

Repatriation Of Refugees: Paradoxes Of Türkiye On The Repatriation Of Syrian Refugees

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Abstract

Being a refugee is meant to be a temporary event, and when the crisis ends, the individuals concerned return to their country of origin. The regulation of repatriation remains a vital component of contemporary migration management governance. But the international politics of returning refugees are poorly understood. This study employs a case-study methodology to examine the paradoxes inherent in the repatriation of Syrian refugees who arrived in Türkiye in mid-2011 due to the civil war in Syria. The Turkish government expected them to be repatriated in the years ahead, so it passed the 2013 National Asylum Law and the 2014 Temporary Protection Regulation, which granted them temporary protection rather than permanent status but did not specify the conditions under which they could be repatriated. Focusing on the repatriation of Syrian refugees, the study finds key paradoxes in areas where policies and actions not only fail to reach their targets but also show poor migration governance in Türkiye. This has a significant impact on the social, political, and economic structure of Türkiye and on the human rights of a large number of vulnerable people who need a lot of help. The study concludes with recommendations for changes in Türkiye's approach to migration management and garners global support to begin a safe and dignified return and permanently end the crisis.

Keywords: *Repatriation, Refugees, Syrian Refugees, Migration Governance, Türkiye.*

Introduction

Repatriation refers to the process of returning refugees to their country of origin. The regulation of repatriation remains a vital component of contemporary migration management governance. But the international politics of repatriating refugees are poorly understood, which leads to dilemmas that refugees face regarding whether to stay or return home. For example, when considering whether to stay in their host country or return to their country of origin, refugees like the Rohingya in Bangladesh (Saha, 2023) and the Liberians in Ghana (Antwi-Boateng & Braimah, 2021) face dilemmas at both the place of origin and the place of host due to push and pull factors that may be characterized by Lee's "intervening obstacles" (Lee, 1966). The dilemmas of refugees create dilemmas for host countries regarding whether they will send back refugees or allow them to continue staying in their territories. The study argues that when host countries decide to repatriate refugees, they encounter paradoxes from diverse perspectives during the repatriation process. The primary aim of this research is not to conduct an in-depth analysis of the dilemmas of

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refugees encountered during the repatriation procedure; however, it delves into the paradoxes³ of repatriation that the host countries face.

Considerable research has been undertaken to investigate the difficulties associated with the repatriation of refugees. For example, the study conducted by Um investigates the potential challenges, and opportunities associated with the repatriation of refugees in Southeast Asia (Um, 2023). Antwi-Boateng & Braimah examine the challenges of repatriation of Ghana-based Liberian refugees due to push-full factors (Antwi-Boateng & Braimah, 2021). Also, the study by Tober looks into the difficulties Afghan refugees face in light of Iran's repatriation initiatives (Tober, 2007). The challenges of repatriation in Post-Colonial East Asia are analyzed by Tamanoi with a focus on the concepts of ethnicity, race, nationality, and citizenship (Tamanoi, 2006). And another piece of research conducted by Rogge and Akol investigates the cultural, economic, and political challenges that arise during the process of African repatriation initiatives (Rogge & Akol, 1989). But there has not been enough research on the paradoxes inherent in the repatriation of refugees. Only Englund discusses the paradoxes of the repatriation of the Chitima villagers as they faced new political and economic situations after repatriation (Englund, 2001).

However, no research has been conducted directly on the paradoxes that host countries face in relation to the repatriation of refugees. In this context, using Syrian refugees in Türkiye as a case study, this research discusses the paradoxes of the repatriation of Syrian refugees that host Türkiye faces. The Turkish government has anticipated the repatriation of Syrian refugees in the forthcoming years under the National Asylum Law in 2013 and the Temporary Protection Regulation in 2014, which conferred temporary protection on the refugees instead of granting them permanent status and did not directly delineate the criteria or circumstances that would warrant their repatriation. Additionally, certain interest groups within Türkiye hinder repatriation efforts by promoting xenophobic sentiments towards Syrian refugees among the local population and propagating inaccurate information during election campaigns. Furthermore, the prevailing economic crisis and societal circumstances in Türkiye exert an influence on the assimilation of Syrian refugees, thereby affecting Türkiye's endeavors towards repatriation.

The study first addresses who refugees are and the duties and responsibilities of host countries regarding their protection. Then, it reviews the concept of 'repatriation' from a legal perspective to disclose how repatriation of refugees can be voluntary with dignity and safety. The study also explains how host countries fall into paradoxical situations during the repatriation process using the case of Syrian refugees in Türkiye. Finally, the research concludes with some brief remarks on how host countries can handle the paradoxes of repatriation of refugees, which will help host countries, policymakers, and the international committee make policy regarding repatriation of refugees. Also, the study fills the gaps in the literature on the paradoxes of repatriation of refugees and may be used by scholars in this field.

Methodology

This research applies a case-study methodology to explore the paradoxes associated with the repatriation of Syrian refugees that Türkiye, as a host country, encounters, and it uses the case-study to look at those paradoxes in detail (Thomas, 2021). In doing so, a total of twenty interviewees participated, consisting of ten Turkish nationals and ten Syrian refugees between March, and June 2023. All interviewees live in Konya city, Türkiye. The study employed a purposive sampling technique to ensure the representation of diverse Syrian and Turkish populations, encompassing variations in gender, religion, education,

³ This study uses the term of "paradox," referring to a self-contradiction, as it examines the situation where host countries initially accepted refugees due to legal and humanitarian reasons. However, during the repatriation phase, concerns arose regarding the feasibility of these regulations and norms, as well as the protection of refugees' human rights.

and age. Interviews were held in Turkish. Overall, each interview had a duration ranging from thirty to fifty minutes and was conducted in person. During the interviews, all interviewees were informed that their confidential data would not be given to anyone or any organization. All interviewees were not asked for their full names, except those who gave their full names on their own. All of the conversations were recorded and stored in a safe place. Interviews were transcribed right away, and then the original speech recording was removed. Only the transcribed conversations were saved for further study. All of these steps were described to the respondents so that they would feel free to express themselves without fear of being punished. Also, the study was used Turkish laws and various international legal instruments regarding the repatriation of refugees as data sources, as well as related literature from published research, websites, and newspapers.

