

# Encouraging Syrian return: Turkey's fragmented approach

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**Turkey's approach to encouraging refugees to return to Syria risks jeopardising the safety and voluntariness of such returns.**

Turkey's initially welcoming approach when the first Syrian refugees began arriving in early 2011 was justified by the government as a temporary emergency response to a humanitarian crisis. From mid-2014, however, as the numbers continued to rise, and with no apparent end in sight to the Syrian crisis, the Turkish government adopted a more restrictive approach. This includes a temporary protection status for Syrians that permits access to education, health and social services, and the labour market, and – since mid-2016 – some support for limited integration and voluntary return. Research shows, however, that its fragmented returns framework calls into question the safety and voluntariness of such returns.<sup>1</sup>

## **The returns framework**

Although Turkey has put in place formal means by which Syrians can apply to return, the approach as a whole is fragmented. Its Directorate General of Migration Management (DGMM), the principal national

migration agency, cites Turkey's 2013 Law on Foreigners and International Protection and the Temporary Protection Directive of 2014 – both of which state that DGMM will provide in-kind and monetary support to those who apply for voluntary return – as the basis for the legal framework around returns. Legally speaking, the DGMM is expected to cooperate with the authorities in countries of origin, as well as with other public institutions and agencies in Turkey, international organisations and civil society. In practice, the only cooperation DGMM has formalised is with other Turkish State actors. It has signed no bilateral or multilateral readmission or tripartite agreements to facilitate Syrian returns, which would require the involvement of the UN Refugee Agency (UNHCR) and Syria's current government.

DGMM is legally required to seek a formal application from returnees, via provincial branches, and the voluntary return paperwork must have four signatures: from the returnee, a State officer, a translator

and a UNHCR officer – or, if the latter is unavailable, a representative from an authorised non-governmental organisation (NGO). Currently, UNHCR has elected not to be involved in returns and so Turkish Red Crescent representatives are signing voluntary return paperwork.<sup>2</sup>

In the densely Syrian-populated Esenyurt municipality in Istanbul, the municipal authorities organised a return campaign in 2018 whereby 3,724 Syrians returned. For 2019, the municipality has a target of returning 25,000 Syrians. After arrival at the border, returnees are assisted by two Turkish agencies working inside Syria, who escort returnees to cities under Turkey's military control.

### Encouraging returns

The first tactic currently deployed to encourage returns is to facilitate temporary 'go-and-see' visits of up to three months, during religious festivals, whereby refugees can assess conditions in Syria and check on their vacated properties. If they wish, they can choose to remain in Syria. During this period, the DGMM does not cancel their protection status, only revoking their status if Syrians fail to return within the permitted period. Considerable numbers of returns occurring under this strategy indicate its efficiency. According to government sources, in 2017 40,000 Syrians – some 15% of those who made go-and-see visits – remained, and in 2018 57% of the 252,000 Syrians undertaking go-and-see visits remained.

These substantial rises in returns also reflects Turkey's north-west Syria policy. Turkey legitimised two unilateral cross-border operations: Operation Euphrates Shield (August 2016–March 2017) and Olive Branch (ongoing from 2018) on the grounds of fighting terrorism and of defence against attacks from the Syrian Kurdish People's Protection Units (YPG) and ISIS militants in Syria. The international community, however, has seen these operations as belligerent and a violation of Syrian sovereignty, although it has taken no real action to stop the military incursions and Turkey now controls the border and north-west Syria.

The Turkish government has also financed a unilateral post-conflict reconstruction agenda. Turkish agencies, cooperating with local Syrian actors, have provided services in camps for internally displaced Syrians and rebuilt hospitals, schools, mosques, universities and other infrastructure in Syrian towns. Many Turkish State agencies have established branches across the border to provide services, and the Turkish government has started to widely publicise that Syrian cities under Turkey's control are safe places for return.

Against this backdrop, in the summer of 2018 both civil society organisations and refugees from Syrian cities – mostly from Afrin – reported having received telephone calls from Turkish State agencies who informed them about the return option, the improvement of security conditions, and the reconstruction of infrastructure in cities under Turkish control. During that same summer, Turkey announced plans to close all refugee camps within a year. The refugees from the closed camps found themselves facing two options: either moving to big Turkish cities, where housing is expensive, or returning to Syria.

Turkish pro-government media outlets have widely covered Syrians returning. Each returnee trip has been the first news item, and the media – including Turkey's official news agency – has presented these returns as something to celebrate.

