkey maintained geographical limitation and has not granted them refugee status. On the other hand, Syrian refugee crisis is the first mass influx that the DGMM has to deal with. The LFIP, which is in line with international standards and the first comprehensive law on migration, is the main legislation implementing in this mass migration. Establishing the Directorate General of Migration Management and having the Law on Foreigners and International Protection facilitated the management of this process. Finally, Turkey has met her two essential needs in every mass influx, this time she has the institution and the law on migration.

3.2. Legislation in Turkey

Turkey's legislation on foreigners, which was coded in 20th century, has been criticized for years. Turkey decided to modernize her legislation in the medium term and stated it in the National Plan 2000 which is a road map on adoption of the Acquis and future reforms.¹⁶⁴ The laws under this title were decided to be changed in accordance to National Action Plan for the Adoption of the European Union Acquis in the Field Of Asylum and Migration. Under this title, amendments and abolishments will be introduced.

¹⁶⁴ Bianca Kaiser, "Türkiye'deki Avrupa Birliği Yurttaşları: Siyasal ve Toplumsal Katılımın Önündeki Engeller", in *Kökler ve Yollar*, (ed.) Ayhan Kaya and Bahar Şahin, İstanbul Bilgi Üniversitesi Yayınları, First Edition, İstanbul, 2007, pp.481-482.

3.2.1. The Amendments in the Turkish Citizenship Law

The Turkish Citizenship Law (TCL) enables aliens to be Turkish Citizens providing certain criteria. According to Article 11, aliens of full legal age are allowed to apply to require Turkish citizenship when they have stayed for uninterrupted five years in Turkey and have intention to live in Turkey for the future, can live on their selves and their dependents, speak enough Turkish, have no disease or pose no threat to public order and national security and be of good moral character. To get Turkish Citizenship for persons who recognized as migrants before is facilitated in Article 12 providing a proposal by the Ministry of Interior and decision of the Council of Ministers. However, in accordance with the Article 8 of the Settlement Law those who are accepted as migrants are granted Turkish Citizenship by the decision of the Council of Ministers (Art.8/4) and those who come to Turkey by a special agreement have to sign the declaration on the acquisition of Turkish Citizenship and get migrant document (Art.8/3). Article 12 of TCL also facilitates getting Turkish Citizenship for “those persons who bring into Turkey industrial facilities or have rendered or believed to render an outstanding service in the social or economic arena or in the fields of science, technology, sports, culture or arts and regarding whom a reasoned offer is made by the relevant ministries.” There are some articles facilitating to be Turkish Citizens for migrants accepted by Turkey. Bulgarian Turks enjoyed this, because they were accepted as migrants by Turkey. On the contrary that, Iraqis and Syrians could not enjoy from these articles; because they have not accepted as migrants or refugees by Turkey.

TCL was amended in 2003. One of the reasons of this amendment was harmonization with EU laws. The other reason was fake marriages. Irregular women migrants (they are from especially former Soviet Union, Central European or Eastern Europe countries) could get a legal status by those marriages.¹⁶⁵ They could acquire citizenship automatically upon marriage. After

¹⁶⁵ İçduygu (ed.), *Kentler ve Göç...*, *op. cit.*, p.41; Bianca Kaiser, “Türkiye’deki Avrupa Birliği Yurttaşları: Siyasal ve Toplumsal Katılımın Önündeki Engeller”, in *Kökler ve Yollar*, (ed.) Ayhan

the amendment, acquisition of Turkish Citizenship by marriage depends on being married to a Turkish citizen at least for three years in a family unity. Foreigner spouse has posed no threat to national security and public order (Article 16 of TCL). After June 2003, the number of people who get Turkish citizenship decreased, this decrease is supposed to be related to this amendment.¹⁶⁶

Turkish nation building is still clearly seen in TCL. Only migrants, who are of Turkish origin, accepted by Turkey have been given citizenship. Kaiser criticized the Turkish Citizenship Law being non-transparent and exclusionist for foreigners. Her other critique to TCL is that assimilation is one way to integration of migrants in accordance to this law.¹⁶⁷ Actually, those who have been granted Turkish Citizenship are Turkish descendants, so they are the people who have cultural and social affinity with the people of Turkey.

3.2.2. Working Laws

The Law on Artisans and Services reserved for Turkish Citizens, which was enacted in 1932, caused foreigners lost their works and has not allowed them to work in certain occupations. In 2003, this law was abolished and the Law on Work Permits of Foreigners (Law no:4817), which was in line with international standards, was put into effect. This new law aimed to reduce bureaucracy. It also aimed to prevent informal works, illegal working and low-paid employment. This law aims to control irregular migration for working.¹⁶⁸ At the same time, working permits are given by only one institution; Ministry of Labour and Social Security.¹⁶⁹ This law also facilitated getting a job in Turkey.¹⁷⁰ It also let

Kaya and Bahar Şahin, İstanbul Bilgi Üniversitesi Yayınları, First Edition, İstanbul, 2007, pp.486-487.

¹⁶⁶ İçduygu claims that there were annually average 7000 people who get Turkish citizenship, but after this amendment there were annually average 500 people who get Turkish citizenship. İçduygu (ed.), *Kentler ve Göç...*, *op. cit.*, p.51.

¹⁶⁷ Kaiser, *op.cit.*, p.488.

¹⁶⁸ National Action Plan for the Adoption of the European Union Acquis in the Field Of Asylum and Migration 2005. Improvements in the Legislation.

¹⁶⁹ İçduygu (ed.), *Kentler ve Göç...*, *op. cit.*, p.41, 45.

foreigners work in houses, hotels, restaurants and in service sector. Women from former Soviet Republics have generally worked in houses as care givers and foreign men have worked as waiting staff irregularly. With the Law on Work Permits of Foreigners, they could get a regular status. However, foreign citizens of Turkish origin have been exempt from work permit in Turkey with the Act of Parliament No:14699 since February 2009.¹⁷¹ Thereby, it can be interpreted that Turkey still continues to follow nationalism. Actually, the Law on Work Permits of Foreigners was enacted with the aim of preventing illegal working and harmonizing Turkish legislation with the Acquis. In accordance with this purpose, the next step of Turkey was to enact the International Workforce Law (IWL) in 2016.

As the rationale of this law, it is drawn attention that the increase in the number of migrant workers because of the wars or economic crisis in the very near region of Turkey. High skilled labour force prefers Turkey to work as well as low skilled labour force. So, Turkey aims to facilitate to grant a work permit, determine exemption from work permit and prevent informal labour with this law. Besides, foreigners who have special ties with Turkish citizenship enjoy exception of getting work permit. With the purpose of monitoring international labour mobility, determining the employment policy and centralization of giving work permits, the establishment of special institution affiliated to the Ministry of Labour and Social Security is seen essential in the rationale of this law with the aim of achievement of these purposes on the issue.¹⁷² Therefore, International Workforce Policy Advisory Board has been established. This board is consisted of minister and undersecretary of the Ministry of Labour and Social Security and undersecretaries of the Ministries of Foreign Affairs, EU Affairs, Development, Culture and Tourism, Interior and Finance and general director of International Workforce. This board is charged with developing the legislation on international workforce.¹⁷³ This law also keeps artisans and services reserved for Turkish

¹⁷⁰ Kaiser, *op. cit.*, pp.482-483.

¹⁷¹ İçduygu (ed.), *Kentler ve Göç...*, *op. cit.*, p.47.

¹⁷² Türkiye Büyük Millet Meclisi / The Grand National Assembly of Turkey Official website <<http://www2.tbmm.gov.tr/d26/1/1-0727.pdf>> [Access date:02.01.2016]

¹⁷³ International Workforce Law, the Article 4.

Citizens with the Article 9. Turkey aims to attract high skilled labour force and provides them Turquoise card. However, this is not granted to the people who are under temporary protection in Turkey. So, Syrians cannot enjoy this card but they were granted right to work in 2014 with a circular.¹⁷⁴ According to the circular, they have been able to apply for a work permit six months later after coming to Turkey. However, the IWL provides the same right as nearly the same conditions with the circular. In accordance with the Article 17, people who are under temporary protection or international protection after six months later getting these status or getting their identity cards. There are also some exceptions to the people who invest or contribute to science and technology in Turkey as well as Turkish nobles, citizens of European Union and Turkish Republic of Northern Cyprus. Besides, this law provides that getting work permit is easy for employers.

It is emphasized in this thesis that when the number of people is high, it cannot be ignored. A great number of people have impacts on economic life as well as sociological or economical life of hosting country. In addition, as it has been emphasized several times that special institution is essential to deal with great many people. In order to determine employment policy, the International Workforce Law was enacted and the International Workforce Policy Advisory Board was established consisting and making cooperation with different ministries.