Refugees and Repatriation: Paradoxes

Offering a moderate answer to the question of who a refugee is would facilitate the organization and development of the subsequent segments of the study. Although not a formal definition, a consensus among parties engaged in the relevant field would acknowledge that it serves as a characterization of refugees. To begin with, it can be posited that a refugee is someone who, involuntarily or forcedly, already finds themselves in another state or on the international frontier (UNHCR, 2010)⁴ seeking to enter, as they need protection (Caverzasio, 2001)⁵ until they can voluntarily return to their country of origin. Facilitating understanding of the distinctive characteristics of refugees can now be achieved through the utilization of widely recognized definitions. The very first definition that springs to mind when endeavoring to define the term "refugees" is the one proffered by the 1951 United Nations Refugee Convention. A 'refugee' is someone who:

“owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it⁶.”

This definition does not address the needs of a considerable number of individuals who require assistance from the global community, such as those affected by natural disasters. The definition of refugees as stipulated in the 1969 Convention on the Specific Aspects of Refugee Problems in Africa by the Organization of African Unity (OAU) appears to encompass a broader range of individuals than those explicitly covered under the definition outlined in the 1951 United Nations Refugee Convention, or at the very least, those individuals who may not be immediately identifiable as refugees under the latter definition. It states that:

“The term “refugee” shall also apply to every person who, owing to external aggression, occupation, foreign domination, or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence in order to seek refuge in another place outside his country of origin or nationality.⁷”

⁴ On the contrary, people or groups of people who have not passed through an internationally acknowledged boundary are referred to as internally displaced persons (IDPs), regardless of whether they have been forced or obliged to flee or abandon their domiciles or usual abodes.

⁵ The term "protection" refers to a range of actions that are undertaken with the objective of ensuring full respect of an individual's rights, as per the provisions of various legal frameworks, including human rights law, international humanitarian law, and refugee law.

⁶ Convention relating to the Status of Refugees (189 U.N.T.S. 150, entered into force April 22, 1954), (1951). <http://www1.umn.edu/humanrts/instreet/ainstls1.htm>. p. 14.

⁷ Convention governing the specific aspects of refugee problems in Africa. United Nations, Treaty Series No. 14691, (1969). <https://au.int/en/treaties/oau-convention-governing-specific-aspects-refugee-problems-africa>. p. 6.

The main objective of this study is not to engage in a debate regarding the firmly established definitions, however, the study explores the host countries accept obligations or duties to refugees, which are hinted at in the United Nations Refugee Convention definition using the terms ‘unable or unwilling to return.’ The refugees being referred to are those whom the United Nations has deemed ineligible for forced repatriation and instead should be granted asylum or afforded the chance to seek refugee status. These are people who are at an elevated risk of persecution and endangerment if they return. So, the obligation of states towards refugees entails providing them with protection, which encompasses a variety of measures aimed at guaranteeing the complete observance of an individual's rights in accordance with diverse legal frameworks, such as international humanitarian law, human rights law, and refugee law. The term "protection" encompasses two aspects: internal protection, which pertains to the provision of reliable safeguards for fundamental rights such as life, liberty, and personal security, and external protection, which pertains to diplomatic protection, including the issuance of travel documents for citizens abroad and acknowledgement of their right to repatriation (Goodwin-Gill & McAdam, 2021).

Repatriation means, briefly, sending refugees back to their home country. It can be challenging to identify suitable terminology that effectively conveys the significance and principles underlying the concept of repatriation (Atkinson, 2010). Conventionally, for protection purposes, there are three enduring resolutions to refugee crises: voluntary repatriation of refugees to their country of origin, integration into the host country, or relocation to a third nation (Barnett & Finnemore, 2012; Chetail, 2004; Warner, 1994). In protection measures, one of the priorities is to guarantee that no refugee is repatriated to a nation where they may encounter peril, which means the protection right of voluntary repatriation. Consequently, the act of voluntary repatriation is considered a component of the broader framework of international protection (Zieck, 2021). In such circumstances, a refugee may opt to repatriate or consent to return to their nation of origin. The rules and norms instituted by international bodies guarantee that systematic repatriation occurs in a manner that safeguards the rights of refugees, which have been codified in the 1951 Refugee Convention, the 1969 Organization of African Unity (OAU) Refugee Convention, UN General Assembly Resolutions, UNHCR Executive Committee Conclusions (known as ExCom Conclusions), and UNHCR's Voluntary Repatriation: International Protection Handbook (Crisp, 2019; UNHCR, 1996). The aforementioned instruments set up a set of fundamental principles pertaining to the voluntary repatriation process.

The principle of non-refoulement explains the comprehensive account of host countries duties to refugees' repatriation in Article 33(1) of the 1951 Refugee Convention, as stated in the following: “No Contracting State shall expel or return (“refouler”) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion⁸.” So, states have an obligation to refugees, and non-refoulement is an integral aspect of that obligation that is signed and ratified by all liberal and many non-liberal states (Lister, 2013). Article 1 of the 1951 Refugee Convention, which defines refugees, also addresses voluntary repatriation. The repatriation must be voluntary, and it indicates that the well-founded fear of persecution should have end⁹. Also, Article V of the 1969 Organization of African Union (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa places emphasis on the voluntary nature of repatriation and in Article V(1) it states that ‘the essentially voluntary character of repatriation shall be respected in all cases and no refugee shall be repatriated against his will¹⁰.’ To clarify, it is imperative that refugees are afforded the opportunity to make an autonomous and well-informed decision regarding their repatriation to their nation of origin, and that they are not

⁸ Convention relating to the Status of Refugees (189 U.N.T.S. 150, entered into force April 22, 1954), (1951). <http://www1.umn.edu/humanrts/instrree/ainstls1.htm>. p. 30.

⁹ Ibid., pp. 14-16.

¹⁰ Convention governing the specific aspects of refugee problems in Africa. United Nations, Treaty Series No. 14691, (1969). <https://au.int/en/treaties/oau-convention-governing-specific-aspects-refugee-problems-africa>. p. 9.

subjected to any forms of physical, material, or mental pressure to depart from their current country of refuge.

Effective coordination of the voluntary repatriation of refugees necessitates the establishment of Tripartite Commissions involving the host state, country of origin, and UNHCR (Crisp, 2019). In this context The UNHCR Statute, as adopted by General Assembly Resolution 428 (V), urges governments to collaborate with the High Commissioner in the execution of her duties, including but not limited to "aiding the High Commissioner in her endeavors to promote the voluntary nature of refugee repatriation"¹¹." The United Nations High Commissioner for Refugees (UNHCR) is responsible for advocating for the welfare and apprehensions of refugees and guaranteeing that the repatriation procedure is carried out while upholding their fundamental human rights. As per the UNHCR Statute in Article 1, the High Commissioner is responsible for seeking enduring resolutions to the refugee predicament by aiding governments and non-governmental entities in facilitating the voluntary repatriation of refugees¹². The UNHCR is bestowed with the duty, in accordance with the Statute of the United Nations High Commissioner for Refugees in Article 8(c), to aid both governmental and private endeavors in facilitating the voluntary repatriation or integration into new national communities¹³. The United Nations General Assembly Resolutions have consistently reaffirmed the role of UNHCR in facilitating voluntary repatriation.

