

**THE FIFTH YEAR OF THE EU-TURKEY STATEMENT IN THE PENDULUM OF
EXTERNALIZATION-INSTRUMENTALIZATION**

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What is the Statement of 18 March 2016 that was agreed upon with the objective of governing the mass migration movement in the summer of 2015? It is possible to give three interrelated answers to this question. First of all, this Statement is one of the instances in which contemporary global inequalities crystallize. It laid bare the asymmetrical power relations between the EU member states and those in the periphery of Europe on the plane of international affairs as well as between states and refugees. Secondly, the Statement, which came into effect as an attempt to prevent the mass movement and concomitantly the deaths, represented a moment of crystallization of the EU's externalization policies. And lastly, it is a characteristic example of the instrumentalization of migrants and refugees as an issue of domestic and international politics.

As the Association for Migration Research, we realized with Ekin Ürgen, 14 interviews with experts, diplomats and scholars to discuss different aspects of the EU-Turkey migration deal.¹ As the Covid-19 outbreak continued, we shared the video recordings of the interviews on the [YouTube channel](#) of the Association of Migration Research during February and March 2021.

In this brief overview, I will provide a depiction of the current situation by taking into account the opinions and interpretations of the experts interviewed on the occasion of the 5th anniversary of the Statement. Against the backdrop of the recently reignited talks about the Statement, policy recommendations for the future will be additionally presented.

THE NEW STAGE OF EXTERNALIZATION POLICIES

In comparison to today, mass migration movements were quite rare during the Cold War era. While states maintained their control over the movement of their populations, the main difficulty was leaving one's own country, rather than entering into another one. The end of the bipolar world system came with the increase of mass movements. Political instabilities and economic turbulences caused people to hit the roads with dreams of a "safer place." States, especially those of destination countries, rapidly took precautions to control these arrivals. Hence, we entered an era in which human mobility is controlled through increasingly strict procedures, particularly in Europe.

As the destination countries aimed to curb new arrivals, externalization has been one of the most prominent constituents of the contemporary migration policies. Readmission agreements,

¹ The transcripts of the interviews can be accessed [here](#).

new methods and technologies to curtail border crossings, criminalization of migrants and similar practices caused asylum seekers to get stuck in transit countries.²

Dr. Feyzi Baban, a scholar from International Development Studies at Trent University, describes externalization as “the policy of noncompliance to the obligations of international law adopted by some countries that involves the prevention of migrants from reaching their borders and claiming their asylum rights, by making agreements with neighboring countries to keep migrants within those territories.”

There are also views that characterize the deal as “an attempt to share responsibility.” Prof. Ahmet İçduygu from Koç University Research Center (MireKoc) states that despite problems of implementation, the 2016 Statement relied on the principle of “responsibility sharing” and more importantly “has caused the subject of responsibility sharing to gain more currency on the international scene.” İçduygu evokes the importance of sharing responsibility among states for both migrants and the countries of the Global South, and emphasizes “the rise of responsibility sharing as a significant item of the international agenda even though it does not really take effect” in the Global Compact (for Migration), New York Declaration, and even the EU’s New Pact on Migration and Asylum released towards the end of 2020.

Dr. Gerald Knaus, the ESI director, emphasizes that border crossings in the Aegean Sea in 2015 brought about human cost because of the deaths and political cost due to images that implied loss of control on the part of Europe. According to Knaus, the cooperation of the EU with Turkey allowed Europe to share Turkey’s responsibility as the country that has admitted the highest number migrants and it aims to prevent deaths in the Aegean Sea. Naci Koru, who was a top-ranking diplomat and a leading Turkish representative during the talks in Brussels along with Turkey’s then Prime Minister Ahmet Davutoğlu, reminds how strong the desire was to stop the migration in those years: “2014-2015 were critical in terms of the migration crisis; a lot of migrants crossed into Greece via Turkey and ultimately moved to other countries in Europe. Therefore, it was vitally important both for us and the EU to stop this.”

