## SUMMARY

- Under Turkey’s two-tiered asylum policy, only individuals fleeing from Europe can be classified as refugees by the Turkish government.

- During the majority of the 20th century, Turkey experienced waves of asylum seekers primarily from Europe. However, from 1980 to 2017, Turkey saw much larger influxes of refugees from countries like Iran, Iraq, Afghanistan, and Syria.

- In the 1980’s, Turkey received large refugee flows from Iran and Iraqi Kurdistan. In the 1990’s, Turkey received refugees from newly-independent Bosnia-Herzegovina as well as from Iraqi Kurdistan. In the 2000’s, large numbers of individuals from Iran, Iraq, and Afghanistan fled to Turkey.

- In the 2010’s, Turkey received the largest influx of refugees it had experienced to date due to the Syrian civil war. The influx of nearly 3 million Syrian refugees has forced Turkey to reevaluate its asylum policy.

- In addition to being a refugee host country, Turkey has also been a transit country from which asylum seekers are resettled to third countries.

## ABOUT THE AUTHOR

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## REFUGEE FLOWS THROUGH TURKEY: 1980 - 2017

Caysie Myers

Turkey’s location at the intersection of Asia and Europe has long made it both a host country for refugees and asylum seekers as well as a pathway to Europe, North America, and Australia. In the past, Turkey was mostly known for being a country of emigration, with large numbers of Turkish laborers migrating to Europe, especially West Germany, due to labor agreement laws established in the 1960’s. [1] In addition to these migration flows out of Turkey, there have also been immigrant flows into the country throughout the 20th century, especially from Eastern Europe and the Balkans. [2] For example, many asylum seekers fled to Turkey during the Cold War to escape the rise of Communism in Eastern Europe and the Soviet Union. [3] However, beginning in the last quarter of the 20th century, Turkey has seen a drastic increase not just in the influx of asylum seekers on a whole but in particular in the numbers of people fleeing conflict in the Middle East. Adjustments and amendments to Turkey’s refugee and asylum laws have been made to adapt to the changing flow of asylum seekers.

## Understanding the Laws Behind Turkey’s Refugee and Asylum Procedures

### Turkey’s Two-Tiered Policy

The initial law regarding asylum and immigration in Turkey is the 2510 Law on Settlement, established in 1934. [4] This law restricted the explicit right of asylum and immigration to only those of Turkish descent and ethnicity. In 2006, a new Law on Settlement was adopted that recognized Turkey as a home for refugees and asylum seekers but preserved settlement that leads to citizenship only for people of Turkish ancestry. [5] In addition to the 2510 Law on Settlement, Turkey is also a signatory of the 1951 Convention relating to the Status of Refugees, a UN document that lays out the definition of who constitutes a “refugee” and the legal protections, assistance, and social rights to which refugees are entitled. [6] However, Turkey adheres to a “geographic limitation” outlined in the convention that allows Turkey to grant refugee status only to those fleeing from Europe. [7] This requirement sets up the two-tiered asylum policy that Turkey abides by today, with individuals categorized as either “Convention refugees” (European) or “non-Convention refugees” (non-European). [8]

This policy emerged post-1979 following the Iranian Revolution and a general rise in instability in Turkey’s region, resulting in the first considerable wave of non-European asylum seekers fleeing to Turkey since the country’s founding in
1923. Subsequent instability in the Middle East has continued to drive thousands of asylum seekers into Turkey, where they are not officially recognized by the Turkish government as refugees due to the two-tiered asylum policy.

**Temporary Protection Laws**

The need for temporary protection laws that specifically address these second tier asylum seekers intensified following the start of the Syrian civil war in 2011. To address the procedures relating to the entrances, exits, and stays of foreigners, the Turkish government adopted the Law on Foreigners and International Protection (Law No. 6458) on April 4, 2013. [9] This is the first law to address the asylum and immigration system within Turkey, such as management of legal and unauthorized humanitarian migration as well as integration programs for refugees. The executive-branch agency devoted to migration management, the Directorate General for Migration Management (DGMM), was established under the Law on Foreigners and International Protection.

This framework established infrastructure for three categories of foreigners seeking international protection: refugees; conditional refugees (those who are slated to be resettled in a third country), and individuals under subsidiary temporary protection (anyone who does not fit the above two categories but who would be at risk if returned to his/her country of origin). The majority of Syrian refugees in Turkey fall under the third category. [10] The law also establishes specific deportation procedures, which allows the GDMM to deny entry to foreigners on the grounds of upholding public order, security, and health, but ensures humane treatment for unauthorized migrants. [11] Additionally, provisions for legal aid to those who cannot afford it are provided, and detention in removal centers is limited to six months (or up to a year in instances of noncompliance).

