

Deconstructing Turkey's “Open Door” Policy towards Refugees from Syria¹

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Abstract

Turkey has followed an “open door” policy towards refugees from Syria since the March 2011 outbreak of the devastating civil war in Syria. This “liberal” policy has been accompanied by a “humanitarian discourse” regarding the admission and accommodation of the refugees. In such a context, Turkey’s efforts have been widely praised and well-received both inside and outside the country. However, the article argues that, the stated “open door” approach and its limitations are not critically examined as needed. The assertion is, here, refugees fleeing Syria have been administered in a security framework embedding exclusionary, militarized and technologized border practices; in other words, they have been securitized. Drawing on the critical border studies, the article deconstructs these practices and the way they are violating the principle of *non-refoulement* in particular and human rights of refugees in general.

Keywords: Refugees; Turkey; Syria; border control; securitization.

Introduction

Since March 2011, over four millions of people have fled civil war in Syria and sought refuge mainly in neighbouring countries, such as Turkey, Jordan, Egypt and Lebanon. Since the early stages of the war, Turkey has followed an “open door” policy and become the leading country in accepting refugees from Syria. This policy ensures “respect for the principle of *non-refoulement*” and commitment of the government to “providing the best possible living conditions and humanitarian assistance for the refugees” (Kirişçi, 2013). However, when this policy was first applied, these refugees were considered as “guests”, not refugees. This is partly because, the geographical limitation to the 1951 Geneva Convention relating to the Status of Refugees maintained by Turkey restricts the refugee status only to those coming from Europe.

¹ Instead of “Syrian refugees”, the term “refugees from Syria” is used, as not only refugees of Syrian origin, but other groups including Palestinians and other stateless persons are fleeing the war and seeking protection in Turkey. Besides, it is important to note that all these categories, such as refugees, asylum seekers or migrants, are not “neutral”; they are politically constructed and more importantly, as put it by Bourbeau (2008: 12), they serve states to justify their selective, discriminatory and securitarian practices.

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Another widely stated reason is the shortsighted political understanding of the Syrian crisis. Kirişçi argued that:

"Turkey's expectation, which was in line with a good part of the international community, was that the Assad regime would not last long. It was against such a background that Turkey declared in October 2011 an open door policy towards refugees fleeing Syria" (Kirişçi, 2014: 1).

However, given the ongoing war in Syria, it is evident that refugees from Syria are unlikely to return home in the near future according to the conflict and culture of migration model proposed by Sirkeci.² This is reflected in the continued increase in number of refugees from Syria. According the United Nations High Commissioner for Refugees (UNHCR), as of August 2015, the number of registered refugees from Syria is 1,938,999 (UNCHR, 2015). However, the actual figure is likely to be higher, as not all of the refugees are registered. As of June 2015, only 262,797 of these refugees are currently living in the (tent and container) camps established in cities near to the border (AFAD, 2015). The rest are spread throughout the country and some are struggling to "survive" in dire conditions and facing racist assaults, violence and discrimination as reported frequently in the media.

Currently, the refugees are admitted and accommodated through the "temporary protection regime"³ which was first introduced in October 2011. This regime has been applied to all Syrians, Palestinians, and stateless persons living in Syrian.⁴ The new "Law on Foreigners and International Protection" (hereafter the LFIP) adopted on April 4, 2013 by the Turkish Parliament provided a solid legal base and clarity to this temporary protection regime. Article 91 (1) of the LFIP defines the "temporary protection" as a protection status granted to foreigners who, having been forced to leave the country and cannot return to the country they left, have arrived at or crossed the borders of Turkey in masses seeking emergency and temporary protection. Article 91 (2) further states that implementation of temporary protection shall be governed by a regulation to be issued by the Council of Ministers. This means that the terms of this protection were not detailed in the LFIP. Based upon Article 91, this loophole was tried to be closed with another Directive on the Temporary Protection adopted by the Council of Ministers and entered into

² See Sirkeci 2015, 21 June, 2015, 26 August; Sirkeci & Cohen, 2016.

