IMPACT OF THE LAW ON FOREIGNERS AND INTERNATIONAL PROTECTION ON THE STATE AND NGO RELATIONS IN TÜRKİYE

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ALİ AYCAN GEMİCİ

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Approval of the thesis:

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submitted by **ALİ AYCAN GEMİCİ** in partial fulfillment of the requirements for the degree of **Master of Science in Middle East Studies**, **the Graduate School of Social Sciences of Middle East Technical University** by,

Prof. Dr. Sadettin KİRAZCI
Dean
Graduate School of Social Sciences _____

Assist. Prof. Dr. Derya GÖÇER AKDER
Head of Department
Department of Middle East Studies _____

Assist. Prof. Dr. Derya GÖÇER AKDER
Supervisor
Department of Area Studies _____

Examining Committee Members:

Assoc. Prof. Dr. Şerif Onur BAHÇECİK (Head of the Examining Committee)
Middle East Technical University
Department of International Relations _____

Assist. Prof. Dr. Derya GÖÇER AKDER (Supervisor)
Middle East Technical University
Department of Area Studies _____

Assoc. Prof. Dr. Zeynep ARKAN TUNCEL
Hacettepe University
Department of International Relations _____

I hereby declare that all information in this document has been obtained and presented in accordance with academic rules and ethical conduct. I also declare that, as required by these rules and conduct, I have fully cited and referenced all material and results that are not original to this work.

Name, Last Name: ALİ AYCAN GEMİCİ

Signature:

ABSTRACT

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GEMİCİ, Ali Aycan
M.S., The Department of Middle East Studies
Supervisor: Assist. Prof. Dr. Derya GÖÇER AKDER

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This thesis examines the relations between the state & Non-Governmental Organizations (NGOs) within the scope of the Law on Foreigners and International Protection (LFIP) in Türkiye. In parallel with the new legislative practices, there has been a quite critical transition in the Turkish asylum system that initiates the Europeanization of main institutions and the manner of application in this field. In consideration of Türkiye's promising to harmonize its migration-related policies in the process of full membership to the European Union, Türkiye has made a historical change in its approach while it comes to the fore as a transit and host country that faces an ever-increasing influx of people from Syria. The thesis analyzes the main effects of the Law on Foreigners and International Protection (LFIP) within the context of migration management and the relations between the major actors by focusing on cooperation and liaison practices. Indeed, since the different types of actors took part in the process of pre-legislation, the new migration law has another prominent aspect that has come to light with multilateral talks.

In this sense, the thesis reviews unofficial press releases, recommendations, and official statements made both before and after the adoption of the Law on Foreigners and International Protection (LFIP) via open sources. In addition, based on the migration-related international funds and projects in Türkiye, this study intends to contribute to the literature by analyzing the impacts of the new asylum system on the relations between the state and NGOs.

Keywords: LFIP, State & NGO Relations, International Projects, International Funds, Türkiye

ÖZ

YABANCILAR VE ULUSLARARASI KORUMA KANUNU'NUN TÜRKİYE'DE DEVLET VE SİVİL TOPLUM KURULUŞLARI İLİŞKİLERİNE ETKİSİ

GEMİCİ, Ali Aycan
Yüksek Lisans, Orta Doğu Araştırmaları Bölümü
Tez Yöneticisi: Dr. Öğr. Üyesi Derya GÖÇER AKDER

Eylül 2022, 112 sayfa

Bu tez, Türkiye'de Yabancılar ve Uluslararası Koruma Kanunu (YUKK) kapsamında devlet ve sivil toplum kuruluşları arasındaki ilişkiyi incelemektedir. Türkiye'de hâlihazırda bulunan sistemde yeni kanun uygulamalarıyla birlikte, alandaki başlıca kuruluşların ve uygulama biçimlerinin Avrupalılaşmasına önayak olan kritik bir değişim gerçekleşmiştir. Türkiye'nin Avrupa Birliği'ne tam üyelik yolunda göç politikalarının uyumlu hale getirilmesini vaat etmesi de dikkate alındığında, Suriye'den gelen ve sürekli artış gösteren insan akınıyla hem bir geçiş ülkesi hem de ev sahibi ülke olarak tarihsel bir değişim tecrübe etmiştir. Bu tez, kanun öncesi ve sonrası iş birliği & iletişim pratiklerine odaklanarak, alandaki başlıca taraflar üzerinde kanunun etkilerini incelemektedir. Nitekim, kanunun yapılış sürecinde birçok farklı aktörün yer almış olması ve diyalog içerisinde ortaya çıkmış olması, yeni göç kanununun dikkat çeken başka bir özelliğidir. Bu bağlamda tez, açık kaynaklar aracılığıyla Yabancılar ve Uluslararası Koruma Kanunu'nun öncesi ve sonrasında yapılan resmi olmayan basın bildirilerini, tavsiyeleri ve resmî açıklamaları incelemektedir.

İlaveten, Türkiye'de göçle ilgili uluslararası fonlara ve projelere bağlı olarak, yeni göç sisteminin devlet ve sivil toplum kuruluşları arasındaki ilişkiye olan etkilerini analiz ederek literatüre katkı sunmayı hedeflemiştir.

Anahtar Kelimeler: YUKK, Devlet-STK İlişkisi, Uluslararası Projeler, Uluslararası Fonlar, Türkiye

To Atiba Hutchinson and Martin Eden…

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As someone who has experienced firsthand how the existence of non-governmental organizations (NGOs) improves people's lives, I have always thought that the existence of NGOs is a safeguard against authoritarian regimes. In this regard, I hope that the number of NGOs will rise in areas where they are needed across the world, and that people will have access to quality services. The experience of SGDD-ASAM, which was my first experience with an NGO and taught me a lot while also allowing me to obtain diverse views in the development of my thesis, is especially meaningful to me.

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LIST OF ABBREVIATIONS

3RP	Regional Refugee and Resilience Plan
AFAD	Disaster and Emergency Management Presidency
ASAM	Association for Solidarity with Asylum Seekers
CMHC	Community Mental Health Center
DGMM	Directorate General of Migration Management
DHC	Department of Harmonization and Communication
DRC	Danish Refugee Council
ECOSOC	Economic and Social Council in the United Nations
ECHO	European Civil Protection and Humanitarian Aid Operations
EU	European Union
FRONTEX	European Border and Coast Guard Agency
FRIT	Financial Assistance Program for Refugees in Türkiye
GİZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
GONGO	Government-Organized Non-Governmental Organization
HRDF	Human Resources Development Foundation
HSNAP	Harmonization Strategy and National Action Plan 2018-2023
ICMPD	International Center for Migration Policy Development
ILO	International Labour Organization
IOM	International Organization for Migration
IP	Implementing Partner
IPA	Instrument for Pre-accession Assistance
KIGEP	The Transition to Formality Programme
LFIP	Law on Foreigners and International Protection
MFA	Ministry of Foreign Affairs

MHC	Migrant Health Center
MoFSS	Ministry of Family and Social Services
MoH	Ministry of Health
MoI	Ministry of Interior
MoLSS	Ministry of Labour and Social Security
MoNE	Ministry of National Education
NGO	Non-Governmental Organization
NPAA	National Programmes for the Adoption of the Acquis
OOSC	Out-of-school Child
PEC	Public Education Center
PEP	Promotion of Economic Prospects Project
PIKTES	Promoting Integration of Syrian Kids into the Turkish Education System
PMM	Presidency of Migration Management
RSC	Refugee Support Center
SIDA	Swedish International Development Cooperation Agency
SIHHAT	Improving the Health Status of the Syrian Population Under Temporary Protection and Related Services Provided by Turkish Authorities Project
SSE	Support for School Enrollment Programme
SuTP	Syrians Under Temporary Protection
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations International Children's Emergency Fund
WGSS	Women and Girls Safe Spaces
WHCC	Women's Health Counseling Centers
WHO	World Health Organization
WFP	World Food Programme

