

Twenty - day Border Conflict in the No Man's Land

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Abstract

Due to the civil war in Syria, many Syrians have fled conflict areas in search of safety in other countries, resulting in a severe migratory problem. The situation in Syria grew increasingly complicated post-civil war due to the involvement of global powers and radical Islamist factions. In a significant incident, forces of the Assad regime launched an attack on Turkish soldiers in Idlib, resulting in the death of nine Turkish military personnel on February 27, 2020. The following day, Turkey announced its decision to open its borders to refugees heading to Europe, reversing its previous policy of border closure since 2016. This move is interpreted as Turkey's strategy to increase pressure on NATO and the European Union regarding the situation in Idlib and the demand for a no-fly zone. This paper focuses on analyzing the repercussions of the EU-Turkey Joint Action Plan and its implementation, the escalation of tensions leading to the opening of the Turkish border, and the potential use of Syrian refugees as pawns in a political standoff.

Keywords: Border conflict, Turkey, and the E.U, Political Games, Migrants trapped, Bargaining Chips

Introduction and methodology

This study employs a qualitative research approach to analyze the repercussions of the EU-Turkey Joint Action Plan and its implementation, the escalation of tensions leading to the opening of the Turkish border, and the potential use of Syrian refugees as pawns in a political standoff.

The research methodology involves a comprehensive literature review, including academic papers, reports, and news articles, to gather relevant information and insights on the civil war in Syria, the involvement of global powers, and the impact on migration patterns. The methodology is grounded in a comprehensive literature review, case study analysis, and the examination of official documents, policy statements, and media reports. Special attention is given to the analysis techniques employed, including thematic analysis for identifying recurring themes within the data and discourse analysis to interpret the narratives and rhetoric used by various stakeholders. This detailed methodological approach enhances the scientific rigor of the study by ensuring a thorough and nuanced understanding of the complex issues at play.

Additionally, this study utilizes a case study analysis focusing on the incident involving the attack on Turkish soldiers in Idlib and the subsequent decision to open the Turkish borders

to refugees. This includes examining official statements, policy documents, and media coverage to understand the motivations and implications of this decision.

It is important to note that this research has limitations, including the availability and reliability of data, as well as potential biases in the sources consulted. However, efforts will be made to address these limitations by considering multiple perspectives and triangulating data from various sources.

1. The E.U. & Turkey Refugee Crisis

On November 29, 2015, a pivotal agreement, the "Joint Immigration Action Plan," was reached between Turkey and the European Union (E.U.) to manage the surging influx of migrants. This agreement encompassed a financial aid package totaling 6 billion Euros, structured as two tranches of 3 billion each, and a "1 for 1" mechanism was implemented. According to the United Nations Vulnerability Criteria, for each Syrian refugee returning to Turkey from the Greek islands, another Syrian refugee would be moved from Turkey to the European Union. This plan seeks to address the migration crisis from three perspectives:

- Tackling the root causes of the significant Syrian influx.
- Offering assistance to Syrians under temporary protection and their host communities in Turkey.
- Strengthening collaboration to reduce irregular migration to the EU.

Turkey and the EU are determined to work together to share the obligations that come with the situation.

The Action Plan aligns with and extends previous accords between Turkey and the European Union, especially those outlined in the Visa Liberalization Dialogue. It comprehensively details the collaborative efforts undertaken by Turkey and the E.U., particularly in the initiatives executed in parallel in these domains (European Commission, 2015).