A series of Conclusions on International Protection from the UN Refugee Agency (UNHCR) Executive Committee (known as ExCom Conclusions) in promoting and facilitating voluntary repatriation and also many conclusions have been consistently reaffirmed that voluntary repatriation is necessary. At the 31st Session, in Conclusion 18 (XXXI), the Executive Committee first recognized in 1980 the importance of UNHCR's involvement in voluntary repatriation whenever deemed necessary and stressed that voluntary repatriation must always be respected. It is also considered that when refugees express their desire to return to their country of origin, it is incumbent upon the governments of both their home country and their host country to provide the necessary assistance in accordance with their respective national laws and, where appropriate, in collaboration with the UNHCR, to facilitate their repatriation¹⁴.

In 1985, at the 36th Session, the Executive Committee implemented Conclusion 40 (XXXVI) concerning the aforementioned topic and extensively enhanced the doctrine on voluntary repatriation by restating fundamental protection principles and delineating practical strategies to facilitate this resolution. Additionally, the committee emphasized the importance of providing rehabilitation as well as reintegration assistance to ensure the sustainability of this solution¹⁵. In Conclusion 74 (XLV) of the 46th Session in 1994, 90th Executive Committee emphasized the primary responsibility of UNHCR in advocating, facilitating, and organizing the voluntary repatriation of refugees by reaffirming the previous conclusions¹⁶. By reaffirming all previous conclusions, in conclusions 90 (LII) at the 52nd Session in 2001¹⁷, 101 (LV) at the 55th Session in 2004¹⁸, 112 (LXVII) at the 67th Session in 2016¹⁹, and 114 (LXVIII) at the 68th Session in 2017²⁰, the need for cooperation on voluntary repatriation with all states and other stakeholders was stressed to foster the

¹¹ Statute of the Office of the United Nations High Commissioner for Refugees. General Assembly Resolution 428 (V) of 14 December (1950). <https://www.unhcr.org/media/28183>. p. 4.

¹² Ibid. p. 6.

¹³ Ibid. p. 9.

¹⁴ Conclusions on International Protection Adopted by the Executive Committee of the UNHCR Programme 1975-2017 (Conclusions No.1-114), (2017). <https://www.refworld.org/type,EXCONC,UNHCR,,5a2ead6b4,0.html>. p. 40.

¹⁵ Ibid. pp. 77-79.

¹⁶ Ibid. p. 171.

¹⁷ Ibid. p. 213.

¹⁸ Ibid. p. 260.

¹⁹ Ibid. p. 329.

²⁰ Ibid. p. 337.

voluntary, safe, and dignified return and sustainable reintegration of refugees and to ensure the restoration of national protection.

The legitimate human right of refugees to repatriate to their nation of origin is comprehensively acknowledged in the realm of international law. In this context, it must be remembered to acknowledge that numerous international human rights instruments pertain to voluntary repatriation, thereby imposing an obligation on host states that have both signed and ratified these instruments. As stipulated in Article 13 (2) of the Universal Declaration of Human Rights of 1948, it is within the entitlement of every individual to depart from any nation, including their own, and to subsequently return to their country of origin²¹. The International Covenant on Civil and Political Rights, specifically Article 12(4), has established the right to return as a means of promoting rehabilitation based on their desirability²². As per Article 5 (d) (ii) of the International Convention on the Elimination of All Forms of Racial Discrimination, individuals possess the legal right to depart from any country, including their own, and return to that same country²³. The International Covenant on Economic, Social, and Cultural Rights upholds the responsibility of States as outlined in the Charter of the United Nations, with the aim of advancing universal recognition and adherence to human rights and freedoms²⁴, thereby enabling the process of voluntary repatriation. Also, the promotion of voluntary repatriation of refugees is facilitated by the recognition of the principle of non-refoulement, as stipulated in Article 3(1) of the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment²⁵ and Article 16(1) of the International Convention for the Protection of All Persons from Enforced Disappearance²⁶. In addition to the aforementioned instruments, several regional human rights instruments exist, and the national legislation of diverse countries acknowledges the right of return as another fundamental right. The fundamental principle that underlies voluntary repatriation in the context of international human rights law is the right to be repatriated to one's country of origin. As a consequence of this entitlement, it is incumbent upon states to allow entry to their citizens and are prohibited from forcing other countries to retain them by means such as cancellation of citizenship (UNHCR, 1996).

The aforementioned legal statutes and norms, which forbid any form of coercion toward a refugee's return to their country of origin, protect refugees. In this regard, with free, direct, and unhindered access to the refugees, the United Nations High Commissioner for Refugees (UNHCR) must oversee the voluntary nature of repatriation, considering the conditions prevailing in the refugees' country of origin, such as access to credible information prior to departure, and the current state of affairs in the country of refugee status, which must permit the exercise of freedom of choice (UNHCR, 1996). It is essential to scrutinize various protection concerns on either side of the border to guarantee that repatriation occurs under circumstances that prioritize safety and dignity. The concept of "Return in Safety" refers to the process of returning to one's place of origin under certain conditions that ensure legal safety, such as amnesties or public assurances of personal

²¹ Universal Declaration of Human Rights (UDHR) (1948). <https://www.ohchr.org/en/universal-declaration-of-human-rights>. p. 74.

²² International Covenant on Civil and Political Rights, 16 December, Pub. L. No. General Assembly resolution 2200A (XXI), (1966). <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>.

²³ International Convention on the Elimination of All Forms of Racial Discrimination, 21 December Pub. L. No. UN General Assembly resolution 2106 (XX), (1965). <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-elimination-all-forms-racial>. p. 3.

²⁴ International Covenant on Economic, Social and Cultural Rights, 16 December Pub. L. No. General Assembly resolution 2200A (XXI), (1966). <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>. p. 1.

²⁵ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 10 December, Pub. L. No. General Assembly resolution 39/46, (1984). <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading>. p. 2.