Even though the principle of responsibility sharing is highly crucial, it remains at the background in most of the interviews that we realized for this project. Most experts view the Statement as an endeavor to take the migration to Greece under control and buttress the Fortress Europe whose walls turned out to be ineffective in the summer of 2015. Jeff Crisp, who chaired the Policy Development and Evaluation Unit at United Nations High Commissioner for Refugees, is among those who conceive of the EU-Turkey Statement as an example of the EU’s externalization policies. He argues that the Statement amounts to continuity although some claim that the agreement ushers an entirely new era. The Statement, for Crisp, is “the latest episode in a longstanding effort on the part of EU members and other industrialized states to curtail and manage the arrival of asylum-seekers.”³

² The special issue titled “Externalization at work: responses to migration policies from the Global South” edited by Stock, Üstübcü, and Schultz makes an important contribution to the subject by means of the articles it involves, which discuss the kinds and ways of response given by the Global South to the externalization policies of the Global North. Stock, I., Üstübcü, A. & Schultz, S.U. (2019) Externalization at work: responses to migration policies from the Global South. *Comparative Migration Studies*, No.7: 48.

³ Jeff Crisp, “Protection and Pragmatism: the EU-Turkey refugee deal in historical perspective”, *Open Democracy*, 21.3.2016.

There are also criticisms targeting European politicians for pursuing policies to stop migration and keep migrants in geographies outside Europe in 2015-2016 as Euro-centric policies that merely aim to suppress the symptoms rather than delving into the heart of the matter. Dr. Ilse Liempt from Utrecht University contends that there has been little debate about Turkey's role in Europe since Turkey has come up solely as a foreign partner or subcontractor for externalization while the main issue has always been formulated from EU perspective and "the EU's migration problem."

While EU member states were looking for partners in curtailing the migration beyond their control, an important question was not raised: why did the migration through the Aegean Sea rise extraordinarily in the summer of 2015? In other words, what were the causes of the 2015 "migrant crisis"⁴ whose outcomes the Statement tried to eliminate swiftly. We should start to explain the increase in the number of Syrians taking refuge in neighboring countries, namely Turkey, Jordan, and Lebanon with the developments that occurred after the Syrian uprising that started in 2011.⁵ Prof. Dawn Chatty, the former director of Oxford University Refugee Studies Center, states that one needs to read the extraordinary increase in the arrivals on Greek islands together with the developments in Syria. Chatty, who have specialized on Middle Eastern refugees for years, states that persons who left Syria in 2015 were largely composed of the middle-class, and they lost the hope that they initially had about the possible reconstruction of their country until ISIS enlarged its territories. And, to Chatty, what stopped the mass migration was the push back of ISIS by the interventions of various actors, primarily of Russia, rather than the EU-Turkey Statement, as it is often claimed. In the same manner, it should be noted that 2014 was the "deadliest year" for the civilians in Afghanistan who have joined the mass migratory movement.⁶

In addition to the approach that focuses on the country of origin, Orçun Ulusoy, a researcher in Amsterdam Vrije University, points at the increasing influence of precarious living conditions of migrants in transit countries on border crossings. He remarks that the piling up of migrants who could not cross into Europe and stayed in Turkey culminated in a pressure on the country over the last thirty years, between 1990 and 2020, and that also resulted in spikes in the number

⁴ While the term "migrant crisis" has been widely used with reference to the summer of 2015 in Europe, politicians and the media in Turkey rarely used the term. About this difference in rhetoric, see Sert, D. Ş., & Daniş, D. (2021). Framing Syrians in Turkey: State control and no crisis discourse. *International Migration*, 59(1), 197-214.

⁵ As a result of the 2011 uprisings and the ensuing conflicts, millions of Syrians took refuge in neighboring countries. Throughout this process, Turkey, Lebanon, and Jordan have emerged as the neighboring countries that have admitted the most Syrians. Turkey has become the largest migrant receiving country in the world with the arrival of Syrian refugees. While the largest group resides in Turkey, Jordan and Lebanon host significant numbers of Syrians in proportion to their populations. As of March 2021, 3,6 million registered Syrians in Turkey corresponds to the %4,5 of the country's overall population. In Jordan, there are 658 thousand registered and, according to the unofficial estimates, over 1 million Syrians total, which equals %10 of the country's population. In Lebanon, there are 1 million registered and over 1,5 million Syrians, according to the unofficial estimates, which is equal to 20% of the entire population.