### Challenges of the Turkish approach

There has as yet been no large number of returns from Turkey to Syria, and those returns that have taken place have been primarily on an individual case-by-case basis. However, evidence shows that the number of spontaneous returns is growing. Turkey's practice of go-and-see visits during religious festivals is welcome, as are its efforts to enhance security, stability and infrastructure in north-west Syria. Despite this, however, there are several concerns about Turkey's unilateral approach, its strategy of providing restricted protection while encouraging return, and the principles that it ignores during returns.

First, Turkey has started to encourage returns although Syria is still not safe. Despite occasional ceasefires and de-escalation zones under Turkish, Russian and Iranian control, fighting and violence continue across Syria. People lack access to basic public services and sustainable livelihood opportunities. UNHCR has asserted that Syrian conditions are not safe for returns. This is, most probably, why UNHCR has not become involved in returns from Turkey. Moreover, it is not clear whether Turkish authorities fully brief returning refugees about possible risks. Once they have returned, Syrians cannot re-enter Turkey since signing the voluntary return forms means waiving all claims for asylum protection and makes legal re-return impossible.

Second, returns do not seem fully voluntary. The precarious situation of Syrians in Turkey, marked by the lack of full-scale protection, exploitative employment conditions, and the loss of hope in their future, pushes them to return. In mid-2019, the situation deteriorated further when the provincial authorities of Istanbul – where more than half a million Syrians live – started to conduct more street and workplace raids to check people's registration. Syrians without the proper paperwork are being returned to the Turkish provinces where they are registered. Meanwhile, the international media has reported that some Syrians have been forced to sign voluntary return forms and have been deported to northern Syria. Hate speech against Syrians has increased, as local people blame them for unemployment and economic problems. It is clear that while some Syrians are excited about the voluntary return options, the return plans of the majority are contingent on the correct conditions in Syria – security, stability, a new regime, reconstruction of infrastructure, and sustainable livelihoods.

Third, Turkey operates returns unilaterally, although the DGMM asserts that it is working in collaboration with the UN and the European Union to facilitate returns. However, representatives of these organisations in Turkey appear to consider

returns premature because of conditions in Syria and instead favour local integration options. And UNHCR is not carrying out its traditional role of ascertaining the voluntary character of return and ensuring that accurate and objective information on conditions in the country of origin is communicated to refugees. This raises questions about the extent of DGMM's compliance with the voluntariness principle and the transparency of its procedures. The EU has also not funded any project for the return of Syrians, although it – along with IOM – does fund capacity building for the repatriation of non-Syrian irregular migrants.

Fourth, there is no evidence of the provision of any post-return assistance, and Turkish authorities such as DGMM have no means of tracing what is happening to returnees in Syria.

Fifth, the encouragement of returns has consequences for refugee–host community relations, creating an expectation among Turkish host communities of immediate returns. This increases locals' prejudice towards Syrians and thus threatens the already fragile protection afforded to the refugees. Moreover, government and opposition parties' heightened discourse about returns, particularly during election campaigns, is of concern to refugees because they are afraid that forced repatriations will follow.

For those convicted of crimes and anyone alleged to have any links to terror groups, individual forced returns via deportation do happen. Activists report that irregular migrants, including Syrians, who are captured by the Turkish coast guard or police forces when trying to irregularly cross into Greece are first detained in removal centres and then deported. And some Syrians apprehended by police during raids have been handed deportation orders and, after signing voluntary return forms under duress from State officers, are repatriated to Syria.<sup>3</sup> NGO representatives and lawyers have confirmed that these returns have been taking place, which they deem a violation of individual rights and the voluntariness principle. The DGMM does not provide

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exact numbers of non-Syrian irregular migrants, nor of Syrians deported because of criminal activity or supposed terror links.

The case of Turkey demonstrates that what is needed is a multi-actor, collaborative approach to return that complies with internationally agreed principles. Host countries like Turkey cannot be permitted to adopt their own interpretation of what voluntariness, safety and dignity mean. Host States should be warned when they do not comply with legal and normative provisions concerning refugee returns, and stability and safety should be at the forefront of decisions about returns. Further, UNHCR should not disassociate itself from ongoing premature return practices. Instead, the approach of a host country should be refugee-centred, evidence-based and effective. Moreover, careful preparation for reintegration in the home country, and

coordination among all stakeholders, should be undertaken well before returns begin.

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