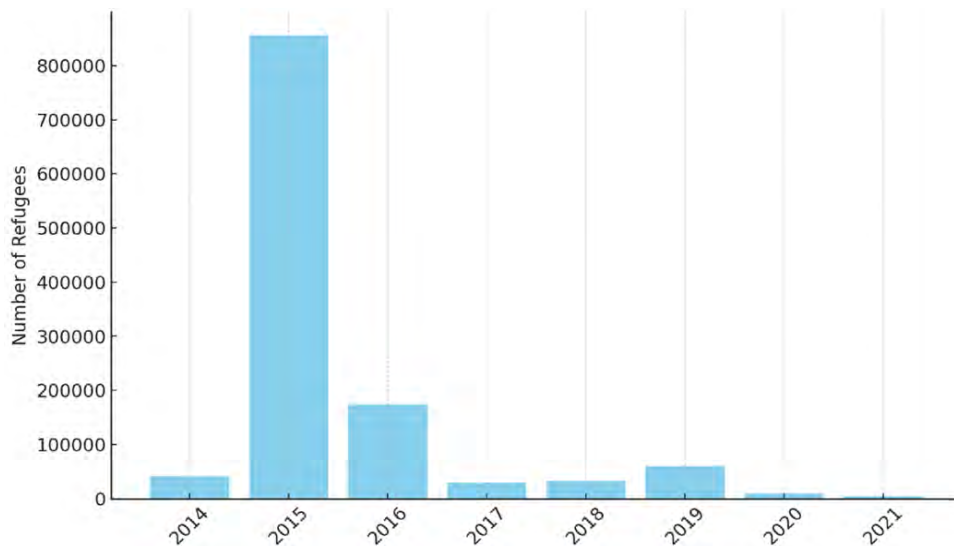


Figure 1: Syrian Refugee Crossings (2014 - 2021)
 Source: United Nations High Commissioner for Refugees, 2020.

The data shows that the signing of the "Joint Immigration Action Plan" led to a notable reduction in migration. Nonetheless, this issue remains contentious, serving as leverage for Turkey's dealings with the European Union. This dynamic potentially upsets the balance of power between the E.U. and Turkey, with possible adverse implications for the rights of refugees. Additionally, it is critical to resolve the legal status of Syrians in Turkey. Turkey joined the 1951 Geneva Convention with several restrictions; initially, the Convention only extended to refugees fleeing events before 1951. The 1967 Protocol lifted this temporal constraint. Another restriction was that refugee rights under the Convention would not outweigh those of Turkish citizens. Most significantly, a geographical limitation was set, granting refugee status to individuals fleeing violence in Europe.

Consequently, Syrians in Turkey do not qualify for refugee status under this framework. Moreover, following the implementation of the 2016 Joint Immigration Action Plan, a significant divisive factor emerged: the coup attempt in Turkey on July 15, 2016. This incident has profoundly impacted Turkey's domestic politics and foreign policy, particularly concerning its ties with other nations, prompting a reassessment of its stance and aspirations regarding E.U. membership.

The initial result of the EU-Turkey Statement was a significant reduction in the influx of refugees entering Europe, demonstrating the measure's effectiveness. However, there are specific weaknesses in the agreement. Turkey is highly exposed to irregular migratory movements coming from insecure areas. There are two primary reasons for this vulnerability. First, Turkey's geographic location on the Asian, European, and African continents and its natural bridge-like characteristics make it an important transit point between politically and

economically underdeveloped Middle Eastern, Caucasian, and Central Asian countries and wealthier European nations. Second, Turkey's recent economic expansion has resulted in positive isolation from neighboring nations, transforming it into a "target country" and a transit country (Aygün, 2022). A notable issue is that only a few refugees who reached the Greek islands have been repatriated to Turkey. That has significantly strained Greece, as it bears the brunt of the E.U.'s crisis response. The agreement with Turkey is perceived as contentious and fragile, offering only a temporary respite in addressing the refugee situation.

The European Parliament has also raised concerns regarding potential breaches of international law and the rights of refugees stemming from this agreement. Turkey's reluctance to amend its anti-terrorism laws led to missing critical visa liberalization deadlines in June and October 2016. President Erdogan and the Turkish government have repeatedly issued threats to withdraw from the agreement, using it as a tool to sway E.U. policy towards Turkey. Effective agreement execution requires sustained commitment and the political will of all parties involved. Notably, a decrease in irregular and perilous sea crossings and reduced associated fatalities in the Aegean Sea were observed almost a year after the agreement's implementation.