⁶ According to the United Nations Assistance Mission in Afghanistan, the civilian casualties increased by 22 percent in comparison to the previous year with the violent conflicts between armed groups and the Afghans government forces as well as with the withdrawal of international armed forces from the country.

of migrant deaths five or six times since 2000.” The year of 2015⁷ in which the migrant and refugee population surged drastically also witnessed a highly tense political atmosphere marked by incidents such as two general election, several bombings including those at Suruç and Ankara, and the downing of a Russian warplane.⁸ In the same year, the “hospitable” attitude towards Syrians started to change. Both experts, who investigate the reasons behind the rise of migration towards Europe, underline the importance of looking at the developments in countries of origin and transit countries to understand the underlying causes for people to seek for safe havens.

THE DEAL FROM THE POLITICAL and INTERNATIONAL LAW PERSPECTIVE

Even though the EU-Turkey Statement is usually considered a partnership on migration, it brought about significant consequences for the EU-Turkey relations in terms of politics, law, and the rights of migrants.

The Political Aspect: From Externalization to Instrumentalization

In terms of international politics, the most important item of the deal was certainly the EU-Turkey relations. Migration has been a prominent question in the negotiations between Turkey and the EU. Following the beginning of Turkey’s accession process to the EU, “National Action Plan on Migration and Asylum” was laid out in line with “Turkish National Action Plan for The Adoption of The EU Acquis in The Field of Asylum and Migration” under chapter 24 of the accession negotiations. Subsequently, the Law on Foreigners and International Protection was promulgated in 2013 as part of Turkey’s integration process with the EU. A year later, Directorate General for Migration Management (DGMM) was established under the Ministry of Interior with the objective to govern the domain of migration and asylum.

The approval of the 2016 Statement, which came a few years after these endeavors to harmonize Turkey’s migration and asylum legislation with the EU legislation, presented one of the rare instances in which “Turkey was the playmaker” and “a proactive player, not a reactive one,” in the words of Osman Sert, the press advisor of Turkey’s Prime Minister at the time, and Naci Koru, a Turkish diplomat. Aside from saying that Turkey “did great favors for the EU with this deal,” Naci Koru also evokes that the issue of migration has been almost the only “positive item” between the EU and Turkey in the last five years.

While the EU-Turkey relations hit rock bottom with incidents such as the crisis in the Eastern Mediterranean that started in 2018, the situation at Pazarkule border gate in March 2020 as a result of “non-intervention” in the attempts of migrants to cross the Turkish-Greek border, and the international boycott campaign launched against Emmanuel Macron in October 2020, migration has been considered the most remarkable issue that could produce positive results.⁹ Indeed, bureaucrats and politicians of the EU and Turkey have agreed on the necessity of the continuation of the Statement even though both parties have had different motivations five years

⁷ The number of intercepted irregular migrants in 2015 increased by %150 in comparison to 2014 and reached 146.485. Among the intercepted, Syrian citizens are the highest with 73.422 and Afghan citizens come after with 35.921. “2015 Turkey Migration Report,” p. 65. DGMM.

⁸ “Türkiye’de 2015 böyle geçti”, AA. 22.12.2015.

⁹ Çiğem Nas, “AB ile pozitif gündem ilişkileri canlandırmak için fırsat olabilir mi?” *UIK Panorama*, 02.11.2020.

after the Statement. During their visit to Turkey on 6 April 2021, Ursula von der Leyen, the President of the European Commission, and Charles Michel, the President of the European Council, expressed their will to make a new deal as a step towards building confidence for “a more positive EU-Turkey agenda.”¹⁰

While migration is a significant issue in the bilateral relations and even the term “migration diplomacy”¹¹ occasionally arises as a part of the EU’s border policies, several experts underline that the Statement has considerably altered the structure of the EU-Turkey relations. According to Orçun Ulusoy, Turkey “ceased to be a neighbor and was reduced to a safeguard” with this “deal.” Whereas Prof. Murat Erdoğan, a scholar at Turkish-German University, contends, “while this agreement on migrants with the EU was supposed to become a collaboration, the opposite” happened and it turned into “a factor that complicated Turkey’s ties with Europe¹² and strengthen anti-Western and anti-Europe rhetoric in Turkey.”