<<http://www.mevzuat.gov.tr/MevzuatMetin/1.5.6735.pdf>> [Access date:02.01.2016]

¹⁷⁴ Turkish Republic Ministry of Labour and Social Security, Department of Work Permits of Foreigners, Official website: <<http://www.csgb.gov.tr/csgbPortal/yabancilar/eng/duyurular.html>> [Access date:19.04.2015]

3.2.3. Regulation No. 1994/6169 on the Procedures and Principles Related to Possible Population Movements and Aliens Arriving in Turkey either as Individuals or in Groups Wishing to Seek Asylum either from Turkey or Requesting Residence Permission in order to Seek Asylum From Another Country (1994 Regulation)

This regulation was adopted after Iraqi refugee crises considering mass influxes. Turkey drew lessons from all experiences before. This regulation aims at determining how to manage mass migration besides asylum and refugee policy. With this regulation bodies and institutions are also determined for conducting migration policy. Coordination and cooperation are given importance in order to carry out the policy and process. This regulation defines the status which will be given to immigrants seeking refuge. At the same time, it authorizes the Ministry of Interior to decide on asylum applications. In case of mass influxes, when it is needed to host myriad people, this regulation stipulates to keep them close to the border while preventing them waiting in front of Turkish border. While admitting them, eliminating terrorists, spies etc. is paid attention. In accordance with this regulation, the end of the reason why they come to Turkey enables to repatriation.

There are some articles on mass influxes and these articles are important to understand migration and asylum policy of Turkey. In the Part One (General Provisions), the purpose of this regulation is clarified. It is declared that this regulation is coherent with the Geneva Convention on the Status of Refugees (1951 Convention) and its Additional Protocol relating to the Status of Refugees (1967 Protocol). Then, content of the regulation is stated on measures which ought to be taken in case of mass influx for seeking a refuge in Turkey or other countries as well as individuals. And also, refugee, asylum seeker, belligerent foreign army member and individual alien are defined. However, Turkey maintains the geographical limitation to 1951 Convention while defining "refugee" and stipulates events occurring in Europe for granting this status.

Part 2 is related to individuals who seek asylum. They should apply to governorates in Turkey. Until their applications are responded, they have to

reside where Ministry of the Interior decided to stay. While keeping them in certain places, Turkey aims to control immigrants and has a security concern on them.

The Ministry of Interior is a significant institution on migration issues. It is put in charge as decision making authority on the asylum applications with the Article 6. The Ministry of the Interior is also authorized with the Article 7 for cooperation with international organizations besides other ministries and internal organizations for managing the mass movement in order to provide asylum seekers' basic needs, documents required such as passport or visa and also transportation, resettlement and repatriation. It is certain that the Ministry of Interior cannot cope with admitting, registering, hosting and providing shelter, food, etc. Coordination is essential when admitting a great number of people. For this reason, the Article 24 enables the Ministry of Interior to coordinate other ministries, the Turkish General Staff, the Ministry of National Defense, National Intelligence Organization and Turkish Red Crescent. Turkish General Staff is also one of the coordinators in the establishment of camps. Security forces are involved in implementation and maintaining immigration policy. Coordination and cooperation with security forces indicate that Turkey focuses on security.

The title of Part 3 is "Precautions to be taken against possible population movements and aliens arriving in Turkey in groups wishing to seek asylum". There is only one article, the Article 8, and it emphasizes the prevention of mass movements that cross Turkish border:

"As long as there are no political decisions taken to the contrary, and provided that Turkey's obligations under international law are maintained, and taking into account its territorial interests, it is essential that population movements be stopped at the border, and that asylum seekers be prevented from crossing over into Turkey. Necessary and effective measures shall be taken by the relevant bodies on this matter."

Part 4 comprises 17 articles of the 33 articles of this regulation and focuses on mass migrations. The title is "Action and precautions to be taken in the event of the acceptance of refugees and asylum seekers who come to our borders or enter Turkish territory in groups". In case of mass influx what shall be done is

determined in this part. First of all, they are received at the border in accordance with the Article 12; by doing so, it is aimed that their accumulation is prevented at the borders. Refugees and asylum seekers are disarmed; civilians are separated and sent to the camps. They are put under protection and supervision Turkey. The establishment of camps is specified/designated in Article 11:

“Front-line assembly areas to shelter asylum seekers and refugees as close as possible to the border shall be designated by the Ministry of Interior in conjunction with the Turkish General Staff and shall be established by the Governorates. Assembly areas shall be designated by the Ministry of Interior in conjunction with the Turkish General Staff and shall be established by the Governorates.”

If camps are not enough for refugees, buildings belonging to public can be utilized or rented. Refugees and asylum seekers can stay and live outside camps and travel in Turkey provided that Mol's permission after consulting relevant ministries and organizations. Camps can be visited by refugees' visitors or local people providing permission given by governorate, and also foreign states or international organizations can visit the camps with Mol's permission after approval of Ministry of Foreign Affairs. But visits can be limited temporarily on the grounds that military obligations or national security. Refugees and asylum seekers enjoy primary health care. In case of contagious disease, necessary measures are taken. Preventive vaccination is carried out in State Hospitals. Refugees and asylum seekers are provided communication to some extent, their deliveries might be controlled by authorities. Foreign Aid which is sent for refugees is distributed by Turkish Red Crescent. The right of education and work for them is defined in the Article 27, “Refugees and asylum seekers are subject to the general provisions of the law”.

Repatriation is defined in the Article 26 and after the end of the war or conflict why they leave their countries, they will repatriate by Mol in co-ordination with the Turkish General Staff and the Ministry of Foreign Affairs. According to the Article 29, which is coherent with the Article 32/1 of 1951 Convention, refugees

and asylum seekers are deported on the grounds that national security and public order.

Turkey determined what to do in case of mass influx with this regulation. The lessons drawn during the Iraqi refugee crisis have guided Turkey. On the other hand, security concerns and unwillingness of Turkey accepting refugees are in evidence in the regulation. Turkey is also eager to send them back as soon as possible when the reason (war or conflict), why they come to Turkey, goes away.

1994 Regulation is abolished in October 2014 when Temporary Protection Regulation was enacted. There have been some developments and changes shaping migration policy of Turkey in years. One of these developments is Turkey-EU relations requiring Turkey to change her migration policy and harmonize it with EU's migration policy. Turkey's will to be a member of EU has brought about some amendments on Turkish laws on migration.

3.2.4. The Amendments in the Settlement Law

The Settlement Law¹⁷⁵ was amended on September 19, 2006. Immigrants who are going to be settled are within the scope of the law. There are five groups of immigrants (göçmen) that are defined by the law in the Article 3. Turkish descent and connection to Turkish culture are stressed in the definition of every categorized immigrant. People who are accepted as immigrants come alone or en masse to Turkey in order to settle in Turkey. Those are adopted in accordance with this law. Serbest göçmen/Free immigrant is defined as immigrant but those do not apply to the state for settlement. İskanlı göçmen/immigrant who will be settled by the state comes to Turkey accordingly a special agreement and be settled by the state. Münferit göçmen/Individual immigrant comes to Turkey with her/his whole family. Toplu göçmen/en masse immigrants come to Turkey as a family all together accordingly an agreement

¹⁷⁵ *The Settlement Law (No:5543)*, Official Gazette, Date: 26.09.2006, Issue No:26301.

between two states. According to the Article 4, people who are non-Turkish origin and have no connection to Turkish culture are not accepted as immigrants as well as people, who are Turkish origin and have connection to Turkish culture, but deported before and people who are found insecure, are not accepted as immigrants.

İçduydu explains that Settlement Law was introduced so as to provide a legal basis Muslim and Turks immigration. The emphasis on Turkish descent and origin besides being close to Turkish culture help to create a homogeneous new Turkish society. At the same time, this law facilitates their economic integration by giving them soil/land. However, in practice rather than their Turkish descent (Gagauz, Azerbaijanis,...) Muslims (Albanians, Pomaks,...) are allowed to migrate to and settle in Turkey.¹⁷⁶

Turkey is eager to accept people who are of Turkish origin or affiliated to Turkish culture. In the immigration events that were introduced in this study, Muslims or Muslim Turks have been admitted in Turkey and granted Turkish citizenship. They have been settled in Turkey in certain regions.

After 2000s, on the one hand, Turkey has amended or abolished some of her laws; on the other hand, Turkey has adopted new laws.

