

T.C.

UNIVERSITY OF GAZİANTEP

INSTITUTE FOR MIGRATION

DEPARTMENT OF MIGRATION STUDIES

**A COMPARATIVE OVERVIEW OF MIGRATION
POLICIES: EXPERIENCES OF GERMANY AND
TÜRKİYE**

MASTER'S THESIS

Hicran TÜTÜNCÜ

Supervisor: Prof. Dr. Yücel KARADAŞ

Gaziantep

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GAZİANTEP ÜNİVERSİTESİ
GÖÇ ENSTİTÜSÜ
GÖÇ ÇALIŞMALARI ANA BİLİM DALI

**GÖÇ POLİTİKALARINA KARŞILAŞTIRMALI
BİR BAKIŞ: ALMANYA VE TÜRKİYE DENEYİMLERİ**

YÜKSEK LİSANS TEZİ

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Gaziantep

Ekim, 2023

ETHICAL DECLARATION

I declare that I have complied with scientific and ethical principles during the thesis writing process, that I have cited all sources I have used in the bibliography in accordance with the principles of citation, and that all statements other than these sections are my own.

HİCRAN TÜTÜNCÜ

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October, 2023

ABSTRACT

A COMPARATIVE OVERVIEW OF MIGRATION POLICIES: EXPERIENCES OF GERMANY AND TÜRKİYE

TÜTÜNCÜ, Hicran

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Immigration and migration have been one of the issues that many countries attach importance to from past to present. The passage of time and the change in the subject or issues experienced or caused have not caused migration and migration to lose their meaning, on the contrary, they have caused it to come to the agenda again in different shapes and forms. The Syrian Civil War, which started in 2011, and its effects are one of the most current examples of this situation. Syrians who had to leave their country due to the civil war took refuge in different countries of the world with different statuses. Although this interaction was in terms of cultural and social relations within the framework of abstract concepts, it was also in terms of housing and workplace within the framework of concrete concepts.

The aim of this study is to reveal the migration policies of Turkey and Germany and to compare the last five-year period in terms of Syrians. The main hypothesis of the research is; While refugees provide access to housing, labor force and other needs within the framework of the legal responsibility of local governments and the voluntariness of non-governmental organizations in Germany; In Turkey, refugees meet these needs with the initiative of local governments and the voluntary services of non-governmental organizations. Within the scope of the research, firstly, the immigration policies of Türkiye and Germany were compared on a national scale.

Keywords: Migration, Türkiye, Politics, Germany

ÖZET

GÖÇ POLİTİKALARINA KARŞILAŞTIRMALI BİR BAKIŞ: ALMANYA VE TÜRKİYE DENEYİMLERİ

TÜTÜNCÜ, Hicran

Yüksek Lisans Tezi, Göç Çalışmaları Anabilim Dalı

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Göç ve göçmenlik, geçmişten günümüze birçok ülkenin önem verdiği konulardan biri olmuştur. Zamanın ilerlemesi, yaşanan ya da neden olunan konu veya konuların değişmesi göç ve göçmenliğin anlamının yitirilmesine neden olmamış bilakis farklı şekil ve formlarda yeniden gündeme gelmesine neden olmuştur. 2011 yılında başlayan Suriye İç Savaşı ve sonuçları ise bugün bu durumun en güncel örneklerden biridir. İç savaş nedeniyle ülkelerini terk etmek zorunda kalan Suriyeliler dünyanın farklı ülkelerine farklı statülerle sığınmışlardır. Bu etkileşim, her ne kadar soyut kavramlar çerçevesinde kültürel ve sosyal ilişkiler açısından olsa da bir o kadar da somut kavramlar çerçevesinde konut ve işyeri açısından da olmuştur. Bu çalışmanın amacı Türkiye ve Almanya'nın göç politikalarını ortaya koymak ve son beş yıllık süreci Suriyeliler açısından karşılaştırmaktır. Araştırmanın temel hipotezi; sığınmacılar konuta, işgücüne ve diğer ihtiyaçlara erişimini Almanya'da yerel yönetimlerin yasal sorumluluğu ve sivil toplum örgütlerinin gönüllüğü çerçevesinde sağlarken; Türkiye'de sığınmacılar bu ihtiyaçlarını yerel yönetimlerin inisiyatifi ve sivil toplum kuruluşlarının gönüllü hizmetleri ile gidermektedirler. Araştırma kapsamında ilk olarak ulusal ölçekte Türkiye ve Almanya göç politikaları karşılaştırılmıştır. Karşılaştırmada; iki ülkenin hukuki yapısına, belirlenmiş göç istatistiklerine, ülkelerin Suriyeli sığınmacılara yönelik politikalarına yer verilmiştir.

Anahtar Kelimeler: Göç, Türkiye, Politika, Almanya

ACKNOWLEDGEMENT

This study focuses on policies, especially in the theoretical part of the migration process, and aims to compare programmed migration and Germany, one of the countries that manage migration most accurately in the world, and Türkiye, one of the countries that receive the most irregular migration in the world, and examine what the right policies can be. My work was shaped in the light of scientific arguments thanks to his guidance and support, and he was always tolerant and understanding, so I owe a great debt of gratitude to my supervisor Prof. Dr. Yücel KARADAŞ, for sharing his wealth of knowledge and experience with me throughout the entire process of planning. I would like to express my gratitude to the invaluable jury members Assoc. Prof. Dr. Levent YIKICI and Asst. Prof. Dr. Deniz CENGİZ for their understanding, interest and contribution, and I would like to express my endless thanks. I can't thank enough my precious family for their unfailing support at every stage of my life and throughout my work, which made me happy with their presence and always felt by my side. In addition, I would like to thank my dearest friends, who have always been by my side, who burdened me with all my stress and tiredness during this work.

October, 2023

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INTRODUCTION

Migration is one of the most common phenomena in the history of humanity since the ancient times when civilizations were founded. Societies have undergone constant change due to political, socio-economic, cultural and natural events and developmental changes from past to present. Although migration of individuals as a social unit dates back to ancient times, the importance of migration increased in the 19th century. Although migration only changes the demographic structure in pre-modern societies, it has gained an international character in industrial societies. The Syrian flood that marked the 21st century is one of the largest international migration movements since the Second World War (Canatan, 2020, p. 39). Although there are many different types of migration (legal, illegal, etc.), two basic definitions can be made as legal and illegal migration. Regular migration is a migration carried out within the framework of the legal norms of sending, transit and receiving countries. Illegal migration, although there is no clear definition, can be defined as migration in cases where the legal regulations of sending, transit and receiving countries cannot be fulfilled (1,2). Migration is a concept as old as human history. The definitions of migrant and refugee are not used interchangeably. While migrants are people who act according to the laws that increase their living standards, refugees are people who have to relocate due to human rights violations such as war, persecution and conflict (1). According to the 2022 report of the International Organization for Migration (IOM), 3.6% of the world population (approximately 281 million people) will be migrants in 2020. Of these, 89.4 million were forced into exile. According to a 1970 IOM report, this percentage increased from 2.3 percent to 3.6 percent in 2020. The number of migrants in the world has increased over time. The United Nations' European region now has the largest number of migrants in the world (87 million), followed by Asia

with 86 million migrants. 4 percent of the world's migrants live in Europe and Asia [3]. In 1951, the Republic of Türkiye signed the 1967 Additional Protocol to the Geneva Convention Relating to the Status of Refugees and Geographical Limitations and the agreement on the admission of "refugees" from European countries only (Bozbeyoğlu, 2015, pp. 64-67). A refugee is a person who leaves his/her place of birth and settles in another place or country for security reasons such as war and conflicts. Therefore, refugees were initially defined as people who moved from Syria to Türkiye due to the war. However, the ongoing civil unrest in Syria, the large increase in the number of arrivals and the lack of opportunity to return to Syria necessitated a new definition of status. As a result, Türkiye's temporary protection regulation was published in the official gazette on October 22, 2014 and entered into force, granting temporary protection status to those fleeing the Syrian civil war (Bozbeyoğlu, 2015, p.71). After being granted temporary protection, Syrians started to stay in Türkiye as guests and their needs such as health, clothing, food, education were taken care of in shelters until the end of the war in their country (Seydi, 2014, p. 268, p. Dillioğlu, 2015, p. 4). Despite not having a land border with Syria, Germany, in addition to being a country of destination for migrants, has added a new one to its open-door policy, which it carries out for both humanitarian and economic reasons. Refugees' needs in many areas such as shelter, education and health are met in Germany. The aim of this study is to compare the migration policies of Türkiye and Germany. Within the scope of the research, the concept of migration, migration theories, Türkiye's migration policy and Germany's migration policy were investigated using concepts such as health, education and employment.

CHAPTER I

CONCEPT OF MIGRATION

1.1. Definition and Characteristics of Migration

Migration refers to a spatial change involving geographical displacement (Keeley, 2009, p. 12) and it is generally defined as a permanent or semi-permanent change of residence (Lee, 1966, p. 49). Migration is a population movement that causes economic, political, social and cultural changes in the social structure as a result of physical mobility (Ortaylı, 2005) and has the power of collective action that can change the entire social structure. Migration has migration receiving and migration providing regions (Castles et al., 2014, p. 25). The main feature of migration is that it is based on spatial variability. According to the International Organization for Migration (IOM, 2009, p. 22), migration is defined as the process of crossing an international border or relocation, regardless of its duration, nature and cause. Likewise, according to Faist (2003, p. 41), migration is a permanent or semi-permanent change of residence, usually outside administrative borders. Migration takes place on the basis of a spatial displacement and the nature of migration depends on the nature of the spatial change (which may be voluntary or forced) and its duration. Migration is defined as "internal migration" if it takes place within the borders of a country and "external migration" if it takes place outside the borders of that country. Internal migration can be divided into subcategories such as seasonal migration, permanent migration, labor migration and forced migration; external migration can be divided into subcategories such as brain drain, labor migration and exchange migration (Koçak and Terzi, 2012, p. 169).

Migration is considered "forced" if it is carried out for compulsory reasons such as war, natural disasters and exile, and "voluntary" if it is carried out to improve living conditions (Yılmaz, 2014, p. 1687). Finally, migration is defined as "permanent" if it is intended not to return, and "temporary" if it takes place within a certain period of time (Ekinci, 2008, p. 25-6). Migration can also be economically motivated or related to whether there are compelling factors for migration. Those who had to flee to a different and safer country or region as a result of civil war had to relocate in order to survive. Economic migration can be temporary or permanent, or in the form of guest work or expatriate work. Whether migration is temporary or permanent may vary depending on the circumstances and the places that can be accessed, and it may become a permanent situation for a limited period of time or for a lifetime and for future generations (Adıgüzel, 2022, p. 22-23). This situation may also be related to the economic reasons that cause migration or whether there are compelling factors for migration. Those who had to flee to a different and safer country or region as a result of civil war had to relocate in order to survive. Economic migration can take the form of temporary or permanent migration, guest work or expatriate work. Whether migrants are temporary or permanent may vary depending on the circumstances and the places that are accessible, and may be for a limited period of time or for life, and may even become a permanent situation for future generations (Adıgüzel, 2022, p. 22-23). In the historical context, it can be said that migration has consisted of five distinct waves. The first wave of migration took place between the 17th century and the end of the First World War. The second wave took place between the 17th and 18th centuries and it was carried out by European merchants who transported slaves, servants and laborers from West Africa after the end of slavery. The third wave includes forced migration as a result of the population homogenization policies of nation-states, notably the Habsburg and Ottoman Empires. The fourth wave begins after World War II and it is related to the internal conflicts that emerged as a result of the measures taken by the colonial states for surveillance purposes. In the fifth wave, which emerged simultaneously with the fourth wave of migration, migration from oil-producing countries to the United States, Western Europe and the Middle East was attempted for energy consumption. According to Castles and Miller, migration considerations need to continue to be updated as there is a need to focus on integrating

migration into the contemporary period. In this context, migration movements would cause the following:

- They will affect more countries due to globalization,
- They will lead to an acceleration of international migration flows,
- Migrants and children of migrants will be differentiated by their complex appearance,
- They will have a feminine nature,

They will be increasingly politicized because of image and security issues.

1.2. Concepts Related to Migration

There are differences between migrants and refugees as they have different statuses. Refugees cannot benefit from the protection of their home countries due to their difficult situations, while migrants continue to benefit from the protection of their home countries. Therefore, when refugees seek international protection, they should be admitted to the countries where they seek international protection and be provided access to international protection processes, which will prevent them from being persecuted (1)

International Protection: The 1951 Geneva Convention and its 1967 Protocol are the main legal instruments concerning individuals seeking international protection and their rights. However, when Türkiye signed the Convention in 1951, it recognized the concept of refugee only "as a result of an event occurring in Europe". Therefore, our country only recognizes refugee status for persons arriving as a result of events in Europe. However, despite this limitation, our country also provides international protection to those who apply as a result of events outside Europe. Our country regulates this situation with the concepts of "refugee" and "conditional refugee" in the national legislation (1,9).

Refugee (Article 61 of the JUKK): Refugee means a foreigner or stateless person who is outside his/her country of nationality and does not benefit from the protection of that country or does not want to benefit from it due to fear. A refugee is a person who is unable or unwilling to return to his/her country of residence after status determination procedures due to such fear (1,9).

Conditional refugee (Article 62 of the LFIP): A conditional refugee status is granted to a foreigner

who is outside his/her country of nationality and does not benefit from the protection of Türkiye because of a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion as a result of events occurring outside European countries, or to a stateless person who, as a result of such events, is outside his/her country of former residence and is unable or unwilling to return to it. Conditional refugees are allowed to stay in Türkiye until they are resettled in a third country (1.9). Temporary protection (Article 91 of the LFIP and Article 3 of the Temporary Protection Regulation): Migrants who are forced to leave the country, who are unable to return to the country they left, who come to or cross our borders in groups or individually for emergency and temporary protection cannot apply for international protection to be considered individually. Temporary protection is a practical solution in the event of mass migration and grants certain rights to people arriving in groups regular at national borders as part of countries' non-refoulement obligations. The main objective is to prevent people from returning to their places of persecution and to enable them to access safe countries to meet their basic needs and urgent humanitarian needs (1,9).