²⁶ International Convention for the Protection of All Persons from Enforced Disappearance, 23 December Pub. L. No. General Assembly of the United Nations in its resolution 47/133, (2010). <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-protection-all-persons-enforced>. p. 6.

safety, integrity, non-discrimination, and freedom from persecution or punishment upon return; physical safety includes protection from armed attacks and the provision of mine-free routes or demarcated settlement sites in areas that are not mine-free; and material security may involve access to land or means of livelihood to ensure the returnee's ability to sustain themselves upon return. The notion of "Return with Dignity" is comparatively less clear than that of ensuring safety. The term "dignity" encompasses characteristics such as being solemn, calm, deserving of reverence and esteem. In practice, this means that refugees cannot be mistreated, they cannot be forced to go back, and if they go back on their own, they are able to do it at their own pace. They also cannot be separated from their families without an acceptable explanation, and their national authorities must treat them with respect and fully accept them, including giving them back all of their rights (UNHCR, 1996).

The above-discussed guidelines that regulate the process of repatriating refugees to their home countries are, without a doubt, clear. Nevertheless, the implementation of these standards in real-world scenarios has been inconsistent, and in recent years, there has been increasing questioning of the practicability of these rules and norms. In those cases, refugees face dilemmas about whether to return to their country of origin or stay in the host country. Similarly, host countries must decide whether they will send back refugees or allow them to continue staying in their territories. Consequently, paradoxes arise for host countries in the process of repatriating refugees. At a certain point, host states are unable to bear the indefinite presence of a vast number of refugees on their territory and want to repatriate them. At the same time, the situation in the country of origin is not friendly to sending back refugees. In this situation, international customary law prohibits repatriation, and they do not have national laws about repatriation either. Various diplomatic or political agreements between host countries and stakeholders may prohibit repatriation. Humane or religious sentiments in host countries also do not allow for the repatriation of refugees. Certain interest groups or political parties in host countries hinder repatriation efforts by promoting xenophobic sentiments towards refugees among the local population and propagating inaccurate information during their political activities. Also, the prevailing economic crisis and societal circumstances of host countries exert an influence on the assimilation of refugees, thereby affecting their endeavors towards repatriation.

Repatriation of Syrian Refugees: Paradoxes of Türkiye

The repatriation of Syrian refugees has emerged as a significant concern in both Türkiye and global migration management governance. Türkiye is faced with the decision of repatriating Syrian refugees or permitting them to remain in the country, based on the insights gathered from interviews conducted with both Syrian refugees and Turkish nationals. In this case, when Türkiye decides to repatriate Syrian refugees, the study finds some paradoxes that Türkiye encounters in the process of repatriation. The following discussion outlines these paradoxes.

Legal Paradox

Upon the influx of a growing number of Syrian nationals into Türkiye, the Turkish government opted to grant them temporary protection status²⁷ rather than refugee status, in accordance with Article 91 of the Law on Foreigners and International Protection in 2013 and Article 7 of the Temporary Protection Regulation in 2014. According to data provided by the Director General of Migration Management (DGMM), as of June 15, 2023, a total of 3,351,582 individuals from Syria are currently residing under temporary protection

²⁷ The Government of Türkiye grants temporary protection status to individuals from Syria, including Syrian citizens, stateless people, and refugees, who have arrived in Türkiye as a result of the events in Syria occurring after April 28, 2011. See The Law on Foreigners and International Protection (LFIP) Pub. L. No. 6458, (2013). https://www.unhcr.org/tr/wp-content/uploads/sites/14/2017/04/LoFIP_ENG_DGMM_revised-2017.pdf, and Temporary Protection Regulation (TPR), Pub. L. No. 2014/6883, (2014). <https://www.refworld.org/docid/56572fd74.html>.

status²⁸. Even though the 2014 Temporary Protection Regulation strictly specifies that it shall not entitle a temporary protection status holder to apply for Turkish citizenship²⁹, many Syrians have obtained Turkish citizenship through the exceptional conditions (like decent or kinship tie, investment, and marriage) in the 2009 Turkish Citizenship Law³⁰ using the termination of temporary status condition stated in Article 11(1) c of the 2014 Temporary Protection Regulation³¹. Generally, their termination of temporary protection is conditional if they return to their countries, if they apply for international protection, if they resettle in a third country, or if they stay in Türkiye, subject to conditions to be determined within the scope of the relevant law, which is stated in Articles 11–12 of the Temporary Protection Regulation in 2014³². Nevertheless, the Turkish legislation lacked explicit provisions regarding the specific criteria for repatriation, apart from the mention of voluntary return support in Article 87 of the 2013 Law on Foreigners and International Protection³³. Furthermore, the responsibilities, cooperation, and formulation of a plan for voluntary repatriation were outlined in Article 42 of the 2014 Temporary Protection Regulation³⁴. Among the ten Turkish interviewees, it was found that two expressed their concerns regarding this issue, indicating its problematic nature. Ahsen, a university graduate woman, said, "I think our laws are not enough to send them back to their country. Immediately, we provided them temporary protection, but it's been more than a decade; we didn't solve this; however, we are giving them Turkish citizenship." An additional Turkish interviewee, who opted to remain anonymous, expressed that, "Using the open-door policy³⁵, our government brought Syrian refugees. Then, by making new laws, we are giving them all kinds of opportunities, even Turkish citizenship. Now our government is deceiving Turkish citizens by saying we'll send them back."

However, refugee repatriation back to their homeland is prevented according to the United Nations Refugee Convention, various international human rights legal norms, and even the local laws of the host countries. Türkiye is a party to the United Nations Refugee Convention and various international human rights legal norms. Article 90 of the Constitution of Türkiye states that "international agreements duly put into effect have the force of law³⁶," and that means international treaties that Türkiye has signed serve as legal instruments. The principle of non-refoulement is also enshrined in Article 4 of the Law on Foreigners and International Protection, which pertains to the international prohibition against repatriating individuals to their country of origin forcibly because it is indicated that "No one who falls under the scope of this Law shall be returned to a place where he or she may be subject to torture, inhuman or degrading punishment or treatment, or where his or her life or freedom may be under threat on account of his or her religion, nationality, membership of a particular social group, or political opinion³⁷." The United Nations Refugee Convention, a treaty that Türkiye has also ratified and that is of significant significance in the Law on Refugees, outlines the prohibition against repatriation in the

²⁸ DGMM. (2023, June 15). *Statistics- Temporary Protection* Director General of Migration Management. Retrieved 20 from <https://en.goc.gov.tr/temporary-protection27>.

²⁹ See Article 25 of the Temporary Protection Regulation (TPR), Pub. L. No. 2014/6883, (2014). <https://www.refworld.org/docid/56572fd74.html>.