3.2.5. National Action Plan for the Adoption of the European Union Acquis in the Field Of Asylum and Migration 2005

The National Action Plan for the Adoption of the European Union Acquis in the Field Of Asylum and Migration is an important document on migration policy of Turkey related to EU-Turkey relations, because it is the underlying main reason of making the Law on Foreigners and International Protection. Before explaining what this plan stipulates, it is needed to refer to the history of the EU-Turkey relations.

¹⁷⁶ İçduygu (ed.), *Kentler ve Göç...*, *op. cit.*, pp.11-12.

Turkey has been in a close relation with the European Union since for a long time. Turkey applied to European Economic Community (EEC) in 1959 in order to become a member of this community. Before being a full member of the EU, there are requirements Turkey has got to do. Membership requirements, which are defined as Copenhagen criterias, stipulate harmonization with the Acquis besides political and economic criterias. Turkey signed Accession Partnership Document with EU Commission in 2001 and then accepted National Program for the Adoption of the EU Acquis. When Turkey signed Accession Partnership Document, she committed to negotiate readmission agreement with European Commission and take effective measures for combatting irregular migration and lifting the geographical limitation to 1951 Convention. In December 2004 at Brussels Summit, it was accepted that Turkey met political criterias sufficiently and it was decided to start negotiations in 2005. But, one year before Brussels Summit, Turkey revised her Accession Partnership Document and declared the National Program in which Turkey has guaranteed to harmonize migration and asylum legislation with EU's migration and asylum legislation.¹⁷⁷ There is also one more important thing that should be done; cooperation on migration. In this field there is a need of institutions to carry out common rules and integrated administrative capacity to coordinate implementations. Schengen Acquis has regulated Justice, Freedom and Security in detail.¹⁷⁸ Schengen Acquis is added to Amsterdam Treaty as protocol and it became an obligation for all candidate countries. So, Turkey has to be in Schengen Area and has to prepare Schengen Area Activity Plan and harmonize border control and border security, visa, asylum and migration policies and implementations with the Union's policies and implementations.¹⁷⁹ Therefore, Turkey is obliged to harmonize her asylum and migration policy, and it is one of the reasons why Turkey adopted

¹⁷⁷ Sinem Akgül Açıkmeşe, "Avrupa Birliği'nde Genişleme", in *Avrupa Birliği Tarihçe, Teoriler, Kurumlar ve Politikalar*, (ed.) Belgin Akçay and İlke Göçmen, 2nd Edition, Seçkin Yayıncılık, Ankara, 2014, pp.650-657; Republic of Turkey Ministry for EU Affairs, History Of Turkey-EU Relations, <<http://www.ab.gov.tr/index.php?p=111&l=2>> [Access date:27.09.2016]

¹⁷⁸ Republic of Turkey, Ministry for EU Affairs, 24. Justice, Freedom and Security <<http://www.ab.gov.tr/index.php?l=1&p=89>> [Access date:26.08.2016]

¹⁷⁹ Arif Köktaş, "Özgürlük, Güvenlik ve Adalet Alanı", in *Avrupa Birliği Tarihçe, Teoriler, Kurumlar ve Politikalar*, (ed.) Belgin Akçay and İlke Göçmen, 2nd Edition, Seçkin Yayıncılık, Ankara, 2014, pp.446-448.

National Action Plan for the Adoption of the European Union Acquis in the Field Of Asylum and Migration in 2005 and made the Law on Foreigners and International Protection (LFIP) and established the Directorate General of Migration Management in 2013. The Law on Foreigners and International Protection which is in line with international standards has been adopted in line with the 63th article of Amsterdam Treaty. It stipulates to take measures on refugees and displaced persons from third countries and provide them temporary protection or international protection. Thereby, Syrians in Turkey have enjoyed temporary protection today; meanwhile, Turkey maintains geographical limitation and does not grant them refugee status.

Migration and asylum have gained great importance in the negotiations between Turkey and EU, and necessity of harmonization of law on asylum lead to adopt the National Action Plan in the process of Turkey's accession to EU. This plan stipulates many Turkish laws to be amended. Moreover, it also gives importance that Turkey has an institution on migration management.

The establishment of specialization unit on migration and asylum is considered required and necessary. In accordance with the aforementioned National Action Plan, it shall be central, authorized and independence unit affiliated to MoI. In addition, it shall be in charge of coordination of ministries on implementation of procedures and provisions of asylum applications. Procedures and implementations on asylum shall be in harmony with the EU Acquis.

The institutionalization on asylum is attached importance in National Action Plan for the Adoption of the European Union Acquis in the Field Of Asylum and Migration 2005. In accordance with this plan, capacity of the specialization unit shall be increased. The specialization unit shall be strengthened on drafting and conducting migration policy, evaluating applications of asylum seekers or migrants and deciding their statuses, giving decisions on deportations, conducting repatriation programs, forming policies on integration of foreigners, managing irregular migration policy and taking necessary precautions, gathering and evaluating datas and exchanging information internationally. In addition, Evaluation Board (Değerlendirme Kurulu) consisting of experts in the

field shall be established to ensure administrative supervision, protect the rights of foreigners and settle disputes on migration, coordinate relevant institutions on combatting human trafficking and irregular migration and develop policies on migration. The Mol is expected to give decisions on processes of foreigners as soon.¹⁸⁰ The personnel, working in the field of asylum and migration, of the specialization unit shall be trained on international laws and national legislation, migration, asylum, irregular migration, human trafficking, human rights, EU Acquis, interviewing with vulnerable, learning language. For continuity of training of the personnel, a training academy (institute) will be established. In accordance of the EU Council directive, the state shall establish asylum seeker reception system, accommodation centers for them and also return centers. NGOs will participate to repatriation process. With the purpose of all of this can be done, the establishment of the asylum authority is considered necessary and responsibilities and duties of the authority are attached importance.

Law and policy making is attached importance in National Action Plan for the Adoption of the European Union Acquis in the Field Of Asylum and Migration. The decisiveness and importance of future population movements is paid attention in making policies of asylum, migration and illegal migration. International developments, emerging conditions, push and pull factors and dynamics of migration and population movements are taken into consideration. With the purpose of policy making, compiling statistics are necessary and it requires cooperation between the Directorate General of Security and State Statistical Institute. The cooperation is needed, with relevant national and international institutions, universities and NGOs when necessary, in preparation of legislation in the field of migration and asylum. Especially, in the field of asylum, geographical conditions, possible developments and happenings and possible mass influxes are taken into consideration.¹⁸¹

Politically, this plan gives importance the institution which will be established on migration. Of course, Turkey which has always been subjected to migration is in

¹⁸⁰ National Action Plan for the Adoption of the European Union Acquis in the Field Of Asylum and Migration 2005. Chapter 4.

¹⁸¹ National Action Plan for the Adoption of the European Union Acquis in the Field Of Asylum and Migration 2005. Chapter 4.5 Law and Policy Making.

need of an institution for dealing with the issue. The plan also focuses on planning, in a sense it aims to control, the possible future movements. The Ministry of Interior is again charged with accepting people and forming a policy on migration. Rather than establishing a separate institution, such as Ministry of Immigration, General Directorate is established affiliated to Mol. When the plan is evaluated sociologically, this plan enables integration for only asylum seekers and refugees in Turkey. According to this plan, people who are subject to integration should have will and enthusiasm for adaptation to Turkish society. Those people should also know customs and rules of Turkish society. Before getting Turkish citizenship, they should integrate the society. Therefore, Içduygu sees this plan nationalist.¹⁸² However, Turkey amended her legislation and made a comprehensive law on migration in order to harmonize her migration policy to EU Acquis, as this plan stipulates. In addition, as stated before, Turkey committed to negotiate readmission agreement with European Commission when signed Accession Partnership Document.

3.2.6. Readmission Agreements

Readmission agreement, which was signed in December 2013 between Turkey and EU, is placed a great importance. Besides, there is a dispute on the implementation of the agreement. The importance given to readmission of irregular migrants dates back 1970s. In the mid-1970s, Trevi Group was established and this initiative established Ad-Hoc Immigration Working Group. It focused on external and internal border control, asylum and immigration. It added some dimensions to EU's migration policy: regulation of waves of migration and readmission of irregular migrants.¹⁸³

In the National Action Plan for the Adoption of the European Union Acquis in the Field Of Asylum and Migration, Turkey has aimed to make readmission agreements in medium-term with her eastern and western neighbours and also

¹⁸² Içduygu (ed.), *Kentler ve Göç...*, *op. cit.*, p.39.