1.2.1. Regular (Legal) Migration

When migrants migrate to another country for education, work and other purposes by obtaining a visa or residence permit, this is called regular migration (Erdoğan, 2017, p. 19). Throughout the history of migration, Türkiye has been subjected to regular but limited influx of migrants. However, since the second half of the 1990s, there has been a migration of individuals who do not have the same ethnic identity. Within the scope of this type of migration, citizens from Europe and the former Soviet geography entered the country by obtaining visas or legally (İçduygu, 2015, p. 287). It is an important factor for regular migration that people migrate to developed countries by obtaining work permits in order to reach a better life level and increase their income (Güzel, 2020, p. 66). In regular migration, after the application of the individual to the country of destination, he/she can enter that country with the approval of the state. The United States of America admits thousands of workers to the country every year through the quota system. Germany has implemented the guest worker system to close the labor shortage (Naz, 2015, p. 26). According to İçduygu (2015), "The estimate of the police on this issue is that there were approximately

180,000 foreigners with residence permits in Türkiye in 2005. Of these, 12 percent stayed with work permits and 14 percent with student visas" (İçduygu, 2015, p. 287). The number of migrants with visa exemptions is increasing. The main criterion for regular migration is the agreements between the two states and legal migration. Migration is done with Türkiye's permission, whether under pressure or voluntarily (Adıgüzel, 2020, p. 81). Throughout the history of the Turkish Republic, migration to Türkiye has been analyzed in three periods: between 1923-45, between 1945-80 and after 1980 (Adıgüzel, 2020, p. 81). Until 1990, Turkish and Muslim immigrants flocked to Türkiye. However, after the collapse of the Soviet Union, Türkiye became a destination country for those coming from Eastern Europe and CIS countries to work (Adıgüzel, 2020, p. 87). States have provided various visa exemptions and residence facilities in order to attract qualified personnel to their countries and ensure regular migration. One of these is the Blue Card application introduced by the EU. The EU meets the need for highly skilled personnel in sectors where it suffers from shortages through this practice. It also facilitated the EU's regular migration strategy as it regulated the social rights of workers. However, after the application did not yield good results, the EU created new and variable methods for employees. Regarding this issue, some improvements have been made regarding the entry conditions and adaptation of skilled workers (Özdal and Vardar, 2018, p. 18-19). There is an uneven balance in the effects and distribution of migrants in the world. Today, many immigrants are illegal and those who come to the country as illegal immigrants prefer to stay in the country illegally. The impossibility of legal migration or legal immigration has a major impact on this. The fact that legal migration channels are very limited and incentives are insufficient has encouraged illegal migration and as a result, migration movements have become illegalem (Özgöker and Doğan, 2019, p. 6).

1.2.2. Irregular (Illegal) Migration

Irregular migration is a general definition of human mobility across borders that states cannot control or monitor. This definition does not only refer to human trafficking. It is a general concept that includes many phenomena including human trafficking of legal and illegal migrants by overstaying visas or crossing borders (Topçuoğlu, 2018, p. 501). When an individual leaves his/her country and enters a crossroads country or arrives at a destination country, he/she can be defined in

accordance or non-compliance with the laws of these states. For this reason, today, migration in the form of transit and asylum-seeker flows is called irregular migration because a population mass in uncertainty changes the political and social structure of the country they come from (Şanlıöz, 2016, p. 140). According to Alakuş and Uzan (2020), irregular migration is not only about crossing borders legally or crossing borders illegally. While crossing borders between countries, an individual may become an irregular migrant after a certain period of time. Therefore, even if the individual applies for asylum, his/her status will not change. Some irregular migrants encounter traffickers due to their fugitive status (Alakuş and Uzan, 2020, p. 96). According to Naz (2015), irregular migration takes place in three stages. First, the person applies for illegal migration without being involved in a criminal network. Recently, "human smuggling" or "human trafficking" organized by criminal networks has turned into an illegitimate method of entering the country. It is estimated that 800,000 individuals have crossed the border due to human trafficking, which is one of the major problems (Naz, 2015, p. 27). While control-based illegal migration policies increase rather than decrease illegal migration, migrants are forced to cooperate with smugglers and become victims of crimes such as human trafficking and forced labor (before and after migration). Explaining this migration movement only in order to benefit from the transportation and communication opportunities offered by globalization and to obtain a better life that is not available in the source states will not be sufficient considering the multidimensional and complex structure of the migration phenomenon. Especially after the Cold War, irregular migration movements increased at a high level due to the social security that replaced the military security concept (Karaçay, 2005, p. 302-303). People try various situations to enter a third country to find shelter there and overcome visa barriers. With the expansion of border controls, individuals are targeted by human trafficking networks and many people die while crossing the border. Thousands of people resort to illegal routes even though they know that migration routes are not safe. Although it is difficult to detect undocumented migration, those trying to cross borders illegally most often choose the sea route. Of the 1.8 million people who tried to cross illegally into the EU in 2015, 1 million chose the sea route. The high level of irregular migration has prompted the EU to take new measures. The fact that migrants use Anatolia as a transit destination has caused Türkiye to be directly affected by the measures to be taken (Aydın, 2016, p. 120).

Drammeh (2017) explains the increase in irregular migration as follows:

"About 10-20 percent of all international migrants, 214 million in 2010, may have illegal status. According to other data, 214 million people are international migrants, about 3 percent of the world population. About 10 million people from all over the world have moved abroad and in 2007, 30-40 percent of them were granted asylum. This migration later turned out to be irregular. According to the latest estimate of net global migration, there were about 50 million illegal migrants and a significant proportion of whom used smuggling services to reach their destination (Drammeh,2017, p. 11-12).

Irregular migration, which is one of the challenges faced by rich countries, brings to mind the idea that migrants from poor countries will invade the destination country. However, this is an incomplete idea. It is known that there are significant migration flows between poor countries as well, and most of them involve irregular migrants. Individuals in rich countries may also be illegal migrants, but they do not take the same risks and are not stigmatized in the same way. Europeans living in other EU countries are not seen as illegal migrants when they need to register their new place of residence (Bartram et al., 2019, p. 315).

While European states are exposed to irregular migration, countries bordering the EU, such as Türkiye, have experienced irregular migration flows as both destination and transit countries. Today, among the migration receiving/sending regions, Türkiye shows changing trends in the quantitative and qualitative characteristics of irregular migration waves (İçduygu, 2015, p. 279). According to İçduygu (2015), the number of migrants arriving in Türkiye in the 2000s was around 225.000. While approximately 150.000 of this number entered legally, 70.000 are considered irregular migrants as they are illegal. In the 2010s, the number of migrants arriving was 235.000. While 175.000 of the migrants are considered regular migrants, an average of 50.000 are considered irregular migrants (İçduygu, 2015, p. 280). As Geyik points out, the number of irregular migrants was 146.485 in 2015, 174.466 in 2016 and 175.752 in 2017. Therefore, irregular migrants apprehended in Türkiye constitute a significant segment of the population (Geyik, 2018, p. 145). In recent years, Western countries have shown interest in attracting skilled people to traditionally immigrant countries such as the US, Canada and Australia. Although economic growth is painful, attractive policies are being developed to attract qualified

people to Türkiye and to attract individuals who are abroad to return. Institutions such as TÜBİTAK, TÜBA and the Presidency for Turks Abroad and Related Communities are acting in cooperation to reduce the costs of irregular migration. With the Law No. 6458 on Foreigners and International Protection, which entered into force in 2013, it is known that regulations have been made paving the way for migrants and students living in the country to stay in Türkiye (Kaya, 2015, p. 21). Today, as migrants enter the destination country unregistered, this situation is met with fear by the receiving countries. Especially due to the increasing terrorist groups in the unstable region, the masses crossing the borders unregistered are evaluated in the context of security. Strict measures are implemented at the border and these practices alienate asylum seekers and refugees from the society of the destination country, leading to further radicalization and opposition to social integration. Therefore, national and individual security concerns have become a vicious circle with irregular migration (Aytaç, 2020, p. 47).

1.2.2.1. Irregular (Illegal) Migrants, Refugees and Asylum Seekers

A migrant is a person who voluntarily leaves his/her place of residence or country due to an unsatisfactory economic or social environment and resides legally or illegally in another country (Aygül & Eke, 2018, pp. 237-238). According to the definition of the International Organization for Migration, the concept of migrant covers situations where the person concerned decides to migrate voluntarily for personal comfort without any external obligation. A migrant is a person who voluntarily leaves his/her country for socio-cultural or economic reasons such as education and work, not for fear of repression. Moreover, migrants continue to benefit from the protection of their country of origin even if they leave their homeland (Turkish Red Crescent Migration Statistics Report, 2017, p.3). Refugee is a concept given to foreign nationals under international protection in Türkiye. The concept of refugee is of Arabic origin and it is derived from the verb 'asylum'. Refugee refers to a status granted to a person or persons who is, for any reason (civil war, ethnic conflict, sectarian conflict, different religious and political opinions, etc.), unable to live independently of their race and religion because of fear in the place where they reside or where they were born and raised, who are subjected to all kinds of persecution or fear of being killed, who cannot benefit from the protection of the country in any way

and who do not want to return to their country, flee to another country and demand to live in that country (Bulut & Akin, 2020, p.12). Asylum-seeker is the name given to people who have not yet benefited from international protection or have not officially gained refugee status. This concept is especially used to refer to people who have applied for refugee status and are waiting for a decision by the government. Even if their status is not officially recognized, asylum-seekers cannot be forcibly returned to their home country and their rights must be protected. An asylum-seeker is a refugee when he or she meets the definition set out in the 1951 Geneva Convention, and refugee status is basically self-declared as it usually occurs before it is formally granted. When a fair asylum procedure is applied and a decision is made that an asylum-seeker is not a refugee, he or she can be returned to his or her home country, provided that he or she complies with international human rights standards (Migration Statistics Report, 2017, p.2). Similarly, an asylum-seeker who is a refugee is a person who leaves his/her country of residence and seeks refuge in another country for different reasons. Even if the asylum-seeker identifies himself/herself as a refugee in terms of status, he/she is a person who has not yet been granted refugee status by the government or authorities of the country of asylum.

1.3. Migration Theories

According to many disciplines, there has been no theoretical breakthrough in migration studies. Although there are many empirical studies in this field, they are often not related to migration theory or they are used to confirm existing theoretical propositions rather than to test, question and develop them. There are many theoretical models and perspectives on the determinants of migration, and these models are often developed on the basis of specific empirical findings, making them isolated and separated by disciplinary boundaries. Although contemporary migration literature offers different hypotheses on this issue, the literature suggests that these theoretical approaches should be seen as complementary rather than mutually exclusive.

1.3.1. Ravenstein's Migration Laws

The seven laws set out by Ravenstein in his article *The Laws of Migration* are summarized below (Ravenstein, 1885): Migrants mostly migrate short distances. The direction of migration flows is towards large commercial and industrial centers. As a

natural consequence of migration, there is a limited movement between settlements but a widespread movement throughout the country. This mobility spreads throughout the country as rural areas are emptied and these areas are filled by people coming from distant regions. This process of diffusion is in contrast to the process that attracts migration, but at the same time it is similar to it. Each flow initiates a counterflow to balance itself. Long-distance travelers usually prefer large commercial or industrial centers. People living in rural areas are more likely to move than those living in cities. Women move shorter distances than men. Men are more likely to migrate long distances. Ravenstein's study is the first comprehensive theoretical explanation of migration and it is considered as a pioneer in the development of subsequent migration theories. Today, however, it is recognized that this model alone is not sufficient to understand the complexity of the migration phenomenon. While early migration studies agreed that migrants tended to make short journeys, later studies considered population mobility in terms of both opportunity and distance. Stouffer, who introduced a new theoretical approach to the mathematical explanation of migration, declared that conceptual and empirical analyses that do not take distance into account are ineffective. Emphasizing that the attractive effects of cities should be evaluated together with migration, Stouffer introduced the concept of "intersection of opportunities". According to this concept, when a person moves from area X to a house in area Y, there should be a place for that person to fill. With the concept of 'intersection of opportunities', Stouffer stated that the factor affecting the decision to move is the distance to move.

1.3.2. Everett Lee's Theory of Migration

In Lee's study, it was stated that migration movements are based on push and pull factors and that the factors at the origin and destination points have a significant impact on the migration decision (Çağlayan, 2006). Lee summarized the factors that are effective in migration under four headings as factors related to the point of origin, factors related to the destination, obstacles and individual factors (Lee, 1969, p. 285). It is stated that factors which are divided into three categories as positive, negative and neutral affect migration and they can be defined differently for each individual. Likewise, it is emphasized that positive and negative factors affect different individuals differently at origin and destination points. In this context, it is explained

with examples that the migration environment is not attractive or repulsive for everyone in the same way, and that it changes with the influence of individual factors. Lee's study reshaped Ravenstein's migration laws by adding hypotheses about the volume of migration, the development of flows and the characteristics of migrants. This work contributed to a more analytical approach to migration research (Lewis, 1982, p. 22).

1.3.3. Petersen's Types of Migration

Another researcher who made comprehensive migration estimates was W. Peterson. Peterson (1958) argued that the reasons affecting the decision to move are not only due to push-pull factors but also to individual and social factors. Peterson argued that the theoretical frameworks used in migration studies are too simplistic due to the tendency to define rather than analyze, and that generalizations are made based on limited data. In his study, he stated that he attempted to develop a general theory of migration that would combine detailed analyses of internal and external migration. Peterson started his study on the basis of the generalization already made by Fairchild with the question "If everyone is inherently sedentary (or mobile), why do some people migrate and others do not?". He shaped his classification of migration in a way that distinguishes the push-pull polarity depending on whether the migration movement is innovative or conservative and includes the migration aspirations of individuals. In this context, he defined five types of migration based on individual and class differences, which have an important place in the sociology of migration (Peterson, 1970, p. 55-65).