Of course, this transformation did not take place only in Turkey. Following the summer of 2015, the terrorist attacks¹³ in France in October gave rise to an anti-immigrant wave across Europe as well as xenophobic and anti-immigrant groups gained more influence in several countries. Selim Yıldırım, who examines the parliamentary discussions about the 2016 Statement in Germany and Turkey in his dissertation, notes that the “welcoming culture” as the predominant mood in Germany in 2015 began to change with the sexual assaults on women during the New Year’s Eve celebrations in Cologne and tougher laws started to pass in line with the advance of integration and security related debates in the German Parliament. As EU member states announced the prevention of migrant arrivals and “the smugglers’ business model” as their priorities, an outcome of these practices was the restriction of refugee applications. Despite the fact that the right to asylum was guaranteed under the 1951 Geneva Convention of which EU member states are signatories, Mette Frederiksen, the social-democrat Prime Minister of Denmark, did not abstain from stating that they “aim for zero migrants.”¹⁴

Turkish authorities, on the other hand, decided to turn the issue of refugees into a useful foreign policy instrument in the face of increasing influential policies of externalization in Europe.

¹⁰ “EU to reset relations with Turkey by refinancing migration deal” *Euronews*, 23.3.2021.

¹¹ İçduygu, A., & Üstübcü, A. (2014). Negotiating mobility, debating borders: Migration diplomacy in Turkey-EU

relations. In *New border and citizenship politics* (pp. 44-59). Palgrave Macmillan, London.

¹² Out of many studies that support this view, for two references, see Saatçioğlu, B. (2020). The European Union’s refugee crisis and rising functionalism in EU-Turkey relations. *Turkish Studies*, 21(2), 169-187.; Turhan,

E. (2017). Mülteci krizinin Ab-Türkiye ilişkilerine etkileri: Ab’ye üyelik sürecinden bir “stratejik ortaklığa” doğru

mu? *Istanbul Ticaret Üniversitesi Sosyal Bilimler Dergisi*, 16(31), 647.

¹³ Terrorist attacks at the Bataclan theater and various parts of Paris on 13 November 2015 resulted in the killing of at least 132 people and created extensive shockwaves across whole Europe.

¹⁴ “Denmark aims for zero asylum seekers”, *Infomigrants*, 25.01.2021.

Many experts¹⁵ like Prof. Murat Erdoğan remarks that refugees are seen as a foreign policy leverage in Turkey-EU relations: “There is currently a view that deems the fewest possible arrivals of refugees a success in Europe. Being aware of this situation, the Turkish government resorted to a policy of instrumentalization in the face of externalization. Because refugees were the only leverage at hand both as soft power and a threatening trump card.”

Pazarkule incidents¹⁶, which began on 27 February 2020, has been conceptualized as a characteristic example of instrumentalizing refugees for domestic and foreign political goals. And this approach led to the erosion of mutual trust between the EU and Turkey. The EU’s understanding of migration as a matter of security and the use of refugees as a political leverage in negotiations by both sides contributed to the weakening of the bilateral relations, which started to rely on shared interests rather than shared values. The most salient incentives that the EU presented to Turkey within the scope of the negotiations were visa facilitation for Turkish citizens and financial support for refugees. In the interviews, both Osman Sert and Naci Koru underscored how important the matter of visa facilitation, which still has not been put into practice, was for the public opinion in Turkey. According to Koru, the condition of “Turkish citizens’ visa-free entry into the countries of Schengen Area should be a *sine que non*.” The fact that visa facilitation has become the first agenda item proposed by Turkey during the current talks about the renewal of the Statement manifests that it is still a crucial issue.

The Legal Aspect: Informalization of International Asylum Law

The most prominent legal impact of the Statement was the rupture it caused in human rights law. Despite the frequent use of the term “deal” in the public, the Statement in question is a political declaration that is legally nonbinding and burden either party with no responsibility or obligation. According to Dr. Neva Övünç, who conducts studies in the field of international asylum law, since the Statement is not an international treaty, it cannot be monitored, and that constitutes one of its main complications.

The announcement of this political declaration by individual member states rather than the EU itself indicates that the Statement is not subjected to the EU law and cannot be overseen by its judicial bodies. Consequently, the Statement remains outside the territory of international law and the Court of Justice of the European Union (CJEU) has no oversight authority over it. While earlier readmission agreements made between the EU and third countries were subjected to legal oversight due to being legally defined and formal instruments of externalization, the 2016 Statement appeared as an “informal instrument” that cannot be monitored by the EU law. Dr. Öztürk emphasizes that this informal effect based on the very nature of this Statement would invite actions of possible informality and more importantly such informalities would shape both the legal regulations and practices in action of the parties. In short, as an informal solution to

¹⁵ Kaya, A. (2020). Migration as a Leverage Tool in International Relations: Turkey as a Case Study. *Uluslararası*

İlişkiler Dergisi, 17(68), 21-39.