Domestically, Turkey has faced challenges, including the issue of FETO members seeking asylum in Europe and Greece's refusal to extradite high-ranking military personnel. These actions have contributed to a perception of isolation from other EU member states. Nonetheless, Turkey has engaged in the Astana negotiations with Syria alongside Russia and Iran and has continued to provide extensive humanitarian aid to Syrian refugees. In January 2018, Turkey initiated a new military offensive against the PYD/YPG in Syria's Afrin region. Additionally, 2020 saw the emergence of several complex issues, such as drilling activities in the southeastern Mediterranean, debates over the Mediterranean Economic Zone, and the Cyprus/Maras dispute. Turkey's increasingly assertive foreign policy stance has shifted the E.U.'s view of the Visa Liberalization Dialogue. The E.U. plans to introduce the ETIAS system, an online security procedure requiring third-country nationals, including Turkish citizens, to register before accessing the Schengen Area starting in 2023. The visa fee for Turkish citizens, set at 60 Euros post-2021, will increase to 80 Euros, with an additional 7 Euros for ETIAS applications, thus delaying the anticipated visa-free regime.

As indicated in the 2020 EU-Turkey Report (E.U., 2020, p. 111), In its 2020 evaluation, the European Union reported that Turkey's level of preparedness in justice, freedom, and security is moderate, with particular progress observed in migration and asylum policy. Actively addressing the needs of an estimated four million refugees, Turkey has effectively reduced unlawful entries into the E.U. The nation upheld its obligations under the March 2016 EU-Turkey Statement throughout 2019, significantly contributing to managing migratory flows in the Eastern Mediterranean. By February 2020, however, Turkey started to encourage refugee

movements into the E.U. and pushed for a revision of the 2016 pact. In December, Turkey revised the Law on Foreigners and International Protection, necessitating new legislation to address the intricacies of irregular migration and asylum. While progress has been achieved based on the previous year's suggestions, the implementation of clauses involving third-country nationals, as outlined in the EU-Turkey readmission agreement, which took effect in October 2017, is still pending. In these situations, it is vital to follow the proportionality principle.

2. Is Turkey, as Greece's EU authorities claim, a safe third country?

The question of whether Turkey can be considered a 'safe third country,' as asserted by Greek EU authorities, is a matter of ongoing debate. The EU-Turkey Joint Immigration Action Plan designates Turkey as a safe third country for migrants. In line with this, the asylum authorities in Greece have, in several instances, deemed Turkey to be a 'safe third country' capable of providing Syrian refugees with sufficient protection. Consequently, many refugees have been repatriated to Turkey under this presumption. The results of various interviews with Syrians in Turkey, encompassing different ages, genders, and social backgrounds, provide further insights into this complex issue (Amnesty International, 2020)

Due to geographical limitations in its approach to international refugee law, Turkey must still fully align with its standards. Under these limitations, refugee status is granted predominantly to Europeans, leaving non-Europeans with limited or conditional protection, making it challenging for them to obtain a fully protected legal status. In response to the increasing flood of migrants, Turkey passed Law No. 6458 on 'Foreign and International Protection' in 2013. This law introduced a novel legal status termed 'Temporary Protection,' which has since been applied to Syrian refugees in Turkey. Initially, this status was intended to facilitate the eventual return of Syrians to their homeland. However, as their return became increasingly unlikely, the focus shifted, revealing a significant gap in long-term integration strategies for these refugees.

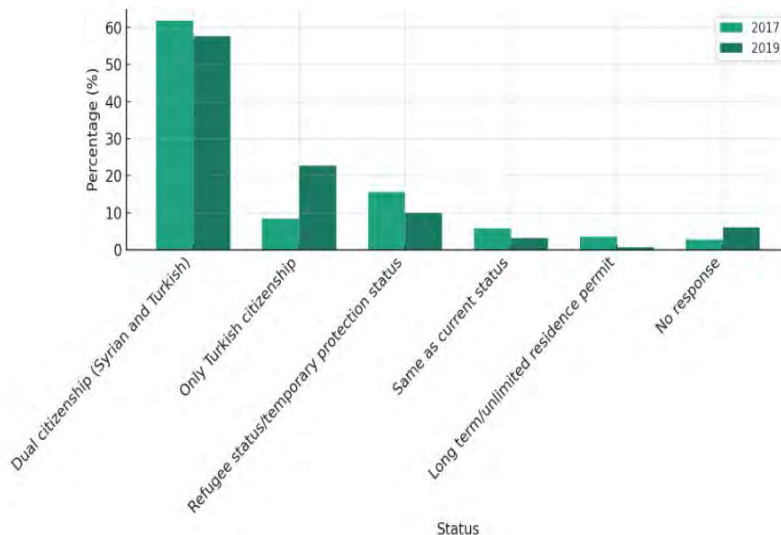


Figure 2: Preferred Status by Syrians in Turkey (2017 vs 2019)

