

Forced Migration and Protection: Turkey’s Domestic Responses to the Syrian Refugees

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This article investigates how Turkey implements its responsibilities of an international refugee protection regime at policy level, and it focuses specifically on empirical scholarship about the domestic responses to Syrian refugees. While refugee protection draws on the principles of humanitarianism and non-refoulement in general, how it is understood and delivered is complex and situation-specific. In the exponentially growing literature on Syrian refugees in Turkey, the scholarship often takes for granted the policy responses without highlighting their relations with practices. With situational analysis of the secondary documents, this article introduces refugee protection policies and regulations and makes an analysis of domestic responses in different fields concerning Syrian refugees. This critical appraisal finds that Turkey’s responses mostly include humanitarian social protection and lack rights-based legal protection. This pushes Syrian refugees into exploitative situations.

Introduction

Currently, more than 79.5 million people in the world are forcibly displaced, 26 million of whom are refugees (UNHCR 2021). States, who have signed the 1951 Convention on Refugees, are obliged to protect refugees from refoulement and hear their cases for asylum. However, with the globalization and high intensity of movements of people, the distinctions between forced and voluntary migration, and thus refugees and immigrants, are increasingly becoming complex and unclear. Additionally, despite the existence of the convention, there is hardly any consensus

about the type of protection to be provided. While refugee protection draws on the principles of humanitarianism and non-refoulement in general, how it is understood and delivered is complex and situation-specific. Refugee protection, social and legal, varies from one state to another. Social protection refers to a philanthropic needs-based approach that attends to immediate needs such as food and shelter, whereas legal protection corresponds to a rights-based approach and stresses entitlement instead of charity (Kleist 2017). While many responses to refugee protection are needs-based, departing from a benevolent perspective, a rights-based approach to refugee protection, based on law and justice, is – Grabska and Mehta (2008) argue – more dignified and recognizes the agency of refugees.

Drawing on these premises, this article explores the major characteristics of the refugee protection policies and practical responses to Syrian refugees in Turkey on the ground to show interactions or gaps between them. In the following, we first introduce the current paradigms in the refugee and forced migration studies and discuss the changing nature of refugee categories, which have the potential to disentangle the underlying dynamics of the situation in Turkey. Then, we unpack Turkey's domestic responses to the forced migration of Syrians in various fields. Additionally, we focus on the working and impacts of the cash-based interventions, specifically, the Kızılay Kart Emergency Social Safety Net programme and Conditional Cash Transfer for Education. Our findings suggest that without comprehensive legal and social protection supports, refugees are further pushed into exploitative situations, adding to an already precarious existence.

Forced Migration, Refugees and Protection

Conflict and subsequent forced displacement stem from myriad interconnected causes and entail multidimensional costs for source, receiving, and non-receiving countries (Gottwald 2014). Forced migration 'refers to the movement of refugees and internally displaced people, as well as people displaced by natural or environmental disasters, chemical or nuclear disasters, famine or development projects' (IOM 2019). However, as Gibney (2014) points out, forced migration as a term is more than just descriptive, it is evaluative as it involves moral judgements about the legitimacy of movement. While uprootedness, exile and forced displacement due to conflict, persecution or even so-called development is the reality for millions of people around the globe, forced migration research, policy and practice deploy a jargon that views forced migrants as problems (Grabska and Mehta 2008).

Relatedly, boundaries between refugees and internally displaced persons are unclear, thus so are the distinctions between forced and voluntary migration. The foundation of the international refugee protection regime dates back to the Universal Declaration of Human Rights in 1948, which states in article 14 that 'Everyone has the right to seek and to enjoy in other countries asylum from persecution' (Erdoğan 2020). The 1951 Geneva Convention Relating to the Status of Refugees and the following 1967 Protocol Relating to the Status of Refugees set

it as international law and provided a clear definition of the refugee. They also created a common and binding international framework for the 145 countries that have signed the convention and the protocol (Erdoğan 2020). While it was an incredible positive step, the Convention relates refuge to the persons who are *already* outside the country. This awards privilege to those with the ability and resources to cross borders, and unjustifiably privileges location over need (Gibney 2014).

Theories such as rational choice, push and pull, and network, all contribute to the understanding of why refugees migrate to neighbouring and subsequent countries. But these movements are complex; refugees, asylum-seekers, stateless persons and economic migrants are increasingly traveling in irregular manners, using similar means and modes of transportation. Such 'mixed flows' complicate more the discussions over whether forced migrants are 'legitimate' refugees or economic migrants (Lukić 2016). For many governments, the consensus is that those irregular migrants in search of economic opportunities should be returned to their countries of origin (Fargues 2015). Among other things, an agreement on these concepts is key because it strongly influences the protection to be provided and the following integration process. The status and the type of protection shape opportunities and constraints by subsequent policies and practice, and powerfully affect perceptions of host societies about newcomers.