¹⁶ For a chronological account of the events that took place at the border between the dates 27 February – 27 March 2020, please see the dossier “What happened at the Turkey-Greece border?” prepared by Fırat Çoban.

Europe's "migrant crisis," the Statement implies an opportunity to circumvent the international asylum law both for the EU member states and the neighboring countries like Turkey.

For those who examine the Statement from the perspective of international law, another important issue is the notion of "safe third country." For various actors in EU and Turkey, the question whether Turkey is a safe third country or not presents a noteworthy topic of discussion. Those who object the idea of Turkey being a safe third country point out that Syrians in Turkey have no access to international protection that comes with refugee status and can only receive temporary protection status (TPS) due to the continuation of the "geographical restriction" in the 1951 Geneva Convention.

PROBLEMS IN THE IMPLEMENTATION

Even though the number of crossings into Europe fell swiftly with the Statement, all experts agree that there are some serious problems in practice.¹⁷ Some comprehensive measures acknowledged with the Statement (the resettlement system known as the 1 for 1 and solidarity mechanisms) have fallen short of the expectations as they were also boycotted repeatedly by member states such as Hungary. In the meantime, security issues have occupied the top of the agenda on migration in several member states. As Selim Yıldırım remarks, even in Germany that gave the biggest support for the "deal," parties that did well in the elections like the AfD (Alternative für Deutschland) have made statements that depict migrants as threats to national security and identity.

One of the problems that directly affected Turkey and migrants was the inability of the EU countries to achieve not even the half of the figures they promised with respect to the 1 for 1 condition. Dr. Gerald Knaus, the ESI coordinator and an advocate of the Statement, holds anti-migrant policies of countries like Hungary responsible. Prof. Dawn Chatty, on the other hand, criticizes the EU's failure to impose serious sanctions on member states that have abstained from admitting migrants.

Dr. Gerald Knaus characterizes the Statement as "appropriate content-wise but problematic in terms of its implementation" and points at the failing asylum system of Greece and Turkey as the source of problems: Greece's inability to process the asylum application of a limited number of people in March 2016 was considered a failure. Dr. Begüm Başdaş, who continues her long-term work on refugee rights in Greek islands, describes the attitude of laying the blame on Greece as "Northern Europe's political view that looks down on Greece and Turkey and depicts them as inept." Like Başdaş, Dr. Van Liempt underlines the extremely serious human rights violations caused by the Statement that does not take geopolitical factors and power relations into consideration by its design and thus is disconnected from the circumstances on the ground.

Experts remind us that the migration institutions in Turkey and Greece, as the two country shouldering the lion's share of the burden, are quite young and inexperienced in governing mass movements. Following its foundation in 2014, DGMM "found itself in the middle of the Syrian refugee crisis" and underwent a major change of cadres after the coup attempt in Turkey on 15 July 2016. In addition to its lack of sufficient experience in the governance of mass migration,

¹⁷ European Union Agency for Fundamental Rights, [Beyond the Peak: Challenges Remain, But Migration Numbers Drop](#), Luxembourg: Publications Office of the European Union, 2019, pp. 5-9.

DGMM, with its institutional structure and limited human capacity, has gone through a tough test.

And lastly, we need to underscore that refugees as the most significant group directly affected by this Statement is not involved whatsoever in the decision-making processes. Dr. Feyzi Baban, a political scientist, stresses that Syrians qua the primary subjects of the Statement have been deprived of their right to political subjecthood and they were reduced to mere objects of humanitarian aid. Following the Statement, certain regulations were put into practice such as “travel permit” required for persons with TPS status, which restricted the free movement of Syrian refugees within Turkey. Mosab al Nomaury, who lived in Istanbul during the time of the Statement, highlights the feelings of deep uncertainty and anxiety among Syrians engendered by such practices: “You get the feeling that you do something wrong or illegal in every step you take. I started to think of myself as a lawbreaker. The strategy was built upon fear.” The deportation campaign launched by the Governorship of Istanbul in the aftermath of the 2019 Turkish local elections and the new rules and restrictions it brought about caused the peak level of anxiety among Syrian refugees. Numerous Syrians like Al Nomaury state that “Turkey did a 180-degree turn in its strategy” while its former welcoming attitude towards refugees was replaced by a hostile one, which triggered serious anxiety among the Syrian population.