¹⁸³ Arif Köktaş, *op. cit.*, pp.449-453.

source countries of irregular migrants. By this time, Turkey signed readmission agreements with Greece, Russian Federation, Yemen, Nigeria, Bosnia Herzegovina, Kyrgyzstan, Pakistan, Romania, Syria, Ukraine, Belarus, Montenegro, Moldova, Kosovo and Norway.¹⁸⁴

As stated before, irregular migration creates a problem between Turkey and EU, and they started negotiation for Readmission Agreement in 2003. Then years later, they reached a compromise and signed the agreement. Readmission Agreement entered into force on October 1, 2014. It stipulates readmission of irregular migrants, who are citizens of third countries, by Turkey from European Union countries where they migrated irregularly. For this purpose, Turkey aims to strengthen national capacity and complete institutional preparation.¹⁸⁵ This agreement is a step to solve the problem lasting between the EU and Turkey. As readmission agreements are based on the National Action Plan for the Adoption of the European Union Acquis in the Field Of Asylum and Migration, Turkey's new Law on Foreigners and International Protection is based on this plan.

3.2.7. The Law on Foreigners and International Protection

The Law on Foreigners and International Protection was enacted on April 11, 2013. The Law on Foreigners and International Protection (LFIP), which is a legal basis for migrants' rights, is in line with international standards and EU legislation. It aims at protecting and providing human rights of migrants.¹⁸⁶ In overall rationale, it is drawn attention that on the one hand, Turkey has always met mass influxes due to her geographical, strategic, cultural and political position; on the other hand, there have been socio-cultural and economic

¹⁸⁴ Republic of Turkey Ministry of Foreign Affairs Official website, Turkey on Irregular Migration, <<http://www.mfa.gov.tr/turkey-on-irregular-migration.en.mfa>> [Access date:26.09.2016]

¹⁸⁵ Republic of Turkey Ministry for EU Affairs Official website, Türkiye-AB Vize Muafiyeti Süreci ve Geri Kabul Anlaşması Hakkında Temel Sorular Ve Yanıtları, p.18. <http://www.ab.gov.tr/files/pub/turkiye_ab_vize_muafiyeti_sureci_ve_geri_kabul_anlasmasi_hak_kinda_temel_sorular_ve_yanitlari.pdf> [Access date:27.12.2016]

¹⁸⁶ Republic of Turkey Ministry of Foreign Affairs Official website, Turkey on Irregular Migration, <<http://www.mfa.gov.tr/turkey-on-irregular-migration.en.mfa>> [Access date:26.12.2016]

effects of these migrations on Turkey. Moreover, there have always been instabilities in the near region of Turkey and there is a strong possibility that Turkey meets flows of migration. Therefore, it is stated that in the overall rationale, the need for a competent institutional organization for effective management of migration problems is also essential.¹⁸⁷ So, this law also established an institution on migration; it is the Directorate General of Migration Management that will be explained under the title of institutions on migration. Above all, this law is the main instrument of Turkey in legislation on migration.

In accordance with the Law on Foreigners and International Protection, Turkey provides international protection for refugees. However, this law maintains geographical limitation with the Article 61. Refugees coming outside Europe are given “conditional refugee” status with the Article 62 and they are allowed to stay in Turkey until they are resettled to third country. People who are put under international protection are always provided education and primary health services in any case. These people are not sent back to their country of origin and non-refoulement principle takes place in the Article 4.

In case of mass influxes, the LFIP provides temporary protection to related people with the Article 91. This article also authorized the Council of Ministers to issue a directive which determines their admittance, entry and stay as well as their rights and obligations; the duties of institutions on migration and cooperation between institutions in order to carry out and manage mass influx; measures to be taken to prevent mass influxes. The Council of Ministers issued this directive in October 2014.

In accordance with the law, the unity of families is given care and it is aimed to provide unity as far as possible in accommodation centers. On the other hand, cooperation is made with the Turkish Red Crescent in order to provide these people their basic needs in accommodation centers. Cooperation is essential and important in international protection procedures; therefore the Article 92 is about international cooperation with UNHCR, IOM, international organization

¹⁸⁷ Republic of Turkey Ministry of Interior, Directorate General of Migration Management, Official website, Overall Rationale, <http://www.goc.gov.tr/icerik3/overall-rationale_913_975_977> [Access date:27.09.2016]

and non-governmental organizations. With the purpose of this, the Ministry of Interior is authorized to make protocols with UNHCR with consultation of the Ministry of Foreign Affairs. The LFIP suggests harmonization with the Article 96. The Directorate General of Migration Management, which was established by this law, shall enable and allow that foreigners may attend courses on Turkish language, culture, political structure. With the purpose of this, the Directorate General is allowed to make cooperation with public institutions, universities, NGOs or international organizations as possible as financial capacity of Turkey.

Meanwhile, there are also some articles for the benefit of people who were Turkish citizens by birth and lost citizenship by obtaining renunciation permit in this law. They enjoy visa exemption and exemption from residence permit with the Articles 12 and 20. This time, Turkey provides some favours to her old citizens, who were Turkish citizens by birth but renounced their citizenship with permission, in the LFIP. Foreigners' access to labour market was explained under the title the Working Laws. In addition, people's, who come to Turkey en masse, access to labour market services is stated in the Temporary Protection Regulation.

When it comes to mass influx which is the topic of this thesis, there is one article on the protection and status for people who come to Turkey en masse in the LFIP. It is the Article 91 and there is a basic document which is issued on the basis of this article; it is the Temporary Protection Regulation.

3.2.8. Temporary Protection Regulation

Temporary Protection Regulation was issued by the Council of Ministers in accordance with the Article 91 of LFIP. Turkey provides temporary protection for those who come to Turkey en masse because they are forced to leave their countries and seeking protection. Those people who come to Turkey en masse or individually are provided protection provided that they arrive in Turkey during mass influx period unless the Council of Ministers decides otherwise. The Council of Minister decides to provide temporary protection to those people

upon the Ministry of Interior's proposal. Non-refoulement principle is also applied for them. However, law enforcement forces conduct security check at the border gates; those people are admitted without documentation or with invalid documentation with governorates' permissions. During their stay in Turkey, they enjoy a right to primary and secondary education by the Ministry of National Education of Turkey. They attend courses organized for them on their demand. They are also provided emergency and basic health services. On the other hand, the total term of residence durations are not calculated for applying Turkish Citizenship, even if they are allowed to stay in Turkey more than five years. The Council of Ministers gives a decision on the termination of temporary protection and determines time for them to leave Turkey.¹⁸⁸

3.3. Institutions on Migration

As it is emphasized several times above, Turkey has always been in need of a special institution on migration and this need has always been essential and urgent in case of mass influxes. However, Turkey has carried out and conducted her migration policy and coped with mass influxes with some institutions and they are explained below.

3.3.1. Security Forces

The Directorate General of Security has engaged in migration from registering to deportation of migrants for many years. For combatting irregular migration, it has always been in cooperation with other security forces. General Command of Gendarmerie, Directorate General of Security and Coast Guard Command are attached importance to implement the legislation on human trafficking.¹⁸⁹

¹⁸⁸ *Temporary Protection Regulation*, Articles: 3, 6, 7, 9, 14, 17, 20, 25 and 28.

¹⁸⁹ National Action Plan for the Adoption of the European Union Acquis in the Field Of Asylum and Migration 2005. Chapter 3.2.8. Steps Taken in Combating Trafficking in Human Beings.

Combatting irregular migration and human trafficking are important security problems, so Turkey signed Security Cooperation Agreements, which aims to combat irregular migration and human trafficking, with 43 countries.¹⁹⁰ Long land and sea borders of Turkey are uneasy to control; in addition there are always attempts to cross the border from unofficial entry point and use Turkey as a transit country or as a bridge on the route to Europe.

The mission of Turkish Coast Guard Command is to provide safety of lives and security in Turkish coasts and internal waters, to disarm the refugees who enter Turkish internal waters and to prevent smuggling through sea.¹⁹¹ The Turkish Coast Guard Command provides statistics on irregular migration by sea.¹⁹² Officials of Turkish Coast Guard Command are given seminars on irregular migration and combatting human trafficking. Turkish Coast Guard Command has been strengthened to provide border security. A circular was enacted on implementation of the legislation on human trafficking by Turkish Coast Guard Command.¹⁹³

Transit migration route from Turkey to Europe is through vessels by sea. Police and coast guard forces have worked in cooperation to combat irregular migration. As a result of this effective cooperation after 2000, irregular migration route changed and new route is from Africa to France or Italy and from the Suez Canal to Cyprus, Greece or Italy.¹⁹⁴

Security forces of Turkey have made efforts on migration at security dimension. As there has been a need for a special institution to carry out migration policy

¹⁹⁰ National Action Plan for the Adoption of the European Union Acquis in the Field Of Asylum and Migration 2005. Chapter 3.2.8.1. Works towards Establishing International Cooperation for Combating Human Trafficking.