CHAPTER 1

INTRODUCTION

This thesis aims to assess state and NGO relations in line with the impacts of the Law on Foreigners and International Protection (LFIP) on the Turkish migration system. Along with the adoption of LFIP, Türkiye has experienced a transformation in migration management practices. Following the enactment of such legislation, not only the existing operations changed but also new institutions and collaboration mechanisms emerged. In this sense, the purpose of this study is to examine the possible effects of LFIP on state and NGO relations within the context of the new migration management system. In addition, the thesis aims to explain how LFIP affected the patterns of cooperation between the state and NGOs. On the other hand, it also focuses on what the most effective factors are for Türkiye to adopt a new migration system. LFIP can be viewed as a pillar in the field of migration management. In this context, the conditions that prepare LFIP for the new system, as well as its content and affiliated institutions that primarily cover state-NGO interactions, will be included in this research. All in all, this thesis examines the cooperation mechanisms via project examples in the post-LFIP period.

A few studies critically discuss the impact of the establishment of the Presidency of Migration Management (PMM) under LFIP on the state-NGO relationship in Türkiye. This discussion would need to entail the motives behind this establishment and whether it has resulted in one coherent migration policy that would govern the NGO realm as well. On the other hand, there are not a considerable number of studies in the literature about the state's cooperation with NGOs after this law, aiming to benefit from their expertise since they took an active role in the periods when the state was ineffective. Due to the lack of studies that concern the migration projects on this issue, this study aims to contribute to the literature by reviewing selected project examples

after the law. Furthermore, it aims to understand how funding allocation influences the interaction between state and non-state entities. In general, how does the introduction of LFIP affect state-NGO relations in Türkiye?

Cooperative initiatives are among the best instruments for understanding interactions and describing the new migration system. Since the nature of foreign-fund projects requires collaborative efforts during the implementation stages, they stand out as prominent examples of state and NGO interactions.

In this sense, this thesis utilizes six different project examples and two initiatives to evaluate the LFIP's impact on the relationships between the state and NGOs. Examining the targets, funding, and stakeholders of these projects demonstrates the characteristics of the post-LFIP period as well as the collaborative channels. These initiatives and efforts are directly associated with harmonization procedures. Despite certain differences like the source of funds or target groups, they share many components, such as state-NGO partnerships or objectives.

The projects and initiatives to be assessed in the final chapter are: Improving the Health Status of the Syrian Population Under Temporary Protection and Related Services Provided by Turkish Authorities (SIHHAT), Women and Girls Safe Spaces (WGSS), Promotion of Economic Prospects (PEP), The Transition to Formality Programme (KIGEP), Promoting Integration of Syrian Kids into the Turkish Education System (PIKTES), Support for School Enrollment Programme (SSE), Bursa Yıldırım Municipality Social Cohesion Center (YILSUM), and the Establishment of the Directorate of Migration and Harmonization Services (DMHS) in Şanlıurfa Municipality. Within the context of selected projects, state and NGO relations will be assessed with three indicators. The aim, objectives, and primary activities will be considered first. Second, the collaboration model in those projects will be reviewed, and finally, the impact of LFIP in those initiatives and the interaction models that comprise them will be examined. These three indicators allow me to investigate the state-NGO relationship in the post-LFIP era.

Some of these projects mainly concern health integration, while the other ones focus on education or economic harmonization. The first reason behind selecting these projects is the observable existence of cooperation mechanisms. In addition, since

those initiatives are still actively implemented, they were selected to assess the sustainability of cooperation between actors. Last but not least, concerning the target audience and financing, examples from different aspects were selected.

The data and objectives in relation to those examples were gathered through online desk research. Government-based data, monthly or annual reports of international organizations or NGOs, and press releases were the primary sources for this research.

The actual numbers regarding examples were gathered through project fact sheets, the implementing partners' websites, and international organizations such as the European Commission or the United Nations Office for the Coordination of Humanitarian Affairs. Consequently, in line with the examples, the state-NGO ties were assessed. During the assessment of examples, the core approach was the impacts of LFIP and cooperation in the post-LFIP period.

Regarding post-LFIP period, the most significant difference between state-NGO interactions in the new system and the previous system is that the concept of cooperation and collaborative action has gained credibility in the sphere of migration. Because the refugee population was not as massive as it is now, the government believed it could organize the operation wholly on its own and positioned itself as superior to other players in the field.

However, in the current system, both the growing immigrant population and the fact that other actors' actions can be carried out independently from state funding have shifted the relationships to a more horizontal plane than in the previous system. The increased resources provided to sector actors, as well as the fact that state institutions collaborate with other stakeholders under these budgets, have resulted in a broader and multi-actor system than the previous one. Stakeholders have been structurally affected by each other in this new system established by actors working together for a common goal.

These implications include NGOs hiring more people or government entities acting like NGOs when implementing projects. Although there were few examples in the previous system, it is clear that in projects carried out following LFIP, state entities were structured like an NGO and integrated various units and procedures.

Furthermore, whereas initiatives in the previous migration framework were carried out in the context of "emergency reaction," the new system encompasses "harmonization" in full cooperation. Thus, it is conceivable to speak about a system composed of players working together to achieve a shared goal through the adoption of LFIP. The new immigration law's system has changed collaboration, the actors' relationships with one another, and their positions as well.

To begin with a brief background, this chapter examines the general context of migration management in Türkiye. To evaluate state-NGO relations, it is better to analyze the law that dramatically shifts the nature of relations. To analyze the law, it is better to examine the relations between migration and Türkiye as well. In this regard, the rest of this part will scrutinize the Turkish migration system with its main actors, actions, mechanisms, institutions, and nationality patterns of refugees. This broad assessment also reveals, to some extent, what kind of system existed prior to the law.

In the second chapter, the main conditions that required such a law will be analyzed to understand the difference between the previous system in line with Türkiye's full membership journey to the EU. In this sense, the second chapter reviews the press releases and statements made by government officials, UN representatives, and civil society organizations to have a better comprehension of the law's impacts on different actors operating in the field of migration. Accordingly, those statements appear separately before and after the adoption of the law. Moreover, it examines certain Turkish news portals; UN newsletters, and press releases of some NGOs to see how they suggest, react, and correspond to the new system. The last part of the second chapter provides information regarding the general content of the Law on Foreigners and International Law in terms of referring to its some articles, main changes, and other parts not only limited to migration management but also certain procedures covering foreigners.

The third chapter examines the nature of state and NGO relations with a literature review. In line with the literature, reviews the impacts of NGOs on policy-making processes in the social context. In the sequel, the third chapter provides a summary of major NGOs and other key players in Türkiye as well. Since a vast number of NGOs exist in Türkiye in various areas, it is very crucial to analyze their interactions with the

state. According to their area of activity, there are local, regional, national, and international NGOs operating in Türkiye.