As a response to the Syrian refugee crisis, the Temporary Protection Regulation was issued on October 22, 2014. This regulation specifically addresses the protection proceedings for foreigners who were forced to leave their home countries and cross the Turkish border en masse seeking protection. [12] Following the passage of the Temporary Protection Regulation, the 2015 EU/Turkey Joint Action Plan was created, in which the EU agreed to provide €3 billion for refugee management in Turkey. In return, Turkey is responsible for enforcing border restrictions to curtail refugee flows, acting as a “wall of defense” against the flood of Syrian refugees to Europe. [13]

## METHODS OF MIGRATION

Refugees travel across borders to and from Turkey by:

- **LAND** (on foot)
- **WATER** (boats & rafts)
- **AIR** (plane)

Source: UNCHR

**Turkey’s Humanitarian Assistance to Refugees and Asylum Seekers**

The Turkish government provides a large variety of humanitarian assistance and services to its population of refugees and asylum seekers. Turkey’s main government actors addressing refugee concerns are the DGMM and the Disaster and Emergency Management Presidency (AFAD). Major humanitarian organizations include the Turkish Red Crescent...
(Kizilay) and the IHH Humanitarian Relief Foundation. These domestic organizations have provided assistance to manage and support refugees within Turkey. For example, AFAD has established temporary housing facilities for Syrian refugees in Hatay, Sanliurfa, and Gaziantep and offers services such as free healthcare and vocational training for Syrian refugees. [14]

Supporting and managing refugee flows requires not only domestic actors but also assistance from international actors. Notable international organizations involved in assisting refugees in Turkey are the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children’s Fund (UNICEF), the World Health Organization (WHO), and the International Organization for Migration (IOM). For example, UNHCR has been the main facilitator of official resettlement for refugees in Turkey in recent years, and UNICEF has facilitated programs supporting education and addressing child labor among Syrian refugees. [15]

International assistance has increased through the decades, though Turkey’s relationship with international humanitarian actors has occasionally been strained. For example, Turkey’s government declined to work with UNHCR when Iraqi Kurdish refugees arrived in the 1980’s due to opposing classifications for refugees. [16] Now, the Turkish government has partnered with UNHCR on refugee response, with UNHCR providing the Turkish authorities with operational support, capacity building, and technical advice. [17]


This case study on refugee flows to and through Turkey focuses specifically on the period between 1980 and 2017. While the Republic of Turkey received flows of refugees prior to 1980, these populations primarily arrived from Europe. Beginning in the 1980’s, Turkey began to receive asylum seekers in greater numbers from the Middle East, which complicated its policy of only officially recognizing European asylum seekers as refugees. The increased flow of non-European asylum seekers beginning in the 1980’s provides context for how Turkey has transformed and improved its approach to refugees and asylum seekers in recent decades.

Below, select cases of refugee flows to and through Turkey are detailed by decade. The below information presents a sample of the refugee flows to and through Turkey between 1980 and 2017 and does not present a full accounting of all refugee populations that Turkey has hosted in the last 40 years.

1980’s: Iranian Refugees and Iraqi Kurdish Refugees

Over 2 Million Refugees

The migration of asylum seekers to Turkey underwent a major shift in the 1980’s, when refugees began to flee to Turkey en masse from Iran and Iraq. Previously, asylum seekers taking shelter in Turkey primarily came from Europe, particularly during World War II and the early years of the Cold War. [18] This dynamic changed following the Iranian Revolution, when 1.5 million Iranian refugees fled to Turkey in one of the largest waves of non-European migration that Turkey has ever experienced. [19]

In the 1970’s, growing social discontent and economic difficulties in Iran led to a revolution and Ayatollah Khomeini’s declaration of Iran as an Islamic republic. Militias and clerics enforced strict conservative ideals and suppressed any Western cultural influence. [20] Due to persecution and the violence of the Khomeini regime, approximately 1.5 million Iranians obtained temporary refuge in Turkey between 1980 and 1991. [21] During this time, Turkey temporarily adopted a policy allowing Iranians to enter and stay in the country without a visa. Though the refugees were admitted temporarily, they were encouraged by the Turkish authorities to resettle in third countries in either Europe or North America.