³ The Turkish temporary protection regime is based on the EU Council Directive 2001/55/EC of 20 July 2001 on Minimum Standards for Giving Temporary protection, called also EU Temporary Protection Directive.

⁴ As stated above, given the "geographical limitation" to the 1951 Geneva Convention, non-European asylum seekers would not be provided with refugee status. Since the 1994 legal changes, people from outside Europe have been allowed to apply for "temporary asylum" in Turkey. Put differently, such asylum seekers are granted protection until the refugee determination process ends. If such asylum seekers are recognized as "refugees", they are resettled in a third country with the support of the UNHCR. However, the latest Directive on the Temporary Protection prevents refugees under such "temporary protection" from being considered for resettlement into third countries as "recognized refugees."

force on 22 October 2014. The document specifies the terms of protection, including the scope of temporary protection, the rights, and obligations of the persons under this protection, the criteria for their stay in the country and the possible limitations of their rights (Association for Solidarity with Asylum Seekers and Migrants, n.d). It maintains the previously guaranteed rights and approaches, such as “i. an open door policy ii. no forcible returns (*non-refoulement*) iii. registration with the Turkish authorities and support inside the borders of the camps.” (Özden, 2013:5). As it is seen, the “open door” policy and principle of “*non-refoulement*”⁵ are secured under the Turkish law (see Elçin, 2015).

Against this backdrop, Turkey’s efforts have been widely praised and well-received both inside and outside the country (see International Crisis Groups, 2013). However, this article argues that the stated “open door” approach and its limitations are not critically examined as needed. The assertion is, here, refugees fleeing Syria have been considered in a security framework embedding exclusionary, militarized and technologized border practices; in other words, they have been securitized⁶. In scrutinizing this claim, first an analytical framework is developed through drawing on the critical border studies. In this part, the article explores the transformation of border control practices and discusses how these practices place migration into a wider security architecture. This framework offers a critical way to deconstruct practices governing migration and the way they are formulated as strategies of containing, controlling, and filtering migrants. Second, empirical application of this analytical background is carried out with a special focus on the practices employed at and around the “physical border” between Turkey and Syria. Even though “borders” have become more “mobile” (see Szary & Giraut, 2015), “dispersed a little everywhere” (Balibar, 2004: 125) and there are also non-physical borders, such as digital, cultural, or social, the article confines itself to the practices administering the “physical” border. This is mainly because, as they attempt to enter Turkey, refugees from Syria are mainly targeted by the surveillance and control practices at the physical

⁵ This principle is also secured by Article 55 of the LFIP, stating that those foreigners cannot be deported to places where they could be subjected to the death penalty, torture, cruel or degrading treatment or punishment. The same Article excludes victims of human trafficking from deportation measures.

⁶ The concept of securitization was, first, introduced by the so-called Copenhagen School of Security Studies. Waever, one of the protagonist of this School, states that securitization is the successful construction of an issue as an ‘existential threat’ to the designated referent object through “speech acts” of securitizing actors, which justifies extraordinary security policies - e.g. using conscription, secrecy, and other means only legitimate when dealing with ‘security matters’ (see Waever, 2000). Later, the concept of securitization has gained a theoretical status and been revised and reinterpreted. For example, as in case of this study, those following a Foucauldian approach, such as Bigo from the so-called Paris School of Security Studies, Huysmans and Balzacq have applied a sociological understanding and focused on the role of practices rather than “speech acts” in the process of securitization.

borders. Finally, the political consequences of these securitization practices in relation to the human rights of refugees are highlighted.