Deconstructing Refugee Protection; from Social Humanitarian to Legal Protection

Refugee protection is a multi-layered issue based on human rights, universal conventions and treaties, international law, national law and international standards of practice (Goodwin-Gill 2014). Thus, the international refugee regime, with protection at its core, can be understood as a framework for international solidarity and cooperation. That said, there is no international mechanism to enforce compliance to agreed-upon international norms and standards – Muggah (2008) declares that the refugee regime is normatively strong but procedurally weak.

Refugee protection can be understood in two categories: legal and social. Responses to refugees have historically taken a needs-based approach. Attention and efforts have been devoted to immediate needs such as food, shelter and physical protection. While this top-down 'philanthropic' *modus operandi* may be rooted in good intentions, it often emerges when states are unable or unwilling to achieve their protection commitments (Gökalp and Mencütek 2020). Actors such as Non-Governmental Organizations (NGOs) enter the field and provide protection in circumstances of violence and deprivations. This type of protection for the long term is considered short-sighted in that it supports policies and the practice of containment, for example in specific regions or local refugee camps, and a perpetuation of dependency (Grabska and Mehta 2008). This benevolent approach of the wealthy bestowing generosity on to the 'needy' implies an imbalance of power, worth, and agency. It

ignores refugees' agency and ability to, with proper support, meet their needs and realize their rights; it further disenfranchises them.

Employing a rights-based rather than a needs-based approach aims to address these shortcomings head-on by taking a perspective of entitlement rather than charity. A rights-based approach is based on law and justice, and can provide space to interrogate power relations (Grabska and Mehta 2008). Additionally, it not only includes, but also surpasses, the provision of immediate needs; it has a longer-term vision. Displacement goes hand in hand with a loss of basic rights and an exacerbated risk of poverty (Morvaridi 2008). Rights and livelihoods are intertwined. Thus, unsurprisingly, when refugees are denied access to rights, their ability to realize stable livelihoods is undermined.

Clearly, rights-based approaches are not without challenges and complexities. A rights-based approach to ensuring social protection places great strain at the state level. Access to and provision of rights, particularly with respect to economic and social protection, comes at a cost borne by the state; there is push back over awarding such rights to non-citizens (Grabska and Mehta 2008). This is exacerbated in states with developing economies, where the great majority of refugees reside and states are overburdened by internal socio-economic issues. As subsequent sections will demonstrate, Turkey is an example where this debate and tension is currently taking place.

Syrian Refugees in Turkey; Temporary Protection in a Developing Country

In 2011, the total number of individuals 'under international protection' and those with an application for international protection in Turkey was 58,018 (Erdoğan 2020). In a short time, Turkey has transformed into the country that hosts the largest number of refugees and asylum seekers in the world since 2014. Today, the country includes more than 3.6 million registered Syrians (DGMM 2021). This is approximately 60% of the 5.3 million registered refugees from Syria and makes up about 4.36% of the population in Turkey (Mülteciler Derneği 2021). These numbers may in fact be higher because they do not include unregistered Syrian refugees.

Historically, Turkey's refugee regime had been limited to the reception and the settlement of Turkish-origin refugees. Turkey signed the Geneva Convention on 24 August 1951, but retained the right of Geographical Limitation of the Convention by pointing out the risks resulting from the country's location in an unstable region (İçduygu and Millet 2016). According to the Geographical Limitation of the 1951 Convention, Turkey is not obliged to grant refugee status to asylum seekers from non-European countries (İçduygu, 2015). As such, the presence of Syrians in Turkey was initially considered temporary. However, the protracted nature of the war in Syria significantly amended Turkey's national immigration policies. In 2014, the Law on Foreigners and International Protection provided legal status to Syrians, and stateless Palestinians from Syria, by classifying them as persons

under temporary protection and provided some rights and assistances to its beneficiaries (DGMM 2014).¹ 'Temporary' indicates the expectation that they will eventually return to Syria. As of 2014, the government initiated several long-term integration policies, namely in terms of access to employment, education and health. While these policies regulated the status and rights of Syrians at a legal level, they intensified the concerns in public debates about the permanence of Syrians and heightened negative public opinion against them (Abrams and Birdal 2016).