Despite the general perception of NGOs and civil society organizations transmitting the demands of society or some minor groups and making them visible/considerable in the law-making process, the running of these kinds of organizations differs in Türkiye. Vice versa, most of the civil society organizations' mission in Türkiye is to distribute ruling parties' ideas or impose them on society. Several organizations at both local and national levels act as the messenger of the ruling party to be funded or to have some privileges. The ruling party uses civil society organizations to distribute its ideas to make a kind of public opinion research without taking any responsibility. In this context, the third chapter also critically questions the nature of state and NGO relations in Türkiye to have a better understanding of post-LFIP period relations.

The following chapter reviews the post-LFIP state and NGO relations in Türkiye with the selected examples described above. Considering the background information provided in the previous chapters, the final chapter examines the impact of the new migration system in Türkiye on the state and NGO interactions in terms of cooperation, dimensions and levels of the relations, core elements of migration management, international projects, and funds. This chapter involves a comprehensive perspective on what has changed in the field of migration with the adoption of a new law and new institutions.

In this sense, in addition to the cooperation mechanisms and related institutions, the final chapter reviews the co-implemented projects and programs in terms of their variable financial structure and the scope, subject, and objectives. Those projects which have been implemented before the law tended to focus on security-based topics such as border management, border security, and decreasing irregular migration to the European common territory (Crépeau, 2012). However, along with the LFIP, those projects started to cover the harmonization phenomenon. That transformation both in the projects and migration system sparked off the emergence of this thesis to examine state and NGO relations accordingly.

Depending on various developments, the volume of mass flows has fluctuated over time in Türkiye. These changes, in addition to the new law, had an impact on the main agenda items. The ever-shifting socio-political conjuncture has affected migration both as a concept and action during the past years. Therefore, other countries that provided financial support to Türkiye, which has undertaken the migration phenomenon logistically, have made their migration and border policies even more stringent. This situation, along with all variables, caused the refugees to become permanent in Türkiye.

In this regard, the action plan(s) and strategic approaches announced by international and supranational organizations and countries aimed at the integration of refugees in Türkiye were aspiring to secure the common European borders as well.

When taken as a whole, funds and programmes concentrating on integration were among the initial measures. Furthermore, the evolving nature of the crisis and rising numbers of irregular migrants impacted Türkiye's migration policies as well as state-NGO ties. Last but not least, the issue of border security in European countries utilizing various mechanisms such as Frontex has continued to influence migration management practices in Türkiye after the law.

The final chapter assesses the post-law state and NGO relations by taking these variables into account.

1.1. Brief History of the Migration Context in Türkiye

From almost the second half of the 20th century, Türkiye was framed as an immigration country. The familiar nature of refugee flows started to change in the 1980s when Türkiye immediately began to host large numbers of individuals coming from countries such as Afghanistan, Iraq, Iran, and Somalia (İçduygu & Diker, 2017, p. 14). As a result of the civil war in Syria, since 2011, Türkiye has faced a period of an unexpected influx of people as more than 3 million Syrians have crossed the border (İçduygu & Diker, 2017, p. 14-15). With a total refugee population of roughly 1.5 million in 2014, Türkiye became the top refugee-hosting country. Following that, the number of refugees was more than twice, reaching over 3.3 million by the start of 2017

(Kilberg, 2014). According to the UNHCR Türkiye report, in 2020, the number of refugees in Türkiye reached almost 4 million (UNHCR, n.d.-a).

At present, the total population numbers of both registered and unregistered refugees in Türkiye are approximately 8 million people (Bayraktar, 2022). Since the Taliban's takeover of Afghanistan, Türkiye faced another influx and the estimated number of refugees in Türkiye also consists of Afghan, Pakistani, and other people from different nationalities. In this context, the main issues on the migration management agenda of Türkiye are now harmonization, integration, and the voluntary return of refugees in cooperation with different actors. However, according to the recent statements between 2020 and 2022, it can be considered that there may be sudden transitions since the Turkish government has not had a stable position on migration policies. Thus, there may be dramatic changes in terms of migration management, integration, or voluntary return policies. In addition, a possible change in the ruling party can completely change the Turkish migration management policies in connection with the opposition parties' approach to the management and return policies of refugees.

This study's timeline starts with the latest developments in line with Türkiye's full membership in the European Union since the main concern of the study is Law on Foreigners and International Protection and its effects on state and NGO relations. However, it is better to hold a view on the path of Europeanization in the Turkish migration system. The concept of Europeanization, which will be used frequently in the study's continuation, will be limited to a definition that demonstrates both the European norms and standards adapted with LFIP on migration management and the organizational changes in the structure of state bureaucracy in EU-funded migration management projects. The term "Europeanization" will also be utilized to characterize the changing balance of power in the post-LFIP period, when NGOs became more financially powerful and their relationships with the state shifted to a different level. In line with geopolitics, Türkiye has been affected by many incidents in world history due to its critical location. Many of them have changed the understanding of migration and forced Türkiye to have new policies and measures in parallel with the historical developments during the past decades. In this sense, İçduygu and Aksel (2013, p. 167-190) classify the migration history of modern Türkiye with those milestones in the below table.

Table 1. *Periodization of Modern Türkiye's Migration History*

1. Two-way immigration and emigration circulation (1923-1950s)
• The Treaty of Constantinople between the Ottoman Empire and the Kingdom of Bulgaria, allowing for reciprocal voluntary population change (1913) • Armenian deportation (1915) • Lausanne Treaty (1923) • Establishment of the Turkish Republic (1923) • Treaty on the Exchange of Greek and Turkish Populations (1923) • Settlement Act of Law 2510/1934 (1934)
2. The migration boom after the 1950s
• Law 5682/1950 on Passports • Law 5683/1950 on Foreign Subjects' Residence and Travels (1950) • Convention pertaining to the Status of Refugees of the United Nations (1951) • Greek emigration from Türkiye (1955) • Early suitcase traders from the Soviet Union (late 1950s) • Agreement on labor recruiting between Türkiye and West Germany (1961) • The United Nations Protocol on the Status of Refugees (1967) • The oil crisis and the cessation of labor migrations to Europe (1973-1974)
3. The emergence of new migration patterns in the 1980s
• 1982 Constitution of Türkiye • Soviet Union's invasion in Afghanistan and Afghan immigration • The First Persian Gulf War – Iraq and Iran (1980-1988) • The End of the Cold War and immigration from post-Soviet territories • 1989 expulsion of Turks from Bulgaria (1989) • Gulf War Kurdish populations' mass immigration (1991) • Regulation No. 6169/1994 on the Procedures and Principles related to Possible Population Movements and Aliens Arriving in Türkiye either as Individuals or in Groups Wishing to Seek Asylum either from Türkiye or from Another Country (1994) • Act on Amendments to Citizenship Law 4112/1995 (1995) • Helsinki European Council (1999)
4. New modes of migration transition and its governance since the 2000s
• Law No. 4817 on Work Permits for Foreigners (2003) • Türkiye's National Action Plan for Asylum and Migration (2005) • Settlement Law 5543/2006 (2006) • Turkish Citizenship Law 5901/2009 (2009) • Turks Abroad and Related Communities Presidency (2010) • Syrian refugees' migration (2012) • Law 6458/2013 on Foreigners and International Protection - LFIP (2013)

Source: İçduygu & Aksel, 2013, p. 169-170.