The mass influx of Iranian asylum seekers was followed later in the 1980’s by a wave of Iraqi Kurdish asylum seekers. On August 25, 1988, the Iraqi government attacked the Kurdish city of Halabja with chemical weapons as part of the genocidal Al-Anfal campaign. [22] The Iraqi city was held by Iranian troops and Iraqi Kurdish guerrillas and had approximately 70,000 inhabitants, most of whom were internally displaced people (IDPs). Survivors of the attack fled to
the Turkish border, but Turkey initially refused to admit the survivors due to security concerns surrounding possible PKK infiltration of the Kurdish refugees. [23] However, on August 28, Turkish Prime Minister Turgut Ozal ordered the border to be opened to the refugees due to domestic and international pressure. [24]

The Turkish government provided the Iraqi Kurdish refugees with regular food rations, wood-burning stoves, television, and sports activities [25], but as with the Iranian refugees, Turkey provided only temporary stay to the Iraqi Kurdish refugees. A week after the refugees were allowed into Turkey, Turkish authorities gathered approximately 2,000 refugees and involuntarily transported them to Kurdish towns in Iran. [26] Within six weeks of the initial influx after the chemical attack, at least 20,000 refugees left for Iran due either to Turkish influence or the effects from the cold climate of the mountainous region where they were staying.

In total, 60,000 refugees fled from Iraq to Turkey following the chemical attack in Halabja, with approximately 36,000 remaining in Turkey at the end of 1988. [27] The remaining refugees resided in tent cities in Kiziltepe and Mus and in apartments in Diyarbakir. [28] By 1991, 27,000 Iraqi Kurdish refugees remained in Turkey. By that time, 4,000 to 5,000 had returned to Iraq and another 4,000 to 5,000 had moved on to Greece. [29]

Following the Halabja attack, France took in 355 Iraqi Kurdish refugees for resettlement and aimed to resettle another 600. The U.S. agreed to resettle 300 families and had scheduled 2,000 refugees to be resettled prior to the outbreak of the Persian Gulf War. [30]
In the 1990's, Turkey experienced waves of refugees from the Balkans and Caucasus, including Muslim Bosnians, Albanians, Circassians, Pomaks, Tatars, and Kosovars. Of these groups, the Muslim Bosnians fled to Turkey in the largest numbers. Between 1991 and 1992, ethnic conflicts and economic issues led to the collapse of Yugoslavia and ultimately Bosnia-Herzegovina’s declaration of independence in 1992. Bosnia-Herzegovina’s declaration led to further violence and prompted a three-year long war from 1992 to 1995. The population of Bosnia-Herzegovina consisted of three ethnic groups: Serbian, Croatian, and Muslim. Due to the war and ethnic conflict, approximately 20,000 Muslim Bosnians sought asylum in Turkey, where they were granted temporary asylum. Turkey also saw a large influx of approximately 18,000 Kosovars.

The 20,000 Muslim Bosnians were granted temporary asylum in Turkey, with 2,819 housed in refugee facilities near the Bulgarian border and others staying with relatives in the larger cities of Istanbul and Bursa. Between 1989 and 2012, 320 of the Bosnian refugees acquired citizenship, mostly through marriage.

While conflict near Turkey’s European border led to the influx of Balkan refugees, continued conflict across its southeastern border with Iraq led to a new wave of Iraqi Kurdish asylum seekers. In 1991, Iraqi President Saddam Hussein’s suppression of and violence against the Kurdish minority in northern Iraq escalated. When the regime was challenged through uprisings, Saddam Hussein’s forces used violence to suppress dissent. On March 2, 1991, the Iraqi army killed 50,000 Kurds and Shi’ite Muslims, causing an uprising that resulted in almost half a million Kurds fleeing to neighboring countries.
By April, roughly 500,000 Kurdish refugees had settled along the snowy mountains bordering Iraq and Turkey. The majority of the refugees were housed in eight camps dispersed among the mountains, with around 100,000 refugees outside of the camps. [38] By early June, thousands had returned to Iraq, leaving about 13,400 refugees in Turkey. In September 1991, only 5,000 Iraqi Kurdish refugees remained in Turkey, with about 100 refugees repatriating daily. [39]

The refugee flows from the Balkans and Iraq highlighted the complexity of Turkey’s two-tiered asylum policy. The refugees from the Balkans, coming from Europe, were eligible for temporary asylum and potential official refugee status. However, the Iraqi Kurdish refugees were not eligible for the same status – and thus, the same services – due to Turkey’s two-tiered policy.