Looking closer at the situation of Syrians in Turkey, there are Syrians under temporary protection residing in each of Turkey's 81 provinces; the majority live in Southeast Turkey, close to the border with Syria (UNHCR 2017a). Most Syrians are living in urban, peri-urban and rural areas (92%) and, due to both the high cost of living in urban areas and lack of regular income, poverty is high among them (DGMM 2021). It is reported that some families have resorted to negative coping mechanisms such as child marriage, polygamy, child labour, reduced quality/quantity of food consumption, substandard housing and street begging (UNHCR 2017a). Syrians in Turkey report numerous challenges including: precarious legal status; exploitation at work; lack of knowledge of the Turkish language; discrimination and stereotyping; lack of education facilities for children; lack of housing options; lack of integration policies at state and local levels; lack of future prospects in the country; and overall lack of respect (Kaya 2016). Many refugees have fled Syria into Turkey with the ambition to subsequently enter the European Union in search of a better life (Clayton and Holland 2015).

As many from Turkey applied for refugee status in the past, and recently after the coup attempt in 2016 (Röing 2019), there is intense debate around whether Turkey qualifies as a safe third country where refugee rights will be upheld (Gogou 2017). Arguments against Turkey are plentiful. First, as we stated, according to the state's Geographical Limitation of the 1951 Convention and 1967 Protocol, only Europeans can claim refugee status in Turkey (UNHCR 2015a). Second, there are incidents of terrorist activities on Turkish land and risks of execution, torture and inhuman or degrading treatment due to the Kurdish issue in the country (İçduygu and Millet 2016). Finally, there are claims of refoulement such as push-backs, arbitrary detention, physical violence, and humiliation of Syrians at the border (Malm 2017). Clearly, each of these points negatively impacts refugee protection within Turkey. Calls for Turkey to lift the Geographic Limitation on the 1951 Convention are widespread. It has been, however, argued that with the current low resettlement rates from the Global North, if Turkey were to grant refugee status to non-Europeans such as the Syrians, then it would bear the heavy burden of responsibility for and protection of the refugees (Yıldız and Uzgören 2016).

1. The law passed on 11 April 2013 and became legally effective a year later. Accordingly, non-European asylum seekers from countries other than Syria can apply for international protection in Turkey.

Against this background, we will unpack Turkey's domestic responses to the forced migration of Syrians in the following sections. However, before doing so, the next section introduces the data collection and analysis.

Methodology

This is an exploratory case study; it aims to contribute to the literature on the intersection of forced migration and refugee protection, as well as to offer a condensed analysis of the experiences of Syrians under temporary protection in Turkey. A case study elevates a view of life in its complexity and allows us to look at an issue from multiple perspectives within bounded limits (Thomas 2016). The bounded limits of this case study are the responses to Syrians in Turkey from 2011 to 2017 and its scope covers the following domestic responses and their impacts on the protection: host communities, urban refugees, women, children, civil society and employment, and the effects of the cash-based interventions. We decided to specifically focus on these aspects of protection as we considered them the key areas for temporary staying and long-term integration of the refugees.

The study relies on secondary analysis of grey literature, reports and academic publications. There are advantages to using secondary analysis of good quality qualitative and quantitative researches. Such analysis can enrich knowledge of context by providing varied perspectives on core concepts, verifying and countering points made, identifying common themes in the presented material and showcasing gaps in the literature (Seale 2012). The study, more specifically, employs a desk study review of secondary research involving a combination of scholarly work and academic journals, policy reports and policy briefs; thematic and situational reports of local, national and international civil society organizations; statistical reports; government and bilateral policies; laws; opinion pieces; and news articles. The analysis attempts to understand the voices of refugees and host communities, offering both perspectives that display a balance and attempt at triangulation of the data (Thomas 2016).

In doing secondary analysis, we employ two frames; a situational analysis and a response analysis of actions taken to support refugee protection. The situational analysis draws on the political climate in Turkey as well as the temporary protection regime. It specifically considers host communities, Syrians under temporary protection, urban refugees, women, and children. The response analysis will feature critical discussions on Civil Society Organizations (CSOs) in Turkey; cash-based interventions for refugees; informal and formal labour market realities and a discussion on the needs-based and rights-based approaches.

Turkey's Domestic Responses to the Forced Migration of Syrians

Turkey's initial response to the Syrians was benevolent and generous; in fact, it was a source of national pride (Koca 2015). Syrians, who were perceived as guests then, were welcomed and citizens of Turkey were called upon to demonstrate the

compassion required by Islamic values, invoking religious and nationalist pride but also alluding to the power dynamics between givers and recipients of charity (Kaya 2016). However, as the crisis continued, the uncertainty of when or if Syrians would return to Syria grew and anti-refugee sentiments soared.

Turkey's national legislative responses to the forced migration of millions of Syrians have included changes to laws related to foreigners generally and asylum seekers specifically, including avenues of accessing the formal labour market. Some of these changes, which aim to better protect migrants, have been labelled 'revolutionary' (İçduygu and Diker 2017). However, as the following section will detail, policies and practices are not doing enough to ensure the social and legal protection of Syrian refugees in Turkey.