Source: Erdoğan, M. Murat. 2021

The data pertains explicitly to Syrian refugees and highlights their concerns regarding their legal status in Turkey. When surveyed about their preferred legal status, many Syrians expressed a desire for dual citizenship, with the status of 'Refugee / Temporary Protection' being the second most sought-after option. However, the interest in this status has declined, dropping from 15.6% to 9.9% between 2017 and 2019, as noted by Erdoğan, M. in 2019. The findings from these interviews, coupled with the frequency of terrorist incidents in Turkey resulting in fatalities, cast doubt on the assertions made by Greek asylum authorities about Turkey being a 'safe third country' that adequately protects Syrian refugees. This skepticism is further supported by Figure 2, which illustrates Syrians' discontent regarding their legal status in Turkey.

2.1 Are migrants used in a political game at the Greece-Turkey border in the next twenty days?

In his most speeches, Turkey's President threatens the E.U. by opening the Turkey-Greek border in response to the migrant crisis (KROET, C., 2016). On February 27, 2020, Turkey made a pivotal decision to allow refugees to cross into Europe through its borders, reversing a policy of closure that had been in place since 2016. This action led to a significant gathering of over 13,000 migrants along Turkey's 212-kilometer border with Greece. Ursula von der Leyen, former President of the European Commission, emphasized the EU's resolve to fully support Greece and Bulgaria in dealing with this problem. The European Union deliberated deploying Frontex forces to these borders, with Greece being recognized as a crucial barrier in preventing migrant entry into Europe. The accumulation of migrants at the Greek border marked a critical point, exacerbating the strained relations between Turkey and

Greece. In response, Greece declared a national security emergency at its borders, further underscored by its fragile economy after years of financial hardship (DEUTSCHE WELLE (DW), 2020).

2.2 How did the international community respond to the border issue between Turkey and Greece?

In addressing the escalating border tensions between Turkey and Greece, the international community, led by the U.N. Refugee Agency, collaborated with local organizations, including the Turkish Red Crescent, IOM, and UNICEF, to evaluate and respond to the crisis (UNCHR, 2020). This effort saw the participation of various nationalities, such as Syrians, Afghans, Iranians, Sudanese, and Iraqis, along with women, children, and families. Tragically, two fatalities were reported: Mohammed Gulzari, a 43-year-old Pakistani, and Mohammed Al-Arab, a 22-year-old Syrian (Amnesty International, 2020). Additionally, the use of force by Greek authorities resulted in casualties and a missing woman, drawing criticism from Amnesty International. The U.N. Refugee Agency condemned Greece's temporary suspension of asylum rights, violating the 1951 Geneva Convention. Subsequently, Turkey scaled down its border activities and announced border closures with Greece and Bulgaria due to COVID-19, yet tensions persisted (Skordas, 2020). The IOM reported that in the first quarter of 2020, over 7,000 individuals traveled from Turkey to Greece (IOM, 2020). The ongoing disputes between Greece and Turkey, stretching back to the 1970s and involving issues such as the Cyprus conflict and the Eastern Mediterranean trade zone, are emblematic of the broader EU-Turkey tensions. The geopolitical implications of these tensions are profound, mainly as Turkey leverages its role in the refugee crisis to assert its position against the E.U., shifting the balance of power in the region.

As an outcome, Turkey's recent actions are only one aspect of the strained Greek-Turkish relations that have existed for many years. Long-standing conflicts have characterized Greek-Turkish ties since the 1970s; claims, threats, and provocations continue mutually, such as the Cyprus problem, the continental shelf issue, and the debate over the Eastern Mediterranean trade zone. The problem stems from the fact that during World War I, the continental shelf between Greece and Turkey needed to be specified in the Lausanne Peace Treaty. Therefore, conflicts have arisen between countries coping with migratory concerns. However, the source of conflict is not between Greece and Turkey but between the European Union and Turkey. Greece is included in this topic for two reasons. First, Greece shares a direct border with Turkey. Therefore, any negative or positive decision or disagreement between the E.U. and Turkey would directly impact Greece.