1.3.4. Neo-Classical Theory

According to the neoclassical theory, migration occurs in line with the differences in returns to labor and it is observed that push-pull factors as well as individual and social factors are effective. This theory, developed by Lewis (1954), Todaro (1969) and Harris and Todaro (1970), emphasized the actual wage differentials that emerge in the process of economic development to explain the migration process. Neoclassical theory predicts a linear relationship between wage differentials and geographical differences in labor supply and demand. Extended neoclassical models, on the other hand, state that the migration decision is shaped by expected returns. It is

stated that migrating individuals are associated with costs and migration patterns are related to the level of welfare. Neoclassical theory has been criticized in this regard and it has been stated that it is a theory in which various corrections have been made to better understand the reality of migration. In addition, human capital theory has also been linked to individual choice at the micro level regarding migration. Migration is considered as an investment that increases the income of the individual. When making the decision to migrate, it is considered as an important criterion that the benefits of migration exceed the costs. Neoclassical theory has been criticized for its mechanistic approach to migration, ignoring market imperfections and homogenizing migrants and migrant communities.

1.3.5. New Economic Theory

This theory, developed by O. Stark, is an approach based on the neoclassical tradition that introduces a new level of analysis of migration factors. This theory focuses on interdependence instead of individual independence in migration research and emphasizes the role of the migrant's family in the migration process. It argues that the family or household makes migration decisions. Previous studies have also emphasized the impact of households on migration decisions. The new economic theory, on the other hand, accepts that the migration decision is made by the household, but goes one step further and argues that family members do not move together, but one or more of them are sent as migrants. According to this theory, households maximize their joint income and prestige by minimizing their own risks. Migrants' decisions are influenced by a number of factors besides conditions in their home countries. Moreover, the migration process is not only driven by wage differentials but also by various factors such as insecurity, relative poverty, risk reduction/sharing and differentiation of income sources. This theory is the only one that explicitly links the migration decision and migration outcomes to the material values that migrants send to their households.

1.3.6. Segmented Labor Market Theory

This theory brings a new level of analysis to the determinants of migration by questioning the neoclassical tradition based on the global labor market where various sub-markets exist. It argues that there are different types of jobs and different groups

of jobs are occupied in the primary and secondary structures of the labor market. While in the primary market there are creative jobs initiated by the employee with a permanent employment relationship, in the secondary market there are jobs with poor working conditions, unskilled labor and little experience. The dual labor market theory is the most controversial view of neoclassical interpretations of the labor market. This theory states that international migration is driven by the demand for labor in modern industrial societies. The theory explains the transfer process in terms of demand. According to the dual labor market theory, developed economies have a stratified labor structure and a dual model of economic organization. According to this theory, migration is driven by labor demand conditions. Migrants' demand for chronic low-wage work is the driving force behind migration. This theory explains the migration trends in Europe and the United States in the post-war period. However, its scope is limited as it does not analyze the migration decision in depth. It does, however, provide an explanation for the coexistence of structural unemployment and chronic labor demand for migrants.

1.3.7. World Systems (Center-Periphery) Theory

This theory is also called the "dependency school" or "world system theory" and it was developed by thinkers such as Samir Amin, Immanuel Wallerstein and Andre Gunder Frank. This theory argues that labor migration has become part of the world capitalist system. Labor migration is caused by the inequality between the center countries and the less developed periphery countries. According to this theory, when capitalist networks in the center begin to penetrate the peripheral structures of non-capitalist societies, the population of the periphery begins to migrate. In this system of dependency, central countries demand cheap labor, raw materials and market opportunities for their products from peripheral countries. Peripheral countries, in turn, need core countries to develop and increase their economic prosperity. This creates interdependence. Since international migration is determined by market dynamics and global economic structures, it is little affected by employment or wage differentials between countries. Central countries use the labor force of peripheral countries to reduce production costs. However, with the progress of economic globalization, it is seen that instead of cheap labor being directed to the central countries, capital is directed to low-cost countries. World system theory has been criticized for not only

seeing the interests of capital as a determining factor, but also for placing too much emphasis on the structural elements of globalization that shape international migration, and for not sufficiently taking into account the motivations and actions of the groups involved in migration.

1.3.8. Migration Systems Theory

This theory envisages the existence of two or more countries in which a migration system or network of relations is formed as a result of the exchange of migrants. Migrations are born based on relationships that existed before the migration. The basic premise of this theory, pioneered by Mabogunje, is that the social, cultural, economic and institutional conditions of the origin and destination of migration have changed and that a unique space of development has emerged as a result of the migration process. Emphasizing international relations, economics, collective action and institutional elements, this theory is used to analyze regional migration movements. International migration is said to occur mainly between colonial countries and their former colonies. An international migration system is usually centered on a receiving region or group of countries, around which there are a number of sending countries linked to different levels of migration flows. An interesting hypothesis of this theory is that geographical proximity between countries does not matter, as migration flows are the result of economic and political relations between countries. While physical proximity may be a facilitating factor in shaping exchange relations, it is not a guarantor of these relations or a factor preventing their emergence. Another important hypothesis of migration systems theory is that a country can be part of more than one migration system. However, this situation is more common in receiving countries than in sending countries.

1.3.9. Migrant Relations Network Theory

This theory focuses on the network of relationships between migrants as a factor affecting international labor migration. Network theory focuses on the variables that influence the continuation of migration over time and space rather than the variables that initiate migration. The network of migrant relations is formed by ties based on common origin, ancestry and friendship between former migrants, new migrants and non-migrants in their new countries of settlement. The existence of these

relational networks is one of the factors that encourage international migration. These ties are regarded as a form of social capital for people, providing resources that can be tapped when needed for help or employment. Over time, these networks spread to other layers of sending countries and contribute to sustaining migration flows. Network theory helps to explain why migration continues despite factors such as wage differentials or employment policies. In this system, as the costs and risks of migration decrease, the importance of wage differentials diminishes and the existence of a network of relationships influences migrants' decisions and location choices.

1.3.10. Cumulative Causality Theory

This theory performs a temporal analysis and it was developed by Massey. It is conceptually similar to migration system theory. Its main argument is that migration is self-sustaining once it starts and becomes more frequent over time. Migration describes this dynamic as well as self-sustaining factors. According to this theory, migration networks are the most important factor affecting migration. Also, the emerging migration culture is characterized by the continuous distribution of human capital and the specification of specific tasks that only migrants perform. According to this theory, the larger the migration, the higher the probability of continued migration in the future. Obviously, migration will not last forever. At some point migrant networks reach saturation and the sending country faces a labor shortage. At this point, migration starts to decline and the aggregate migration curve takes the shape of an inverted U. While this theory effectively explains the persistence of migration, it cannot adequately explain the underlying mechanisms of migration or the deterioration of migration systems over time.

CHAPTER II

MIGRATION POLICIES OF TÜRKİYE

2.1. Migration Policies of Türkiye

Türkiye is a dynamic country in terms of migration and it has never lost this dynamism during the Ottoman Empire and after the Republic. In response to the 2011 mass migration from Syria, which was characterized as the largest migration wave in history, Türkiye has witnessed the phenomenon of migration throughout the history of the empire and the republic. Therefore, it is important to look at Türkiye's migration history and migration policies to understand today's migration policy and migration experience. As an immigration receiving country, Türkiye has a migration history of nearly a thousand years, starting with the migrations from Central Asia to Anatolia (Table 1). Migration to Türkiye has not been limited to a single region, but it has received migrants from all borders throughout history and its current multicultural structure has emerged. Although the phenomenon of migration is currently associated with Syrian migration, historically Türkiye has faced many mass migrations from the Balkans, the Caucasus and the Middle East. However, unlike the current situation, in these migrations, the entry of people into the country was restricted to certain conditions. It can be said that this restriction is the most significant change in Türkiye's migration policies. According to Güler (2020), defining Türkiye's migration characteristics as a "sending country" or a "transit country" is a simplistic approach that makes it difficult to understand Türkiye's past migration experiences. As the table shows, Türkiye has a history of signing bilateral agreements and hosting many migrants of various nationalities. The Syrian migration in the last decade has revealed

Türkiye's identity as a "migration-receiving" country, which was expressed after the population movements in the 1980s.

Table 1 Migration History of Türkiye

Date	Event
1071 After the Battle of Malazgirt	Mass migrations from Central Asia to Anatolia
1492	Bringing Jews rescued from Spain on ships to Ottoman lands
1783 Russian Empire's Attack on Crimea	Circassian and Tatar refugee migration to the Ottoman Empire
1849 Hungary Violation	Migration of Hungarian and Polish refugees to the Ottoman Empire
1860	Establishment of Muhajirin (Immigrant) Commissions
1877	Migrations from Bulgaria to Anatolia
1878	Crimean and Caucasian migrations
After 1890	Bosnia-Herzegovina immigrants started to settle in Anatolia
1893	Restriction of non-Muslim immigration
1896	Prohibition of mass immigration of Jews
After the 1917 Bolshevik Revolution	Migration from Iran to Ottoman lands
1923 Turkish Greek Exchange	The transfer of Cretan immigrants by sea to various provinces
1923-1949	Arrival of Russian, Armenian and Greek communities in Türkiye
1924-1953	Turkish migration to Türkiye
1925	Migration from Romania to Türkiye
1950	Migration of Macedonian Turks to Türkiye
1968-1979	Signing the Turkish-Bulgarian Residence Agreement
1979 Iranian Revolution	Entry into force of the Turkish Law on Foreigners
1982 Soviet invasion of Afghanistan	Türkiye-Bulgaria Near Relative Migration Agreement
1988 Halabja Massacre	Migration of Azeri, Kurdish and Persian communities to Türkiye
1989	Migration of Uzbek, Uyghur, Kazakh and Kyrgyz groups of Central Asian origin to Türkiye
1991 Gulf War	First wave of migration from Iraq to Turk
1992-1998 Bosnian Genocide	Mass migration of Bulgarian Turks and Muslim Slavs to Türkiye
1999 Battle of Kosovo	Second wave of migration from Iraq to Türkiye
	Mass migration from Bosnia-Herzegovina to Türkiye
	Migration from Kosovo to Türkiye

2001	New wave of migration from Macedonia to Türkiye
2005	Announcement of Türkiye's National Action Plan for the Adoption of the EU Acquis in the Field of Asylum and Migration
2008	Establishment of the Office for Asylum and Migration Legislation and Administrative Capacity Building and Implementation
2011	Migration of Syrian refugees to Türkiye
2013	Establishment of the Directorate General of Migration Management under the Ministry of Interior Law No. 6458 on Foreigners and International Protection (LFIP) entered into force
2014	Publication of the Temporary Protection Regulation Establishment of Temporary Education Centers (TEC)
2016	Enactment of Law No. 6735 on International Labor Force Transition to compulsory enrollment of Syrian students at pre-school, primary and secondary education levels Establishment of Migration and Emergency Education Department under MoNE Establishment of Turkish language courses for Syrians at public education centers
2020	Transformation of the Directorate General of Migration Management into the Directorate of Migration Management
2022	Migration of Ukrainian migrants to Türkiye

Source: Directorate of Migration Management (2022) İpek (2000), Kaiser (2007), Yaman (2019) and Sağiroğlu et al. (2022) (cited in Gün, 2023)

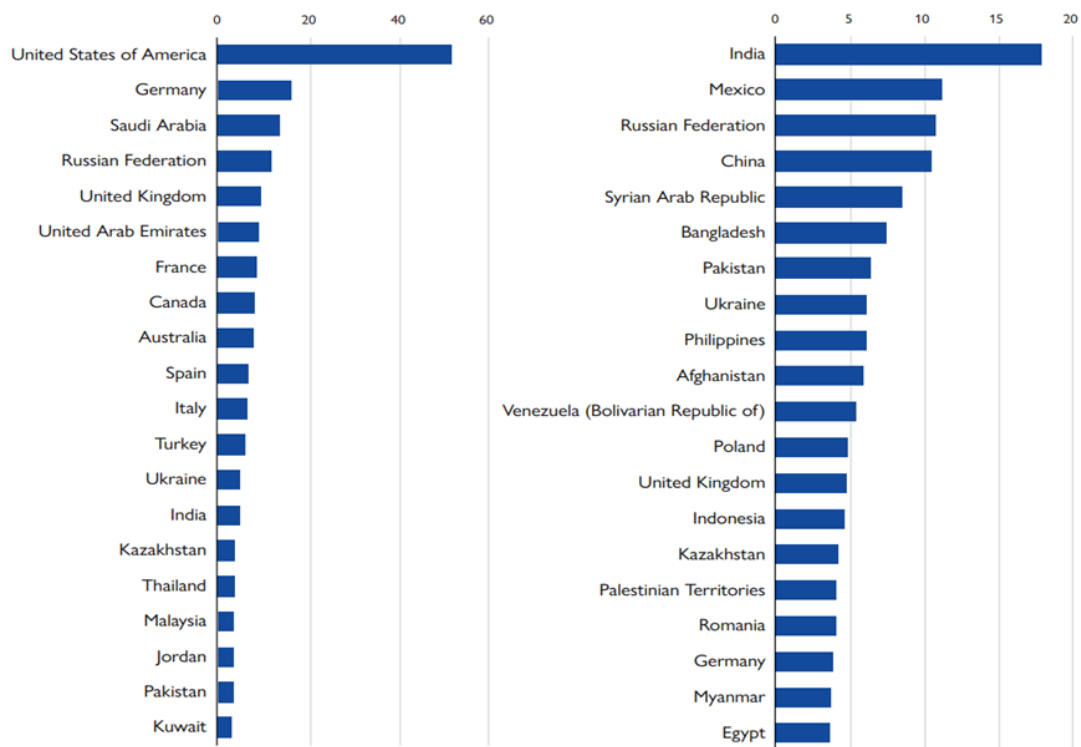
When we look at migration policies, we see that Türkiye implemented various practices in the pre-republican period. For example, after 1896, various measures were taken to protect Cretan migrants, such as placing them in Turkish families as foster children or servants, marrying them off or enrolling them in industrial schools.