Turkish Host Communities and Syrians under Temporary Protection

Historically, Turkish immigration policies have favoured people of Turkish descent and culture, associated with past Ottoman rule (İçduygu 2015). Early in the refugee response, Turkish authorities assumed that the crisis in Syria would end quickly; thus, the possibility of long-term stay of Syrians in Turkey was ignored. As time passed, unsurprisingly, hosting a big number refugees started to put enormous social and financial strain on national and local economies and communities. However, it must be noted that the perceptions of host communities about Syrian refugees took shape in relation to the social, economic and political circumstances of the country. As the country's economy deteriorates, many communities in Turkey have expressed concern over refugees, citing that they are an economic burden, negatively impact the labour market, receive social services benefits to which they do not contribute (health care, social assistance, etc.) (Byman and Speakman 2016). In parallel to the armed conflicts of the country with the Kurdish People's Protection Units (YPG) and radical Islamic State of Iraq and the Levant (ISIL) in northern Syria, the Syrians were perceived as a security risk, increasing the potential of crime and terrorist incidents (International Crisis Group 2016).

As well as these problems, in the milieu of socio-cultural juxtaposition, ethnic, religious or language similarities of refugees with host societies also resulted in politicization of the Syrians and resulted in them being perceived as a threat by some groups. To give two examples, Turkish society is polarized between conservative Islamists and secular-Kemalists (Tomuş and Aygenç 2017) and there are steadily increasing anti-refugee/Syrian sentiments particularly among the latter group as they perceive Syrian refugees as having a natural allegiance to the former group owing to their religious and sectarian – Sunni Muslim – similarities (Erdoğan 2014), or they may be used as a political tool in the future (Mackreath and Sağnıç 2017). A recent poll shows that anti-Syrian sentiments are much more common among Republican People's Party (CHP) voters (KONDA 2019). Further, Turkey has taken an authoritative turn and was for a long time under a state of emergency after a failed coup attempt in July 2016 (OSCE PA 2017). This granted almost unilateral power to the

government and impacted the country's responses to refugees within its borders. It also reinforced the polarization by making the government the only responsible unit for incoming of Syrian refugees in the eyes of some sections of the population, and strengthened the perception further about the natural allegiance between the government and Syrian refugees.

Relatedly, there is an assumption in Europe that Turkey is a 'natural environment' for Syrians because most Syrian refugees in Turkey are Sunni Arabs (Lazarev and Sharma 2015) and there is a shared cultural intimacy between the two countries stemming from prior Ottoman rule (Kaya 2016). However, this assumption disregards the complexity of society in Turkey, and amongst Syrians for that matter. Many groups in Turkey, such as Alevis, fear that Syrian refugees are being instrumentalized to tip political power further in favour of a Sunni majority and that Syria's sectarian conflict could spill into Turkey (International Crisis Group 2016). These concerns can hinder integration, negatively affect refugee–host community relations and further polarize Turkey's national political scene.

Some of the effects of the entrance of Syrians in Turkey include increases in rent costs, food costs, and general inflation, particularly at border cities, decreases in wages, illegal hiring by small businesses and possible displacement of Turkish citizens in the informal labour market (Akgündüz et al. 2015). However, in some areas, the presence of refugees has improved the trade balance and is expected to bring economic growth as economic integration with Middle East and North Africa deepens (Azevedo et al. 2016). Moreover, locals have benefited as employers of, and sellers to, Syrians. Further, reports on the impacts of Syrian refugees on host community welfare in Turkey found that, nationally, the host community has not been negatively impacted, and there has not been discernible labour market effects in the formal economy (Akgündüz et al. 2015). Having said this, there is evidence that provincial unemployment rates are more likely to increase in areas with larger Syrian refugee populations, and Turkish citizens in the informal sector are being displaced (İçduygu and Diker 2017). As Syrian refugees are mostly urban refugees in Turkey, this discussion on Turkish host communities steers the analysis towards the interactions between host communities and refugees in urban areas in Turkey.

Urban Refugees; Closer Interactions with Host Society and More Exploitation

The study of urban refugees has only relatively recently captured the attention of researchers and policymakers. Until the end of the Cold War, many refugee movements were concentrated in the Global South and they tended to settle in close geographies due to sociocultural familiarity, political activism and quick repatriation. In such a context, United Nations High Commissioner for Refugees (UNHCR) could deal with refugee flows by establishing security zones and refugee camps close to the conflict areas. However, the recent flow of refugees has gone beyond the scale of forced migration that the UNHCR can deal with because it is the result of violent reconfigurations of global power relations and significantly

undermined UNHCR's capacity for holding refugees in the camps and settling them (Fitzgerald and Arar 2018). To exemplify, of more than 20 million refugees, the UNHCR had only been able to settle some 75,000 in 2016 (Yıldız and Uzgören 2016).