The periodization of İçduygu and Aksel respectably simplifies the modern Türkiye's migration history. Under this classification, the development process of "traditional migration policies" and transitions in Türkiye's migration system can be observed. Türkiye's migration system has always been affected by geographical and political factors throughout history due to its cross-continental role (Kilberg, 2014). In this sense, constructing a periodization can be helpful to assess the migration context. Therefore, the segmentation of breaking points in the migration system by İçduygu and Aksel provides a comprehensive summary. Accordingly, in the first period between 1923 and the 1950s, the demographic changes and the homogenization of populations stemmed from a plural structure: non-Muslim populations' emigration and Turkish Muslim populations' immigration (Obermeyer, 1998, p.169). State-led migration in the early Republican period was continued by agreements with Bulgaria in 1913 and 1925, and Greece in 1923, in addition to the forced displacements of 1915 Armenian migration. The main concern in migration management during the first period of classification was related to immigrants who entered the country, instead of migration itself (İçduygu & Aksel, 2013, p. 171). Thus, the concept of migrant was applied by the Turkish state to the people moving to Türkiye of Turkish origin(s) and not to the migrants of other origins or non-Muslim populations that voluntarily or involuntarily left the country (Kirişçi, 2003).

In this period, one of the most important developments was the 1934 Settlement Law, which was described by scholars as a milestone in terms of the nation-building process (Kirişçi, 2003; İçduygu & Aksel, 2013). With the adoption of this law, two different statuses have emerged, enabling the migration and integration of people coming from Turkish origins and culture as migrants or refugees, and restricting the entry of people who do not meet this criterion as migrants or refugees. These two statuses were not only coincidental with the state's policy since the late 19th century but also, opened the path for future arrangements of migration to and from Türkiye (İçduygu & Aksel, 2013, p. 171-172). At present, despite all the changes in migration management policies, it can be seen that the perception of the migration and settlement of those who are not of Turkish descent and culture has not changed. In this regard, analyzing that period is significant in terms of the emergence of modern Türkiye's traditional migration management policy. As it will be examined in the next chapter, this period, and particularly the 1934 Settlement Law, has great importance in understanding the

geographical limitation maintained by Türkiye in the 1951 Convention on the Status of Refugees (UNHCR, n.d.-a) and keeping that limitation in the Law on Foreigners and International Protection as well.

In the second period between 1950 and 1980, Türkiye faced a different aspect of migration as its population migrated abroad, mainly to Europe and some other industrialized countries (Abadan-Unat, 2004, p. 88). İçduygu and Aksel claim that Türkiye's intersection with the global migration context started in this period in line with the 1951 Convention on the Status of Refugees and the 1967 Protocol Relating to the Status of Refugees (UN Treaties, n.d.). Kirişçi (2003) and Kilberg (2014) also support this opinion by classifying the above treaties as the first ties of Türkiye with the international migration system. During the course of this period, there has been a decrease in the non-Muslim population of Türkiye due to some particular events such as violence against them on September 6-7, 1955; the displacement of the Rum population based on the 1963-1964 crisis in Cyprus, and the migration of the Jewish population to Jerusalem (İçduygu & Aksel, 2013, p. 172).

Despite some restrictions, Türkiye started to be a part of international practices with the 1951 Convention and 1967 Protocol. More to the point, in light of the labour agreements with industrialized countries in the 1960s and 1970s, a huge number of Turkish and Muslim populations started to emigrate for the socio-economic purposes. This time frame can be considered a milestone in modern Türkiye's migration history as approximately 1 million (Turkish/Muslim) people moved abroad for the first time (Akgündüz, 2008, p. 162). However, the idea of sending unskilled workers to industrialized countries and their return to the country of origin with professional know-how for the sake of industrial development within the scope of Türkiye's First Five-Year Development Plan has failed. In accordance with the international agreements, this period is the first time for Türkiye to comply with the international migration regime (Kilberg, 2014). In addition, that period can be considered the beginning of the Europeanization of the Turkish migration system.

The Turkish migration system faced major changes during the period between 1980 and 2000 depending on the developments in social, cultural, and economic perspectives. In line with the 1980 coup in Türkiye, the identity question came to the

fore for both internal and international politics together with the global increase in identity politics (İçduygu & Aksel, 2013, p. 175). According to İçduygu and Aksel, external reasons such as the end of the Cold War and internal variables such as left-right polarization and the rise of the Kurdish crisis have influenced that social fact. Türkiye began to become an immigration country during this time period, as the immigrants migrating to Türkiye in the 1980s were neither Turks nor Muslims (Ibid).

Since the developments during the past decades caused people to seek safer and developed countries, Türkiye has become a bridge and transit country as well. For instance, the political and military crisis in countries such as Afghanistan, Iraq, and Iran – along with the war between Iraq and Iran and the Gulf crisis – forced people – particularly minorities – to enter Türkiye seeking asylum, while the collapse of the Soviet Union and the socialist systems in Eastern Europe encouraged the people from those countries to move forward to Türkiye for temporary jobs (İçduygu & Aksel, 2013, p. 176). According to the migration laws in the above period, the immigration of individuals who were neither Turks nor Muslims was regarded as irregular and illegal by the Turkish legislation framework (European Commission, 2020).

The enactment of the 1994 Asylum Regulation was one of the most notable features in migration management between 1980 and 2000. The significance of the 1994 rule arises mostly from disclosing the standards for asylum petitions in Türkiye. Nonetheless, due to the geographical constraint imposed by Türkiye at the 1951 Convention, the Turkish state has not modified its policy of classifying all asylum petitions as valid and granting "interim" status to persons from non-European nations until resettling in a third country (İçduygu & Aksel, 2013, p. 176.).

According to the actions implemented in the field of migration management during this time, Türkiye's basic approach may be described as "unintentional" in terms of separating non-Turks and non-Muslims, as a response to rising trends in migration, centered on a nation-state perspective (Ibid, p. 181) which does not consider to be a nation with assimilated immigrants (Conrad-Bradshaw, 2018, p. 528). Because of Türkiye's effort to forge a unified national character, the traditional immigration system has been influenced by these issues. In this regard, the 2000s presented a few

challenges in terms of persuading Türkiye's migration management policy. (İçduygu & Aksel, 2013, p. 179).

Given both external circumstances in the post-Cold War era that deemed Türkiye a transition nation, as well as internal ones such as the liberal market economy's attractiveness for migration, the popular idea of migration management has evolved in a distinct shape (Ibid, p. 179-181). Furthermore, the Justice and Development Party took the lead as a single party in the early 2000s and made the entrance into the country easier compared to earlier times, in parallel with the liberal policies, which opened the ground for the new migration system (Ibid, p. 179).

İçduygu and Aksel (2013) also define the 2000s by categorizing the migration flows in Türkiye as follows:

1. *People who use Türkiye as a transit country before crossing to a third country or stay & work in the country without legal permissions people who use Türkiye as a transit country before crossing to a third country*

2. *Irregular border crossing*

3. *People who arrive in Türkiye for employment, education, settlement, long-term residence, etc.*

Above all, the negotiations between Türkiye and the European Union within the scope of the full membership of Türkiye can be evaluated as the most important factor that reshaped Türkiye's migration practices. Since the next section explores the Europeanization of Türkiye's migration system after the 2000s, more information and milestones are included in that part.

Although there have been other events affecting the Turkish migration system within this period, the issue of Europeanization comes into prominence as this thesis analyzes the state and NGO relations under LFIP. Before LFIP, the general tendency of pressures in relation to the Europeanization of the Turkish migration system in the 2000s is one of the critical touchstones of the falling dominoes.

1.2 Europeanization of Turkish Migration System

Since the beginning of the 2000s, Türkiye has started to make some major improvements regarding reshaping its asylum system within the scope of EU accession negotiations. The main requirements of the EU accession process, together with being a major immigration country, have resulted in some major changes in the migration management system (İçduygu, 2007, p. 201). In this direction, in terms of the legislative framework; in 2003, the Law on Work Permits of Foreigners (LWPF); and, in 2013 Law on Foreigners and International Protection (LFIP) were adopted. In addition, the Presidency of Migration Management (PMM) has emerged as a consequence of LFIP Article 103 (İçduygu & Diker, 2017, p. 16).