Theoretical and Conceptual Background on the Critical Border Studies

In recent years, the literature on "borders" and border control practices have burgeoned.⁷ Through mostly focusing on the border control practices employed by the EU/member states and the USA, this literature directs the attention to the transformation of border control practices. In particular, these studies seek to understand "how border control techniques, and indeed the border itself, have been remade by surveillance technologies, biometrics, risk analysis and counter-terrorism strategies" (Broeders & Hampshire, 2013:1201-1202). Besides, they analyze these changes in the light of the securitization of migration (Broeders & Hampshire, 2013:1202).⁸ The contributors to this literature are scholars working in the tradition of critical security studies. Among them, Bigo and his colleagues from the so-called Paris School of Security Studies offer important insights into the transformation of border controls and securitization studies with their extensive theoretical and empirical works. For Bigo (2002; 2005), security technology, professional security knowledge and bureaucratic practices are the driving forces behind the securitization of border control and immigration practices. Referring to the current practices governing the issue of migration in the EU, Bigo links the transformation of migration-related practices to

"the creation of a continuum of threats and general unease in which many different actors exchange their fears and beliefs in the process of making a risky and dangerous society. The professionals in charge of the management of risk and fear especially transfer the legitimacy they gain from struggles against terrorism, criminals, spies, and counterfeiters toward other targets, most notably transnational political activists, people crossing borders, or people born in the country but with foreign parents" (2002: 63).

In a similar vein, Huysmans also explores this security continuum and argues that "security continuum is an institutionalized mode of policy-making that allows the transfer of the security connotations of terrorism, drug traffic and money-laundering to the area of migration" (Huysmans, 2006: 71). Especially following the September 11 and subsequent attacks in Europe, this continuum has become more evident and the constructed link between migration and terrorism has been utilized to enforce harsh securitarian measures impeding the human rights of migrants. To put it differently, we have witnessed a clear convergence of or traversal between migration and counter-terrorism practices (Huysmans, 2000:770).

⁷ See among others Parker et al. 2009; Walters, 2002, 2006; Rumford, 2006; Nevins, 2002; Bigo, 2000, 2002, 2005; Huysmans, 2006.

⁸ See for example Bigo, 2000, 2002, 2005; Huysmans, 2006; Balzacq, 2008; Leonard, 2010.

In this process, exclusionary migration control practices as well as technologized and militarized border control practices need to be further analysed in order to capture the transformation of border controls. Here, exclusionary migration control practices refer to the practices put into place in order to keep (unwanted) migrants away from the “territory” of states. Push-back operations and/or denial at the border are among these practices which are highly controversial from a human right perspective. This is mainly because these practices violate the principle of *non-refoulement* by rejecting refugees attempting to cross a border “who are then outlawed before they have any chance to submit an official application for asylum” in the respected country (Vollmer & von Boemcken, 2014: 63). Furthermore, these practices involve violence and human rights abuse of border authorities resulting in deaths and injuries.

On the other hand, technologization is the utilization of high-tech surveillance measures in order to detect, filter and contain people trying to cross the borders. Ceyhan (2008: 102) defines this process as “the technologization of security, i.e. the making of technology the centrepiece of security systems and its perception as an absolute security provider” in order to “identify people with certainty”. For her, it is a “process continued in the nineties with the problematization of immigration leading to the tightening of border controls against illegal immigration [...] and to the constitution of a security continuum linking together drugs, immigration, asylum, crime and terrorism [...]” (Ceyhan, 2008: 102). This transformation has become one of the most important determinant of the EU’s border regime. Visa practices with computerized databases, biometrics, electronic fences and walls equipped with radars and cameras, are the prominent examples characterizing these practices.

Culminated with these technological devices, militarization of border controls signifies also the insertion of migration issue into a security framework emphasizing policing and defence (Huysmans, 2006). For Lutterbeck the process of militarization of migration control is characterized by an “increasing mobilization of both paramilitary police and military security forces, as well as a resort to a growing amount of military—style hardware in preventing irregular immigration and cross-border crime” (Lutterbeck, 2006: 61). Leonard complements this approach by stating that practices, previously used to deal with only traditional security threats, have now been invoked against migrants (Leonard, 2010). More precisely, securitization of migration in general and militarization process are shaped by the practices

“that are usually deployed to tackle issues that are widely considered to be security threats, such as a foreign armed attack or terrorism. For example, the deployment of military troops and military equipment such as tanks to tackle an issue conveys the message that this issue is a security threat that needs to be tackled urgently, thereby socially constructing this issue as a security threat” (Leonard, 2010: 237).