Refugee camps are an emergency response. If they become permanent, then, they are a tool of containment of refugees that prevents their integration into host communities and restricts their agency in achieving self-sufficiency (Darling 2016). Over 90% of Syrian refugees in Turkey are living outside of camps in rural, semi-urban and urban areas. Urban refugees can interact more with the host society compared with those in the camps. However, they are exposed to many risks, including poor housing conditions, lack of status and rights, uncertainty over where to access support, challenges in accessing health services, mobility restrictions, and exploitations (Woods 2016).

While refugees may be eligible for state–NGO partnered cash-based interventions outside camps, the conditions in urban areas are often characterized by weak social protection. Urban refugees may access the opportunity for the provision of protection services in parallel to or embedded within national services for citizens of Turkey. However, there are problems in practice and there is no national strategy outlining how municipalities should respond to urban refugees at the local level to enable their access to these services (Erdoğan 2017). In other words, the capacity and efforts of municipalities to implement macro-level policies at local levels for Syrians varies, but is mostly limited and inconsistent (Mackreath and Sağniç 2017).

Positively, the Turkish state is making efforts to engage local municipalities in taking responsibility to integrate migrants and refugees in communities (Kaya 2016). This is a welcome move but requires financial support from the state to local districts. We should add that some localities do not explicitly support urban refugees due to a fear of attracting increased numbers to the area (Erdoğan 2017). In addition, a lack of consistent and up-to-date figures of urban refugees negatively influences municipalities' ability to advocate for increased national support, particularly in efforts in identifying those at increased risk, such as women, children, and traumatized populations.

Syrian Women in Turkey; Struggles and Resistance

Gender-sensitive and intersectional approaches to refugee protection need to be undertaken to understand and mitigate harm to all refugees, including women, girls, boys and men. While refugees are exposed to exploitative circumstances, women and LGBTQ groups in the refugee community are more at risk during all stages of a refugee crises: fleeing, in transit and in the new host community (Rohwerder 2016). It has been documented that sexual and gender-based violence in Syria predated the Syrian civil war and is now one of the most salient features of the war (Parker 2015). This violence extends to both males and females. Furthermore, women and girl Syrian refugees are being forced or feeling the need to engage in transactional sex to survive (Spencer 2015).

Moreover, there are reports of Syrian girls and women being forced into child marriage or adult marriage for short and long terms (Woods 2016). Added to this, girls who are married are less likely to continue their education (Spencer 2015). This violates their rights as children and limits their potential. Some Turkish men are marrying Syrians monogamously (Mackreath and Sağniç 2017). Some others are taking Syrians as second wives (Kaya 2016; Woods 2016). In their study with a group of Syrian adolescents and young people in Izmir, Turkey, Wringe et al. (2019) found that being alone outside the home for girls was viewed as risky due to pervasive sexual, verbal and physical harassment, aggression, and even kidnapping attempts. Therefore, Syrian girls were often encouraged by parents to marry to protect them from risks of violence associated with working. Interestingly, Duman (2020) points out the negative perceptions and reactions from the host society towards Syrian refugee women who are married to Turkish men. While Syrian women are mostly victims of informal marriages and cheated and lied to, they are stereotyped and accused by the host society as home wreckers.

Açıkalin et al. (2020) studied integration of Syrian refugee women in Ankara and reported that educational participation and vocational courses positively increase the social integration of the women, but the women mostly rate as low their social inclusion in society, which is largely effected by language and cultural differences. The researchers also note that marital status greatly affects the social-integration levels of Syrian refugee women. Married Syrian refugee women have higher integration levels in the law and security sub-dimensions and this is explained by feeling safe with a partner.

In their research on links between gender, migrant status and language, Rottmann and Nimer (2020) show that gender strongly structures women's access to linguistic resources and interactional opportunities as they use language under social pressure to conform to prescribed roles as mothers, wives and virtuous, and shy, women. Yet the authors also note that these roles are not static and reconstituted in the process of language learning and gaining symbolic capital in the Turkish host society. In a similar vein, the studies report that, in Turkey, Syrian women are entering the labour market, taking steps to generate an income to support their families, and are becoming heads of households in greater numbers than ever before (CARE 2016). However, this may occasionally cause some uneasiness in the traditional family values, and it challenges gender norms and roles. Öztürk et al. (2019) confirm earlier studies on participation of Syrian women into the labour market by the finding that, compared with their home countries, Syrian women are more active in Turkey, but a majority are involved in precarious and seasonal jobs. These jobs often leave little opportunity for possible career development.