Moreover, Greece is the Schengen external border responsible for E.U. protection and directly or indirectly impacts E.U. member countries based on its decisions. Turkey has

welcomed refugees since 2011, but unfortunately, refugees are being used in a political game. Turkey began using refugees to exert pressure on the European Union. Greece's inability to overcome the effects of the economic crisis, combined with the E.U.'s open support, led to a harsh response to the refugees in the 20-day border movement. Unlike the organs of Greek asylum seekers, the Turkish government is not a safe country based on political games played during the 20-day border crisis. In addition, due to limitations imposed, Turkey's refugees still need to receive complete legal protection under the Geneva Convention. Turkey held the 'refugee card,' and the balance of power shifted. Turkey is becoming increasingly assertive as it distances itself from Europe. Consequently, some countries' role among E.U. member states and Turkey in establishing a dialogue is critical in being neutral and more constructive about the migration issue, which remains one of today's most significant problems.

The recent actions of Turkey in the context of the refugee crisis represent just a segment of the enduring complexities in Greek-Turkish relations, dating back to the 1970s. These relations have been fraught with long-standing disputes, including the Cyprus issue, the debate over the continental shelf, and tensions in the Eastern Mediterranean trade zone. Looking ahead, the long-term geopolitical consequences of the EU-Turkey migration agreement and the associated diplomatic tensions can reshape regional power dynamics and influence the broader international approach to migration and refugee protection. A more in-depth exploration of these long-term effects reveals that sustained tensions could undermine the region's stability, challenge the EU's cohesion on migration policy, and strain EU-Turkey relations. Furthermore, the instrumentalization of migration as a political tool by Turkey may encourage similar strategies by other countries, potentially leading to a fragmented international response to migration and asylum issues. Thus, an extended analysis of these long-term geopolitical implications could significantly enrich the paper's contribution to understanding the complex interplay between migration, international politics, and human rights. Many of these stem, from unresolved matters in the Lausanne Peace Treaty post-World War I. Although these conflicts often manifest in the context of Greece and Turkey, the crux of the matter lies in the broader relationship between Turkey and the European Union (E.U.). Greece's role is pivotal due to its proximity to Turkey and as a guardian of the E.U.'s external Schengen border, influencing the bloc's broader migration policy. Since 2011, Turkey has played an integral role in sheltering refugees. However, using refugees as a bargaining chip in negotiations with the EU has added a new dimension to the situation, hampering efforts to find long-term solutions. Greece's struggle with its economic crisis, compounded by the E.U.'s support, has led to stringent responses to refugee movements, notably during the 20-day border crisis. Unlike the situation with Greek asylum processes, Turkey's approach, influenced by political considerations, raises concerns about the safety and legal protection of refugees under the Geneva Convention. The EU's population is aging, and with a declining birth rate,

there is a growing need for a workforce. Nearly half of the EU's area comprises predominantly rural regions, where only 21% of the population resides. Therefore, integrating refugees into these rural areas could be a viable solution to the demographic challenges and the refugee crisis. This approach would provide refugees with opportunities for resettlement and contribute to the workforce, benefiting the host countries economically.

However, the current refugee policies of the EU, particularly those involving harsh pushbacks, are only short-term solutions that could potentially destabilize the region's balance. A more sustainable approach is required, where Turkey's increasing assertiveness and the potential for further escalation are considered. This year is the 72nd anniversary of the Geneva Convention on the Status of Refugees. While the Convention has been instrumental in aiding refugees, it was initially designed with post-Second World War European refugees in mind and is now stretched to its limits. Considering the evolving nature of global refugee crises, a revision or a new Geneva Convention may be necessary. This new framework should account for the current global context and ensure the protection of refugees worldwide.

Conclusion

In conclusion, the EU and Turkey must engage in constructive dialogue to develop comprehensive and humane migration policies. These policies should balance border security with the protection of refugee rights, adhering to international law. Supporting frontline states like Greece in managing migratory flows and encouraging Turkey to comply with international refugee protection standards is vital. Addressing the root causes of migration, such as the ongoing conflict in Syria, is also essential. Ultimately, a collaborative approach focusing on diplomatic engagement and humanitarian considerations is critical to resolving the multifaceted issues surrounding the migration crisis.

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