Again in case of the EU, such a militarization process has been on the rise with significant effects on the rights of migrants. The Frontex (European Border Agency) operations across the Mediterranean, the increasing role granted to police and para-military forces around the Southern borders of the EU and convergence of counter-terrorism purposes and practices with that of migration control all exemplify this process (see Leonard, 2010; Lutterbeck, 2006; Neal, 2009). As put forward by various scholars and NGOs, similar practices have taken place on the US- Mexico border as well (see Nevins, 2002).

Needless to say, all these practices have been developed in order to contain and control population movements. However, it should be also noted that not all types of movements are equally targeted by these practices. Depending on their economic situation, ethnicity, religion and political motivation, migrants are likely to have different experiences under the gaze of these practices. In other words, we can talk about a selective securitization process or Anderson's (2001) notion of "selective permeability of borders and differential filtering effects". When we look at the global border regime, this selectivity ensures that nationals of some privileged countries belonging to the "developed" West enjoy the freedom of movement without much of an interruption and without being imprisoned within any kind of borders (either territorial or non-territorial). Rich tourists and highly skilled/semi-skilled labour force meeting market demands have also been welcomed. The securitized group of migrants are likely to be asylum seekers, refugees and undocumented immigrants or to come from African and Middle Eastern countries.

In the light of this theoretical and conceptual discussion, the following pages scrutinize the transformation of border control practices with a specific focus on the Turkey-Syria border and problematize Turkey's "open door" approach toward refugees from Syria.

Deconstructing the Border Practices of Turkey

The aforementioned changes in border control mechanisms are also observed in Turkey's border control regime. Long before the war in Syria, Turkey's borders have already been securitized through various practices. Violence and push back operations on the borders, inhuman treatment of refugees, militarized and technologized practices have all characterized this regime. This is also closely related to the EU's efforts of importing its securitarian migration control practices into third countries. In the path towards full accession to the EU, Turkey has become obliged to implement restrictive border regime in order to block irregular migrants during their attempt to reach Europe. To this end, it has taken considerable steps in fortifying its borders in line with the EU requirements, yet its state-centric interests have also played a decisive role in restructuring its border control regime. First, under the pressure of the EU, Turkey has initiated the process

of establishing a new Border Control Agency, which is planned to include 70,000 officers from the gendarmerie and coast guard commands and the National Police Department (Ministry of Interior, 2010). It was stated that this new security architecture would take “most of the responsibility for border control from the Turkish Armed Forces (TSK) and [hand] it over to a professional, civilian administration” (Ministry of Interior, 2010). However, despite the wording of “civilian” and emphasis on dismantling the authority of the TSK in border control issues, this new unit reflects the militarization approach and does not seem to change the existing nature of border controls around Turkey. More precisely, it will also be consisted of uniformed and armed professional personals and work under the supervision of the Ministry of Interior (Köktaş, 2011: 18). Moreover, Turkey has increased the number of military personnel on its border with Greece. This was also verified by Greek authorities stating that unlike the previous years’ indifference of Turkish authorities towards irregular border crossings; their involvement and military presence on the border have been “improved” and intensified (House of Commons, 2011: 24). Furthermore, Frontex, which is a highly militarized body with its operational settings and functioning, has become much more active on the Turkey-Greek border and enhanced the cooperation with Turkish authorities. In addition to this militarization process, technologization of border controls has already been in the making as well. First, Turkey introduced electronic passports with biometric features in 2010 in order to detect forged documents more efficiently, as required by the EU. Secondly, it has initiated a project which calls for the deployment of high-tech devices, including projectors, binoculars, thermal cameras, as well as barbed wires on its borders and improved the Commandership of Coastal Security equipment capacity through additional boats, helicopters, planes and mobile radars (House of Commons, 2011: 2457-58). Thirdly, mines were laid and watchtowers were established on the border with Iran. Under the influence of the EU and parallel to the decision of constructing a wall in eastern Greece in 2012, Turkey has “actively cooperated with EU policy by locking its eastern border with Iran and organizing a thorough search for refugees in the region” (Rodier, 2013:7).