In addition to the policies of instrumentalization and objectification of the parties in the Statement, this passivity is predicated on the lack or insufficiency of self-organizations of refugees. For instance, Omar Kadkoy contends that the first entity representing Syrian refugees was established as late as in the summer of 2019. Even though there are questions about its representativeness of the entire refugee population in Turkey, we need to recognize the significance of the Syrian Refugee Committee – of the Syrian Interim Government – that was established during the deportation campaign, as the only organization that has contact with the Ministry of Interior on regular basis.

THE FRIT FUND AND THE INTEGRATION OF REFUGEES

The most critical and positive impact of the Statement, without a doubt, was the financial support to provide for the needs of refugees. As one of the largest funds that the EU transfers to a third country, the EU Facility for Refugees in Turkey (FRIT) fund has made remarkable contributions especially to the areas of health and education. While only one fifth of the Syrian children in Turkey had received formal education before the Statement, the rate increased to %65 with the project of “Promoting Integration of Syrian Kids into the Turkish Education System” (PIKTES) the implementation of which was made possible by this fund. In the same vein, the SIHHAT project funded by FRIT lay the ground for the opening of Migration Health Centers that provide health services to Syrians. Additionally, several employment, social cohesion, and integration projects led by international organizations were carried out. As Prof. İçduygu states, “the integration process started to be discussed” and it was understood that refugees are not temporary but permanent in Turkey thanks to this fund provided by the EU.

This fund worth 3+3 billion Euros had positive effects on the lives of Syrians with TPS, particularly in the areas of education and health. The Emergency Social Safety Net (ESSN) aid program, on the other hand, provided crucial financial support for Syrian refugees who can work only in the informal labor market at the bottom of stratum and with the lowest wages. However, despite its positive impact, there are problems worth stressing, especially concerning

the ESSN. Among the criticism are the extremely low levels of the ESSN payments (120 TL is given to the eligible persons), the possibility that it may produce dependency (Syrians' thinking of it as a permanent support as pointed out by Omar Kadkoy), and finally, its functioning as a factor that hinders Syrian workers from exiting the informal labor market.

Despite the overall positive impact of FRIT, there is a growing number of question marks on the extent to which the FRIT-funded projects are directed effectively and correctly. Orçun Ulusoy draws attention to the problems and irregularities in channeling of sources as well as the non-transparent and unaccountable spending of FRIT funds. Omar Kadkoy, a TEPAV analyst, describe EU funded projects as repetitive, short-termed, unable to propose original responses to problems, carried out by the same small group of people, and with limited impact. What is more crucial is that the use of FRIT fund solely for Syrian asylum-seekers may contribute to other asylum-seekers and persons-in-need becoming more disadvantageous and assuming negative attitudes towards Syrians.

One important product of the Statement was the *de facto* permanence of TPS for Syrians who cannot receive refugee status in Turkey according to the Geneva Convention. On 2 July 2016, Erdoğan made a statement about the facilitation of Syrians to obtain Turkish citizenship but the coup attempt on July 15th and the subsequent state of emergency caused the subject to drag on. According to the announcements of the Ministry of Interior, approximately one hundred thousand Syrians were granted Turkish citizenship. However, what the legal status of the 3,5 million Syrians with TPS will be continues to be a big unknown.

This uncertainty in legal status is a complicating factor for the process of integration of Syrian refugees who seem to become permanent inhabitants in Turkey. On top of that, experts agree that the context of the ongoing economic crisis and the surging anti-migrant feelings in Turkey have made any steps towards giving Syrians legal status such as citizenship an immensely high political risk for the government. Following the results of the 2019 local elections, the campaign of deporting unregistered Syrians seems to be linked to this political situation.¹⁸

Considering the future trajectories of Syrian refugees in Turkey, their continued stay in Turkey appears to be the strongest possibility. The policies of externalization consolidated by the Statement and the New Pact on Migration and Asylum manifest that migrants will not be allowed further into Europe while the political picture in Syria indicates the impossibility of Syrians' return to their home country in the near future. Under these circumstances, it is imperative to have an exit strategy that will enable the transition from legal temporary status to a permanent one for Syrian refugees in the upcoming years.