In terms of the arrangements regarding the protection of migrants and abandonment of the nation-state approach of considering migrants as a security threat by transferring the authority from the Security General Directorate to a civilian entity, LFIP has brought revolutionary changes to the Turkish asylum system. Even though many problems remained unsolved after the LFIP, it was recognized by main actors in the field, such as UNHCR, as proof of Türkiye's commitment to humanitarian values and principles (UNHCR, 2013).

Before LFIP, the Turkish asylum system needed a new legislative framework since the geographical limitation that Türkiye maintained on the 1951 Refugee Convention was denying non-European asylum seekers refugee status. In addition, according to the Settlement Law, which was adopted in November 2006, Türkiye only promoted full settlements for those who were coming from Turkish descent and culture (İçduygu, 2015, p. 4).

In light of these examples, under the conditions at that time, emerging of the LFIP was crucial not only for its impact on state and NGO relations but also for representing the transition of the nation-state identity approach of Türkiye in line with nearing common-Europeanized-migration management practices.

According to Kirişçi, the adoption of EU practices on migration was not only important for the full membership of Türkiye but also for becoming a real modern state which exercises national sovereignty under the rule of law principle and the norms linked with pluralist democracy (Kirişçi, 2009). Along with this perspective, as will be examined in the third chapter, the presence of democratic norms inherently encourages NGO operations as well. In a sense, that creates a sort of decentralist approach in terms of the distribution of authority. In this context, the emergence of civil institutions with the adoption of LFIP and changing application practices together with new cooperation mechanisms can be seen as a reflection of the Europeanization of the Turkish migration system, in line with the norms mentioned by Kirişçi.

Since irregular migration and mass influx in Türkiye directly affect European countries, it is not surprising that the European Union paid special attention to migration management in Türkiye. As a candidate country, Türkiye was forced to adapt to the European Union's acquis legally and was expected to harmonize migration policies and practices with the norms and standards created by the union. To adapt its migration system to these norms and standards, Türkiye has made various legal modifications and created medium and long-term plans regarding its policies and practices, which demonstrates the consistency of the candidature process. İçduygu (2009, p. 247) explains Europeanization by using Radaelli's (2003, p. 28–32) categorization: Retrenchment (limited change), Inertia (inaction), Absorption (adoption), and Transformation (transition). According to İçduygu, as the inefficacy of modifications to Settlement Law and Foreigners Law reflects inaction, applications of the EU directives in internal politics can be seen as adoption and limited change. Thus, in line with Radaelli's categorization, İçduygu stresses that in the case of Türkiye, it is more likely an absorption rather than a transformation (İçduygu & Erder & Gençkaya, 2009, p. 249). Along with the categorization of Radaelli, the determining factors of Europeanization are based on the connection between national order and the EU – as the center – in addition to the existing and developing institutions and processes (Ibid, p. 249).

İçduygu also highlights two different implications regarding the changing nature of the Turkish migration system in light of the EU membership process. On the one hand, although those changes are not that dramatic in the first phase, they tend to grow gradually and have a positive effect on both Türkiye and the EU sides. On the other hand, the distribution of heaviness on migration-related politics comes to the fore. Being a buffer zone and transit country between the migration paths of eastern regions and western "attractive" regions has been one of the key concerns of Türkiye in terms of shouldering the burden of migration itself. Accordingly, sharing that burden has been one of the most important expectations of Türkiye from the European Union (Ibid). Despite Türkiye's efforts to Europeanize its migration management policies and the financial assistance from the EU, the concerns about sharing that burden are still on the agenda in recent years. Since Türkiye believes that great affords have been made on the way to achieving common migration management, unfair sharing of the logistical burden is still one of the most prominent criticisms of Türkiye towards the European Union considering the recent developments (Yackley, 2021). The current state of play in Türkiye's migration management system consists of European practices as much as adopted. On the other hand, in terms of Türkiye's hesitation that was framed at the beginning of the 2000s concerning "the (un)equal distribution of heaviness", it can be concluded that Türkiye was not wrong about those possible logistical burdens, as was projected. Although the main actors in migration were quite content with the process of the Europeanization of the Turkish migration system—which will be expanded in the next chapter—Türkiye's full membership in the European Union was much more than just the adoption of migration practices. Nevertheless, Türkiye has made remarkable progress on the legal modifications in the shade of EU acquis. However, in respect to both Türkiye's changing its traditional approach with the Europeanization of its migration practices and hosting a great number of asylum seekers and refugees today – which also disables mentioning the historical nation-state approach centering on the common culture phenomenon – creates obscurity for the long-term effects of being such a hosting country.

On the other hand, in relation to the Europeanization phenomenon, Tolay (2012, p. 41) thinks that the norms of the EU were selectively adopted by Türkiye, which provides a unique national perspective to the migration management field. According to her,

this has fostered confidence in Turkish authorities, who believe they can do more than the Europeans. The opinion of Tolay can be discussed with the LFIP bringing PMM as an umbrella organization to coordinate the migration activities. However, it is not inaccurate to argue that the new cooperation mechanism prevents this "national Europeanization" from occurring and that the state is not the only leading actor in the migration field.

Nevertheless, NGOs and civil society were more substantial in which the EU supported Türkiye's reform effort. The EU was influential in supporting and funding programmes conducted by Turkish NGOs (Tolay 2012, p. 48). While there were relatively few organizations working in the migration field in the 2000s, the situation is significantly different in the 2010s, with a bigger number of NGOs highly active on the ground and engaging in a wide variety of operations. According to Tolay, several NGOs have profited enormously from the EU funds since the EU has always prioritized both the issue of asylum and migration, as well as the strengthening of civil society players.

The number of NGOs increased in line with the further Europeanization of the Turkish migration system with the adoption of LFIP. In addition, NGOs' sphere of influence steadily grew with the support of the EU. In this sense, the Europeanization of the Turkish migration system has also affected state and NGO relations by fostering NGOs. Although this study mainly focuses on the LFIP's impact on state and NGO relations, the developments in the Europeanization period cannot be underestimated.

1.2.1 Cooperation Practices Between EU and Türkiye on Migration Management

As the Syrian crisis has been growing since 2011, the inevitable effects of this crisis forced the EU and Türkiye to develop further cooperation in the management of migration. When chronologically analyzed, the mass influx has become one of the top items on the agenda in 2015 in line with the EU–Türkiye cooperation (Directorate for EU Affairs, n.d.). On the 15th of October 2015, the EU-Türkiye joint action plan was declared in Brussels. In terms of understanding the Europeanization of the Turkish migration system, (un)equal sharing of the burden, and coordination mechanisms, this joint action plan can be evaluated as one of the earliest practical experiences. The plan

particularly highlights that the EU and Türkiye will embrace that crisis in the context of burden sharing (European Commission, 2015). Since that concept of cooperation was one of the most important expectations of Türkiye, the burden was allocated as financial and logistical for the EU and Türkiye.