Following the civil unrest in the Syrian Arab Republic, thousands of Syrians sought asylum in Türkiye for international protection in 2011, and the Republic of Türkiye adopted an open-door policy towards Syrian citizens adversely affected by the civil unrest. In 2012, asylum requests increased rapidly and the Turkish state issued the temporary protection status in order to prepare a legal infrastructure and admitted Syrian asylum seekers to the country with this status. Asylum-seekers arriving in

Türkiye were initially placed in temporary accommodation centers in the south and southeast regions and distributed to 10 cities close to the Syrian-Turkish border.

As an example of a similar practice, between 1876 and 1894, over one million migrants were registered in the Muhajir Commission Books and settled in various Turkish provinces. These migrants were settled in existing towns, villages, or vacant lands by local migrant resettlement commissions, which established new neighborhoods and villages. This history of migration shows that Türkiye is a geography made up of and accustomed to migration. However, the problems of integration between the local population and migrants in the last 11 years and the fact that Türkiye has witnessed one of the largest mass migrations in the world show that it is inevitable that this process will be a challenging one for Türkiye.

According to the 2021 data of the International Organization for Migration (IOM), Türkiye ranks 12th among countries receiving migration. In previous years, Türkiye maintained its ranking among the countries receiving migration, but its ranking has changed due to the pandemic. According to 2019 data, Türkiye ranked 20th among the countries providing migration, while it is not on the list in 2020.



Source: UN DESA, 2021a.

Figure 1. Top 20 countries of origin and destination (IOM, 2021)

Looking at the total number of refugees and asylum-seekers in Asian countries, Türkiye is the leading host country in this category (Figure 2). Syria and Afghanistan have seen the largest outflows of refugees, and Türkiye is the country most affected by these outflows.

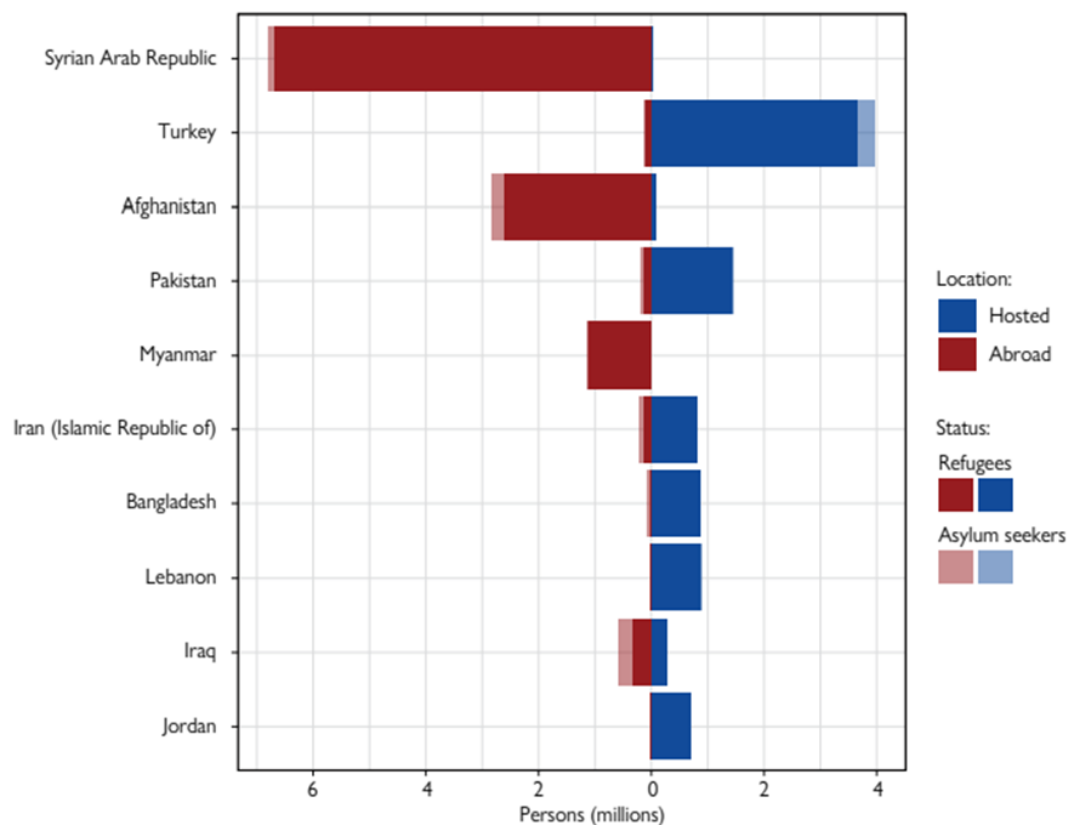


Figure 2. *Top 10 Asian Countries by Total Number of Refugees and Asylum Seekers*

As in all refugee-receiving countries, the first policy issue to be discussed in Türkiye following the massive migration that Türkiye hosted was returns. According to United Nations (2019) data, while the number of refugees returning in 2017 was 667,400, more than 590,000 refugees returned in 2018 and the global refugee population continued to grow. Most of the returns (210,900) were specifically from Türkiye to the Syrian Arab Republic. The issue of repatriation remains on Türkiye's political agenda and it has become even more important.

2.2. Status of Foreigners in Türkiye

According to various sources, Türkiye still hosts many foreigners due to its geopolitical position. In 2017, the number of foreigners entering and leaving Türkiye increased to 32.058.216, which is an increase from 20.275.213 (Directorate General of Migration Management, 2018a). The new migration system has brought with it various distinctions in relation to the increasing number of foreigners. These distinctions have been made regarding the legal status of migrants. According to the legal status regulations in Türkiye, foreigners include residence permit holders, work permit holders, international protection applicants, refugees with international protection, conditional refugees, subsidiary protection status holders, temporary protection status holders, stateless persons, illegal migrants and foreigners with Turkish citizenship. Detailed legal clarification of these statuses will facilitate the distribution and harmonization of foreigners throughout the country.

2.2.1 Foreigners with Residence Permit

The "Law on Residence and Travel of Foreigners in Türkiye" was published on July 24, 1950 and residence permits of foreigners were regulated according to this law until 2013. This law, which started to lose its effectiveness in the face of intense migration flows, revealed the necessity to create a new law in Türkiye. The November 4, 2013 residence permit for foreigners in Türkiye is a result of this necessity. With regard to occupation, the "Law on Foreigners and International Protection" was adopted on April 4, 2013. These permits cover different types of permits such as short-term residence permit, family residence permit, student residence permit, long-term residence permit, humanitarian residence permit and trafficking victim residence permit (Law on Foreigners and International Protection, 2013, p. 30). After the expiry of the visa exemption period, citizens of countries exempted from the visa requirement can legally stay in Türkiye for the validity period determined by the Ministry of Foreign Affairs. These permits can last for a maximum of 2 years for short-term residence permits, while for long-term residence permits, the duration is not specified and the permit is the responsibility of the governor (Law on Foreigners and International Protection, 31). In order to obtain a residence permit, foreigners must not be criminals according to the legislation, must not have a record that may pose a threat to public order and security, and must submit all necessary documents to the migration

administration (Yucca, 2013, pp. 32-49). If these conditions are met, foreigners can stay in Türkiye for any period of time, but if no action is taken and no educational institution has been designated by the General Directorate of Foreigner Identification Number, they can stay in any district, apply to health institutions and find a job. Foreigners can own vehicles in accordance with the Law No. 25373 of February 14, 2004 on the Right to Sell Second-Hand Vehicles to Foreigners. Foreigners in Türkiye can exercise all their rights as they have the legal right of residence in Türkiye as long as they work in accordance with the regulations and are in compliance with many regulations. To examine other conditions regarding the number of foreigners with residence permits in Türkiye, looking at the 2017 statistical data, Istanbul is the most densely populated city with 320.660 foreigners. It is followed by Antalya with 53.278 foreigners and Ankara with 52.243 foreigners. According to these calculations, approximately 52% of foreigners with full residence permits live in Istanbul, almost 9% in Antalya, 8.3% in Ankara, 3% in Bursa, 2% in Izmir, 2.45% in Mersin, 2.07% in Muğla, 2.01% in Gaziantep. The remaining 18% of foreigners live in other provinces of Türkiye. This data is taken from Istanbul provinces, where foreigners' residency in Türkiye is concentrated, and the least preferred province or 30 foreigners with a residence permit prefer Tunceli province (Directorate General of Migration Management, 2018b).

2.2.2. Foreigners with Work Permit

According to the "International Labor Law" No. 6735 (2016, Article 3), which is regulated under the new name of the Ministry of Labor and Social Security, types of permits such as work permits, work time and independent work permits valid during this period are offered. These permits replace work permits and residence permits. Foreigners can apply for an independent work permit, an indefinite residence permit or a turquoise card. Independent work permits allow foreigners to obtain the right to work and operate on their own behalf in Türkiye (UIK, 2016, Article 3). Turquoise cards are issued by the International Labor Policy Council in accordance with the procedures and principles determined based on factors such as Türkiye's international labor policy, education level, professional experience, impact of activities in Türkiye, contribution of science and technology, or investments in the country's economy and employment (ILC, 2016, Article 11). According to the 2016

statistical data of the Ministry of Labor and Social Security, the number of foreigners living in the country was 73.560, of whom 74.421 were granted temporary work permits, 115 were granted permanent work permits and 24 were granted independent work permits (Ministry of Labor and Social Security, 2018).

2.2.3. Refugee Status

The status of a foreigner who is outside his/her country of nationality and who cannot benefit from the protection of that country or who refuses to benefit from the protection of that country because of fear, race, religion, nationality, a particular social group to which he/she belongs or political opinion, refugee status, and a stateless person who cannot or refuses to return to his/her country because of a particular fear is determined (Law on Foreigners and International Protection, 2013, art. 61). In determining this status, the relevant provisions on the scope of refugee status are evaluated and a decision is made according to the result. In the assessment, violations of fundamental rights such as persecution, fears of discrimination, the right to earn a living, the right to worship, the right to use existing educational opportunities are considered within the framework of the allegations characterized as persecution. The decision is made in the context of the foreigner's request, such as whether to leave or stay, and the result is a situation of excessive punishment or flight from persecution. Here, grounds such as race, religion, nationality and membership of a particular political group are the main criteria. As mentioned above, if persecution has occurred in the above-mentioned manner, the foreigner will certainly be granted refugee status as a result of the assessment. Foreigners who are granted refugee status can work independently or dependently. This is recorded on their identity documents and reported by the Ministry of Interior to the Ministry of Family, Labor and Social Welfare. They are also entitled to free access to education and health institutions and their general health insurance premiums are paid by the state. There is also the option to benefit from the services of other public institutions with a foreigner identification number (Regulation on Work for international protection and international protection status applicants, [Regulation on work for UKBS and UKSS], 2016, art: 4).

2.2.3.1. Conditional Refugee Status

The definition of a conditional refugee is similar to that of a refugee, but this status can only be granted on the basis of an assessment of asylum seekers from outside Europe. According to the Law on Foreigners and International Protection (2013, art. 62), persons who are outside their country of nationality and who, due to events outside European countries, are unable or unwilling to avail themselves of the protection of that country or who are unable or unwilling to return for fear of being granted conditional refugee status at the end of the identification procedures on account of their fear, race, religion or nationality, membership of a particular social group or political opinion or stateless status (Law on Foreigners and International Protection, 2013, art. 62). The criteria are exactly the same and only a legal distinction is made between European and non-European countries. After these assessments, foreigners with conditional refugee status are obliged to obtain a work permit before starting work if they want to work. (Regulation on UKBS and UKSS work, art. 5) People with this status can benefit from all state institutions, education and health services through their ID numbers and general health insurance premiums in the same way as refugee status holders.

2.2.3.2. Secondary Protection Status

If a foreigner:

- Cannot be classified as an asylum seeker, refugee or conditional refugee,
- Sentenced to death when repatriated,
- Tortured or subjected to degrading punishment,
- Under serious threat from international or national non-discriminatory armed attacks, when it poses a serious threat to themselves as foreigners or stateless persons who cannot benefit from the protection of their country of origin, they are granted secondary protection status. (Law on Foreigners and International Protection, 2013, Art. 63) A foreigner with secondary protection status may work independently or dependently. This is recorded on their identity documents. Relevant institutions in the examined province report information on the type of occupation, dependent or independent employment status only to the Ministry of Family, Labor and Social Services by the Ministry of

Interior. (Regulation on the work of persons in the UKBS and UKSS, 2016, art. 4).

2.2.3.3. Foreigners with Temporary Protection Status

Temporary protection status is a status granted on the basis of occupation. According to the Law on Foreigners and International Protection, this status applies to persons who cannot return, are forced to leave their country, cannot come to our borders or cross international borders. (Temporary protection directive [TDMA] 2014, art: 1) Even if they have entered Türkiye illegally, foreigners who have fled their own country and are in need of urgent and temporary protection are not subject to fines or any sanctions. (Law on Foreigners and International Protection, 2014, art. 5; Law on Foreigners and International Protection, 2014, art. 10) Currently, these practices are carried out by the Council of Ministers and the provision of the Law on Foreigners and International Protection in Article 71 of Decree 703/2 was changed to the "Council of Ministers". On 02/07/2018, these powers were transferred to the Presidency. In our country, there is a temporary protection system that applies only to Syrians. However, in recent years, this status has also been recognized for Iraqis. There are active procedures for determining the temporary protection status for foreigners of Syrian nationality. In these procedures, no additional documentation is required if the foreigner can present their temporary protection records. Biometric data is collected on the basis of declaration and stored in a central database unless proven otherwise. (LRP, 2014, art. 21) Foreigners with temporary protection status are provided with basic services such as education and health, and these services are provided free of charge in accommodation centers under temporary protection. (LRP, 2014, art. 26, 27, 28)

According to 2016 data, the number of foreigners with temporary protection status in Türkiye was 344.237, while this number increased to 3.441.416 according to 2017 and February 2018 data. The most preferred city for foreigners under temporary protection is Istanbul, where 548.569 foreigners live. The second most preferred city is Şanlıurfa, where 473.748 people reside. The third most preferred city is Gaziantep and 369.090 foreigners live in this city. The least preferred cities are Bayburt (50 foreigners), Artvin (66 foreigners) and Bartın (76 foreigners). Although concentrated in these regions, the remaining 71 provinces do not reach the share of the first two

provinces with the highest number of protected persons (Directorate General of Migration Management, 2018f).