³⁰ Turkish Citizenship Law, Pub. L. No. 5901, (2009). <https://www.refworld.org/pdfid/4a9d204d2.pdf>

³¹ See Article 11 of the Temporary Protection Regulation (TPR), Pub. L. No. 2014/6883, (2014). <https://www.refworld.org/docid/56572fd74.html>.

³² See Articles 11-12 of the *ibid.*.

³³ The Law on Foreigners and International Protection (LFIP) Pub. L. No. 6458, (2013). https://www.unhcr.org/tr/wp-content/uploads/sites/14/2017/04/LoFIP_ENG_DGMM_revised-2017.pdf

³⁴ Temporary Protection Regulation (TPR), Pub. L. No. 2014/6883, (2014). <https://www.refworld.org/docid/56572fd74.html>.

³⁵ During the destructive civil war in Syria in March 2011, Turkey implemented an "open door" policy towards refugees from Syria, aiming to provide optimal living conditions and humanitarian aid to the refugees while adhering to the principle of non-refoulement. Also see Koca, B. T. (2015). Deconstructing Turkey's "open door" policy towards refugees from Syria. *Migration Letters*, 12(3), 209-225.

³⁶ Constitution of the Republic of Türkiye, (May, 2019). https://www.anayasa.gov.tr/media/7258/anayasa_eng.pdf

³⁷ See Article 4 of The Law on Foreigners and International Protection (LFIP) Pub. L. No. 6458, (2013). https://www.unhcr.org/tr/wp-content/uploads/sites/14/2017/04/LoFIP_ENG_DGMM_revised-2017.pdf

principle of non-refoulement, which has developed into a well-established principle of international customary law.

However, Türkiye has initiated efforts to promote repatriation, despite the ongoing lack of safety in Syria. During the period spanning from 2016 to 2022, Türkiye asserted its involvement in the voluntary repatriation process of around 158,000 individuals who independently opted to return to Syria, and the United Nations High Commissioner for Refugees (UNHCR) was monitored this repatriation initiative (UNHCR, 2023). Also, UNHCR has asserted that the present circumstances in Syria are not considered conducive for refugees residing in Türkiye to return in an organized fashion that guarantees their safety and upholds their dignity. This is the reason the United Nations High Commissioner for Refugees (UNHCR) has refrained from engaging in repatriation efforts from Türkiye. Because, despite the implementation of intermittent ceasefires and the establishment of de-escalation zones under the supervision of Türkiye, Russia, and Iran, the conflict and acts of violence persist throughout Syria. People do not have access to the public services necessary for daily life and possibilities for sustainable living (Sahin Mencutek, 2019). In context, all Syrian interviewees out of ten stated this issue, saying that "they (Türkiye or Turkish nationals) are pressuring or wanting us to go back to our country, but war continues in Syria. If we go back there, our government will kill us. Also, there is no opportunity to work. We will not get access to maintain our daily needs to survive. If we go there, we will die without food...."

Furthermore, there is a lack of clarity regarding the extent to which Turkish authorities provide comprehensive information to returning refugees regarding potential risks. Once Syrians have successfully repatriated to their country of origin, they encounter a barrier preventing their re-entry into Türkiye. This obstacle arises from the requirement to sign voluntary return forms, which entails renouncing any entitlement to asylum protection. Consequently, these Syrian refugees are unable to legally re-enter Türkiye (Sahin Mencutek, 2019). As a result, Türkiye finds itself in a paradoxical situation with regards to its endeavors in what is commonly referred to as voluntary repatriation, in light of the principles established by both national and international customary law. The absence of explicit provisions in Turkish legislation pertaining to the specific criteria for voluntary repatriation is notable, despite the inclusion of the principle of non-refoulement in the Law on Foreigners and International Protection. Simultaneously, it is important to note that the United Nations Refugee Convention, along with various international human rights' legal standards, explicitly forbids the repatriation of refugees to their country of origin if such repatriation fails to ensure their safety and preserve their dignity.

EU-Türkiye Deal Paradox

In a joint statement documented in European Council Press Release 144/16 on March 18, 2016, the European Union (EU) and Türkiye presented a set of nine action points with the objective of mitigating the occurrences of smuggling and irregular migration from Türkiye to the EU, which is a Joint Action Plan adopted in October 2015 to manage the Syrian refugee crisis. It has drawn harsh criticism from both humanitarian organizations and the people of Europe, and it is questionable whether it complies with European and international human rights rules and norms on refugees as well as the nonrefoulement principle (Arribas, 2016). In order to effectively handle the influx of Syrian refugees from Türkiye into the European Union (EU), the EU extended a range of incentives to Türkiye. These incentives encompassed advancements in areas such as visa liberalization, modernization of the customs union, general accession talks, and the EU's pledge of financial assistance to Türkiye to aid in the hosting of the refugees (Murat Erdoğan & Püttmann, 2023).

Nonetheless, the EU-Türkiye Deal has effectively fulfilled its objective of diminishing the influx of unauthorized migrants, particularly Syrian refugees, into the European Union

(EU) from Türkiye. However, it has not presented a comprehensive resolution to the ongoing Syrian refugee crisis. The resettlement plan, as outlined in point two of the EU-Türkiye Deal³⁸, which entails the return of Syrian individuals from the EU to Türkiye and the subsequent resettlement of another Syrian individual from Türkiye to the EU, while considering the UN Vulnerability Criteria, has not been effectively implemented. Over the course of seven years following the implementation of the agreement, a total of 32,472 Syrian refugees³⁹ have been relocated from Türkiye to EU Member States. It is worth noting that this figure represents a small proportion when compared to the substantial population of Syrian refugees residing in Türkiye. As a result, the current situation entails a heightened risk for Syrian refugees in Türkiye, as they face being repatriated to their country of origin or subjected to degrading treatment by promoting xenophobia within Türkiye. A Syrian refugee, who did not want to disclose his identity, said, "My father had been employed by various private organizations within Türkiye. Due to his Syrian nationality, he was terminated from his employment despite possessing the necessary qualifications. Due to his inability to cope with the situation, my father made the decision to return to Syria. Currently, he resides in Syria while grappling with a psychological condition." Another Syrian refugee, who similarly opts to maintain anonymity, expressed, "For the past few years, I have been subjected to xenophobia by the locals. Therefore, I currently refrain from identifying myself as a Syrian, opting instead to indicate my origin as being from other countries. I cannot take this any longer. Perhaps I will return to Syria too."