¹⁹¹ Turkish Coast Guard Command Official website, Mission <http://www.sgk.tsk.tr/baskanliklar/plan_prensipler/mission/mission.asp> [Access date:04.06.2016]

¹⁹² Turkish Coast Guard Command Official website, Irregular Migration Statistics <http://www.sgk.tsk.tr/baskanliklar/harekat/faaliyet_istatistikleri/duzensiz_goc_istatistikleri.html> [Access date:04.06.2016] and Irregular Migration Statistics in The Aegean Sea. <http://www.sgk.tsk.tr/baskanliklar/harekat/faaliyet_istatistikleri/duzensiz_goc_istatistikleri_ege.html> [Access date:04.06.2016]

¹⁹³ National Action Plan for the Adoption of the European Union Acquis in the Field Of Asylum and Migration 2005.Chapter 3.2.8. Steps Taken in Combating Trafficking in Human Beings.

¹⁹⁴ National Action Plan for the Adoption of the European Union Acquis in the Field of Asylum and Migration 2005. Chapter 3.2.7. Improvements in Struggle against Illegal Migration.

and to have a control on migration, on the other hand, the EU has urged Turkey for a special institution on migration. Finally, the Directorate General of Migration Management was established in April 2013.

3.3.2. The Directorate General of Migration Management (DGMM)

In overall rationale of the Law on Foreigners and International Protection, it is drawn that there is a lack of an institution on migration in Turkey. It is also stated that Turkey in need of a competent institution on migration, because immigration is very important on social, cultural, economic and demographic structures as well as public order.¹⁹⁵

Turkey, with her geographical location, has been always a transit country for migrants; especially, in recent years, Turkey has become a receiving country for migrants, asylum seekers and refugees. Therefore, first of all, there is a strong need for making policy on migration and an institution for carrying out this policy. In order to determine effective, actual and up to date policies on migration, Turkey enacted the Law on Foreigners and International Protection (LFIP, Law no. 6458). In accordance with the Article 103 of this law, the Directorate General of Migration Management, affiliated to the Ministry of Interior, has been established with the aim of implementing migration policy of Turkey, coordinating other relevant institutions and regulating entry into and exit from Turkey. The objectives of the Directorate General of Migration Management (DGMM) are defined to be people-oriented while establishing and carrying out migration policies.¹⁹⁶ Duties, which are defined in Article 104 of the LFIP, of the Directorate General are to manage and implement the migration policy of Turkey, to carry out activities and actions related to migration, victims of human trafficking, stateless persons, irregular migration, temporary

¹⁹⁵ Republic of Turkey Ministry of Interior, Directorate General of Migration Management, Official website, Overall Rationale, <http://www.goc.gov.tr/icerik3/overall-rationale_913_975_977> [Access date:27.09.2016]

¹⁹⁶ Republic of Turkey Ministry of Interior, Directorate General of Migration Management, Official website, The Institution, Objectives, <http://www.goc.gov.tr/icerik/objectives_912_957> [Access date:27.09.2016]

protection, harmonization, ensure cooperation and coordination with relevant institution, agencies and organizations.

In accordance with the Article 106, “The Directorate General is comprised of the central, provincial and overseas organizations.” The DGMM is also authorized to establish provincial and overseas organizations with the Articles 109 and 110. The DGMM will establish its organizations in every province, 148 districts and outside Turkey.¹⁹⁷

There was a lack of registration of migrants, so that, DGMM has established technological infrastructure central, provincial and overseas organizations of the DGMM for registration, communication and flow of information.¹⁹⁸ As a matter of fact, Turkey stated that she was going to strengthen her capacity in agreements and action plans relevant to migration.

The DGMM has 18 removal centers¹⁹⁹, their capacity is 6670 persons. The DGMM has planned to establish new removal centers and increase their capacity. The EU has also supported to build new removal centers. In those centers, free health care, communication with their relatives, lawyers and to meet officials of UNHCR are provided to foreigners. Children, families and unaccompanied minors are taken care. Access to education is provided for children with the collaboration of the Ministry of National Education. There are reception and accommodation centers where a foreigner, who gets an international protection status or is an applicant, can stay. The DGMM has two reception and accommodation centers with a capacity of 850 persons. House, food, healthcare and social needs are provided and unity of the families is protected in those centers. Building new reception and accommodation centers

¹⁹⁷ Republic of Turkey Ministry of Interior, Directorate General of Migration Management, Official website, About Us, <http://www.goc.gov.tr/icerik/about-us_912_956> [Access date:27.09.2016]

¹⁹⁸ Republic of Turkey Ministry of Interior, Directorate General of Migration Management, Official website, Work on Technological Infrastructure, <http://www.goc.gov.tr/icerik6/work-on-technological-infrastructure_912_912_970_icerik> [Access date:25.09.2016]

¹⁹⁹ These removal centers are in those provinces: Adana, Antalya, Aydın, Bursa, Çanakkale, Edirne, Erzurum, Gaziantep, Hatay, Hakkâri, İstanbul, İzmir, Kayseri, Kırklareli, Kocaeli, Tekirdağ, Van.

are planned by the DGMM.²⁰⁰ The DGMM has also a private budget. Medical costs, sheltering, goods, personnel expenditures, research on migration project are some of examples for which the money was spent.²⁰¹ There are twelve service units embodied at the DGMM. These are; Foreigners Department, International Protection Department, Department of Protection of Victims of Human Trafficking, Migration Policy and Projects Department, Harmonization and Communication Department, Information Technologies Department, External Affairs Department, Strategy Development Department, Legal Counselor, Human Resources Department, Training Department, Support Services Department. These units and their duties are defined in Article 108 of FLIP. Foreigners Department focuses on regular and irregular migration. International Protection Department “carry-out activities and actions related to international protection and temporary protection and collecting and updating information on countries of origin.” Department of Protection of Victims of Human Trafficking focuses on combating human trafficking and protecting victims of trafficking. Migration Policy and Projects Department determines strategies and policies on migration; furthermore, implements projects and prepares reports and statistics on migration. Harmonization and Communications Department focuses on harmonization of foreigners and manage media and public relations. Information Technologies Department is responsible of communication and information systems and their infrastructure. International Affairs Department carries out international activities of the DGMM and conducts relations with the EU, organizes international meetings, conferences etc., to be in contact with diplomatic missions of Turkey and follows the developments in abroad on migration issues. Strategy Development Department works on financial issues. Legal Counsellor conducts legal issues. Human Resources Department conducts personnel affairs. Support Services Department provides basic needs and all kinds of assistance to the DGMM.

²⁰⁰ Republic of Turkey Ministry of Interior, Directorate General of Migration Management, Support Activities, <http://www.goc.gov.tr/icerik/support-activities_912_971> [Access date:26.09.2016]

²⁰¹ Republic of Turkey Ministry of Interior, Directorate General of Migration Management, Official website, Budget <http://www.goc.gov.tr/icerik/budget_912_4716> [Access date:26.09.2016]

Training Department strives for the improvement of the personnel of the DGMM.²⁰²

Turkey has met her need on migration management with the DGMM. As always being engaged in migration, a special institution on migration is always essential need for Turkey. In case of mass migrations instead of establishing an institution for the issue at every turn, Turkey has an institution for carrying out migration policies any more.

But, before the establishment of the DGMM, there has always been Ministry of Foreign Affairs engaged in international migration policy of Turkey.