From a different perspective, the ratio of protected provinces to population is also high. For example, Kilis is the ninth province with the highest number of Syrians under temporary protection, making it the province with the highest concentration of temporary protection relative to the Syrian population. While the population of Kilis is 136.319, the number of Syrians living in this province is 130.560. In other words, it can be said that almost every foreigner living in Kilis is Syrian.

2.2.3.4. Foreigners with Stateless Status

Stateless person means a person who does not have the citizenship of any country. Stateless persons are usually persons who were previously citizens of a country and whose citizenship has been revoked or voluntarily revoked. (Law on Foreigners and International Protection, 2013, m: 3).

Foreigners defined as stateless are issued a stateless identity card. Although this document is used for living, it is renewed every two years. If a stateless person acquires citizenship of a country, the stateless identity card becomes invalid. Stateless persons can apply for residence, cannot be deported unless they pose a serious threat to public order and security, and can work in accordance with Law No. 4817. The time spent with the stateless identity card is taken into account when granting citizenship (Law on Foreigners and International Protection, 2013, art. 50-51).

2.2.3.5. Foreigners of Turkish Descent

Different citizenship statuses have been established in the migration management system for foreigners of Turkish origin. Some Turkish foreigners are granted free migrant status under the Harmonization Act, while others are granted the Immigration Act or Humanitarian/Long-Term Residence Permit. Humanitarian residence permits can be granted to persons of Turkish origin who do not have the means to bring the necessary documents, for example, persons of Turkish origin in Afghanistan or Turkish Uyghurs in China. (Law No. 6464, art. 46) Applications for humanitarian residence permits are accepted by the relevant Directorates of Migration Management and forwarded to the Directorate General of Migration Management for examination. (Law on Foreigners and International Protection, 2013, art. 50-51)

Meskhethian Turks are migrants admitted to Türkiye and resettled under the Law on Reconciliation. A total of 20.098 Meskhethian Turks have been resettled in the country (Directorate General of Migration Management, 2016).

Free migrants are migrants of Turkish origin but who are citizens of another country and those who do not wish to be resettled by the state are determined by the Ministry of Foreign Affairs and the Ministry of Interior. (Settlement Law, 2006, art. 3) Migrant release applications are received in the manner specified in the Harmonization Law. Resettled migrants are determined and finalized by a decision of the Council of Ministers. Citizenship applications of persons granted free migration status are evaluated by the General Directorate of Population according to citizenship conditions and foreigners deemed eligible are granted citizenship in accordance with the Turkish Citizenship Law. Compared to other situations, foreigners who come with a Turkish invitation letter and immigrant visa can apply for citizenship more easily. In terms of the rights granted after becoming a citizen, this status offers privileges with broader rights than other statuses.

Migrants who stay in the country without legal residence status or who commit crimes while having legal status are called irregular migrants.

2.2.3.6. Irregular Migrants

The term irregular migrants refers to foreigners who, after entering Türkiye through migration or illegal means, stay in the country temporarily due to the expiration of their legal visa period or visa exemption, or are associated with any crime. (Directorate General of Migration Management, 2019c) Illegal migrants are migrants who are not accepted by any country and who are immediately deported under the legal framework.

In Türkiye, illegal migrants are identified for reasons such as visa violations, residence permit violations, diseases that threaten public health, committing crimes, being associated with terrorist organizations or using false documents. They are considered illegal migrants for reasons such as rejection of an application for international protection or failure to apply for protection or withdrawal. All these reasons are grounds for deportation. (Law on Foreigners and International Protection, 2013, art. 52) As stated in Article 16 of the Constitution, the fundamental rights and freedoms of foreigners may be restricted by law in accordance with international law.

Deprivation of liberty is legally justified by the Constitution. Article 19 provides that no one shall be deprived of liberty except by arrest or deprivation of liberty of a person who has entered the country illegally or who has been ordered to be deported or returned. This article states that the arrest and administrative detention of foreigners is possible under the conditions specified in the law and is not contrary to international agreements (Ekşi, 2014).

The number of provinces with a high concentration of irregular migrants is higher than the number of provinces with regular migrants: Istanbul, Kırklareli, Edirne, Artvin, Şırnak, Erzurum, Hakkari, Ağrı, Van, Muş, Iğdır, Bitlis, Erzincan, Hatay, Sivas, Antalya, Gaziantep, Çanakkale and Amasya (Directorate General of Migration Management, 2018e).

In a nationality-based ranking, the most apprehended irregular migrants were from Syria, Pakistan, Afghanistan, Iraq, Georgia, Uzbekistan, Bangladesh, Azerbaijan, Iran and Congo (Directorate General of Migration Management, 2018e).

2.3. Türkiye's Migration Management and Cohesion Policy

It should be noted that in Turkish migration policy, the legislation focuses on the concept of integration and adopts cohesion without any interpretation. There are no foreigners migrating to Türkiye and the focus is on integration policy and not on politics. The term 'the meaning of integration' implies that the migrant adapts to the society he/she comes from. This is referred to within the framework of the mutual harmonization policy implemented by Türkiye. This migration policy does not mean adaptation, assimilation or integration. Integration is a state of mutual understanding between the society that accepts migrants and the society that lives in harmony with migrants. (Directorate General of Migration Management, 2019b)

It provides various reasons for action, envisages active and reciprocal interaction and volunteering, and adopts a migrant-oriented approach in order for foreigners to integrate and coexist harmoniously with society. (Directorate General of Migration Management, 2019b)

Law No. 6458 on Foreigners and International Protection included harmonization under the policy heading and listed the actions to be taken. According to this

"The Directorate General creates a mutual harmonization relationship between a foreigner and an applicant or a person with international protection status in accordance with the economic and financial capacity of the country. It may carry out and plan adaptation activities with the suggestions and contributions of public institutions and organizations, local administrations, non-governmental organizations, universities and international organizations in order to facilitate their independent activities and gain knowledge and skills in all areas of social life in the country of displacement or after their return. Foreigners can attend courses explained at a basic level, such as the country's political structure, language, legal system, culture and history. Courses are also expanded in cooperation with public institutions and organizations and non-governmental organizations and can be scaled up in areas such as the use of goods and services, access to education and business activities, social and cultural communication, receiving basic health services, promotional and informational activities through distance education and similar systems." (Law on Foreigners and International Protection, 2013, m:96-1, 96-2, 96-3)

In this context, activities to facilitate adaptation can be expressed under the name of harmonization, and activities to ensure the adaptation of foreigners to social life can be evaluated in terms of harmonization activities, rights and obligations, language skills and so on. Provision of basic services can be achieved by providing education services. It cannot be concluded that integration or assimilation of foreigners by Türkiye is part of the immigration system. Basically, foreigners are expected to adapt to society without giving up their own culture. The migrant community aims to play a facilitating role in this regard and to protect both foreigners and their culture.

2.3.1. Harmonization Projects Implemented by Türkiye

Foreigners in Türkiye should be associated with all areas of life in accordance with the legislation. Harmonization of education, health, social services and many other areas plays an important role in the harmonization process as well as increasing the welfare of foreigners and society. Societies are not made up of individuals who know the law and have the ability to manage their own affairs; individuals live harmoniously with society and without being subjected to hatred, cultural exclusion or illegal activities. For this reason, Türkiye has initiated various activities in the wake of intensive migration flows and is working to increase them day by day.

When we look at the 348th and 35th activities of the tenth development plan for the period 2014-2018, it is stated that "Measure 348: The economic development and opening-up policy strengthens Türkiye's position as a host and receiving country. It aims to establish a reliable data system in the field of migration, strengthen the economic and social status of our citizens living abroad and improve their relations with our country, eliminate the deficiencies of legal and institutional regulations on migration and international protection, and address health problems and educational needs for asylum seekers and beneficiaries".

2.3.2. Introducing Türkiye's New Migration System

The method of ensuring Türkiye's compliance with a migration management system appropriate to its migration policy has been outlined above. People who are not knowledgeable about migration management and policies cannot expect to support policies they do not understand and do not know. On the other hand, foreigners have difficulty accessing an unfamiliar system.

The first step in supporting policy and governance is to be informed about the right of foreigners and on behalf of society and to understand the policy objective. Knowing the answers to questions such as "Why is Türkiye accepting mass migrants?" or "Why is Türkiye accepting such migrants without specifying any criteria?" is an expectation of a society that wants to treat migrants with moderation and avoid a climate of hatred. Some of the answers to these questions are communicated to the public by national leaders, while others remain implicit. However, even if they are not fully known, it is important for the implementation of the new migration system and integration policy that national leaders are informed about public expectations and public opinion on integration.

In this context, information meetings have been held with many institutions and organizations, especially consulates, on the new migration management, and organizations such as NGOs, which have an important role between society and the state, and local governments, especially municipalities, have been informed. Promotional products and publications such as magazines and newspapers, Göç Postası (Migration Post) and Göç Diary (Migration Diary) were used to reach a wide audience. While Turkish Airlines brought many migrants to Türkiye, it published several issues of Skylife magazine for those who wanted to learn about the migration

system and the process of issuing residence permits. Information brochures, activity reports and announcements were published on the Directorate General of Migration Management website as needed, announced and in line with the aims, objectives and policies. These brochures, magazines, articles and symposia were disseminated to the institutions and through them to migrants from the provinces. The most important promotional activities of the organization and migration management were related to residence permits and legal provisions.

2.3.2.1. Legal Regulations Regarding Legal Immigration

Regulating stay through legal arrangements is the most important way to facilitate integration. It can be interpreted that the illegal stay of foreigners in the country will make it difficult for them to integrate into the society, benefit from basic services, establish relations with state institutions and participate in the economy. Especially among foreign workers in Türkiye, it can be said that it is difficult to adapt to the housing conditions of irregular migrants. Migrants in this situation will have to resort to illegal working methods. They will have problems in legally using services such as renting a house, electricity, water and natural gas. When they get sick or want to use hospitals, they will have problems because they do not have an active foreigner ID number. They will have low expectations as they will not be able to exercise basic rights such as registering their children at birth, enrolling them in school and living in constant fear of being caught. On the contrary, their involvement in crimes and illegal activities will become a natural process. Therefore, the tendency of an illegal foreigner to flee can be considered as the most important factor hindering compliance with the regulations. Türkiye is expected to reduce the number of irregular migrants, provide assurances on all registered migrants and provide the necessary legal information in the legislation to ensure compliance with the provisions on foreigners. In addition, information meetings have been organized in line with the updated legislation and the Alo 157 YİMER hotline has been activated where foreigners can receive continuous and systematic information. According to 2016 statistics, a total of 963.513 connections were recorded. As can be seen in these connections, foreigners requested information to ensure their legal stay and increased their knowledge about their place of residence day by day. It is also important to continue training and information activities on this issue after they have acquired the right to stay legally.

2.3.2.2. Education Policy

Informing and guiding migrants on education is the most important link between education and integration. In this context, Lifelong Learning activities are carried out with the General Directorate of the Ministry of National Education in order to encourage and inform Syrian children in the education process and Turkish courses, which have an important role in the harmonization process, are organized. (Ministry of National Education, 2019c)

The workshop, which was organized in cooperation, aims to adapt Syrian children to education that aims to help them adapt to the Directorate General of Migration Management. The workshops organized in this context aim to direct Syrian children to Turkish courses. The adaptation of children who learn Turkish at the primary school level to primary education includes the identification of Syrian children who cannot go to school and cannot be encouraged to work, participation in language courses, and measures that can be taken for the adaptation of age-mismatched children. Adaptation and acceptance to an environment that is different in terms of age and appearance can be a challenging process for children. Research to reduce the negative psychological impact on children is ongoing and solutions such as accelerated courses are actively being implemented (Ministry of National Education, 2017).

2.3.2.3. Health Policy

The use of hospitals is one of the most basic needs and rights in times of illness and emergencies. This right, like access to health institutions and other public institutions, is an issue that can be evaluated in terms of compliance. Because foreigners cannot easily fulfill their activities due to the difficulties they face in many areas and may have difficulties in adapting to their environment. For migrants, this situation can be quite difficult and should be handled by taking into account the diversity of the society. Barriers, especially in an important and vital area such as health, can cause foreigners to feel alienated and weaken their relations with society. Migrants can access the health system in Türkiye by using a foreign identity document. In order to obtain a foreign ID number, they must apply for a foreign residence permit, and once this permit is granted, the relevant ID number is determined and assigned in accordance with the Population Services Law No. 5490. The Directorate General of Migration Management has an obligation to include private health insurance among

the residence permit application documents. (Directorate General of Migration Management 2019d) In the case of a residence permit in the form of international protection, migrants' general health insurance premiums are paid by the state and migrants can benefit from hospital services in this way. (Law on Foreigners and International Protection, 2013, art. 89) Like foreigners under temporary protection, foreigners under temporary protection can also benefit from health services by paying universal health insurance premiums. (Law on Foreigners and International Protection, 2014, art. 27) Providing information to foreigners about their rights and obligations in the country and appropriate actions is considered an important part of integration. In this way, foreigners can make better use of opportunities and be more successful in the integration process.