It is important to note that Syrian refugees who attempt to enter the European Union through irregular means will be prohibited from accessing the benefits associated with their resettlement from Türkiye to the EU. In light of this aspiration, they refrain from unlawfully traversing the European Union border, while a considerable number of Syrian refugees remain in Türkiye, awaiting resettlement within the European Union. It is also a fact that many Syrian refugees consider Türkiye nothing more than a stopover on their way to Europe (Sharani, 2022). Among the ten Syrian interviewees, half of them, specifically five, have portrayed Türkiye as nothing more than a transit point towards Europe. "I don't want to go back to Syria right now," said Sabri, a Syrian refugee. "I've been waiting many years to go to Europe from Türkiye because if I go back to my country, I won't be able to make my dream come true. It's easy to get to Europe from here (Türkiye)." Another Syrian refugee, who asked not to be identified, said, "I've nothing in Syria. Although I have no living family in Syria, I do have cousins in Europe. As a result, I also plan to move to Europe to be closer to my cousins. It's easy to reach Europe from Türkiye." Türkiye is currently facing challenges in hosting a significant population of Syrian refugees seeking resettlement in the European Union from its territory as a direct consequence of the aforementioned circumstances.

As previously stated, the EU-Türkiye Deal presented a potential avenue for achieving the much-anticipated goal of visa liberalization, advancing the process of modernizing the customs union, and revitalizing the stagnant accession talks. In order to grab these opportunities, Türkiye would assume the responsibility of accommodating the largest population of refugees globally, with financial assistance from the European Union (EU), while concurrently collaborating to prevent additional instances of unauthorized migration, particularly concerning Syrian refugees traveling from Türkiye to the EU. In actuality, with financial assistance from the European Union, Türkiye is currently hosting a sizable population of Syrian refugees within its borders. Additionally, Türkiye is actively implementing measures to prevent the unauthorized migration of Syrian refugees to the European Union. However, when examining the EU-Türkiye Deal from a Turkish

³⁸ European Council. (2016). *EU-Turkey statement, 18 March 2016*. Retrieved June 20, 2023 from <https://www.consilium.europa.eu/en/press/press-releases/2016/03/18/eu-turkey-statement/>

³⁹ International Rescue Committee. (2023, March 16). *What is the EU-Turkey deal?* International Rescue Committee. Retrieved June 20, 2023 from <https://www.rescue.org/eu/article/what-eu-turkey-deal#:~:text=Approximately%2032%2C472%20Syrian%20refugees%20have,Member%20States%20under%20the%20agreement.>

standpoint, it becomes evident that its implementation has not been accomplished effectively. In this context, Hakan, a Turkish interviewee who is a university teacher, articulated that "Türkiye, by accepting financial resources from the European Union, holds the role of a gatekeeper for the EU. Regrettably, Türkiye has achieved no notable accomplishments apart from being ranked as the foremost host country for a substantial population of refugees globally." Inasmuch as the EU-Türkiye Deal not only gives rise to issues on moral and legal grounds but also has an impact on the repatriation of Syrian refugees, which places Türkiye in a paradoxical situation, there are challenges that arise from this deal.

Humanitarian and Religious Paradoxes

Since the onset of the Syrian civil war in March 2011, Türkiye has implemented an "open door" policy, positioning itself as the foremost nation in terms of refugee reception from Syria and demonstrating the Erdogan government's dedication to offering optimal living conditions and humanitarian aid to Syrian refugees. Türkiye's endeavors in this particular context have garnered extensive appreciation and positive reactions both domestically and internationally (Koca, 2015), especially by Muslim communities in the world. It is important to acknowledge that, during the initial implementation of this policy, Syrian refugees were categorized as "guests" rather than refugees (Koca, 2016). In the case of Türkiye, religion has also played a significant role in extending a warm welcome to Syrian refugees and establishing the legitimacy of the open-door policy. Apart from the formal aspect of the "open door" narrative, the government and the general public initially viewed and portrayed the Syrian population as people who share a common religious affiliation, referred to as our "Muslim brothers or sisters," "friends," and "victims," who require a sympathetic reception from a humanitarian standpoint (Koca, 2016). In this context, two of the ten Turkish interviewees who shared this opinion referred to Syrian refugees as our "Muslim brothers and sisters" and claimed that they might remain in Türkiye up until the end of the war. Ibrahim, a retired government employee, said, "They (Syrians) are our Muslim brothers and sisters. Due to war, they came to our country, and until the war ends, we should support them both from a humanitarian and religious perspective." A female Turkish interviewee, who works in a religious educational institution and opts to remain anonymous, expressed the following viewpoint: "We need to look at them from both a religious and a humane point of view. sisters: our Muslim brothers and sisters; where will they go? In such days, we should support them."

The Directorate of Religious Affairs, commonly known as Diyanet, which serves as an official state religious institution, has significantly played a crucial role in encouraging Turkish society to be inclusive and extending a hand to Syrian refugees through its extensive network of mosques and religious institutions throughout the country. It has additionally coordinated humanitarian aid operations and helped with refugee education. Thus, Diyanet has made a substantial contribution to shaping a favorable public perception regarding the Syrian refugees and their assimilation into Turkish society (Kara, 2018). Also, in his discourse concerning the Syrian crisis, President Erdogan consistently utilized the terms "Muhajir" (refugee) to refer to individuals of Muslim faith who departed from Mecca and "Ansar" (helper) to evoke those who extended their support and hospitality to them (Kujawa, 2023). Thus, by appealing to religious and humanitarian sentiments, the Turkish government has been successful in increasing public support for welcoming Syrian refugees, which was noticeable, especially during the initial stages of refugee acceptance. All most all of the Syrian interviewees acknowledged the Erdogan government's initiatives for them. Alia, a Syrian woman who was interviewed, said, "We are very grateful to Erdogan and the people of Türkiye. They are treating us very well." I can get what I need to live. What more do I need?" Barber Abdullah, another Syrian refugee who was interviewed, stated, "I reside in Türkiye with my wife and three kids. My family and I are incredibly grateful to the Turkish government and Turkish people. They are giving me the opportunity to work here."

In contrast, a majority of Turkish interviewees, specifically seven out of ten, expressed the opinion that Syrian refugees should depart from our country. Gizem, a female Turkish interviewee who studies at a university, said, "I feel exhaustion in their presence around me. Now, the time has come for them to return to their own country." A Turkish interviewee, who did not feel comfortable disclosing identity, said, "We welcomed them as our guests," and many years have passed; still, they are living around me. It is enough. They should return to their own country." Another Turkish interviewee, who also did not want to reveal her identity, stated, "We called them our religious brothers and sisters. We hosted them; we did it for humanity. How much more will we do hospitality? Now, they should go back to their country. Syria needs them." Currently, the stance of the Turkish government with respect to Syrian refugees has also undergone a change. As seen in their recent repatriation efforts over the past few years, the host nation, Türkiye, has expressed a desire to lessen the burden of hosting a sizable number of Syrian refugees. Despite the assertions by the United Nations High Commissioner for Refugees (UNHCR) that the current conditions in Syria are not conducive to the return of its people, Türkiye's repatriation of Syrian refugees highlights a paradoxical stance from both a humanitarian and religious standpoint, which were their main discourses in receiving Syrian refugees.