3.3.3. Ministry of Foreign Affairs

Immigration and emigration are related to foreign policy of states somehow. In migration history of Turkey, mass migrations generally occurred as a result of agreements with other states, such as exchange agreement or labour recruitment agreement. Turkish Ministry of Foreign Affairs (MFA) has engaged in every mass migration to Turkey besides forming and shaping migration policy of Turkey. Before the establishment of Ministry for EU Affairs, MFA has involved in every process of relations and has always been a part of EU-Turkey relations which has a great impact on changing and shaping migration policy of Turkey in terms of legislation and institutionalization. Officials of Ministry of Foreign Affairs have partaken in EU Accession Process and Talks with officials of Ministry for EU Affairs. Migration, irregular migration, human trafficking and migrant smuggling are always top issues which are held in the official visits paid to Turkey by her neighbours, European Countries, officials of EU, NATO or the UN. For the last five years, Syrian Refugee Crisis and refugees hosted by Turkey have been on the agenda in every visit, meeting, and summit.²⁰³ MFA

²⁰² Republic of Turkey Ministry of Interior, Directorate General of Migration Management, Official website, Service Units, <http://www.goc.gov.tr/icerik3/service-units_925_934_935_ARTICLE_108> [Access date:23.07.2016]

²⁰³ See Republic of Turkey Ministry of Foreign Affairs Official website , "Latest Developments", <<http://www.mfa.gov.tr/sub.en.mfa?7342a8d1-3117-42aa-8ddd-01adb5653889>> [Access

states that political instabilities and economic difficulties in neighbouring countries have an effect on migration policy of Turkey. MFA also states that Turkey is determinant to cope with migration flows because of her geographical location.²⁰⁴ However, Turkey maintains a geographical limitation to migration flows outside Europe. Even so, Turkey has met mass influxes outside Europe and admitted those people in her territory and hosted them without giving them refugee status.

Ministry of Foreign Affairs gives priority and importance to irregular migration in the main foreign issues.²⁰⁵ “MFA also participates in the works of the Coordination Council against Irregular Migration under the auspices of the Ministry of the Interior with a view to evaluate international dimension of irregular migration along with its negative reflections in bilateral relations.”²⁰⁶ Ministry of Foreign Affairs has worked with the Ministry of Interior, which has always conducted migration policy of Turkey, in cooperation.

After the establishment of the DGMM, Ministry of Foreign Affairs transferred some duties to it. The National Task Force on Fight against Human Trafficking was established in 2002, MFA became the head of this force. MFA, relevant government institutions, delegates of International Organizations, law enforcement agencies, NGOs came together with this Task Force and prepared National Action Plan in Fight against Human Trafficking, then it was put into

date:30.09.2016] and “Latest Press Releases”, <<http://www.mfa.gov.tr/sub.en.mfa?ad9093da-8e71-4678-a1b6-05f297baadc4> and World Humanitarian Summit website, <http://whsturkey.org/>> [Access date:30.09.2016]

²⁰⁴ Republic of Turkey Ministry of Foreign Affairs Official website, Türkiye’de Düzensiz Göç, <http://www.mfa.gov.tr/turkiye_de-duzensiz-goc.tr.mfa> [28.09.2016]; Turkey on Irregular Migration, <<http://www.mfa.gov.tr/turkey-on-irregular-migration.en.mfa>> [Access date:28.09.2016]

²⁰⁵ Republic of Turkey Ministry of Foreign Affairs Official website, Synopsis of the Turkish Foreign Policy, <<http://www.mfa.gov.tr/synopsis-of-the-turkish-foreign-policy.en.mfa>> [Access date:09.09.2016]; Republic of Turkey Ministry for EU Affairs, “Pozitif Gündem Açılış Toplantısı Gerçekleştirildi”, <<http://www.ab.gov.tr/index.php?p=47678&l=1>> [Access date:11.09.2016]; Delegation of European Union to Turkey Official website, “AB-Türkiye: Reformların sürdürülmesi için Pozitif Gündem”, <<http://avrupa.info.tr/tr/bilgi-kaynaklari/haber-arsivi/news-single-view/article/ab-tuerkiye-reformlarin-suerdueruelmesi-icin-pozitif-guendem.html>> [Access date:12.09.2016]; “AB-Türkiye Pozitif Gündemi Ankara’da Başlatıldı”, <<http://avrupa.info.tr/tr/bilgi-kaynaklari/haber-arsivi/news-single-view/article/ab-tuerkiye-pozitif-guendemi-ankarada-baslatildi.html>> [Access date:11.09.2016]

²⁰⁶ Republic of Turkey Ministry of Foreign Affairs Official website, Turkey on Irregular Migration, <<http://www.mfa.gov.tr/turkey-on-irregular-migration.en.mfa>> [Access date:25.09.2016]

effect with the approval of Prime Ministry. In 2013 February, the National Task Force on Fight against Human Trafficking was transferred to the Directorate General for Migration Management.²⁰⁷

MFA has played an important role on the migration of Turkey. MFA even transferred some of its duties to the DGMM and Ministry for EU Affairs, it goes on involving in forming, shaping and implementing of migration policy of Turkey.

3.3.4. Foreign Turks and Related Communities Presidency

Turkey aimed at brain drain immigration as well as promoting her relations with Turkish Republics and related communities. The Foreign Turks and Related Communities Presidency was established on March 24, 2010 with Law No:5978 to be interested in Turkish people living abroad, to conduct an activities for promoting social, cultural, economic relations with Turkish origin and related communities and coordinate relevant institutions for foreign students having education in Turkey. But the establishment of this presidency dated back 1992. In that year, "Great Student Project" was made with the aim of promoting social, cultural, economic relations with Turkish Republics (then Balkan, Caucasian, European and Middle East countries joined the project)²⁰⁸, providing qualified man power for their needs, strengthening cultural ties, making their youth friend of Turkey and teaching them Turkish language and culture. For this purpose, several cooperation agreements on these issues were made between relevant states. The implementation is based on the Law on Foreign Students Having Education in Turkey (Law No: 2922) which was enacted in 1983, regulation on

²⁰⁷ Republic of Turkey Ministry of Foreign Affairs Official website, Türkiye'nin İnsan Ticaretiyle Mücadelesi, <http://www.mfa.gov.tr/turkiye_nin-insan-ticaretiyle-mucadelesi-.tr.mfa> [Access date:28.09.2016]

²⁰⁸ Kalkınma Bakanlığı/Ministry of Development, *Yükseköğretimin Uluslararasılaşması Çerçevesinde Türk Üniversitelerinin Uluslararası Öğrenciler İçin Çekim Merkezi Haline Getirilmesi Araştırma Projesi Raporu*, Kalkınma Araştırmaları Merkezi, Ankara, October 2014, p.83; Hayati Beşirli, "Türkiye'de Yüksek Öğrenim Gören Kırgız Öğrencilerin Eğitimlerinden Sonra Ülkelerindeki Sosyo-Ekonomik ve Sosyo-Kültürel Durumları/Socio-Economical and Socio-Cultural Statuses of the Kyrgyz Students, Who are Having Higher Education in Turkey, in Their Own Country", *Hacettepe Üniversitesi Türkiyat Araştırmaları Dergisi*, No:12, Spring 2010, pp.39-42.

this issue was also made in 1985. Students gained a right to have education in Turkey with a special exam.²⁰⁹ The exam is called Turkish Republics and Turks and Related Communities Exam (Türk Cumhuriyetleri ile Türk ve Akraba Toplulukları Sınavı-TCS). Students who pass the exam are taught Turkish language in Turkey or in their countries at Turkish and Foreign Language Teaching, Research and Application Center (Türkçe ve Yabancı Dil Uygulama ve Araştırma Merkezi-TÖMER) They are also paid scholarship by the Ministry of National Education of Turkey. Their health insurance are provided by the schools which they have education.²¹⁰ However, it was also reported that “many students leave their education or do not return their home countries and stay in Turkey as irregular migrants.”²¹¹ It caused reevaluation of the project. The reasons of their failure are lack of accommodation, social conditions, problems of adaptation, language problems, lack of coordination between relevant institutions, no objectivity of selecting students because of a few applications for the project and every application is accepted, visa applications and permit of residence are found complicated in Turkey. Financial problem is one of the main problems why they leave their educations. Adaptation difficulties, especially adaptation to education system of Turkey, and language are other problems for leaving education.²¹² Beside this, in the course of time, the project could not keep pace with international conditions and other student and scholarship projects.²¹³ Internationalization of education of Turkey is criticized on not having an institution and policy document. These lacking is tried to be obviated by Foreign Turks and Related Communities Presidency and Foreign Student Strategy Document which aims to bring education to international standards and focuses on scholarships to foreign students.²¹⁴ As stated several

²⁰⁹ Yüksel Kavak and Gülsün Atanur Başkan, “Türkiye'nin Türk Cumhuriyetleri, Türk ve Akraba Topluluklarına Yönelik Eğitim Politika Ve Uygulamaları/Educational Policies and Applications of Turkey Towards Turkic Republics and Communities”, *Hacettepe Üniversitesi Eğitim Fakültesi Dergisi*, No:20, 2001, pp.92-103.

²¹⁰ Kavak and Başkan, *op. cit.*, pp.92-103.

²¹¹ İçduygu (ed.), *Kentler ve Göç...*, *op. cit.*, pp.23-24.