Similar developments have remade the border with Syria as well. The almost 900 km border witnessing economic, social and political exchanges for centuries has been already fortified with mine fields since the 1950s due to the territorial disputes over Hatay province and the conflict between the Turkish army and the Kurdistan Workers’ Party (PKK), which was allegedly supported by Syria through 1990s. During the Cold War years, barbed wire and watchtowers were also constructed on the border (International Crisis Group, 2013:1). Besides, cross-border smuggling has always been a usual practice long before the Syrian war, even though it has intensified with the increasing number of refugees seeking to enter Turkey (Dinçer et al., 2013: 7). From the late 2000s, the relation between Turkey and Syria was normalized and improved especially under the policy of “zero problems with neighbours”

promoted by the former Foreign Minister Ahmet Davutoğlu (International Crisis Group, 2013:1). Even the visa requirement was mutually lifted in 2009. However, the relationship between the two countries has once again deteriorated following the Syrian civil war, leading to further securitization of the border through the following practices.

Continuity and Change in the Post-Syrian War Period

From the outset, it is necessary to note that secrecy, lack of transparency regarding the practices of admission and return of refugees and insufficient monitoring over what is happening on the border are the key problems of Turkey's approach towards refugees from Syria. Border control activities are not under public scrutiny and civil society as well as intergovernmental organizations have limited access to the responsible authorities. However, despite this lack of transparency, the evidences still suggest that contrary to the idealization of the stated "open door" policy, Turkey has continued to adopt stringent measures impeding the right to seek asylum and principle of *non-refoulement* in the aftermath of the war in Syria. Following critical border studies, the securitization of the border between Turkey and Syria also includes exclusionary, militarized and technologized border control practices. Besides, counter-terrorism strategies or the so-called war on the Islamic State of Iraq and the Levant (ISIL) as well as on the PKK have added new dimensions to the already securitized border control practices. In other words, border control practices have been harnessed as part of a counter-terrorism agenda (see Boswell, 2007: 590).

First of all, exclusionary practices have been put into place in the admission of refugees from Syria. The "open door" approach has been suspended in various times as a response to the increasing arrival of refugees from Syria. For example, by the second half of 2012, entry has been restricted when the number of refugees increased due to the intensifying conflict in Aleppo and its surrounding (Dinçer et al., 2013: 5). It was reported that closure of both official and unofficial crossing points blocked thousands of refugees fleeing the terror of aerial bombarding and shelling from seeking safety in Turkey (Human Rights Watch, 2012). Moreover, these closures have forced refugees to resort to smugglers (Dinçer et al., 2013: 5). Similarly, for the last two years, the official border crossings near to Kobani/Suruç, Tell Abyad/Akçakale, Ras al-Ayn/Ceylanpınar and Qamishly/Nusaybin have been closed to people trying to leave Syria to seek safety in Turkey (Amnesty International, 2014:9). These restrictions have been followed by the fall of several border crossings to ISIL, which again ended up further closures (Kanat & Üstün, 2015:12). There have remained three out of eight border crossings opened for commerce and humanitarian aid, yet these have also

been closed occasionally (Kanat & Üstün, 2015:12).⁹ Furthermore, as acknowledged by Turkish officials, Syrians without passports “are routinely denied access at official border crossings unless they have urgent medical or humanitarian needs” (Amnesty International, 2014: 10; see also Özden, 2013:5). It is also claimed that “opposition fighters...can cross the border freely, but Ankara allows incoming refugees only when there is room in camps” (International Crisis Group, 2013: i). Given the fact that the camps have already reached a stage of overcapacity and significant number of Syrians do not have passports, these people are likely to be denied entry or dangerous “irregular” routes or human smugglers would be the other alternatives.