Socio-economic Paradoxes

Initially, Turkish President Recep Tayyip Erdogan and the Turkish populace held the belief that the stay of Syrian refugees would not be prolonged. Following a notable surge in the arrival of refugees, Türkiye expeditiously enacted the Law on Foreigners and International Protection in 2013, subsequently introducing the Temporary Protection Regulation in 2014, thereby conferring upon these people a temporary protection status. As long as they have this status, Syrian refugees can access the same basic services as Turkish citizens, including healthcare, education, employment opportunities, social benefits, interpreting, and other services⁴⁰. In practice, Syrian refugees have been subjected to xenophobic discrimination by locals ever since they were granted access to these socioeconomic advantages. Turkish citizens have also been raising daily complaints about their detrimental effects on all socioeconomic components at the same time. To date, no viable and enduring solutions have been identified in relation to this issue; nevertheless, the situation is progressively deteriorating on a continuous basis. Türkiye finds itself in a paradoxical situation as it engages in the repatriation of Syrian refugees while neglecting to adhere to its own established laws pertaining to the temporary status of Syrian refugees, which is promoting anti-refugee sentiment.

Syrian refugees encounter various challenges within their employment settings as a result of infringements upon labor laws, encompassing instances of exploitation, inadequate remuneration, excessive working hours, and non-payment of wages. There is an absence of mandated provisions for a minimum wage, pension schemes, remuneration for overtime work, and unemployment benefits for this particular group (Rights, 2021). All Syrian interviewees claimed that Syrian refugees face discrimination at their workplace. Mohammed, a Syrian refugee working as labor, said, "I work as labor in a factory. I work from the early morning until the evening, but I do not get the minimum salary either. For the same work, if it is done by Turkish people, they will get more money." In recent years, there has been a discernible shift in public sentiment, characterized by an increasingly antagonistic attitude towards Syrian refugees, who are being held responsible for exacerbating unemployment rates, diminishing wage levels, and various other societal challenges (Harpviken & Schirmer-Nilsen, 2021). All Turkish interviewees who were interviewed complaining their negative impact on job markets. Ahmet, a Turkish who works in a factory, expressed his viewpoint: "After bringing Syrian refugees to job markets, our people have started to lose their jobs because employers have to pay very little for them.

⁴⁰ See Articles 26-32 of the Temporary Protection Regulation (TPR), Pub. L. No. 2014/6883, (2014). <https://www.refworld.org/docid/56572fd74.html>.

In this regard, most of the Syrian refugees do not have enough experience for many jobs. Many of them work illegally. As a result, employers can easily hire them without giving them insurance."

The presence of a significant population of Syrian refugees within Turkish society has resulted in challenges for local residents in securing rental accommodations, primarily due to limited availability and increased cost of renting. All Turkish individuals who were interviewed expressed their collective concern regarding this matter, deeming it a significant difficulty. Ishaq, a retired government employee, stated, "In almost every apartment you will find Syrian refugees. I know because we have been looking for a house to rent for three months. Still, we have not managed it. If we find it, then the rent of housing is so high, or house owners say there are no empty rooms for rent right now." In opposition, for Syrian refugees, it is not easy to rent houses; they also face racism when renting houses. All Syrians who participated in the interviews referred to this issue as a big challenge for them. A Syrian interviewee, who would like to remain anonymous, said, "For four months, I've been living with my four Syrian nationals in a room as a guest because, due to the high price, I couldn't manage a room. At the same time, many house owners do not want to rent me when they know I am a Syrian refugee. You will find many websites for renting, where some house owners write that they don't want to give rent to foreigners, Syrian refugees, or Afghan refugees."

The Turkish lira's ongoing depreciation against the US dollar and the country's overall commodity prices have significantly increased as a result of rampant inflation, which is the main cause of Türkiye's severe economic crisis. While there is a prevailing argument attributing the crisis to Erdogan's economic policy, the global impact of COVID-19, the Russia-Ukraine conflict, and the recent earthquake in Türkiye, it is also posited that the substantial influx of refugees in Türkiye, particularly Syrian refugees, exerts a detrimental influence on the current economic situation. According to the opinions provided by Turkish interviewees, it is evident that Syrian refugees are a significant factor contributing to the persistent economic crisis in Türkiye. An anonymous Turkish interviewee said, "I know the pandemic and ongoing Russia-Ukraine war are responsible for the global economic crisis. But in our country (Türkiye), we're hosting millions of Syrian refugees, which is costing us hugely."

All interviewees, who are Syrian refugees, are accused of becoming victims of discrimination and facing racism. Accordingly, their responses show that Syrian students are facing discrimination and xenophobic attitudes from their teachers and classmates. A Syrian woman interviewee, who requested to be anonymous, said, "I have four children. The elder two are working as laborers, and the other two are going to school. The youngest is a middle school girl who has experienced numerous instances of discrimination from her teachers in many ways. Also, she has no friends in the class, and even her classmates make fun of her by saying 'Syrian (Suriyeli).' Many times, I found her crying after coming back from school." Hatice, a university graduate Turkish woman who was also interviewed, said, "I have two daughters, who are studying in middle school. I do not want to see my children sharing the same class with Syrian children because they are so different, and many Syrian children are very naughty. I cannot accept that my daughters look like them and use slang. However, our government put their children in the same schools as our children." The majority of Turkish interviewees expressed dissatisfaction with the attitudes and behaviors exhibited by Syrian refugees. Several interviewees expressed the belief that they did not conform to societal norms due to their attire, language, and conservative religious views.

National (Local) Political Paradox

A high degree of unpredictability characterizes the Turkish government's approach to the potential mass repatriation of Syrian refugees; nevertheless, the repatriation of these

refugees has emerged as a significant subject of interest for political actors (Rights, 2021). Since 2017, there has been a growing trend among Turkish politicians to express a preference for the repatriation of Syrian refugees as the optimal resolution to the refugee problem. Throughout the 2018 and 2019 election campaigns, opposition parties frequently promoted the idea of compulsory repatriation, which attracted a lot of attention (Kayaoglu et al., 2022). Also, in the last May 2023 Turkish General Election, the issue of repatriation of Syrian refugees came up equally with the ongoing Turkish economic problem. Even the repatriation of Syrian refugees sometimes gets more attention than economic issues in election campaigns by both the government and all opposition parties.