CONCLUSION

The EU-Turkey Statement, which was motivated by tasks such as controlling the intensive migration mobility in the summer of 2015 and curbing the number of deaths in the Aegean Sea,

¹⁸ In 2020, the Directorate General of Migration Management (DGMM) made a daring statement that 800 thousand refugees would be deported in 2021 and 2022. However, considering that only half a million persons were deported in the last five years, it is questionable how this target will be met without forced deportations and violations of human rights. Moreover, the fact that neither the UNHCR nor the DGMM has the adequate administration capacity to carry out such a massive repatriation operation makes it even harder to achieve these objectives.

was able to stop the mass migration to Europe. But it has also created a setting in which European values are questioned, its institutions are weakened, and the principle of accountability as well as the rule of law have been eroded. The Statement has produced results in which the basic human rights of irregular migrants have been violated and asylum-seekers' right of access to international protection have been curtailed.

The New Pact on Migration and Asylum, which was announced at the end of 2020, revealed that Europe's main policy has come to rely more on the notions of externalization and securitization. Accordingly, the continuation of the Statement has become a priority for high-ranking EU authorities. The visit of Charles Michel and Ursula von der Leyen, respectively the President of European Council and the President of European Commission, to Ankara in April 2021, despite the gaffes such as seating crisis,¹⁹ revealed that the prolonging of the Statement has been a top priority for the EU.

As it will be seen in the interviews done for this project, several experts and researchers have criticized the EU and Turkey for ignoring the human rights violations as an outcome of the Statement and prioritizing their interests over values. The Statement, which can be defined as an "informal instrument" of externalization, offers a model for future cooperation with third countries of key importance in diminishing the number of migrants moving towards Europe such as Libya, Sudan, and Niger. It is feared that the increasing prevalence of externalization policies might culminate in the further erosion of the already weakened refugee rights in countries that are known for their institutional/bureaucratic incapacity in migration governance.

Notwithstanding the harsh criticisms from the perspective of human rights and international law, it should not be forgotten that the fund worth of 6 billion Euros transferred to Turkey has facilitated the access of Syrian refugees to basic services, especially education and health, while it enabled various projects of protection and integration to be carried into practice. This fund is of high significance with respect to its being the only actual practice of responsibility sharing.

In the 5th year of the Statement, looking back at the events and statements would unveil that policies of solidarity have been replaced by policies of securitization and externalization and, in a way, that the spirit of Hungary has pervaded the whole EU. From now on, the main question is to what extent the EU will turn a blind eye to practices that are at odds with its own values for the sake of preventing the crossings of migrants. For Turkey, on the other hand, visa liberalization as an issue of domestic politics as well as the country's endeavor to establish a safe zone in Northern Syria and other regional developments will be determining factors.

POLICY RECOMMENDATIONS

- The treaties between states with the aim of governing mass migration movements should not be in the form of informal statements but take legally appropriate forms that can be monitored by international law. A formal legal treaty is crucial for international

¹⁹ The President of European Council: "We did not want to aggravate it with a public incident," *Avrupa Postası*: 8.4.2021.

negotiations between parties to be discussed and carried out transparently within a legal framework.

- Concerning asylum movements, countries of migration should share responsibility not only financially but also in providing international protection. Given the current political and economic situation in Syria, procedures of resettling Syrians in Turkey into third countries and their local integration are crucial.
 - In that regard, the 1 for 1 article in the Statement should be put into practice and resettlement into EU countries should be carried out as promised.
 - An equal burden share among states is crucial for the capacity enhancement of Turkey and Greece and for implementations that would result in a permanent solution conforming with the human dignity of asylum-seekers.
 - Moreover, detailed works need to be done on the preparation and governance of local integration process.
- The TPS implemented by Turkey is not a sustainable legal framework. Meetings about exit strategies and possible legal directions to be attended by the civil society, academia, and politicians should be organized. To carry out the procedures of obtaining Turkish citizenship more transparently, the criteria for Syrian asylum-seekers should be determined and the public should be informed concerning the issue.
- As one of the most prominent stakeholders, Syrian refugees should have a voice in the process of the renewal of the Statement, and be consulted particularly concerning the upcoming funded projects of integration, employment, etc. Civil society organizations, especially those which follow the conditions of Syrian refugees closely, should attend the meetings on funding strategies and contribute to the implementation of projects in line with the actual necessities of this group.
- Non-Syrian migrants and asylum-seekers should additionally be included into the scope of the Statement, and they should be considered as the beneficiaries of the projects in the near future.

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