Another crucial problem is the selectivity in the admission of refugees from Syria or what Anderson (2001) call “selective permeability of borders”. It is stated that there are cases where Palestinians resident in Syria are denied access to Turkey on the ground that they lack proper visas (Amnesty International, 2014:12). It is documented that:

“All Palestinians [from Syria] enter Turkey irregularly as they cannot get the visa. There is no Turkish embassy in Syria to apply for a visa and it is almost impossible to get a visa from the Turkish embassy in Lebanon.” (Amnesty International, 2014: 13).

This is also against the “temporary protection regime” being applicable to all refugees from Syria regardless of their nationality, ethnic or religious origin as well as to the international law prohibiting return of refugees to a territory where their life or freedom is threatened. Another group of refugees who have been treated differently under the “open door” policy are Yazidis fleeing ISIL attacks in Iraq. Following the brutal and inhuman attacks of ISIL on Yazidis’ homeland in Sinjar, Iraq in the early August 2014, about 400,000 Yazidis escaped being executed (Spencer, 2014). More than half of them sought safety in northern Iraq; and only around 2000 Yazidis were able to take shelter in the southeastern region of Turkey at that time (“Turkey builds”, 2014). It was claimed that many of the Yazidis without passports were also denied entry both on the Syrian and Iraq border (Pamuk, 2014). Yet these allegations were dismissed by the former Foreign Minister Ahmet Davutoğlu (“Yazidis transferred”, 2014). More importantly, the “temporary protection regime” has not been conferred on Yazidis after their arrival. This selective approach was voiced by Deputy Prime Minister Beşir Atalay stating that: “We would prefer if the Yazidi community stayed outside the country in the camps - for which we will provide all their needs - instead of coming to Turkey” (Today’s Zaman, 2014, August 14). To this end, he added, Turkey sent humanitarian aid to Iraq to build a camp for Yazidis in Zakho (“Turkey builds”, 2014). Against this differential treatment, Sezgin Tanrikulu from the

⁹ In the light of these changes, Turkey adopted a new strategy that is constructing “makeshift camps along the Syrian side of the border for those waiting to gain admission to Turkey” (Dinçer et al., 2013: 5).

Republican People's Party (CHP) and Faysal Sariyıldız from the People's Democratic Party (HDP) submitted parliamentary questions over Yazidi refugees. In a written parliamentary question to Davutoğlu, Tanrıku asked whether three children of Yazidi refugees died as they were not allowed to enter Turkey due to not having passports and why Yazidis were not benefiting from the same rights conferred on refugees from Syria (Cihan, 2014). Similarly, in his parliamentary question, Sariyıldız asked why the "open door" policy and rights conferred on Syrian refugees were not applied to Yazidis ("Sariyıldız", 2014). Ertuğrul Kürkçü from HDP also criticized the government's border policy requiring Yazidis to have passports to enter Turkey, saying that imposition of passport requirements on refugees breached human rights of refugees (CNN TURK, 2014).

Another example of the exclusionary practices is the widely reported push-back operations conducted by Turkish border officials.¹⁰ These operations tend to involve denial of entry and violence against refugees resulting in death and injuries. For instance it is reported by Amnesty International that only in 2014, more than 40 individuals were shot or beaten by Turkey's Border Police on the Syrian border (Amnesty International, 2014:14).¹¹ Similarly, Rami Abdelrahman, the Syrian Observatory's head, said "Since May 30, at least 29 Syrian civilians have been killed by Turkish border guards" (Rifai, 2015). More recently, it is claimed that Turkish border guards killed three Syrians including a woman and a 19 years old girl during their attempt to cross the border. (Syrian Observatory for Human Rights, 2015). These push-back operations not only breach the principle of *non-refoulement* but also force refugees to use irregular entry points. It is reported that a number of refugees have been killed and injured by mines while they were crossing the border (Amnesty International, 2014: 13). The aforementioned lack of adequate screening procedure at the Turkish border has contributed to hide these human rights violations from the public; hence it is very likely that there have been unreported or undocumented similar cases.

