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## Europe's refugee/migrant crisis: can 'illiberal' Turkey save 'liberal Europe' while helping Syrian refugees?

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### BACKGROUND

Turkish democracy has recently taken a few knocks. The arrest of numerous academics and journalists who disagree with the government was reflected in the recent decision of international watchdog Freedom House to downgrade Turkey to the 'not free' category for 'freedom of the press', while the nation's overall rating sank deeper into the 'partly free' status. Turkey also topped the list of countries with the highest number of judgments from the European Court of Human Rights (ECHR) regarding violations of freedom of expression in 2015. Furthermore, the UN High Commissioner for Human Rights, Zeid Ra'ad al Hussein, recently expressed his concern about the actions of the Turkish security forces in south-eastern Turkey, where a battle continues to rage between security forces and the militias of the Kurdistan Worker's Party (PKK), threatening the fundamental rights of civilians. The rampant destruction and displacement of civilians has led an increasing number of observers to draw parallels to scenes from Syria. It is no wonder that Turkey is increasingly being referred to as an "illiberal democracy" at best – a term invoked for countries that hold relatively free and fair elections, but otherwise display policies associated with authoritarian regimes.

Ironically, such an 'illiberal' Turkey is well-positioned to help 'liberal' Europe face the task of managing the flood of Syrian refugees and others who have mostly come from or through Turkey, especially since last summer. So far, more than a million of these refugees and irregular migrants have entered the EU, and the overwhelming majority has made their way to Germany. German Chancellor Angela Merkel has adopted a policy towards Syrian refugees that has been praised for upholding the values of a liberal Europe. Austria, Sweden and to a lesser degree Finland are among those EU member states who at least initially responded with similar generosity to incoming refugees. However, the sheer numbers involved overwhelmed these states' institutional capacity to process the asylum applications – as well as to introduce policies to integrate the refugees. Furthermore, and especially since the Paris bombings in November 2015, there is increasing concern that Islamic State (IS) supporters may have infiltrated these migrants and asylum seekers. Widely-reported assaults on women in Germany by young men of Asian, North African and Middle Eastern origin, including some asylum seekers (from Syria and Iraq) on New Year's Eve have helped fuel the rise of right-wing, xenophobic parties and movements in these countries. Consequently, even Merkel is under pressure from the German public to backtrack on her liberalism.<sup>1</sup> Attacks on immigrants and foreigners, especially from the Middle East, are also on the rise. To make things worse, there are vigilante groups who are taking the law into their hands. None of these developments can be reconciled with Europe's tradition of liberal values.

These developments are unfolding against the backdrop of the rise of far-right and xenophobic parties and movements. Among others, Marine Le Pen, Victor Orbán, Konrad Szymanski, Robert Fico and Bohuslav Sobotka may be seen as representing a trend towards an intolerant and illiberal Europe. Actually, it was Orbán who first raised eyebrows after advocating the exclusion of Muslims migrants from entering Hungary – if necessary even erecting walls to stop the flow to Hungary from Turkey through the Western Balkans and Greece. These pressures were clearly visible at a recent meeting of the EU Home Affairs Council on 25-26 January, after the European Commission warned Greece to tighten control over its external borders and improve the way it processes arrivals. This message was reiterated on 10 February when the European Commission issued Athens with a list of instructions

to bring Greece into line with EU norms on refugee policy, including improving the living conditions for asylum seekers and overhauling judicial procedures so people denied leave to remain have the right to appeal. Commentators fear that more and more EU countries may introduce border control measures that risk amounting to at least the temporary suspension of Greece from the Schengen agreement.<sup>2</sup>

Merkel, too, is facing growing opposition from within the ranks of her own party, the Christian Democratic Union (CDU), and her sister party, the Christian Social Union (CSU): so far, her efforts to engage Turkey have failed to curb the flow of refugees into the EU. One commentator even asserted that Merkel "should go," if Europe wants to "avoid paying too high a price for her high-minded folly."<sup>3</sup> With Merkel facing crucial regional elections in March, she will want to see a tangible reduction in immigrant numbers.

## STATE OF PLAY

Turkey is currently hosting nearly three million refugees (mainly from Syria and Iraq). According to the UNHCR Asylum Trends mid-term report for 2015, Turkey is now the fourth largest recipient of individual asylum seekers in the world, following Germany, the US and Russia. In November 2015, the EU and Turkey signed a Joint Action Plan to manage the migration crisis, which included giving Turkey 3 billion EUR to support the refugees. In return, Brussels promised to fast-track visa liberalisation for Turks, and agreed to open a number of new negotiating chapters in order to revitalise Turkey's long stalled accession process.