2.3.2.4. Housing Policy

Starting on April 29, 2011, when a group of Syrians crossed the border into Türkiye, Syrian migration has become the largest demographic movement in the history of the Republic of Türkiye. In 2012, the number of Syrian refugees arriving in Türkiye was 14.000, while in 2014 it reached 1.5 million. The number of migrants was 2.5 million in 2015, 3.4 million in 2018 and 3.6 million in 2020. By March 3, 2022, the total number of Syrian migrants in Türkiye was 3.747.734 (goc.gov.tr., 03/05/2022). Considering the rapidly increasing number of migrants, it is not surprising that housing problems have reached great dimensions. However, the first problem Syrian migrants face is the shelter problem that arises after crossing the border. Türkiye started to build shelters in border towns to solve this problem. Between 2011 and 2013, a total of 254.000 Syrian refugees were hosted in 26 shelters built in 10 different cities. Türkiye has shown significant success both in the construction of the camps and in the services provided to migrants in the camps (Kirişçi, 2014, p. 10; Grand National Assembly of Türkiye, 2012, p. 13). Syrians living in shelters expressed satisfaction with the public services provided (Disaster and Emergency Management Presidency [AFAD], 2013, p. 56). AFAD (Disaster and Emergency Management) has long been in charge of security centers and meeting the needs of refugees, while the Red Crescent has also supported humanitarian aid. Between 2012 and 2016, AFAD spent a total of 6 billion 991 billion liras on refugees (afad.gov.tr, 07/09/2017). There are currently temporary shelters in Hatay, Kahramanmaraş, Adana, Kilis and

Osmaniye provinces. A total of 51.000 Syrians live in eight centers in these five provinces. The remaining 3.696.000 Syrians are scattered in cities (goc.gov.tr., 03.05.2022).

2.3.2.5. Approach of Local Governments and Civil Society Organizations

In the 'News' section of the official website of DG Migration, information meetings and seminars on the DG Migration and the new migration system were organized. These meetings and seminars were organized in cooperation with the Union of Turkish Municipalities, IOM and various municipalities to contribute to the development of migration and integration policy. The meetings emphasized the role of municipalities in the development and implementation of the integration policy (Directorate General of Migration Management, 2019a).

Organizations such as the United Nations, the World Organization for Migration, the United Nations High Commissioner for Refugees, the Organization for Security and Cooperation in Europe have held various meetings to follow and regulate migration activities. During the status determination process at the UNHCR, it established dialogues and cooperated with representatives of Voivodeship offices (Directorate General of Migration Management, 2019a).

2.3.2.6. Employment Policy

According to the results of the DTM Flow Monitoring Survey conducted within the scope of IOM "Migrant Presence Detection Project", information was obtained on the education levels and occupational status of refugees. According to the results of the survey, 3 refugees received high school, 1% college, 1% gym and 1% further education. In addition, 6% of the respondents were unemployed, 1% were students and 1% were retired (2017, p. 5, 6) and they stated that they were salaried or self-employed in their home country or country of residence. This information provides insight into the nature of the refugee labor force. Refugees are known to face barriers such as lack of human capital, unrecognized identity documents, insufficient language skills, and ethnic and racial discrimination. In addition, cultural practices limit refugees' job opportunities. Therefore, migrants are often disadvantaged in the labor market of receiving countries (Bauder, 2005, p. 81). The common points identified in the studies on the employment areas of refugees are as follows:

- Refugees' entry into labor markets is shaped by the economic conditions and needs of the respective regions. For example, while refugees work in trade and industry sectors in provinces such as Mersin and Gaziantep, they are engaged in seasonal agricultural labor in provinces such as Adana and Hatay (ORSAM, 2015; Lordoğlu and Aslan, 2016, p. 792; Kaygısız, 2017, p. 3). Refugees living in Türkiye's big cities generally work in the informal sector. There are refugees employed in different fields such as self-employed day laborers and peddlers. They also work as street vendors, painters, bagel sellers and balloonists in slum areas. Refugee employment varies depending on rural and urban areas. In rural areas, refugees work as agricultural workers, shepherds, security guards and agricultural laborers. As seasonal agricultural workers, refugees go to various regions to harvest agricultural products.
- In the labor market, refugees are observed to work in labor-intensive sectors and generally in simple jobs. While there are temporary or seasonal workers in many sectors such as construction, agriculture, textile, industry, there are also refugees working in sectors such as domestic services, trade, waste collection, agricultural work, animal husbandry, childcare or childcare. Traditional gender roles affect both working life and relations in society. Traditional roles assigned to women restrict job opportunities, especially for refugee women. Therefore, there are women refugees who work in domestic services, take care of children or elderly people, or are heavily employed in sectors such as the textile industry (Toksöz, 2008, p. 92; ORSAM, 2015; Lordoğlu and Aslan, 2016, p. 793; Çetin, 2016, p. 1007; Kaygısız, 2017, p. 3).
- There are also artisans among refugees who have established independent businesses. Refugee companies generally operate as restaurants, sweet shops, bakeries, fast food, hairdressers, cafes and jewelry stores. However, since most of these companies are illegal, they cannot be taxpayers and therefore they cannot obtain licenses. This situation creates unfair competition and can create tension between local residents and refugees (ORSAM, 2015, p. 18; Lordoğlu and Aslan, 2016, p. 792-793; Çetin, 2016, p. 1007-1008). According to data from the Union of Chambers and Commodity Exchanges of Türkiye, while there were 2106 companies established by Syrian citizens in 2014, this number increased to 5647 by the end of 2016. The total capital of these companies is

751 million 638 thousand TL. However, there is no detailed information on the Syrians working in these companies.

- Global competition and violence lead to the exploitation of child labor. Child labor has become more prevalent, especially in informal sectors and labor-intensive work. There are 1,188,242 Syrian refugees in Türkiye (7.5). Many of these children are believed to enter the labor market due to lack of education (ORSAM, 2015). A study conducted in Kilis showed that Syrian children work in various small businesses such as bakeries, restaurants, pastry shops, grocery stores, clothing stores, and also earn a living by collecting garbage or trading. Child refugees also work in small industrial zones and textile workshops. These child refugees work for a cheap and non-fixed wage of 10-25 TL per day (Harunoğulları, 2016).

Professional refugees are known to have migrated to Canada, the United States and various European countries, particularly Germany. There is no statistical information on whether refugees practicing professions such as doctor, lawyer, engineer, teacher and scientist in their home countries are practicing their professions in Türkiye. However, it is known that Syrian teachers and doctors are employed in the fields of education and health. Furthermore, 332 Syrian academics are employed in higher education institutions in Türkiye (Higher Education Council of Türkiye, 2017). In terms of other professions, it is observed that refugees who have qualified labor force are in a downward occupational mobility. In cases where refugees' professional identities are not recognized, a refugee's diploma is not recognized, or restrictions are imposed due to national standards, there may be a downward movement in occupational mobility (Khran et al., 2000, p. 60; Lamba, 2003, p. 47)

CHAPTER III

GERMAN MIGRATION POLICIES

3.1. Germany Migration Policies

In order to manage migration and immigration policies and to establish a legal framework, Germany has followed many legal paths and developed various policies from past to present. Starting in 1965, the legislation has diversified over time and has led to various changes in national policy. In general, Germany is a country that has an important place on the world stage with its policies and legislation implemented after the Second World War. Faced with economic difficulties after the war, Germany opened its doors to labor migration in order to revive and develop its economy. Due to seasonal conditions, it tried to improve its economy by providing labor from other countries. As part of this, labor migration agreements were made with Greece, Spain, Portugal, Tunisia, Yugoslavia and Morocco, including Türkiye, on various dates (Yağmurlu, 2019, p. 15).

3.1.1. Germany's Migration Policies between 1949-2000

Germany is one of the most popular immigration destinations in the world, with around one-eighth of the German population consisting of immigrant citizens. First, between 1955 and 1973, many families from Italy, Türkiye and other EU countries came to Germany as migrant workers, and these migrants became an important part of the German population for a long time. This process laid the groundwork for a great deal of experience on how Germany could deal with immigration.

For a long time Germany refused to take a leadership role in the international arena and its foreign policy was based on economic and political, not military, considerations. Therefore, the EU has become for Germany both a tool to demonstrate its power and a platform to implement a civilian foreign policy. It can be said that Germany's economy has the power to steer the EU. In the fight against the refugee crisis, the mission of the EU to stay together has been placed on Germany's shoulders.

Germany has rapidly harmonized its migration policies and legislation with the policies implemented at the EU level and has risen to a position that influences the EU with this attitude. Germany has seen its participation in agreements such as the Dublin Convention and the Schengen Agreement as a means of starting at the borders from the very beginning of the German concept of internal security. It has also played a leading role in readmission agreements and border security. Germany's reforms were presented as a condition of accession to European migration policy and the reforms for a common European migration policy gained broad support.

Germany's migration policies have been harmonized with European standards through legislation with high standards and a democratic approach. In this context, Germany's participation in the common policy was made a precondition for the EU's internal security. This change in understanding was also concretely manifested in the implementation of the "safe third country". Whether Germany turned the crisis into an opportunity or acted strategically is a controversial issue. Merkel's position in domestic politics plays an important role on migration policies. Germany allowed more than one million refugees to enter the country, but many were later denied refugee status. There is a need to create long-term integration policies on how to integrate refugees into German society.

3.1.2. Germany Immigration Policies in 2000 and After

The integration of refugees requires the cooperation of the state, civil society, the public and refugees. Since the 2000s, Merkel has been the only European leader to manage the refugee crisis. The year 2015 saw the beginning of one of the biggest migration crises Europe has faced in recent years. German Chancellor Angela Merkel's management of the crisis was criticized by other EU countries, her own party (CDU) and her coalition party (SPD). On September 5, 2015, Chancellor Merkel launched the refugee integration policy with the slogan "We can do it". Germany started the

integration process by opening its doors for a month to refugees who had difficulty entering the country and allowing them to apply for refugee status on condition that they first seek asylum in an EU country. Merkel emphasized that all European countries must share responsibility in this crisis. She also stressed the importance of cooperation with the EU and transit countries in the accession process, emphasized the inviolability of human dignity and stated that Germany's most important argument is the protection of this dignity. He argued that federal and local measures should be taken to solve the crisis. According to the Federal Ministry of the Interior, the number of asylum seekers in Germany fell by around one percent in 2016. In order to understand the reason for the decline, it is necessary to briefly examine the asylum procedure established as a result of the changes in immigration policy in 2016. Until 2016, the overall protection rate was quite high, but due to a policy change at the beginning of 2016, the Federal Office for Migration and Refugees (BAMF) issued a record number of second protection orders in 2016. This policy shift particularly affected Syrian citizens. For example, while 0.8% of Syrians had refugee status in 2015, this dropped to 5.4% in 2016. However, the proportion of Syrians receiving subsidiary protection increased from 0.1% in 2015 to 0.2% in 2016. It should be noted that if an asylum application is delayed, the asylum procedure can be canceled. When an asylum seeker is accepted, 16 German states are informed. During the refugee process, the refugee must reside in a country that has an agreement with the country of origin. The residence requirement is valid for three years, but can be waived for family reunification, health, education or work-related reasons. Persons granted refugee status receive a permanent residence permit after five years when they have the right to resume their lives. When an asylum application is rejected, it can be appealed to an administrative court. In connection with the second refusal, an appeal can be lodged with the Council of State. The decision of the administrative court is final in the asylum procedure. However, it can be appealed to a higher administrative court if the matter is important or if the decision of the administrative court is contrary to the principles of fundamental rights. An asylum seeker cannot be recognized as a refugee if he/she has been sentenced to at least one year in prison and can be deported if he/she has been sentenced to three years in prison. Before 2016, deportees were held in prisons. As a result, some federal states have opened new "detention for deportation" facilities because deportation is considered a human rights violation. If migrants are detected at the border trying to enter Germany without the necessary documents, the

border police can bring them back for deportation to a "safe third country". If they can be quickly transferred to a neighboring country, these migrants may not have the chance to apply for asylum. If an asylum seeker is arrested after crossing the border, their asylum claim must be reported to the relevant authorities. Asylum seekers arriving at an international airport without the necessary documents may be subject to the airport procedure (depending on the required facilities at the airport). It is then decided quickly whether they will be allowed to enter the area. Applications must be sent to the Federal Office for Migration and Refugees (Bundesamt für Migration und Flüchtlinge - BAMF). According to the law, asylum seekers must stay in an "initial reception center" for a maximum of six months during the first phase of the asylum procedure. Furthermore, asylum seekers with a "country of origin" must stay in their original reception center during the respective procedure. Initial reception centers are usually located in the BAMF branch area. Interviews are organized when refugees are admitted to these centers, but in practice this is rarely done. After the initial reception process, asylum seekers who are not from a safe country of origin are usually referred to local accommodation centers for the rest of the procedure.

3.1.3. 2023 New Migration Law

The Skilled Labor Migration Act, which entered into force in Germany on March 1, 2020, has been criticized for some of its shortcomings, but it has brought important changes. Experts agree that the law will make Germany more attractive for migration, but emphasize that improvements need to be made in some areas. Otherwise, the deficiencies in the law will continue to build walls and affect Germany's expectations of becoming a center of attraction (Akal, 2020). Experts direct their criticism especially towards the German language proficiency level of B2 and equivalence requirements. Especially with regard to recognition, it is stated that "Germany's education and vocational training system is unique and it is difficult to obtain recognition" and it is pointed out that other immigration countries have more flexible regulations (Akal, 2020). Another problem is that those who come to Germany in search of work are only allowed to work 10 hours a week until they find a job. The general opinion on this issue is that by increasing these hours, less experienced people will move to Germany (Akal, 2020). The main problem blurring the right to skilled work is that Germany has not yet realized that immigration cannot be facilitated by

legislation and that a culture of tolerance and acceptance needs to be created in society and businesses. A culture of tolerance underpins the legal framework for the immigration of foreign professionals (Brenning et al. 2014, p. 26). In this context, discriminatory attitudes and integration pressures on resident migrants, dissatisfaction with the reception of foreigners and refugees, hate speech by politicians, waves of racism and Islamophobia, increasing hate crimes and racist attacks remain question marks. Those who want to go to Germany believe that even federal government officials see Germany in this way (Presse- und Informationsamt der Bundesregierung, 2012). However, Germany is making an effort to suppress migrants and ignore negative incidents. Therefore, Germany needs to check its skilled young people as they leave the country (Franken, 2006, p. 1).