²¹² Murat Özoğlu, Bekir S. Gür and İpek Coşkun, *Küresel Eğilimler Işığında Türkiye'de Uluslararası Öğrenciler*, Siyaset, Ekonomi ve Toplum Araştırmaları Vakfı SETA Yayınları, Ankara, March 2012, pp.68-73.

²¹³ Ministry of Development, “Yükseköğretimin Uluslararasılaşması...”, *ibid.*, p.83.

²¹⁴ Ministry of Development, “Yükseköğretimin Uluslararasılaşması...”, *op. cit.*, pp.28-33.

times in this thesis, Turkey has always been in need of an institution on migration; even the issue is not only mass influx but also educational migration, there should be an institution to conduct and carry out migration policy and process.

After the establishment of the Foreign Turks and Related Communities Presidency in 2010, the Law on Foreign Students Having Education in Turkey and regulation on Foreign Students Having Education in Turkey were abolished. Department of Foreign Students, which is in charge of determining education policy on foreign students, who have or are going to have education in Turkey, has been established.²¹⁵

Turkey was accepting foreign students through the Passport Law and the Law on Residence and Travel for Aliens in Turkey. Students who prefer Turkey for having education are generally from former Ottoman lands (Balkans, Middle East, Northern Africa) and Turkish Republics. They prefer Turkey because of geographical proximity, cultural and religious affinities, economic living conditions and advises of their acquaintances. Diploma equivalence is also important for those students. Some students prefer Turkey because they speak Turkish while other students suffer from language problems. Entering the university is very hard for some students in their countries. When they come to Turkey, they suffer from insufficient information or misinformation, complicated visa procedures, red tape and other bureaucratic obstacles. Low scholarship and accommodation is a problem for those students besides free health care. Sometimes foreign students suffer from cultural or religious misinterpretation, misunderstanding, misconception or prejudice. Sometimes it is hard to adapt social life and universities for foreign students. For the promotion of foreign students to have education in Turkey, publicity of this varies from country to country. In some countries, there is a little information about education opportunities in Turkey for students who want to have education in Turkey.²¹⁶

²¹⁵ See the Law on the Organization and Duties of the Foreign Turks and Related Communities Presidency, amendment on Article 19, Date: 8.8.2011.

²¹⁶ Özoğlu, Gür and Coşkun, *Küresel Eğilimler Işığında...*, *op. cit.*, pp.81-116.; Ministry of Development, *Yükseköğretimin Uluslararasılaşması...*, *op. cit.*, p.22.

The Foreign Turks and Related Communities Presidency works on historical and cultural issues in Asia, Africa, Middle East and Balkans, where Turks and people who have historical and cultural ties with Turks live, to strengthen relations²¹⁷ and carry these close relations to the future through foreign students who have education in Turkey.²¹⁸ By doing so, Turkey carries out public diplomacy through this presidency.²¹⁹

As stated above, people from former Ottoman lands, Turkish Republics and who have cultural affinity with Turkey prefer to migrate to Turkey for education or living. As always, immigrants generally come from former Ottoman lands to Turkey as usual, even if it is not mass influx. Some of these students may go on living in Turkey as irregular migrants. Turkey could not achieve what she aimed, so the immigration policy on education has been evaluated. It is going to be expected that Turkey will change and reshape the immigration policy through education.

²¹⁷ The Foreign Turks and Related Communities Presidency Official website. <https://www.ytb.gov.tr/kulturel_miras.php> [Access date:01.11.2016]

²¹⁸ The Foreign Turks and Related Communities Presidency Official website. <https://www.ytb.gov.tr/egitim_genclik.php> [Access date:01.11.2016] and <<https://www.ytb.gov.tr/kurumsal.php>> [Access date:01.11.2016]

²¹⁹ The Foreign Turks and Related Communities Presidency Official website. <https://www.ytb.gov.tr/isbirligi_platform.php> [Access date:01.11.2016]

CONCLUSION

Since the beginning of the establishment of the Republic of Turkey, Turkey has engaged in migration and mass influxes. The exchange of population and accepting immigrants from former Ottoman lands and settlement of them were priorities of Turkey's foreign and internal issues. There are similarities in the migration policies of between Turkey and Ottoman state. Some similar implementations on migration had gone on. Especially population exchanges had continued for a long time since Ottoman period. It is certain and there is a compromise on that Turkey followed the nation building with international and domestic reasons. In the period between the two world wars, policy on homogenization of populations of Balkan states and the need for a population instead of the loosing population for Turkey were the main determinants on migration policy of Turkey. She had to deal with a great number of immigrants. Therefore, there was a need for a special institution and legislation on migration for admittance and settlement of immigrants. The Ministry of Exchange, Reconstruction and Settlement was established but one year later it was abolished and immigration was carried out by commissions affiliated to various ministries. However, in its duration the MERS issued many circulars in order to conduct the migration process and settlement of immigrants. As the result of immigration policy of Turkey, only the Turkish Citizenship Law was enacted in 1928 and the Settlement Law was enacted in 1934 as legislation on migration. In those years, Turkey accepted her predecessor Ottoman's citizens who were Turkish origin or Muslim, on the other hand Turkey settled them in the country which was ruined because of wars, and also, Turkey was in need of people for production. Consequently, population structure and characteristics of Turkey changed. Turkey strove for nation building and establishment of the country at the same time. However, Turkey expected that people from former Ottoman lands would migrate to Turkey; she did not establish a permanent institution on migration. In those years, Turkey made agreements with the countries of origin

of immigrants and admitted them in accordance with those agreements. Those immigrants were granted Turkish citizenship by cabinet decision or decrees.

After the World War II, mass migrations from Balkans went on because of the same reasons; policy on homogenization of populations and those populations had fear of assimilation. Immigrants from Balkans were granted Turkish citizenship by a decree again. The General Directorate of Territory was charged with mass migrations of Bulgarian Turks and its name was changed as the General Directorate of Territory and Settlement. It is inferred that a special institution on migration is essential need for mass migrations. Turkey is such a country that has always engaged in migration, especially mass migrations which are hard to be controlled, has to have a special institution on migration. Turkey established an institution for carrying out the immigration and settlement of immigrants for one case again instead of establishing permanent institution on the issue. While Turkey enacted the Passport Law, which regulates entrance and leaving Turkey and determines the authority on this issue, in 1950 and amended the Turkish Citizenship Law in 1964. However, Turkey had experiences on migration, but she did not build any policy, legislation or institution.

In those years, refugees were seen a temporary problem in the world and, due to lack of coordination between states and organizations, the problem could not be solved. Finally, the United Nations High Commissioner for Refugees (UNHCR) was established and the basic document on the refugee issue, the Convention Relating to the Status of Refugees, was enacted. In 1968, Turkey adopted 1951 Refugee Convention and its Additional Protocol with "geographical limitation". In the migration history of Turkey, immigrants who are of Turkish origin or Muslims from Balkans are admitted to the country and are given citizenship. As placing geographical limitation, Turkey does not accept refugees outside Europe. In that period, Turkey went on nation building and expressed her unwillingness on admitting immigrants who are of non-Turkish and Muslim by placing geographical limitation to 1951 Convention.

After 1980, Turkey met different mass migrations from previous ones. Turkish people and non-Turkish people migrated to Turkey at the same time. Turkey followed different policies towards these people. Turkey admitted them as immigrants and gave a support to Bulgarian Turks immigrants with a regulation. They were also granted Turkish Citizenship. While there is the Turkish Citizenship Law or other laws (such as the Passport Law), Turkey has admitted immigrants who are of Turkish origin by agreements and granted them citizenship by decrees or cabinet decision since the establishment. In the late 1980s and in the beginning of 1990s, while welcoming her descendants, Turkey accepted Iraqi refugees unwillingly on humanitarian grounds. Those people were admitted because of internal and international reasons. There was international pressure on Turkey and her will to become a member of EU. Also ruling party in Turkey expected to get ethnic Kurds' votes in elections and this is a domestic reflection of migration policy. However, this mass influx brought about the 1994 Asylum Regulation to legislation in Turkey. This regulation aims to prevent mass migrations to Turkey and focuses on security concern.