The absence of sufficient open official border crossings and push-back operations have been combined with the technologized and militarized border control practices, creating extra obstacles for refugees' access to Turkey. As stated before, the border between Turkey and Syria has already been militarized through minefields and deployment of military personnel. This security architecture has further developed with the new steps following the outbreak of war in Syria. First of all, Turkey decided to construct new walls along this border. One of the most contentious one is the wall between

¹⁰ There are also accounts received by the UNCHR about the pushbacks on the Bulgarian-Turkey and Greece-Turkey border including Syrians and Palestinians from Syria (UNCHR, 2014: 7). These forced returns have also been combined with mistreatment, violence and abuse of refugees by border guards (UNCHR, 2014: 7).

¹¹ See Amnesty International, 2014 for a comprehensive analysis including testimonies of refugees regarding abuses and violence by Turkey's border guards.

Nusaybin (Southeastern Turkey) – Quamişko (North-eastern Syria) - known as “wall of shame”- started to be built on October 2013. Similar to the wall between the U.S - Mexico, it was planned to be erected on a 7 km stretch and barbed wire of 1.5 meters high (Taştekin, 2013). The wall attracted great deal of anger from the local people, prompting protests and hunger strikes, as it was seen as an attempt to divide Kurds on both side of the border (“Turkey’s new border”, 2013). The Turkish Ministry of Interior justified the construction of the wall by arguing that: “the wall was being built “for security reasons”, and to curb smuggling and illegal crossings, allegations that Kurdish community leaders on both sides of the frontier dispute strongly.” (“Turkey’s new border”, 2013). As put forward by the critical border security literature, a security continuum established among different issues is utilized to enforce harsh border control measures. The government invoked humanitarian discourses as well and stated that the wall “will protect the lives and properties of our citizens from the minefield.”(Taştekin, 2013). The opponents of the wall have dismissed all these justifications, claiming that:

“If it is about mines, they have been there for 60 years. Not that the government was much concerned with their victims — if you walk around 10 minutes in Nusaybin, you will see people with missing hands and feet. If it is about smugglers, they have always been around and will continue to be around. If it is illegal crossings by Syrian refugees, at the moment they are using the Senyurt-Derbesiye crossing 60 kilometers (37 miles) away. Some days 400 to 500 people use that crossing to go to Turkey. The vast majority of them are Kurds. As long as that crossing is open, why would the refugees choose the dangerous way through a minefield?” (Taştekin, 2013)

Apart from the Nusaybin wall, other walls have been erected, for example, those between Ceylanpınar and Serekaniye, Şenyurt and Dirbesiye, Kilis and Afrin. These securitarian measures have been intensified following a suspected ISIL suicide bombing attack resulting in the death of 32 people.¹² In response to the concerns about ISIL as well as PKK, the government urgently called for enhancing border security along the Syrian border in order to stem the flow of terrorists. Following critical security studies, this represents a clear example of the convergence of migration control practices with that of counter-terrorism. Similar to the post-September 11 period, in which Western states have found a suitable ground to implement draconian border control measures, the need for a new border security plan was quickly announced three days after the Suruç attack. This move clearly put “the regulation of migration in an institutional framework that deals with the protection of internal security” (Huysmans, 2000:757). It was reported that the Ministry of Finance has already allocated funds to bolster security on

¹² The attack targeted young Kurdish and Turkish activists intending to cross into Syria and help rebuild Kobane – a Kurdish majority town located six miles from the Turkish-Syrian border and devastated by ISIL (Bulos, 2015). The attack was followed by the murder of two Turkish police officers in the town of Ceylanpınar which was described as PKK “retaliation” for Suruc (Bulos, 2015).