**2000’s: Refugees from Iraq, Iran, and Afghanistan**

*Almost 30,000 Refugees*

Throughout the 2000’s, regional instability caused by the U.S. invasion of Afghanistan and Iraq led thousands of asylum seekers to flee to Turkey. During this time period, many asylum seekers were victims of ethnic and religious intolerance in their home countries. [40] One minority example are the Hazaras, the largest ethnic and religious minority in Afghanistan. While most Afghans are Sunni Muslims, Hazaras are primarily Shia Muslims. [41] Throughout the 2000s, the Taliban targeted the Hazara people due to their practice of the Shia branch of Islam. One such massacre was from January 8 to 11, 2001, when the Taliban executed 170 Hazara people in the Yakawlang district. [42]
In many cases, resettlement to a third country after fleeing to Turkey was the best solution for refugees during this time period, since individuals from Iran, Iraq, and Afghanistan were still under the second tier of Turkey’s asylum policy, and thus ineligible to receive full refugee status and benefits in Turkey.

The U.S. Committee for Refugees and Immigrants provides a record of how many refugees were residing in Turkey between 2000 and 2010 and where they were resettled. In 2001, there were 2,650 Iranian and 565 Iraqi “recognized” refugees, along with 2,800 Iranian and 400 Iraqi asylum seekers with pending cases for recognition of refugee status. In 2002, there were 2,000 Iranian and 300 Iraqi refugees, with 2,800 Iranian and 400 Iraqi asylum seekers. By 2003, Turkey also began to see an increase in Afghan refugees, beginning with 130 refugees and increasing to over 900 by 2007. The numbers of Iraqis and Iranians also increased, from 6,500 Iranian and 1,500 Iraqi refugees and asylum seekers in 2003 to 4,000 Iranian and 10,000 Iraqi refugees and asylum seekers in 2007. Turkey was host to 8,300 Iraqis, 4,400 Iranians, and 3,200 Afghans in 2008.

During the 2000’s, efforts were taken to resettle refugees in Turkey to third countries. In 2001, 2,747 refugees – including 2,203 Iranians, 447 Iraqis, and 67 of other nationalities – were resettled in third countries. The majority went to the United States (869), Canada (636), Norway (606), and Sweden (200). In 2002, 2,200 refugees in Turkey, including 1,800 Iranians, were resettled to third countries; 960 went to the United States, 630 went to Canada, and 610 went to Norway. In 2003, almost 3,000 refugees in Turkey, mostly Iranians (2,560) and Iraqis (236), were resettled in third countries, primarily in the United States, Canada, Norway, and Australia.

2010’s: The Syrian Civil War and Continued Regional Instability in Afghanistan and Iraq

Since the outbreak of the Syrian civil war in 2011, Turkey has seen an influx of refugees and asylum seekers on a scale unlike any other wave of migration that it has experienced before. The conflict in Syria began after President Bashar al-Assad’s regime violently cracked down on protesters. As violence escalated across the country, Syrians began to seek safer conditions to the north in Turkey and to the south in Jordan or Lebanon. As of April 2017, the UNHCR has recorded 2.99 million registered Syrian refugees in Turkey, making Turkey the host country with the largest population of Syrian refugees. Along with this massive population of Syrian refugees, Turkey is host to roughly 350,000 non-Syrian refugees and asylum seekers, mainly from Afghanistan, Iraq, and Iran. As a result, Turkey now hosts the largest refugee population of any country.

Approximately 260,000 Syrian refugees are housed in temporary housing facilities run by AFAD. The remaining 2.7 million refugees are living in urban areas, such as Istanbul, Izmir, and Ankara. The Turkish government has spent more than $3.5 billion alone on establishing and running the temporary housing facilities and providing services.

Syrian and non-Syrian refugees and asylum seekers continue to fall under the second tier of Turkey’s refugee policy and therefore are not recognized as official refugees by Turkey’s government. Due to the large population of Syrian refugees, Turkey has been forced to pursue legal reforms and new regulations to manage the population, specifically by introducing the new Law on Foreigners and International Protection in 2013.

In 2014, the deteriorating situation in Iraq led 100,000 Iraqi refugees to flee from the violence in Iraq to Turkey. As of 2016, Turkey was hosting 125,000 Iraqi refugees, ranging from people fleeing sectarian issues and ethnic intolerance to individuals facing sexual and gender-based violence.