3.2. Residence Permit

Third-country nationals wishing to obtain a residence permit in Germany, including Turkish citizens who are not citizens of the European Union, the European Economic Area and Switzerland, must apply to the Immigration Office in their city or region and submit the necessary documents. The decision on the residence permit is made by the Immigration Office, which makes the final decision on the German residence permit, European Union Blue Card and EU permanent residence permit, including work permits. The assessment of residence permit requests in Germany takes into account the applicant's sensitivity to public safety and order in Germany, his/her ties with the Federal Republic of Germany and the duration of his/her stay in Germany. In addition, the applicant's location, required permits, knowledge of the German language and compliance with the laws and social order of the Federal Republic of Germany are also taken into account. According to German federal immigration law, the following criteria are taken into account when assessing a residence permit application:

- Being able to express himself/herself orally in German quite easily;
- Adequate housing for the family members living with the person;
- If the person is required to attend an integration course, successfully completing the integration course,
- Educational and professional qualifications,

- Family health insurance for foreigners and their relatives living in a family unit,
- Having all the necessary legal permits and regular income to work in Germany,
- If the person lives with his/her family members, providing a continuous and regular livelihood with his/her family,
- Basic information about the legislation, social organization and living conditions in the Federal Republic of Germany,
- Criteria such as housing large enough to support the family members they live with.

Those who wish to stay in Germany for a longer period of time must obtain a residence permit. There are four different types of residence permit in Germany:

Residence Permit (Aufenthaltserlaubnis)

The standard duration of a residence permit for persons applying for a residence permit in Germany is limited depending on the reason for being in Germany and the purpose of the residence permit application. People with the following characteristics can obtain a limited residence permit:

- Those who went to work in Germany,
- Those receiving vocational training,
- Those seeking asylum on international law or humanitarian grounds,
- Those who migrated for family reasons,
- Foreigners who renounce their German citizenship and return to Germany,
- Permanent residents of an EU country,
- Third-country nationals who can only work in Germany with a regular residence permit.

Settlement Permit (Niederlassungserlaubnis)

In Germany, a settlement permit, including a work permit, is issued indefinitely. The following criteria must be met to obtain a settlement permit:

- Residence permit in Germany for at least 5 years,

- The person applying for a residence permit must be able to support themselves and their family financially,
- Sufficient knowledge of German,
- No criminal record,
- For highly educated professionals, the stay criterion may be less important,
- EU Blue Card holders can apply for a settlement permit after about 2 years.

EU Permanent Residence Permit

The European Union permanent residence permit is an open-ended permit that includes a work permit in Germany. An EU permanent residence permit is issued in the same way as a German residence permit. The EU permanent residence permit includes the right to move freely in other EU countries and entitles you to a residence permit in the member states of the European Union. However, this residence permit is a temporary permit valid for a certain period of time.

EU Blue Card

- Non-EU nationals can apply for an EU blue card if they have a highly trained profession and come to Germany to work in this profession or stay in Germany with another residence permit for higher education.
- For an EU residence permit, the applicant must be the holder of a Blue Card issued by an EU member state and must have resided in an EU country with their Blue Card for at least 18 months and have held a Blue Card for at least 2 years. This residence permit is valid throughout Germany.
- The residence permit is also valid for a maximum of 90 days in the countries party to the Schengen Agreement according to the provisions of the Schengen Implementation Agreement.
- A residence permit for self-employment can be obtained if the applicant believes that it will bring economic benefits or provide work for a regional need.
- The assessment of the application for a residence permit shall take into account, inter alia, entrepreneurial experience, the amount of capital invested, its impact on employment and vocational training, and its contribution to research on technological innovation.

- Foreigners over 45 years of age can obtain a residence permit if they have sufficient old-age guarantees. The residence permit is issued for a maximum of 3 years. A residence permit may be granted after three years if the foreigner proves that he/she is able to perform the planned work and takes care of the family members living with him/her.
- A foreigner seeking asylum may be granted a residence permit while waiting for the final outcome of the asylum application. However, this permit is only granted with the approval of the highest state authority and on the condition that Germany's interests are safeguarded and does not include legal entitlement.

Germany Residence Permit for Study Purposes

Foreigners living in Germany for study have the option of obtaining a residence permit. This option includes language courses in preparation for a university degree.

A residence permit for higher education is valid after the student is officially enrolled at the university. German language skills are also taken into account when foreign students apply for a residence permit. However, this condition is not required for university students who study at a German-language university. The validity period of a residence permit after higher education may not exceed 2 years at the beginning and in the event of an extension, and must include 1 year of study and preparation for higher education. The planned independent study must be related to the knowledge acquired in higher education or to the activity of a researcher.

Persons coming to Germany for long-term study will not be granted a residence permit for a second stay and the student residence permit will not be extended for any other purpose. A residence permit issued for study purposes may be valid for a maximum of 9 months. The student residence permit entitles foreign students to work for a maximum of 120 full days and a maximum of 240 days. Foreigners can also obtain a residence permit for language courses where the duration of the language course is taken into account. Foreigners may be granted a temporary residence permit if a member state of the European Union allows third country nationals access to higher education, student exchange, free vocational training or voluntary services in accordance with the European Council Directive of December 13, 2004.

Residence Permit in Germany on the Grounds of Civil Union

A person who goes to Germany to get married must immediately contact the immigration office and apply for a residence permit. The duration of a residence permit based on the status of the spouse is 3 years. However, this period does not start from the date of marriage, but from the date of the residence permit.

A residence permit based on marriage, which is an independent residence permit, expires upon divorce. You can apply for an independent residence permit after at least 3 years of legal marriage. This permit is granted in the event of the death of the spouse or child of a German citizen or after working for the same employer for at least 1 year (job security of at least €450). Aufenthaltserlaubnis (Aufenthaltserlaubnis) is granted for a maximum of one year, as the foreign spouse must continue to learn German by attending integration courses.

Both spouses applying for a married residence permit must be 18 years old, have at least A1 German language skills, the spouse must have had a residence permit in Germany for at least 1 year and be married at the time of marriage. They must declare an income sufficient to cover housing and living expenses.

According to the law, children under the age of 16 can come to Germany with their parents. Children aged 16 and 17 are granted a temporary residence permit if they come with their parents. An applicant for a temporary residence permit (Niederlassungserlaubnis) must meet the following criteria: At least 5 years of official residence in the Federal Republic of Germany (3 years may be sufficient if the spouse is German or independent or comes to Germany with a blue card). At least one of the spouses must have worked in an insured job in Germany for 60 months. Both spouses must have a clean work certificate and the applicant must have a valid work permit. Sufficient knowledge of German (B1) and professional competence are required. They must have a basic knowledge of German law, social order and living conditions. They must successfully complete a 60-hour course (Orientierungskurs) and must have lived in Germany for at least 1 year. Those who meet these criteria can apply for a permanent residence permit.

Extension of Germany Residence Permit

When a foreign citizen arrives in Germany, the residence permit that was issued or extended by the Immigration Office can be extended in accordance with the

provisions of the law. Before extending the residence permit in Germany, it is determined whether the foreigner fulfills his or her obligation to regularly attend integration courses. If the foreigner violates the obligation to regularly attend an integration course pursuant to § 44a, paragraph 1, first sentence, this shall be taken into account when deciding whether to extend the residence permit. The decision to extend the residence permit takes into account the applicant's current period of legal residence and the possible consequences for the family members of the foreigner who are legally resident in the Federal Republic of Germany. If the foreigner is required to attend integration courses on a regular basis, the residence permit will be extended for at least one year at a time, unless the foreigner can prove that he or she has not successfully completed the integration course or has otherwise adapted to social life (Source: <https://www.almanyakonsoloslugu.com/otuurum-izni>, Access date: 15.05.2023).

3.2.1. Open Door Policy

At the end of the 18th century, US Secretary of State John Hay announced the "Unimpeded Passage Policy" in a document aimed at protecting China's territorial integrity and increasing trade. The US Secretary of State announced an "unimpeded passage" policy guaranteeing free trade to Germany, France, Italy, Japan, Russia and China. This policy, announced between 1899 and 1900, became an important cornerstone of American foreign policy in East Asia and it remained effective for more than 40 years. However, the policy became obsolete when the Chinese Communist Revolution in 1949 ended post-revolutionary privileges for foreigners. Today, the "block-free transit policy" refers to an inclusive policy of accepting refugees rather than a harsh treatment of those fleeing the Syrian crisis. It is implemented in accordance with international legal standards, the Universal Declaration of Human Rights and the Geneva Conventions. This policy aims to accept all asylum seekers who come to the border regardless of religion, language and race, whether they have a passport or not (Özdemir 2017, p. 127). However, while this situation creates security problems on the one hand, it also creates problems for refugees such as housing, employment, education, health, food and drink. Today, the vast majority of asylum seekers who are accepted by Germany and processed under the open door policy are migrants from Syria. Germany's decision to suspend the Dublin Agreement, which

regulates the EU asylum process and the distribution of migrants among member states, and to take responsibility for asylum seekers on its own is an indication of its positive attitude towards people fleeing the Syrian civil war. Since then, Germany has pursued an asylum policy independent of the European Union and started to determine the number and conditions of asylum seekers. Angela Merkel summarized this German policy in three words: "Wir schaffen das - we can do it". However, Merkel's stance drew the reaction of right-wing parties in Germany, Austria and Hungary. This is because these right-wing parties believe that this decision will encourage more refugees and increase the number of refugees. Another reason why Germany is more hospitable to refugees is that Germany has the power to accept more refugees due to its leading position in the European Union and being one of the main proponents of the European Union idea (Mia 2016).

Germany also wanted to encourage other EU member states that did not want to share the burden of asylum seekers. On the other hand, Germany's immigration experience and immigration traditions led it to take bolder steps in this area. Germany's trust and willingness to accept migrants allowed it to pursue a more open asylum policy (Ateş 2018, p. 30). A chronological overview of Germany's policy towards Syrian refugees shows that 2012 was the year of the first actions and discussions on Syrians, including the admission of Syrians to Germany, the simplification of visa procedures for Syrians with family relatives in Germany, the preparation of plans for the admission of women with children fleeing Syria to Germany, and the first actions and discussions on Syrians. On the other hand, Germany's change of asylum policy in 2015 added a new dimension to the long-standing crisis. Germany's announcement that it expected around 800,000 asylum seekers to come to Germany in this process was seen as an open door policy and led to a large influx of refugees to Hungary (Balçı 2018, p. 46).

After 2015, it is seen that Germany pursued a different policy towards asylum seekers. The arrival of refugees from Hungary and Austria in Germany from the state of Bavaria, where the Christian Social Union Party and the Christian Democratic Union Party are influential, led to an increase in Merkel's criticism and propaganda that this policy was harming the country, but Merkel announced that the open door policy would continue (Akkaya 2016, p. 36). Another fact is that Germany's policy is largely due to the pressure created by public reactions. Strong civil society

organizations and liberal public opinion have pressured the government to accept more refugees during the refugee crisis, in addition to volunteering and actively participating in welcoming and resettling refugees, meeting their needs and ensuring integration (Yangın, 2018, p. 30).

While some argue that Germany is not a country of immigrants, many German citizens still maintain a historic culture of hospitality in Germany. Moreover, Germany's liberal cultural values reflect the fact that the state has a certain moral responsibility towards asylum seekers. Germany has therefore adopted a more flexible attitude towards refugees. The former president of Germany claimed that Germany should be a safe country for refugees because after the Second World War German citizens also became refugees (Homles and Castaneda 2016, 15).

On the other hand, the positive response of the German economy to this experience has also effectively contributed to the country accepting more refugees. This is because the labor shortage in developed countries is eliminated by the entry of foreign labor into the labor market. At this point, German economic elites explained that integrating migrants into the German economy would be a useful and correct strategy for the following reasons (Georgi 2016):

- Shortage of skilled labor in some job fields in Germany
- The necessity to increase the profits of some sectors with the help of migrant workers
- The belief that in the long term, the lack of jobs due to depopulation can be solved with migrants

This pragmatic approach to migrants developed by the liberal market influenced the development of the country's broader and more liberal immigration policy. As the largest economy in Europe and the fourth largest in the world with a strong economy and a high level of prosperity, Germany has been able to accept more refugees and create social conditions, education, health care and protection. The German government and the German economy are also aware that despite spending so much on asylum seekers, in the long run they make a greater financial contribution to the national economy (Ateş 2018, p. 31).

Although every German citizen has a vision of accepting more asylum seekers, German public opinion is in favor of liberalizing the asylum policy. Surveys

conducted in 2012-2015 show that solidarity between asylum seekers and German citizens is low. Volunteering and solidarity are the most important issues for Germany in the protection of Syrian refugees. The policy applied to asylum seekers with tolerant content was supported by non-governmental organizations and international public opinion (Bulkan 2018, p. 69).

When public institutions were not sufficient, many people in Germany volunteered to provide creative services to asylum seekers of whatever faith, Muslim, Christian, young or old. One example of this is apartments. The individual assistance system for housing support has enabled asylum seekers to pay the rent for the apartment they need to live in. There were also efforts to raise public awareness (Funk 2016, p. 290).

Similarly, acceptance certificates for asylum seekers can be found almost everywhere in Germany. German citizens have offered Syrian asylum seekers shelter in their homes, where they can stay for as long as they wish. This project, initiated by a married couple living in Germany, aimed to create a new culture and foster integration between newcomers and those already in the country. Various companies have also provided extensive support to asylum seekers by offering voluntary services to help them adapt and integrate into German society (Marcel and Maha 2017, p. 90).

3.3. Employment Policy

In Germany, persons granted refugee status have the same rights as German citizens when they enter the world of work and do not need a separate work permit. According to information published by Pro Asyl, the German umbrella organization for refugees and asylum seekers (a German refugee rights organization), UNHCR reported that most Bosnians who arrived in the 1990s worked informally. Vocational skills are assessed through early intervention programs that are supposed to provide asylum seekers with the right to permanent residence in Germany. The Early Intervention Program is legally established and is expected to be implemented throughout the country. Social workers assess the required competence through work packages developed based on asylum seekers' work experience, qualifications and work experience. Asylum seekers apply to the federal employment office, where labor market needs are matched to their qualifications and individual employment strategies are developed. Refugees and asylum seekers who are undocumented or can prove their

qualifications with little or no evidence in their country of origin are offered the opportunity to assess their qualifications through work sample analysis, the so-called 'competence analysis' in the Act on the Assessment of Vocational Qualifications (ASPB, 2015, pp. 44-59).