According to the plan, the EU provided financial support – outside the IPA funds – and Türkiye ensured the logistical support in terms of assisting in the Aegean Sea, while FRONTEX's activities were extended to border security. In this sense, despite some unresolved points, both sides were initially quite satisfied with the agreement (Al Jazeera Turk, 2015). The content of this joint action plan was divided into two parts as follows: 1) supporting the SuTP and their Turkish hosting communities; and 2) strengthening cooperation to prevent irregular migration. The plan aims to handle the crisis with the steps to be taken, such as determining the reasons for paving the way for the Syrian influx, assisting SuTP and their host communities in Türkiye, and ensuring cooperation in preventing irregular migration flows towards the EU (European Commission, 2015).

Despite Türkiye's criticisms at that time regarding "being a warehouse" that protects EU countries facing a mass influx, this joint action plan can be seen as one of the first steps that made SuTP permanent and started their integration process into the host community. Together with providing immediate assistance via NGOs, Türkiye ensured facilitation for SuTP to have access to education, health services, and participation in the economy, according to Article 3, on the Türkiye side of the first part (European Commission, 2015).

In addition, according to Article 1 of the same part, Türkiye ensured to keep and enhance the effective application of LFIP with the adoption of necessary secondary legislation as well as increasing social awareness regarding its content among all related parties (European Commission, 2015). As can be seen in the joint action plan, Türkiye maintains its tendency to Europeanization of its migration management system in line with further cooperation with the EU.

In this regard, the statement between EU-Türkiye on the 18th of March 2016 is another significant development that needs to be mentioned. As the crisis gained momentum, the scope of cooperation between the EU and Türkiye had to be enhanced. The proposal for such an agreement came from the Türkiye side on the 7th of March, intending to prevent deaths in the Aegean Sea, combat migrant smuggling and human trafficking, and work on transforming illegal migration into legal migration. According to the Türkiye side, the effective implementation of the agreement would remove the transit position of Türkiye in illegal crossings to the EU, which reached its peak in 2015 (Ministry of Foreign Affairs, n.d.).

Briefly, the EU-Türkiye agreement mainly focused on (I) Türkiye's taking necessary measures on preventing irregular migration to Greek Islands, (II) the ones who arrived irregularly from Türkiye would be returned and (III) EU countries would allow a Syrian refugee to entry in the country on behalf of each Syrians who returned from the islands. In compensation, 6 billion euros would be given to Türkiye for the sake of improving the humanitarian context in line with the current needs of asylum seekers in the country. In addition, within the scope of this agreement, Turkish citizens were to be granted visa-free travel throughout European countries (International Rescue Committee, 2022).

Whether the EU-Türkiye agreement succeeded or not is another topic of discussion. However, it is an outstanding example of cooperation and the Europeanization of Türkiye's migration management. In terms of responsibility-sharing and the initial idea regarding taking joint actions on the management of migration, the EU-Türkiye action plan and agreement constitute a basis as a real experience with regards to the cooperation practices, following Türkiye's legal modifications like the adoption of LFIP.

1.3 Migration in Türkiye: Overall Assessment of the Current Situation

Since Türkiye neighbors several countries from which waves of migration emanate, it has always been an attractive country for temporary work, as a transit and target country. In parallel with the growing nature of the global migration crisis, European countries had to take repressive measures due to their attractive nature, promising a safer, economically favored, and better option for refugees. Even though the idea in joint action plans and agreements was to dissolve Türkiye's transit country position, that has not been the case. As a consequence of the European Union's taking severe measures on border security, at the present time, Türkiye has completely become a target country. The challenges and changes that have taken place in the region in recent years and the insufficient implementation of border security have caused Türkiye to receive a large number of illegal immigrants from different countries.

Due to its position as a buffer zone between Europe and the refugee-producing countries, Türkiye has also become the leading country that undertakes the global migration wave in terms of logistics. Moreover, the approach of Turkish citizens to immigrants has been changing in line with the economic challenges that Türkiye has been facing in recent years. In particular, the rapid increase in the number of illegal immigrants and the provocative news on (social) media bring new challenges to implementing the standards adopted in migration management. Additionally, migration has been radically politicized in the current political narrative. As such, the inconsistent discourses of the ruling party on migration management and the rising nationalist discourses in parallel with growing economic difficulties increase the tension on migration-related topics. Thus, the opposition parties' rhetoric based on the voluntary return of refugees has recently pushed the ruling party to take steps in this regard.

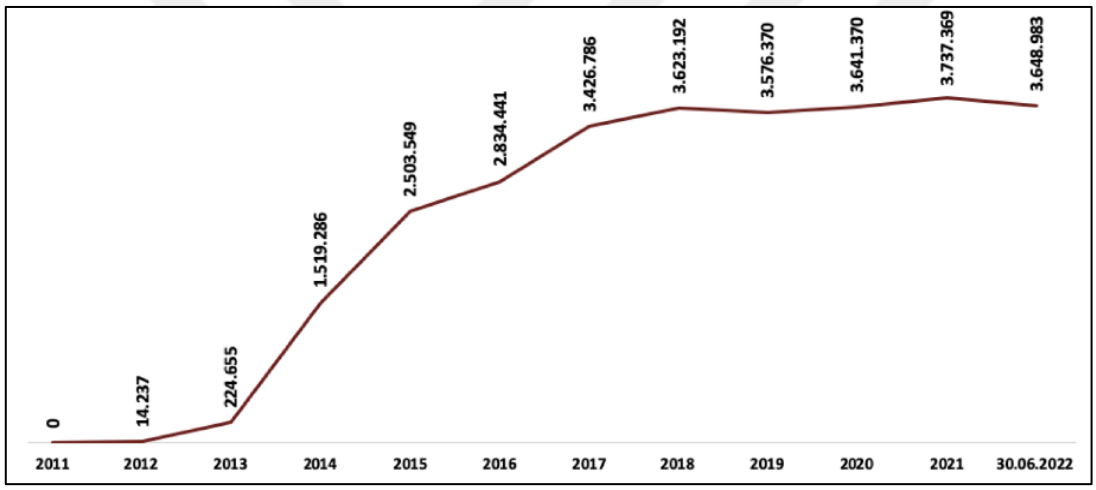
After Türkiye's migration management practices started to be harmonized with the EU, actions targeting the integration of registered asylum seekers were significant in terms of accepting that these people were no longer temporary. On the other hand, although there is a nationalist discourse on this issue in Türkiye, it can be understood by looking at the increase in unregistered employment data to see that the presence of immigrants is welcomed by some groups. Accordingly, İçduygu states that almost all economic

systems across the world seek a low-cost workforce and absorb such migrants (Yinanç, 2014).

In this context, immigration has a competent effect on the economy. İçduygu also stresses that difficult, dirty, and dangerous jobs that Turks would not want to do, even if they were unemployed, are being done by migrants (Ibid.).

According to the data on the PMM website, Türkiye currently hosts 3,764.193 Syrians under Temporary Protection as of June 2022 (PMM, 2022a). On the other hand, it is also estimated that approximately 4,000.000 million illegal migrants are living in Türkiye (Bayraktar, 2022).