In January 2016 the number of Syrian refugees who made the treacherous sea journey across the Aegean Sea was approximately 62,000.<sup>4</sup> This figure is considerably less than that of November 2015 – 156,000, the highest number recorded in one month – but still ten times larger than the figure for January 2015.<sup>5</sup> The Turkish government claims to be doing its best to fight the human smugglers and stem the tide. While the number of detained smugglers and the detention of Syrians has indeed increased, EU leaders complain that Turkey is not doing enough. Human rights organisations and refugee advocacy groups argue that as a result of the deal with the EU some Syrian refugees are being denied entry into Turkey – if not outright deported. A number of Europeans also see the deal as a symbolic surrender to the authoritarian practices of the Turkish government.

At the same time, the Turkish side is complaining that the EU has failed, and still continues to fail, in sharing the burden of looking after the refugees. There has hardly been any resettlement of refugees from Turkey despite this being something that both Turkey and the UNHCR have demanded for years. Furthermore, other than the recent 3 billion EUR pledge the EU has not extended much financial assistance to Turkey. Ultimately, protecting refugees is supposed to be a shared international responsibility, and currently the EU is not doing enough.

However, Angela Merkel and Turkish Prime Minister Ahmet Davutoglu appear to have struck a working relationship. This was reflected at the first ever 'bilateral strategic consultation' meeting held in Berlin in January and more recently during Merkel's visit to Ankara on 8 February, when the two agreed on a tentative plan to ease the refugee/migration crisis, including "joint efforts" for greater NATO involvement in the crisis by seeking the use of NATO's observation capabilities on the Syrian border and in the Aegean Sea.

From the very beginning, Merkel has consistently expressed the need to cooperate with Turkey, and has argued for an orderly admission of refugees rather than shutting them out entirely. On the Turkish side, there is also a willingness to engage with Germany on this issue. Merkel's pragmatic decision – disapproved by many – to go to Turkey just ahead of the country's 1 November parliamentary elections may also have placed her in the good books of Turkey's leadership. Much more importantly, Ankara has a massive, yet rarely discussed, interest in making sure that Merkel's liberal Europe prevails against the far-right in Germany and across Europe. There are at least four factors that underpin this interest:

As chaos and instability spreads across Turkey, the country's export market is shrinking. Turkey's economy is highly dependent on trade. Over the last couple of years, the EU's share in the country's overall trade balance has increased to almost 41%, after long years of decline, from almost 50% in 2000 to less than 38% in 2012. Between 2012 and 2014, Turkey's exports to the EU increased by 16%, while those to Russia and the Arab states dropped 11% and 5% respectively. More importantly, Turkey exports much of its products to the EU by land. If Schengen were to be suspended, Turkish trucks travelling to and within the EU would be stuck at each border-crossing – presumably for a longer period of time compared to EU trucks. The International Transporters' Association of Turkey reports that Turkish trucks already experience a very long waiting time at the external borders of the EU, and face a wide range of discriminatory practices. Any degree of aggravation, therefore, would work to the utter detriment of Turkey's economy. Hence it is in Turkey's interest that Europe's internal market remains borderless.

Turkish nationals have long complained about the humiliation and inconvenience of having to obtain visas to travel to the Schengen area. Business people are especially disadvantaged, because they are unable to accompany their goods that travel freely to the EU, under the terms of the EU-Turkey Customs Union. They consider this practice to be a form of a 'non-tariff barrier', as this visa requirement inhibits them from expanding their business deals, while their European counterparts travel to Turkey without a visa and sometimes even without passports. As a clause in the Readmission Agreement signed between Turkey and the EU in 2014, a process to fast-track visa liberalisation has already been put into place; but closer cooperation between Turkey and Germany over the refugee/migration crisis, as discussed above, would improve Merkel's chances of lobbying in favour of visa liberalisation. If her policies failed and her critics rose to power, this 'illiberal' Europe might not be so sympathetic towards realising Turkey's demands for freer trade with and travel to the EU.

Another reason is that some of Merkel's far-right political rivals and critics in Europe, such as Marine Le Pen and Victor Orbán, have close relations with Russian President Vladimir Putin. If their 'illiberal' vision of Europe came to the fore, EU sanctions on Russia could be weakened or even lifted, and relations with Moscow improved conceivably, exposing Turkey even further to the Russian pressure it has been under since Turkey shot down a Russian jet over the Syria-Turkey border on 24 November 2015. Merkel has of course been a strong and consistent advocate of sanctions against Russia as long as Moscow continues to violate the sovereignty of Ukraine and fails to implement the Minsk agreements.