In those years, the number of irregular migrants in Turkey increased and Turkey began to combat irregular migration. Turkey signed international agreements on human trafficking and irregular migration rather than making comprehensive law on regular and irregular migration and its problems. In addition, relations with the European Union have played an important role on the migration policy of Turkey. Harmonizing Turkish legislation with the Acquis and increase in the number of irregular migrants who go to Europe through Turkey are the main issues in these relations. In accordance with harmonization her legislation, Turkey has to lift geographical limitation. But, Turkey has paid attention to possible future population movements in making policies of asylum, migration and illegal migration. Turkey still maintains geographical limitation. Turkey stated that she has taken geographical conditions, possible developments and happenings and possible mass influxes into consideration in the field of asylum in the National Action Plan for the Adoption of the European Union Acquis in the Field Of Asylum and Migration. Turkey's policy and attitude towards irregular migration and its problems have an impact on migration routes and regular or

irregular migration. When Turkey combats against irregular migration and takes measures for it, routes of irregular migration change and shift to other destinations. While Turkey implements loose visa applications and maintain geographical limitation, the UNHCR resettles refugees as soon, therefore refugees prefer Turkey to apply for asylum. However, refugees sometimes prefer Turkey perforce. When they (such as Iraqis or Syrians) are forced to leave their countries which are Turkey's neighbours, they come to Turkey for survive or seeking asylum from another country.

In 2010s, Turkey met a mass migration which makes Turkey one of the top refugee hosting countries. Syrian refugee influx has come to the fore in the world agenda. Turkey accepted them on humanitarian grounds and has hosted them for six years without giving them refugee status. There has been conceptual confusion on their status. Turkey enacted decrees to eliminate this confusion in the beginning. As she has done before, Turkey has enacted decrees, circulars or regulations, as usual, related to mass influx of Syrians. Eventually, the Law on Foreigners and International Protection, which was enacted in 2013 and established the Directorate General of Migration Management, facilitated the migration management of Turkey. Until then, Turkey has carried out asylum and migration policy with security forces affiliated to the Ministry of Interior as a result of her security concern on migration.

Since the establishment of Republic of Turkey, there has always been migration flows to Turkey or through Turkey to other destinations. But, Turkey has generally neglected migration issue unless there has been mass migration which is out of control or hard to control. First of all, great number of people cannot be neglected. Also, cooperation with other states, international or national organizations and public institutions is needed for dealing with these people. When Turkey has to deal with a great number of people, she established an institution on migration to carry out the process and has made legislation on migration or amended her laws in accordance with her needs to manage the migration process. Every mass migration has brought about new legislation and institution on migration for managing the migration process and solving the problems on migration, admittance of immigrants and settlement of

them. More importantly, the migration policies of states have an effect on regular or irregular migration and migration routes.

This thesis draws a general picture of immigration policy of Turkey and her deficiency and failing. Many institutions (ministries, security forces, governorates, Red Crescent) of Turkey have to work in cooperation when there is a migration flow due to lack of special institution on migration besides cooperation is always essential while coping with mass migration. It should be noted that lacking of special institution on migration has always been criticized by press and deputies in the assembly. Other deficiency is legislation. Migration laws of Turkey have been separate and incomprehensive. Accepting refugees and immigrants has been exclusionist. Nationalistic characteristic of Turkish immigration policy is always significant determinant. Turkey has always admitted her descendants from Balkans due to arising nationalism and economic reasons. In addition to this, they are accepted to be skillful workers who are essential for Turkish economy. Turkey has accepted only her descendants when they are forced to migrate and admitted them as immigrants. Refugees and regular immigrants have always been of Turkish origin. Policy makers of Turkey have approached the issue with security concerns and non-Turkish origins unwelcomed to Turkey; repatriation of them has been aimed by Turkey.

In recent years, migration has gained a momentum in international arena. Turkey is the most affected country of the momentum of migration flows. Turkey, which has been established with migration, has been shaped and changed in terms of demography, sociologic, cultural, economic structures. Mass influxes and immigration policy of Turkey have interacted since the very beginning. Now, Turkey has become the top refugee hosting country in the world. It seems that these people will stay for a longer time and shuttle between two countries even if the Syrian civil war comes to end. Turkey should approach the issue human oriented instead of looking the issue through security lenses. Turkey should take instabilities in her neighbourhood into consideration and make proactive policy on migration. It is impossible to prevent mass influxes. As 1994 Regulation aims to prevent mass flows to Turkey, but more than three

million Syrians have migrated to Turkey en masse. Turkey should be prepared and take precautions to control and conduct migration influxes not to prevent. Therefore, certain and comprehensive legislation on migration and special, highly competent and authorized institution are important for managing immigration policy.

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The Foreign Turks and Related Communities Presidency Official Website: www.ytb.gov.tr

UNHCR The UN Refugee Agency: www.unhcr.org

APPENDIX 1: THESIS ORIGINALITY REPORT

 <div style="display: inline-block; vertical-align: middle; text-align: center;"> <p>HACETTEPE UNIVERSITY GRADUATE SCHOOL OF SOCIAL SCIENCES THESIS/DISSERTATION ORIGINALITY REPORT</p> </div>
<p>HACETTEPE UNIVERSITY GRADUATE SCHOOL OF SOCIAL SCIENCES TO THE DEPARTMENT OF <u>International Relations</u></p> <p style="text-align: right;">Date: <u>16/05/2017</u></p> <p>Thesis Title / Topic: <u>The Impact of Mass Migrations on Immigration Policy of Turkey</u></p> <p>According to the originality report obtained by myself/my thesis advisor by using the Turnitin plagiarism detection software and by applying the filtering options stated below on <u>28/03/2017</u> for the total of <u>99</u> pages including the a) Title Page, b) Introduction, c) Main Chapters, and d) Conclusion sections of my thesis entitled as above, the similarity index of my thesis is <u>7</u> %.</p> <p>Filtering options applied:</p> <ol style="list-style-type: none"> 1. Approval and Declaration sections excluded 2. Bibliography/Works Cited excluded 3. Quotes excluded 4. Match size up to 5 words excluded <p>I declare that I have carefully read Hacettepe University Graduate School of Social Sciences Guidelines for Obtaining and Using Thesis Originality Reports; that according to the maximum similarity index values specified in the Guidelines, my thesis does not include any form of plagiarism; that in any future detection of possible infringement of the regulations I accept all legal responsibility; and that all the information I have provided is correct to the best of my knowledge.</p> <p style="text-align: right;"><u>16/05/2017</u></p> <p>I respectfully submit this for approval.</p> <p style="text-align: right;"> Date and Signature</p> <p>Name Surname: <u>Özlem Pekin</u></p> <p>Student No: <u>N13228386</u></p> <p>Department: <u>International Relations</u></p> <p>Program: <u>International Relations</u></p> <p>Status: <input checked="" type="checkbox"/> Masters <input type="checkbox"/> Ph.D. <input type="checkbox"/> Integrated Ph.D.</p>
<p>ADVISOR APPROVAL</p> <p style="text-align: center;"> APPROVED.</p> <p style="text-align: center;"><u>Asist. Prof. Dr. Özlem Gelebi</u> (Title, Name Surname, Signature)</p>

APPENDIX 2: ETHICS BOARD WAIVER FORM FOR THESIS WORK

 <p>HACETTEPE UNIVERSITY GRADUATE SCHOOL OF SOCIAL SCIENCES ETHICS BOARD WAIVER FORM FOR THESIS WORK</p>
<p>HACETTEPE UNIVERSITY GRADUATE SCHOOL OF SOCIAL SCIENCES <u>International Relations</u> TO THE DEPARTMENT PRESIDENCY</p> <p style="text-align: right;">Date: <u>16/05/2017</u></p> <p>Thesis Title / Topic: <u>The Impact of Mass Migrations on Immigration</u> <u>Policy of Turkey</u></p> <p>My thesis work related to the title/topic above:</p> <ol style="list-style-type: none"> 1. Does not perform experimentation on animals or people. 2. Does not necessitate the use of biological material (blood, urine, biological fluids and samples, etc.). 3. Does not involve any interference of the body's integrity. 4. Is not based on observational and descriptive research (survey, measures/scales, data scanning, system-model development). <p>I declare, I have carefully read Hacettepe University's Ethics Regulations and the Commission's Guidelines, and in order to proceed with my thesis according to these regulations I do not have to get permission from the Ethics Board for anything; in any infringement of the regulations I accept all legal responsibility and I declare that all the information I have provided is true.</p> <p>I respectfully submit this for approval.</p> <p style="text-align: right;"><u>16/05/2017</u>  Date and Signature</p> <p>Name Surname: <u>Özlem Pehlivan</u> Student No: <u>N 132 28 386</u> Department: <u>International Relations</u> Program: <u>International Relations</u> Status: <input checked="" type="checkbox"/> Masters <input type="checkbox"/> Ph.D. <input type="checkbox"/> Integrated Ph.D.</p>
<p>ADVISER COMMENTS AND APPROVAL</p> <p style="text-align: center;"> <u>Asist. Prof. Dr. Özlem Çelebi</u> (Title, Name Surname, Signature)</p>