Table 2. *SuTP population in years (2011 – 30.06.2022)*

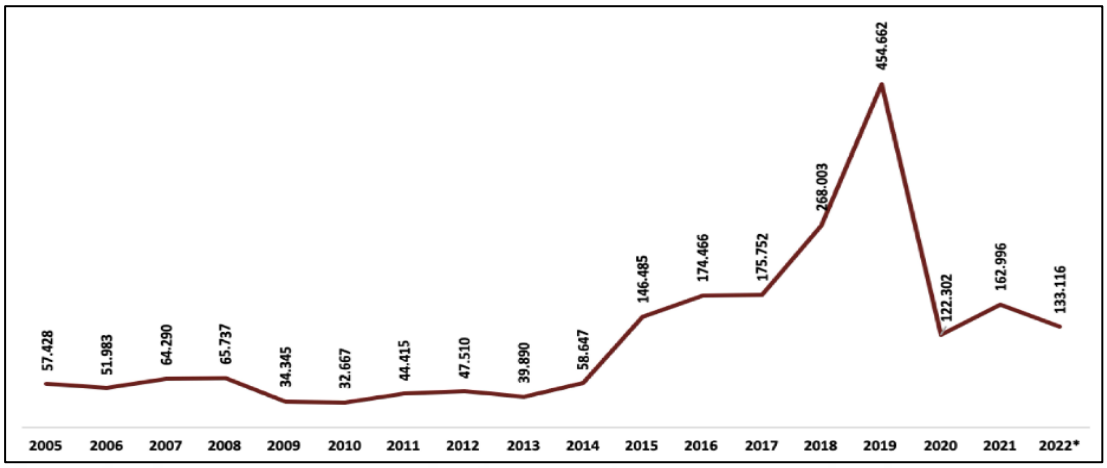


Source: Presidency of Migration Management.

Since the official data on irregular and illegal migration covers only the individuals busted by the police, there is no data on the number of irregular and illegal migrants who live in Türkiye. As a consequence of the close cooperation between the EU and Türkiye, there has been a remarkable decrease in irregular and illegal migration, particularly in the Aegean Sea, in line with the border management applications of FRONTEX (Ministry of Foreign Affairs, n.d.).

However, this trend started to increase in the following years with the changing conditions and reached its peak in 2019 according to the data provided by PMM (2022b). Tablo 3 shows the fluctuations in irregular and illegal migration in light of the official data.

Table 3. *Official data on the irregular and illegal migrants caught by police between (2005 - 30.06.2022)*



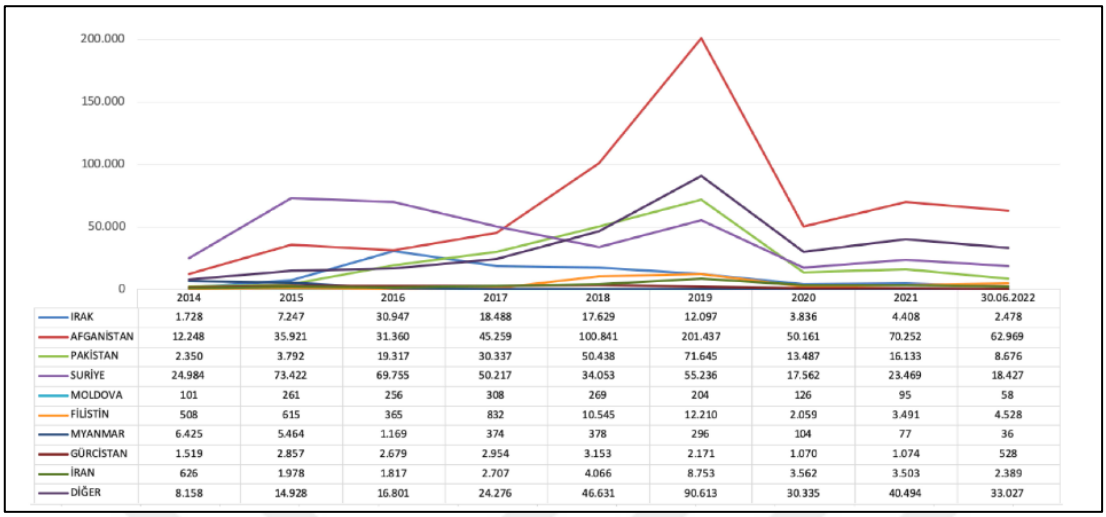
Source: Presidency of Migration Management.

As can be seen from the above table, the number of irregular and illegal migrants caught by police reached its peak in 2019 and then suddenly started to decrease. That phenomenon can be evaluated as a meaningful decrease in illegal crossing. However, it can also be considered a loosening of border security and a decrease in the rate of arrest as well. In this sense, some videos and news leaked to the media support that approach in terms of easing border crossings (Hamsici & Aslan, 2021).

Similarly, the official data on the nationalities of irregular and illegal migrants caught by police shows the distribution of nationalities that enter Türkiye illegally and continue to live in the country. With regard to the PMM's data on the breakdown of nationalities who were caught by the police, the presence of leading and other nationalities may also be projected.

The next table shows the nationality pattern with the official up-to-date data (PMM, 2022c). Although it does not reflect clear data on numbers, this table is important in terms of understanding the density of the nationals who have not been caught by the police yet.

Table 4. *Official data on the nationality pattern of irregular and illegal migrants caught by police (2014-30.06.2022)*



	2014	2015	2016	2017	2018	2019	2020	2021	30.06.2022
IRAK	1.728	7.247	30.947	18.488	17.629	12.097	3.836	4.408	2.478
AFGANİSTAN	12.248	35.921	31.360	45.259	100.841	201.437	50.161	70.252	62.969
PAKİSTAN	2.350	3.792	19.317	30.337	50.438	71.645	13.487	16.133	8.676
SURİYE	24.984	73.422	69.755	50.217	34.053	55.236	17.562	23.469	18.427
MOLDOVA	101	261	256	308	269	204	126	95	58
FİLİSTİN	508	615	365	832	10.545	12.210	2.059	3.491	4.528
MYANMAR	6.425	5.464	1.169	374	378	296	104	77	36
GÜRCİSTAN	1.519	2.857	2.679	2.954	3.153	2.171	1.070	1.074	528
İRAN	626	1.978	1.817	2.707	4.066	8.753	3.562	3.503	2.389
DİĞER	8.158	14.928	16.801	24.276	46.631	90.613	30.335	40.494	33.027

Source: Presidency of Migration Management.

As seen above, the number of asylum seekers and migrants has increased in comparison to prior periods. This rise has also resulted in a greater need for information regarding migration. In this sense, Göçer and Şenyuva (2021) examined the information requirements generated by Syrian mass flows and how these needs were addressed by studies from the IR discipline. According to them, methodological shortcomings in Türkiye may be shown clearly in migration research. They also underlined that the IR discipline in Türkiye has a heritage of creating information based on secondary sources and recent politics while avoiding fieldwork and quantitative and qualitative data collection methodologies (Göçer and Şenyuva, 2021, p. 34). This methodological weakness can also be applied to the study of state-NGO relations. For example, it may be difficult to trace the influence of NGOs on official policies. In this context, employing secondary channels to measure NGO benefits might be advantageous. However, the methodological issues are valid in any case.

In light of the migration studies within the scope of International Relations, while some of the qualitative research include studies that gather and evaluate primary data using one or more of the traditional tools, half of the research utilized neither qualitative nor quantitative data collection methods. Instead, they relied solely on secondary sources.

In addition to the methodological problems, they underlined that the primary subjects researched had also evolved (Göçer and Şenyuva, 2021, p. 25-26).

In this regard, they examined the migration research by dividing it into two phases: 2011-2015 and 2015-2020. Accordingly, while Syrians were researched as a subject of humanitarian aid, and border security in the first phase, Syrians began to be studied within the context of social interaction in the second period (Ibid).

Migration management can be periodized in the same way as the academic studies above. When comparing two separate periods, before and after the LFIP, similar concerns define migration management and associated initiatives and projects. As Göçer and Şenyuva (2021, p. 22-26) pointed out, while humanitarian relief and border security were prominent problems between 2011 and 2015, Syrians and other key stakeholders came into prominence in terms of social interaction between 2015 and 2020. When the project examples—as the outputs of the post-LFIP period—are examined in the following chapters, that similarity will be more visible. In this context, it would not be incorrect to claim that the transformation produced by LFIP is also mirrored in academic studies, as well as the new institutions.