Efforts are also being made to increase the number of high-quality qualitative analyses conducted by the German Federal Employment Agency. Independent training events, personal counseling, knowledge management of work tools, competence analysts and competence analysis candidates are financially supported by a special fund (OECD, 2016, p. 33).

People arriving in Germany and hoping to obtain refugee status have difficulties finding a job, especially in their first years. Although the proportion of refugees who find permanent jobs seems to increase with length of stay, it is reported that refugees who stay in Germany for 15 years do not have a regular job (MPC, 2016, p. 69). Looking at the length of stay, it can be said that some of them reported working in temporary jobs or working unregistered as refugees during this period.

In Germany, people from countries such as Iran, Iraq and Syria who are likely to be accepted can receive early support to enter the labor market. Since 2015, people from these countries can receive 600 hours of German and 60 hours of training in the cultural and political system called 'integration course', which is one of the prerequisites for employment. People who have been granted a residence permit, temporary protection or refugee status in Germany are also entitled to work. According to the German Asylum Act, a residence permit can be revoked within 3 years depending on the situation in the country. However, there have been very few cases of revocation and this is still a cause for concern among residence permit holders. In 2016, it was announced that people working as apprentices in Germany will be granted a residence permit for that period plus 2 years of work experience. This has had negative consequences for young asylum seekers from safe countries such as the Balkans and has made it more difficult for them to find apprenticeships in workplaces. Despite the positive provisions on refugees and asylum seekers, it was stated that the residence permit can be revoked within 3 years and that employers have a negative view on hiring these people for bureaucratic reasons (MPC, 2016, p.69-70).

While there is no difference between national and international labor policies, migrants and refugees are seen as a disadvantage in this regard. One way to mitigate this disadvantage is through special language courses on the content of German labor law. These courses consist of 730 work units and are largely open to asylum seekers. Germany conducts various surveys to recognize and identify the vocational skills of refugees and asylum seekers. This is where the biggest challenge arises in proving the adequacy of vocational skills. In order to solve this problem, special testing methods (prototype transfer) developed by the Ministry of Education and Research are applied, so that refugees and asylum seekers acquire vocational qualifications that lead to permanent employment. The most important institution for labor market policy in Germany is the Federal Employment Agency (Bundesagentur für Arbeit). The Federal Employment Agency has 10 regional divisions, 156 employment offices and 303 employment offices. Asylum seekers and refugees can apply to these employment centers and people from countries such as Eritrea, Iran, Iraq and Syria receive special employment benefits.

These benefits can be specified in the job application as allowances, translation of professional documents and travel expenses. These benefits are offered to asylum seekers before their applications are accepted, and refugees can benefit from these benefits as citizens from job centers if they have a residence permit (MPC, 2016, pp. 71-72). A person's right to life depends on his or her profession or employment, but a refugee who has a profession in his or her home country may have difficulty entering the labor market of the destination country and may work in unskilled low-level jobs if he or she does not have legal status in the country (Nohl, Schittenhelm et al., 2011, p. 35).

3.4. Education Policy

As one of the countries in the world that has received significant immigration in the last century, Germany has significant knowledge and experience in the education of immigrants with different mother tongues. It is recognized that the education of immigrant children in Germany plays an important role in their integration into the society in which they live. According to the German Integration Report, migrants graduate with much lower average scores than non-migrant students and work in poor quality jobs. Many migrant students do not complete vocational training, which is

considered a prerequisite for employment in any profession in Germany. Understanding the negative consequences of this situation, Germany decided to invest heavily in the education of immigrants (Saklan, 2020, p. 62).

Today, when immigrant students start their school life in Germany, if they do not speak German, they are placed in specially opened "newcomer classes" or "welcome classes" and receive one year of education in these classes. When migrant students have learned enough German, they continue their education together with local students (Saklan, 2020, p. 67). Discrimination is experienced both in the field of education and in all aspects of migrant life. In Germany, the participation of migrant students in higher education (Gymnasium) is lower than in lower education (Hauptschule). Similarly, migrant students are more likely to repeat a grade than the native population. Despite similar results, migrant students generally receive lower grades than their peers, attend Hauptschule more frequently and Gymnasium less frequently. Immigrant students have to work much harder than native students in order to succeed and be recognized (Yalçın, 2017, p. 137). The separation of educational institutions providing high school education in Germany causes a serious disadvantage for immigrant students. Because immigrant children who finish primary school are usually placed in schools with the closest or most suitable quota to where they live, not according to their interests, abilities or achievements. In this case, migrant students are usually sent to low-level schools or not sent at all (Tekin & Yürkseker, 2017, p. 8).

3.5. Health Policy

In order to receive health care in Germany, asylum seekers must prove that they have an existing illness. Asylum seekers are entitled to health care if it is determined that the problem requires urgent intervention (Basisinformationen Duldung, 2014).

For the purpose of research, the asylum seeker has to obtain a health certificate every time she/he applies to the social services and may also be asked for a health certificate regarding the need for a medical examination. There are no restrictions on medical care during pregnancy (Flüchtlingsrat BW - Aufenthaltsgestattung, 2014). However, asylum seekers without a residence permit have more limited access to health care (Basisinformationen Duldung, 2014). These

limitations lead to disadvantages such as lack of access to necessary health services and delays in treatment processes.

To address these issues, it is important to include refugees in a formal health registration system, implement mandatory screening tests and ensure free access to health services (Razum and Wenner, 2016). In addition, psychotherapy is regularly provided in counseling centers in Germany, which offer psychological treatment to asylum seekers. However, the lengthy treatment process and regular weekly appointments prevent a small number of asylum seekers from receiving services. Therefore, designing short-term interventions to address the crisis can help serve more people (Baron & Flory, 2016). An asylum seeker can receive a health card 15 months after arriving in Germany and can request psychotherapy after receiving the card. However, if a refugee who has had a traumatic experience does not receive psychotherapeutic support within the first 15 months, it can lead to a difficult process (Baron & Flory, 2016).

CONCLUSION

Until the 21st century, there was a lot of migration on the world stage. Countries have changed, causes have diversified, parties have grown, and so the phenomenon of migration has remained fresh. The presence of migrants was both one of the elements that kept the situation fresh and a consequence of the current situation. Migrant participants understand the status of this party in two different ways. The first is that they act according to their desires. Individuals may leave their area of residence, for example, because of better economic conditions or job opportunities, better quality education or wider health opportunities. Second, people are forced to move. Such a situation is necessary because one does not decide about a situation for arbitrary reasons. As a result of bad conditions such as war, civil war, terrorism, hunger, starvation, etc. occurring in the geographical area where they live. People who fear for their lives and the safety of their property or loved ones may be forced to move from one region to another, either alone or in a group. This may be between different parts of the same country or it may spread from the country of origin to other countries.

Although Türkiye grants refugee status to people seeking asylum in a member state of the Council of Europe, it does not grant refugee status to people from non-Council of Europe member states such as Syria. This is because Türkiye has imposed conditions on the 1951 Geneva Convention and 1967 Protocol in addition to the Convention. In addition to the discourse on lifting geographical reservations both in the Human Rights Commission of the Turkish Grand National Assembly and in international forums, Türkiye has provided and continues to provide "temporary protection services" to Syrian individuals. In this respect, Türkiye has been criticized by many international forums for the fact that those under temporary protection do not have the same rights as refugees. However, Türkiye has tried to reduce the differences in laws, regulations or services provided.

Of course, Türkiye's geographical reservation is due to the complexity of its geographical location. Considering both the year 1951, when the geographical reservation was made, and the last five years of Türkiye's history, Türkiye is geographically close to neighboring countries such as Syria, Iraq and Iran, and countries such as Pakistan and Afghanistan. Its strategic structure, which serves as a bridge between Europe and Asia, has made Türkiye hesitant to grant refugee status to mass asylum seekers and this situation has led the country to take a different attitude.

Many citizens of many countries live in Türkiye, whom Türkiye accepts for various reasons. However, only Syrian citizens, numbering in the millions, were among them. Türkiye has provided assistance in all areas such as education, health, shelter, nutrition and clothing to the Syrian citizens who have sought refuge and increasingly embraced it; it continues to provide this assistance through national institutions as well as international institutions.

Germany's approach to the current situation is relatively similar to Türkiye's, but differs in terms of location and reception targets. Like Türkiye, Germany applies an "open door policy" to asylum seekers. This policy ensures the safety of the people concerned, as well as meeting their needs in many areas such as shelter, nutrition, education, health and clothing. In this context, migration zones, which have been established for years, continue to receive large numbers of asylum seekers.

Germany applies the "Königsteiner-Schlüsse" system for asylum. This system is a process that starts from the first day of the asylum procedure and continues with the acceptance of asylum. It is the system that decides in which region of the country the persons in question will be placed first. No such policy is in place in Türkiye. Although Türkiye does not impose any restrictions on Syrians, it allows them to move and stay freely by providing temporary protection in the country. Germany grants an international protection status to accepted asylum seekers according to its own legislation. Germany, like Türkiye, has not decided to give asylum seekers a new status or a new name, independent of their existing international protection status. However, Germany's attitude is not limited to granting status. Germany emphasizes the need for an integration course for those they accept. They think in terms of "if you want to live in Germany, you have to speak German". In this context, it is mandatory or recommended for the accepted groups to attend a German language course. At this

point, Türkiye's vision of the current situation was different. Because Türkiye did not organize language courses for Syrians. Although the Ministry of National Education, as well as local governments, universities, and non-governmental organizations provided training or language courses, the main target of the organization in question, the Ministry of National Education, was Syrian children.

In addition to Türkiye's human-centered attitude, Germany's attitude towards the Syrian people has an economic basis. As stated by Germany's statistical bureaus, Germany's population will decline and age in the next decade due to the country's low birth rate.

If the current situation continues, by 2050 Germany's population will be significantly smaller and the country will face many political and sociological as well as economic and financial problems. While Germany's population is declining, both in general and in terms of youth, it is unable to find people to employ, produce and provide services. Germany's negative attitude towards migrants there has changed as a result of these announcements and hundreds of thousands of asylum seekers have been allowed to enter the country. Looking at the demographic characteristics of Syrians who applied for asylum for the first time between 2013 and 2017, it was observed that those aged 34 and under accounted for around 1% of all applications. The situation was a new solution to both the country's declining population structure and labor needs. In Türkiye, there is currently no such intention. This is because the number of children per woman in Türkiye is the same as the minimum number required (2.1). Moreover, even if Türkiye accepts asylum from Syrians due to its young population and unemployment in the country, it does not have diverse economic goals like Germany.

The number of Syrians accepted as asylum seekers in Türkiye and Germany is an important issue for both countries. This has led to several situations where significant differences can be seen when comparing the countries. At the end of 2017, Türkiye received an average of 3.4 million Syrians. In Germany, this figure was limited to an average of 514.000.

Another important issue is Syrians' access to employment and the opening of workplaces. Syrians have faced similar situations in finding jobs and opening workplaces both in their countries of origin and in their cities. There are official

channels for Syrians to join the Turkish labor force. Despite this, utilization remained very low for some time. For example, in 2017, 20.966 Syrians applied for official employment and on average 1% of applications were accepted. However, when the number of Syrians living in Türkiye who are assumed to be able to participate in the active labor force (1.699.385) is compared to the 20.966 applicants, the ratio is 1.23 percent. The rate of Syrians who did not apply is 0.77 percent. While those who do not apply and can participate in the active labor force work and continue their lives, Syrians living in Türkiye work either voluntarily or informally for other reasons.

On the other hand, labor force participation in Germany is not as free as in Türkiye. First, completing integration courses is an important element expected from the relevant groups. Since it is difficult or impossible to find a job in Germany without knowing German, people are encouraged to learn German and attend courses. As a result of strict controls and heavy fines imposed on companies that employ people without work permits, entrepreneurs are reluctant to hire people without work permits and employers are seriously concerned about work permits. Those who successfully complete integration courses are referred to relevant positions by the relevant departments and receive official salaries. In addition, official institutions provide unemployment benefits for those who apply and do not find a job within a certain period of time. However, as in Türkiye, the equivalence of German degrees is a serious problem. People whose degrees are not recognized as equivalent can take jobs with clearly lower qualifications than their own.

Both in Türkiye and in Germany, Syrians with relevant status or services are influenced by the culture of the communities they go to. Recognizing that people bring their own cultures with them wherever they go, this cultural exchange also affects the host country. In both cities, Syrians took citizenship and kinship laws into account when choosing housing and concentrated in certain neighborhoods. When choosing jobs, Syrians tended to go to or near relatively dense neighborhoods. While the residential areas where they lived and worked were often located in two different locations far from each other in Berlin, in Izmir these areas were often located close to each other. Overall, there was a general sense of cultural cohesion, and this cohesion was a wonderful environment where cultural interaction was alive and visible.

Regarding the location or situation of Syrians, their visibility in urban areas, national attitudes and policies implemented, the following recommendations can be made:

- The central government is responsible for Syrians in Türkiye in all areas from education to shelter, clothing to health. The search for solutions to the current situation and the necessary resources should be transferred from the control of the central government to local (urban) governments, for example in the areas of shelter and transportation. At this stage, municipalities should lighten the burden of the central government, give importance to Syrians in service provision and not ignore them.

- Municipalities should seek solutions to the increase in apartment rents and the shortage of apartments. In this context, Syrians concentrated in one area should be divided into different neighborhoods. In case of housing shortage, additional houses, container cities should be built in the city or additional solutions should be introduced.

- The fact that those who leave the country try to continue their lives in the places they come from without knowing the language affects both Turks and Syrians and creates differences in bilateral communication. Like Germany, Türkiye should initiate a mandatory or advisory language program for Syrians.

- Türkiye should take preventive measures against the unregistered employment of Syrians, given that unregistered work harms the national economy.

- Türkiye should change its attitude towards internal division of the Syrians it receives. The concentration of Syrians in certain provinces, certain districts of these provinces and certain neighbors of these districts should be prevented.

- Both countries should resolve the issue of diploma equivalence and ensure the employment of Syrians with the necessary know-how in the fields that the country needs most.

- Arabic signs and advertisements should be restricted in both cities.

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