several border crossing, including Girmeli, Kamışlı, Mürşitpınar, and Cizre (The New Turkey, 2015). This plan includes a more sophisticated "Risk Analysis Unit" to be established at custom gates and transportation centers (Anadolu Agency, 2015). Furthermore, the armed forces have also sped up the militarization process by deploying more personnel, drones and reconnaissance aircraft on the Syrian border (Anadolu Agency, 2015; "Turkey reinforces border", 2015)¹³. Most worryingly, in the "war on terror", the government decided to build a "modular wall" on the Syrian border under the so-called "Border Physical Security System" project. The wall is estimated to be about 150 km and "can be broken up and reassembled elsewhere" ("Turkey reinforces border", 2015). It will be complemented by a flood-lighting to be installed along a 118 km stretch ("Turkey reinforces border", 2015), and "surveillance balloons, thermal cameras and motion sensors" (Erkuş, 2015)¹⁴. The military also started to dig additional ditches along the border (Erkuş, 2015). Bülent Arınç, Deputy Prime Minister, stated that the wall will be against the ISIL militants; but he further added that:

"According to the information given by Chief of The Army Hulusi Akar and Minister of National Defense Vecdi Gönül and senior military officers, our risk factors include smugglers, refugees and terrorists...Critical regions of Turkey-Syria border were detected. With the help of all technological devices, an Integrated Border Security System will be built" ("Deputy PM Arınç", 2015).

Even though Bülent Arınç underlined that these measures would not affect the arrivals of refugees (Anadolu Agency, 2015), it is not detailed how people fleeing ISIL or Syrian regime can find a way to enter Turkey under such a militarized border structure. This security architecture will likely to mean that thousands of people can be trapped in the conflict without any means to cross the borders. Furthermore, the fight against "terrorism" is likely to privilege "national" security concerns over humanitarian concerns regarding refugees.

Conclusion

The article illustrates that critical border studies approach has provided important insights in understanding the changing dynamics of Turkey's border control regime as well as in questioning Turkey's "open door" policy towards refugees from Syria. It is argued that while Turkey's "open door" policy and efforts to accommodate the refugees are fundamental, the actual situation suggests that there are crucial problems concerning the safety of refugees trying to cross the border. The exclusionary and selective approach

¹³ According to Anadolu Agency, "currently, half of the 40.000 soldiers who are protecting the country's borders are working on the Syrian border, and half of the armored vehicles and 90 percent of unmanned air vehicles and manned exploration aircraft belonging to the border units have been sent there" (Anadolu Agency, 2015).

¹⁴ It is stated that compare to the drones, surveillance balloons, which are planned to be bought from the U.S., have the advantage of "staying stationary in the air and at higher attitudes, thereby covering a greater area" (Erkuş, 2015).

in admitting refugees as well the militarized and technologized practices are not in conformity with the principle of *non-refoulement* as they are preventing people from seeking protection. More strikingly, as documented by various reports, these practices force refugees to use dangerous routes and to resort to human smugglers. The latest strategy of Turkey for enhancing security along the border with Syria for counter-terrorism purposes is likely to contribute these problems by securitizing refugee issue further. In other words, the convergence of migration practices with that of counter-terrorism will have a devastating impact on refugees trying to leave Syria to seek asylum in Turkey. Instead of this securitarian approach, in all its dealings, Turkey must ensure the *non-refoulement* principle, meaning that all refugees regardless of their *ethnicity, religion and gender* are not being sent back to persecution. It is also necessary to guarantee that authorities responsible for border controls shall be sufficiently trained in refugee protection. Furthermore, lack of transparency regarding border control practices should be provided and the necessary monitoring system and safeguards should be established.

However, it is becoming clearer that as the conflict in Syria continues and number of refugees grows in the region, Turkey face more difficulties in accommodating refugees in a humanitarian way. The international community, especially the EU and other “developed” countries, should also take responsibility and open their “borders” to people seeking asylum. The securitarian border control practices characterizing the EU’s migration policies seemingly contribute to the human tragedies across the Mediterranean. Not only refugees from Syria but also people from other war-torn and conflict ridden African and Middle Eastern countries risk their lives on a daily basis as they attempt to reach Europe. These people are reported with “no faces and no names”, but just “numbered” and “received” in camps (van Houtum & Boedeltje, 2009: 228). To put an end to these tragedies, Turkey and other countries have to revisit and revise their migration regimes and border control practices in compliance with the human rights of refugees and prioritize humanitarian approach over security concerns.

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