Children and Education: Accession Issues, Monocultural Education and Exclusion

Education for Syrian children is crucial for their psychosocial development and recovery, along with their increasing potential for social mobility and social and

structural integration. Among other public institutions, the educational system of the host societies is critical for proper integration of the immigrants and refugees. Half of the Syrian refugees in Turkey are under 19 years of age and approximately one million are school-age children (Çelik and Erdoğan 2017). The enrolment of Syrians in public schools has been improving (UNHCR 2017b), but remains low (International Crisis Group 2016; İçduygu and Diker 2017). In 2018, 565,907 Syrian children were enrolled in formal education and around 430,000 children were out of school (UNICEF Turkey 2018).

The Ministry of Education is responsible for arranging the access of Syrian children to education. It regulates the activities of refugee students at primary and secondary schools. Accordingly, the Syrian children and youth mainly continue their education in Turkey either through Temporary Education Centres (TECs) or Turkish public schools – the number of the former has significantly decreased recently. The Ministry of Education arranges regulations regarding recognition of previous certificates and integration of TEC certificates to Turkish public schools and accredits the certificates given by both institutions. Students and their parents need to receive temporary protection IDs to enrol into public schools. The students wishing to attend Turkish public schools are placed in the schools closest to their place of residence (Çelik and İçduygu 2019). Syrian students are placed into different grade levels in public schools by either proving their previous educational trajectory with necessary documents or by taking placement tests. The placement is arranged by district directorates of national education and may include written and oral tests (Çelik and Erdoğan 2017). If the students require an equivalency certificate for university registration, they can take the Foreign Students High School Equivalence Exam (YÖLDS), which is organized once a year in certain cities (Aras and Yasun 2016).

While education is available to all as a right, including foreigners, several hardships have been systemically observed and reported about, including the implementation of this policy in practice. İçduygu and Simsek (2016) specifically point out practical limitations such as language barriers and lack of space in the classrooms. In addition to language barriers, Berti (2015) mentions the lack of appropriate documents, high education costs, school distance and safety issues as major factors preventing Syrian children from participating in education. Çelik and İçduygu (2019) studied the practices, organization and regulations of two major schooling options for Syrian refugee children, TECs and public schools, and how they shape the children's experiences in terms of integration. They concluded that TECs work like a Syrian enclave in a foreign land, with their ethnically homogeneous student and teacher bodies, monolingual and monoculture education and curriculum. Public schools, with their monoculture, monolingual organizational practices work to exclude Syrian students, prevent Syrian parents from monitoring their children, and frequently make students feel depressed and alienated. Further, children who enter the school system may require specific interventions as they may have experienced or witnessed trauma and may need academic catch-up support. Akar and Erdoğan (2019), for example, add to the list of factors that keep Syrian students

out of school, the trauma of displacement and not attending school for years. In many cases, parents keep their children out of school for their children to earn a wage to help support the families' survival costs. Yalçın (2016) posits that this is because of a lack of adequate social protection mechanisms in Turkey, and that child labour harms children's mental, social, physical, psychological wellbeing and denies the rights of the child.

Several initiatives have been put into place to both prevent the use of child labour as a negative coping mechanism and combat the creation of a lost generation: United Nations Children's Fund (UNICEF) launched a Conditional Cash Transfer for Education in 2017, and the World Food Programme, Turkish Red Crescent and the Government of Turkey have implemented a Kızılay Kart Emergency Social Safety Net, an unrestricted cash-based programme in late 2016. It is important to note, however, that both programmes are temporary measures and dependent on external funding. Thus, they are not sustainable responses or durable solutions.

CSOs: Providing Humanitarian Assistance while having Tense Relations with the State

CSOs are service providers that work with policymaking states in the Global North, whereas they undertake more dominant roles in the Global South where state capacity is lower (Nimer 2020). CSOs are increasingly becoming powerful organizations in Turkey, since the 1980s, but their relations with the Turkish state are increasingly tense and controversial.

CSOs emerged as powerful actors especially with the Marmara earthquake in 1999. This incident revealed the incapacity of the institutional actors and state for supplying aid, and strengthened the CSOs' vibrant humanitarian activities. This phase signalled a new term in state and civil society relations. However, CSOs have been faced with strict control by the state after the Gezi Park protests in 2013, and around 1500 of them were closed following the 15 July events in 2016 (Youngs and Küçükkeleş 2017). The arrival of refugees to the country increased national and international humanitarian assistance and constituted grounds for reactivation of CSOs in the field. However, as Nimer (2020) rightly captures, the Turkish state, with the fear of weakening sovereignty and oppositional movements, is wary of the risks of strong CSOs in the Global South. She further argues that the Turkish state develops an intermediary position between the Global North and South typologies; it acts to control CSOs on the one hand and allows them to provide funding and expertise through limited mechanisms on the other hand.