Afghans make up 35% of the non-Syrian refugee population in Turkey, amounting to roughly 120,000 refugees. The number of Afghan refugees arriving in Turkey quadrupled in 2014, with almost 2,000 refugees arriving per month. Turkey was host to approximately 30,000 individuals from Iran in 2016, many of whom had fled sexual and gender-based violence. Iranian asylum-seekers pursuing religious freedom, including minorities such as Sunni Muslims and Christian converts, also came to Turkey for safety.
UNHCR has been monitoring the number of resettlement submissions and departures from Turkey it has processed and facilitated per year since 2013. UNHCR’s target is to reach 10,000 submissions per year for non-Syrian refugees in urban settings. This number includes 6,000 Iraqis, 2,500 Iranians, 1,200 Afghans, and 300 nationals from other countries. The majority of all refugees resettling from Turkey are sent to the U.S. or Canada. A smaller portion are resettled in Europe, Australia, and New Zealand. [65]

As for Syrian refugees, in 2014, UNHCR resettled 284 Syrian refugees who had sought shelter in Turkey. The largest portion of refugees were resettled in Europe, with 153 in Norway, 32 in Sweden, and 25 in Belgium. [66] Since 2014, the number of refugees in Turkey has swelled, leading to much larger resettlement numbers in 2016. In that year, UNHCR resettled 8,443 Syrian refugees who had sought asylum in Turkey. Half of the refugees were resettled in North America, with 2,483 in Canada and 2,216 in the U.S. In Europe, 1,033 refugees were resettled in Germany, 702 in the UK, 450 in the Netherlands, and 342 in France. [67]

Turkey has received continuing pressure from the EU to stop the informal migration of refugees from the Middle East through Turkey to Europe, prompting Turkish authorities to apprehend approximately 90,000 irregular migrants each year. [68] In March 2016, the EU and Turkey agreed to work together to lessen the current illegal refugee flow, signing a deal in which Greece can send refugees back to Turkey if the refugees did not apply for asylum or if their claims were rejected. In return, for every refugee that informally travels to Greece and is sent back to Turkey, one registered refugee in Turkey will be resettled in Europe. [69] The deal has led to a sizable decrease in the number of illegal crossings over the Aegean
Sea. In the first three months of 2016, 151,452 crossings were recorded. After the deal was implemented, there were only 21,995 crossings recorded for the remainder of 2016. [70]

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**Turkey’s Improving Refugee and Asylum Seeker System**

When Turkey signed the 1951 Convention, it adhered to a “geographic limitation” clause that has since allowed only European asylum seekers to be granted official refugee status by the Turkish government. However, increasing instability in the Middle East between the 1980’s and 2017 has led to a large influx of asylum seekers from places such as Syria, Iraq, Iran, and Afghanistan, challenging Turkey to reform its system for managing refugees and asylum seekers.

Turkey’s response to refugees has transformed greatly from its past experiences, and the government’s approach in the 2010’s contrasts sharply with its approach in the 1980’s and 90’s. For example, in the 1980’s and 90’s, Iraqi Kurdish children who had fled to Turkey were not required to be provided access to education, while international aid agencies were in some instances refused access to camps housing Iraqi Kurdish asylum seekers. [71]

Forty years and millions of refugees later, Turkey has become a more flexible host for refugees and asylum seekers by adjusting its laws on refugees and migrants to accommodate for circumstances where there is a massive influx, such as the Syrian refugee crisis. The Temporary Protection Regulation explicitly states that authorities are to provide basic needs,
IDs, travel documents, and translation services to Syrian refugees. Access to primary and secondary education for refugee children has also become a requirement. [72]

There are still areas in need of improvement, such as the continued exploitation of refugees in Turkey for cheap and unsafe labor. [73] Additionally, many of the services provided to Syrian refugees are not fully available to other asylum seekers who are not from Europe. [74]

However, over the past four decades, Turkey has learned how to better manage its evolving role as a refugee host country and as a path for refugees from the Middle East to Europe and North America. Its efforts to support the more than 3 million refugees it now hosts shows how much Turkey’s refugee policies and laws have evolved since its two-tiered asylum policy emerged in the 1980’s.

Sources


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Turkish Heritage Organization (THO) is a young, independent, nonpartisan, nonprofit 501(c)(3) organization that promotes discussion and dialogue around Turkey’s role in the international community and issues of importance in the U.S.-Turkey bilateral relationship.

Founded by a group of Turkish-Americans with backgrounds in community leadership and run by a staff with demonstrated interest in and commitment to Turkish-American relations, THO strongly believes that any successful bilateral relationship rests on cooperation and constructive discussion between the people of both countries.

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