Lastly, the Turkish government has been a strong defender of Islam and the rights of Muslims, especially in the last few years. President Erdogan had even accused the EU of being insensitive to the lives of Muslim children and women perishing in the Mediterranean Sea. Yet, it was liberal Europe that received Syrian refugees with open arms and continues to do so, especially on the Greek islands, as can be observed on daily news coverage. Turkey has an interest in protecting this liberal Europe against rising Islamophobia. During 2015, there were 3,772 deaths recorded, and 368 migrants perished while crossing the Aegean Sea in January 2016 alone.<sup>6</sup> All victims were Muslims. Greater cooperation between Turkey and Germany/EU would also diminish the likelihood of Syrian refugees perishing while attempting to reach Europe.

## PROSPECTS

What is to be done? So far, the EU-Turkey deal is not working effectively. The longer the full implementation of the deal takes, the deeper the distrust and recriminations between the two sides are likely to grow. EU-Turkish relations already have much to overcome. Rather than waiting for a consensus to come out of Brussels, Germany and Turkey should cooperate bilaterally, while encouraging the formation of a "coalition of the willing". One leg of this cooperation could be based on the ideas of Diederik Samson, the leader of the Dutch Labour Party and the European Stability Initiative (ESI).<sup>7</sup>

Namely, that instead of the EU as a bloc, a group of "willing countries" should resettle "hundreds of thousands of refugees per year from Turkey in the EU, in parallel to the return of all migrants from Greece to Turkey." This would help Merkel to facilitate "an orderly flow" of refugees – which does not undermine the Union's security and allows for their integration. This would require Ankara to combat human smuggling, already considered a serious crime under Turkey's Penal Code, and put into place the structures necessary to take back Syrian refugees and irregular migrants. Some of these procedures were actually introduced as stipulated under the Readmission Agreement. This will also necessitate structures and procedures to bring about the resettlement of refugees. This is a viable formula for tackling the crisis at hand, and offers roughly equal benefits and costs to both sides.

The second leg of the cooperation would involve the actual disbursement of the 3 billion EUR promised to Turkey, now that the EU has finally been given the green light to provide Ankara with this money. Turkish Prime Minister Davutoglu made it quite clear during his visit to Berlin that this money is not for Turkey *per se* but for the Syrian refugees. In January, the government took a very courageous decision, and extended work permits to Syrian refugees. This decision will significantly improve the conditions of Syrian refugees: it will eliminate negative coping mechanism that Syrian refugees have adopted to survive, which have left them vulnerable to brazen exploitation in the labour market, and also forced on them practices such as child labour and prostitution. Instead, this decision will open the way for opportunities for refugees in the formal economy. However, as the President of AFAD Fuat Oktay noted, "work permits on their own will not create jobs." The financing and implementation of refugee job creation policies will be needed. A recent report supported by the Turkish Confederation of Employer Associations noted that business people, interviewed in south-eastern Turkey, need "skilled" labour and have complained that most Syrian refugees are "without professions" that would have otherwise rendered them employable in the local industries.<sup>8</sup>

German Minister for Economic Development Gerd Müller's recent argument, delivered in the run-up to the 4 February donor's conference in London, that rather than simply donating money the German government should introduce measures to create employment opportunities for refugees in close proximity to where they live, is ideal for Turkey. As the minister succinctly put it, "if people see hope for the future and the chance of new opportunities, then they won't head for Europe." In turn, this would bring about economic growth for Turkey, as shown by a recent World Bank publication<sup>9</sup>, with the added advantage that refugees would become less dependent on hand-outs and government largesse. Furthermore, recent research also shows that refugees that are better integrated into their host societies are more likely to return home when the opportunity arises. Indeed, such cooperation between Turkey and the EU would foremost benefit refugees themselves. It would enable them to lead dignified lives – and essentially 'help refugees, help themselves'.

This working relationship could benefit both sides. Turkey would strengthen the hand of Merkel by helping her to put into place a credible and manageable policy to receive Syrian refugees. This would help Merkel to protect 'liberal' Europe from being overwhelmed by the forces of 'illiberal' Europe; in turn, Turkey can finally 'enjoy' some serious and credible burden-sharing. Improved EU-Turkish relations could also give validation to the EU's demand for reforms in Turkey. Having expanded economic relations and been granted visa liberalisation, Turkey might be ready to more enthusiastically push through reforms to bring itself more in line with the standards of 'liberal' Europe.

It happened between 2001 and 2006 and there is no reason it could not happen again. With the right frame of mind and will, the current 'illiberal Turkey' could indeed help 'liberal Europe'. In the long run this would be a 'win-win' for Germany, Turkey, and the EU – but most importantly, for the Syrian refugees.

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