Situated in such a tense context, CSOs have been the core responder to Syrians under temporary protection. However, they are also highly fragmented and complex and lack the capacity to meet the needs of its target audience (Şimşek and Çorabatır 2016). The fragmented structure characterized by the ambiguous and complex web of state and CSOs' support avenues is confusing and hard to navigate for refugees in need of assistance and those unable to navigate the system are more at risk (Biehl 2015). CSOs offer services ranging from advocacy, psychological and social support,

education, community centres, food, clothing and essential item distribution and much more; they also vary in funding sources from locally supported to internationally supported larger organizations such as UNHCR. One can see, among other things, this robust but mostly uncoordinated CSOs' response to the refugee question in Turkey by the state and civil society relations introduced earlier (Mackreath and Sağniç 2017).

CSOs working with Syrians under temporary protection generally lean more towards deeming refugees as recipients versus actors. The Islamic values of *ansar* and *muhajir* constitute the ethos of many CSOs that are faith-based (Mackreath and Sağniç 2017). However, this benefactor–beneficiary relationship is problematic because it may create a cycle of dependence and has an inherent power dynamic where Syrians are victims who are recipients of charity and hospitality, they are not awarded rights or agency (Mackreath and Sağniç 2017). Additionally, there is competition for financial resources among CSOs and this contributes to the marketization of the sector, in which certain organizations have preferential treatment. Sunata and Tosun (2019), for example, revealed that religious references and proximity to the governing party's ideology in the structure of CSOs and their projects and activities increase the chances for preferential treatment. We should also add that some of the international organizations that have been granted permission for working in the country have been accused of 'poaching' qualified workers from local organizations (Cupolo 2017). The large-scale 'crackdown' on CSOs in Turkey indeed presents a precarious work environment for both CSOs' employees and the Syrians who access the services.

Work Realities; Insecure and Exploitative Working Conditions

Many Syrians under temporary protection, adults and children, seek work in the informal sector, which accounts for approximately 35% of the Turkish workforce, often under exploitative circumstances (Ceritoglu et al. 2017). It is estimated that most professionals left Turkey by 2015, arguably due to delays in work permit regulation (İçduygu and Diker 2017). Skilled and unskilled workers are competing for jobs and the Syrians, desperate to earn cash to survive, often work for lower wages than Turkish citizens, which negatively impacts host community relations and has detrimental effects on refugee protection (Erdoğan et al. 2017). Syrians' participation into the labour market is often characterized by poor work conditions, misconduct and abuse by employers, tensions in communities (International Crisis Group 2016). Moreover, as previously mentioned, precarious economic circumstances drive families to depend on their children to work, as a negative coping mechanism (İçduygu and Diker 2017).

In January 2016, the Turkish labour ministry officially acknowledged the importance of integrating Syrians into the workforce and launched a Regulation on Work Permits of Foreigners under temporary protection to help ease Syrians' legal access to the labour market (ÇSGB 2016). This shift in Turkey's approach to the Syrians can be interpreted as a transition from a humanitarian aid to livelihoods support

position. However, challenges in access and bureaucratic complexities infringe on the Regulations' effectiveness – only 1% of working-age Syrians in Turkey have been granted a work permit since 2011 (İçduygu and Diker 2017).

There are various administrative hurdles associated with obtaining a work permit, along with mobility restrictions (International Crisis Group 2016). Further, due to salary and social security contributions, the costs of hiring a Syrian formally are higher than employing him or her informally. If employers pay the same for Syrians to work, Syrians may lose their 'competitive advantage' over Turkish citizens. Moreover, Syrians working in insecure conditions may lose their jobs if they attempt to demand formalization of their informal positions (Canefe 2016), thus risking losing their only source of income.

Large-scale improvements are required for the actual transition of Syrians from working in the informal to the formal sector. A simplified system of granting work permits for Syrians under temporary protection would mutually benefit refugees and Turkish communities. There are several ways to improve the access to formal work response; the current data on the occupational capabilities of Syrians under temporary protection and needs of the Turkish labour market, paired with language and vocational training, should be recorded and systematized (Betts and Collier 2015). In addition, funding opportunities for civil society organizations can be increased, and financial incentives for Turkish employers to hire Syrians, such as social security contribution exemptions, must be developed. We should note that the Minister of Interior Directorate General of Migration Management (DGMM) and UNHCR are currently undertaking a mapping exercise of the occupational skills of Syrians in Turkey. This is a promising move.

Allowing legal ways for Syrians to access the formal labour market in Turkey is vital to their self-reliance and integration efforts. Nonetheless, access to the labour market leading to economic integration is not a substitute for state protection (Betts and Collier 2015). Syrians under temporary protection should be able to access their rights, such as the right to seek employment, not merely be at the mercy of how a host state decides to treat its 'guests'.