Sentiment against refugees and migrants has become a major factor in the rise of political competition. Between the two rounds, the main opposition leader Kemal Kilicdaroglu change his strategy by becoming more nationalist and anti-foreigner in order to win over nationalist voters. Consequently, he managed to secure the support of Umit Ozdag, the founder of the far-right Victory Party (Zafer Partisi), renowned for his vehement stance against refugees and commitment to safeguarding Turkish national identity (Adar, 2023). According to Ozdag, an agreement has been reached between him and Kilicdaroglu to repatriate the refugees "within a year"⁴¹. Also, Kilicdaroglu asserted that in the event of failure to repatriate the refugees, the population of refugees residing in Türkiye would rapidly escalate to thirty million, thereby engendering a pressing predicament of sustenance for the nation (Türkmen, 2023). Also, he repeatedly argued that if Erdogan wins, he will not send back Syrian refugees. This directly influenced many voters' minds to support him, even though many were not convinced. Seven out of ten Turkish interviewees were not convinced, and three of them supported him because they wanted to get rid of this burden of Syrian refugees.

On the other hand, Erdogan has referred to the attitude that his opponent is taking toward refugees as "hate speech," which has enabled him to assume a more statesmanlike stance. Erdogan has indicated their efforts in creating the necessary framework to facilitate the voluntary repatriation of Syrians, emphasizing a "humane, conscientious, and Islamic" perspective⁴². He was able to convince both Turkish voters and Syrian refugees and also got the support of nationalist contender Sinan Ogan, who received 5.17 percent of the vote in the first round. All Syrian refugees who were interviewed said, "We were afraid during the election period and eagerly waiting to see Erdogan win in the election because if Kilicdaroglu wins, he will repatriate us immediately." However, the election is over. Erdogan won it. The politics of the repatriation of Syrian refugees continue. Turkish citizens are waiting to see an update about the repatriation of Syrian refugees. At the same time, with hopes of staying in Türkiye, Syrian refugees are taking a breath. Thus, Türkiye is confronted with a paradoxical predicament stemming from its domestic political landscape concerning the repatriation of Syrian refugees.

Conclusions and Recommendations

By accepting refugees within their territories, host countries accept duties to refugees that entail providing them with protection, which encompasses a variety of measures aimed at guaranteeing the complete observance of an individual's rights in accordance with diverse legal frameworks, such as international humanitarian law, human rights law, and refugee law. The right to repatriation for refugees is also part of this protection, and the nature of repatriation must be voluntary. Host countries should ensure that no refugee is repatriated against their will to a nation where they may encounter peril. In this context, the rules and norms instituted by international bodies set up a set of fundamental principles pertaining to the voluntary repatriation process, which have been codified in the 1951 Refugee

⁴¹ Andrew, P. (2023, May 26). Turkey's Kilicdaroglu scapegoats Syrian refugees in bid to defeat Erdogan. *Al-Monitor*. <https://www.al-monitor.com/originals/2023/05/turkeys-kilicdaroglu-scapegoats-syrian-refugees-bid-defeat-erdogan#ixzz86EUE1tik>.

⁴² Ibid..

Convention, the 1969 Organization of African Unity (OAU) Refugee Convention, UN General Assembly Resolutions, UNHCR Executive Committee Conclusions (known as ExCom Conclusions), and UNHCR's Voluntary Repatriation: International Protection Handbook. The United Nations High Commissioner for Refugees (UNHCR) is responsible for advocating for the welfare and apprehensions of refugees and guaranteeing that the repatriation procedure is carried out while upholding their fundamental human rights. Therefore, effective coordination of the voluntary repatriation of refugees necessitates the establishment of Tripartite Commissions involving the host state, country of origin, and UNHCR.

Nevertheless, the implementation of these standards in real-world scenarios has been inconsistent, and in recent years, there has been increasing questioning of the practicability of these rules and norms. There are some paradoxes that arise for host countries in the process of repatriating refugees. Due to various problems, host countries must decide whether they will send back refugees or allow them to continue staying in their territories. Focusing on the repatriation of Syrian refugees, the case study finds key paradoxes in areas where policies and actions fail to reach their targets. First, the legal paradox of Türkiye arises from both international customary laws prohibiting repatriation and the absence of explicit provisions in Turkish legislation pertaining to the specific criteria for voluntary repatriation. Second, the EU-Türkiye Deal paradox in Türkiye not only gives rise to issues on moral and legal grounds but also has an impact on the repatriation of Syrian refugees. Third, the humanitarian and religious paradoxes of Türkiye, which were their main discourses in receiving Syrian refugees, also create challenges for the repatriation of Syrian refugees. Fourth, the socio-economic paradoxes of Türkiye push repatriation of Syrian refugees while neglecting to adhere to its own established laws pertaining to the temporary status of Syrian refugees. And finally, fifth, the national political paradox of Türkiye, which also hinders the process of the voluntary repatriation of Syrian refugees by promoting xenophobic sentiments towards refugees among the local population and propagating inaccurate information during their political activities. These have a significant impact on the social, political, and economic structure of Türkiye and on the human rights of a large number of vulnerable Syrian refugees who need a lot of help. Also, it shows poor migration governance in Türkiye.

However, the study recommends some measures for changes in Türkiye's approach to migration management and garners global support to begin a safe and dignified return and permanently end the crisis as follows: Firstly, Türkiye should reform its existing legislation regarding voluntary repatriation by adding explicit provisions pertaining to the specific criteria for voluntary repatriation. Secondly, the European Union (EU) and Türkiye should cooperate in resettling and repatriating Syrian refugees by updating their EU-Türkiye Deal based on international human rights instruments and related laws. The European Union (EU) also needs to keep supporting Türkiye by providing more funding to improve the conditions of Syrian refugees. Thirdly, Türkiye should promote continuing the humanitarian and religious sentiments regarding Syrian refugees among Turkish citizens, which will help integrate Syrian refugees into Turkish society. Fourthly, Türkiye should employ more NGOs, media people, lawyers, teachers, and other influential figures to advocate for local people regarding legal human rights, morality, and justice to convince them of the voluntary repatriation of Syrian refugees until things settle in Syria. Fifth, all political parties should support the government and refrain from promoting xenophobic sentiments towards refugees among the local population and propagating inaccurate information during their political activities.

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