Cash-based Interventions; Supporting Refugee Dignity and Basic Services

Cash-based interventions (CBIs), a type of market-based intervention that can be restricted or unconditional, have been lauded as valuable tools to support refugee protection and positively contribute to local economies, particularly in response to the rising urban 'nature of displacement' (UNHCR 2015b). A variety of international and Turkish civil society organizations have increasingly used cash-based assistance to cover basic needs and support refugee protection. Therefore, we pay specific attention to CBIs and their impacts in this section.

A thorough understanding of both the minimum expenditures required for families to meet basic needs and of the local market is necessary in the design, implementation and evaluation of cash-based assistance (Hobbs 2016). Moreover, monitoring

and evaluation are required during every step of a cash-based intervention and clearly there are challenges in ensuring this. Limited access to cash is welcome and a step in the right direction, however, it is not an all-encompassing solution for the protection of refugees. The following paragraphs will critically consider two recent CBIs.

The Kızılay Kart Emergency Social Safety Net programme,² funded by the European Commission and operated by the World Food Programme, Turkish Red Crescent and the Government of Turkey, is a refugee-targeting cash-based intervention programme. The Kızılay Kart programme currently reaches more than 850,000 refugees and aims to reach 1.2 million people under temporary and international protection in Turkey, targeting the 'most vulnerable' refugees (ECHO-WFP 2017). However, a profile of a caseload in need of cash-based assistance found that 'considerable' numbers of households, which are not eligible to receive Kızılay Kart support, need basic needs support and complementary protection interventions (CBIWG 2017). Monitoring and assessment of the programme are underway; however, current challenges are already clear. First, individuals and families waiting for their temporary protection IDs to be processed have no means of accessing the assistance. In the same vein, to obtain an ID, one must register with the Turkish government and have an address; stable housing is already a concern for refugees. Moreover, Syrians wanting to apply for the programme need to apply in the district in which they have first registered in Turkey. Many persons and families travel to find work and livelihood opportunities outside of their approved district, they may or may not seek or be granted approval to reside in a new district. Thus, the mobility restrictions imposed on Syrians in Turkey make them ineligible to receive any temporary protection services such as access to education, free health care or the Kızılay Kart programme. Another recently launched large-scale CBI is the Conditional Cash Transfer for Education,³ which mirrors a CBI, encouraging school attendance of Turkish children, and aims to incentivize 230,000 children to go to school (UN News 2017). Hopes are high for positive impacts from this initiative, particularly as it includes referrals of children to complementary protection services. However, similar accessibility concerns exist for this programme as for Kızılay Kart Emergency Social Safety Net, and there is a lack of accessible information on this intervention online in English, Turkish or Arabic.

Conclusions

This article provides an analysis of the obligations of Turkey towards the international refugee protection regime in the case of Syrian refugees at a policy level and the domestic responses to Syrian refugees in practice. We argue that, while the 1951 Convention and 1967 Protocol set a legal refugee protection framework, its application and implementation vary by states. Legal protection entails principles

2. Kızılay Kart aligns with and does not exceed support provided to poor Turkish citizens

3. Cash incentives range from 35–60 Turkish Lira per month depending on grade level and gender.

of non-refoulement and the right to seek asylum, whereas social protection broadly supports income or consumption transfers and complementary initiatives that mitigate risks.

Building on this conceptual ground, this article focuses on the domestic responses to the Syrian refugees in various fields with a detailed secondary data analysis. Our review of the available literature suggests two important findings. First, while Turkey has made certain progress in developing protection frameworks, such as temporary protection, and cultivates humanitarian protection in numerous fields, it significantly fails to develop rights-based legal protection. Our findings corroborate the studies such as Çelik and İçduygu (2019), Yıldız and Uzgören (2016), and Gokalp and Mencutek (2020) that temporality in governing refugee issue and asylum legislation is a setback before the development of rights-based legal protection. Second, the absence of well-functioning legal protection, as our findings on responses on the ground demonstrates, pushes refugees further into exploitative situations, adding to their already precarious existence.

We also highlight the critical importance of contextual social, economic, political circumstances in the formation of responses towards refugees and protection regimes. We highlighted that Turkey is having economic and political challenges of its own that may overshadow the refugee response. The ways the Syrian refugees are perceived and approached by the public, and the responses to them are firmly intertwined with deterioration of the economy and political polarization in the country. If these concerns and tensions are unaddressed, and if deliberate and inclusive integration efforts are not implemented, the protection of refugees will be unattainable.

We propose and ultimately advocate for a rights-based approach that recognizes refugees as individuals with agency and potential, not as victims requiring charity. The temporary protection regime was set to be a temporary measure. Now that the presence of Syrian refugees in Turkey is protracted, a more sustainable, rights-based approach is required so that Syrians are engaged and supported as actors with agency.

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