Since its establishment, PMM has come to the fore in migration management as an official-civil authority in cooperation with international organizations. In this regard, the United Nations High Commissioner for Refugees (UNHCR), the European Union and its institutions, and NGOs have become the main actors in the field of migration in Türkiye. Actors involved in the creation of Türkiye's new immigration system continued to act in cooperation with PMM, operating in the field as an umbrella organization. As will be discussed in more detail in the following chapters, an integrated system has emerged in the migration management practices of Türkiye. In the emergence of such a system, the new migration law of Türkiye means a milestone. Joint projects between institutions, NGOs, and UN agencies have been the leading indicator of that integrated migration management system. The sharing of responsibility in both integration and humanitarian aid projects takes place in practice through these actors. In this direction, the examination of this responsibility-sharing phenomenon and how the new migration law affected the cooperation between those actors is the core effort of this thesis.

CHAPTER 2

A TRANSFORMATION IN THE MIGRATION SYSTEM

2.1 Towards a New Migration Management System

As was highlighted in the previous chapters, the Europeanization of the migration system in Türkiye was necessary to create a common implementation practice with the EU, which was the most important partner of Türkiye in dealing with the crisis. Since previous chapters discussed the reasons for Türkiye's harmonization of migration management practices, this chapter examines the Law on Foreigners and International Protection as the physical output of these affords. Inherently, despite the criticisms regarding its effectiveness and scope, LFIP can be evaluated as an epitome in terms of transforming ordinary practices. Türkiye's declaration of intention to harmonize its migration system with the EU was almost a step back from the nation-state approach on migration-related topics. Both the expectations of the EU and the plans of Türkiye on the way to full membership brought results, as Türkiye adopted a law that balanced foreigners' rights and public safety. Thus, the preparation process of the law differs from the other practices, as the opinions of all actors are considered and reflected in the law. The fact that the law is supported by all political parties in parliament shows the general, positive, attitude in terms of how this law was considered at that time (Yinanç, 2014).

As the first asylum law, the Law on Foreigners and International Protection (LFIP) was adopted by the parliament in 2013 within the scope of Türkiye's European Union candidacy process (Soykan & Şenses, 2018, p. 824–825). The complex and multilevel nature of global migration management consists of formal and informal institutions together with state and non-state actors working at different levels, such as bilateral, regional, interregional, as well as transnational (Betts, 2011; Piper, 2015; Piper & Rother, 2014). In this sense, while new conditions forced Türkiye to adopt a new law

on migration, they also guided Türkiye to build a new cooperation mechanism that covers the international requirements of migration management as stated above. In the sense of assessing such a necessity, the establishment of the Presidency of Migration Management (PMM) as taking control in terms of being the primary authority is another response of Türkiye to the expectations and power vacuum in the field of migration, following the adoption of LFIP.

The framework of the LFIP consists of three main parts: foreigners; international protection; and the organizational structure (PMM, n.d.). Under the sections focusing on foreigners, the law envisages reducing bureaucratic procedures and informality as much as possible by introducing an effective and systematic structure in visa and residence permit procedures, which constitute the legal (regular) immigration area. Regarding international protection, it is stated that the provisions on international protection are determined at the legal level in accordance with human rights standards and the EU acquis. In addition, Türkiye's legislation, and practices in the field of international protection were aligned with the 1951 Geneva Convention, and no change was made in the geographical limitation imposed by Türkiye in defining refugee status for people coming from countries that are not members of the Council of Europe. In this context, for the first time, the "temporary protection" to be provided in cases of mass influx gained a legal basis. It is also stated that "harmonization" processes will be determined voluntarily for foreigners covered by the law to live together with the society (host community) intolerance. Lastly, for the organizational structure, it is stressed that the "Presidency of Migration Management" will be established under the Ministry of Interior to take necessary actions in the field of migration and international protection (Ibid).

Along with the fact that the law specifies the establishment of an organizational structure, it is seen that the state has created an umbrella organization, the Directorate, to provide control in the field of migration. Despite that intention to align with coordination efforts in the field of migration, the change in authorities and mandate on migration among various institutions has created a disadvantage in terms of adaptation for non-governmental organizations operating in Türkiye. For instance, the UNHCR Evaluation Service's January 2014–June 2015 report (2016) on Türkiye criticized that each time a new institution is introduced into the system, the rest of the government

as well as external stakeholders including UNHCR must establish a new set of relationships, explain the history, adapt to new mandates, and modify coordination arrangements (UNCHR, 2016). Looking back a year from the Law on Foreigners and International Protection (LFIP), it is understood that UNHCR played a leading role in the development of the national migration policy to implement a temporary protection regime for Syrians in Türkiye. In addition, according to the 2012 UNHCR Global Report, government authorities had not given UNHCR any mandate in terms of the registration process of refugees living in camps before the mass influx in mid-2012.

Then, as of mid-2012, when the number of Syrian refugees living outside camps began to grow, there was no formal registration process applied to them, except for those who entered the country through official border crossings with their passports. According to the relevant report, UNHCR engaged with the authorities on protection issues, including registration of the non-camp population, and initiated an exercise to assess the needs of non-camp refugees (UNHCR, 2012).

The emergence of this law was necessary for the Turkish government, as the host country, to establish an umbrella organization to ensure supervision. In the first stage, maybe this crisis was considered a temporary problem. However, after realizing that this crisis was not temporary, the Turkish government had to renew its migration practices. As mentioned in the 2012 UNHCR Global Report, with the mass flux of people arriving in mid-2012, the government may have started to realize that this was now a permanent issue. On the other hand, the fact that the law's not becoming operational and lacking in terms of distributing the authority on the migration management at the very beginning has created a coordination problem between non-governmental organizations and the state by affecting the maintenance operations, as indicated in the UNHCR Evaluation Service's January 2014–June 2015 report on Türkiye (UNHCR, 2016). It would not be wrong to say that a law, which is stated to have been prepared in accordance with international standards and in harmony with all stakeholders, has caused delays in managing the operations, at least in the first place.

The role of both internal and external conditions and which one is more important in the adoption of this law can be argued separately. However, the main concern of this

study is to question how the adoption of the law has changed migration management in the field. Did the formation of a more European asylum policy help state and non-state actors receive more funds for project implementation in the field of migration? How did the distribution of funds affect the relationship between state and non-state actors? In this regard, it is useful to review external funds in Türkiye in relation to migration management before and after the adoption of the law. Within this perspective, major changes in the migration policy of Türkiye can be monitored in terms of financial assistance while in the candidacy process and applying a critical transition in its migration management policy. In the breakdown of the external funds received by the year, the distribution of funds between state and non-state actors can be compared before and after the law. Within this context, it can also be a good tool to financially evaluate how the Law on Foreigners and International Protection affect Turkish migration management policy and relations between the actors in the field of migration. Did a more Europeanized way of migration management allow Türkiye to be supported more financially and encourage asylum seekers to settle in Türkiye? After the adoption of the Law on Foreigners and International Protection, European countries' migration and border policies became stricter. This can be seen as an indicator of increasing financial support for the integration processes in Türkiye as well as the growing budget of Frontex after 2013 (Frontex, n.d.).

While Türkiye's migration management is becoming more European, the European Union's migration policies are becoming sharper in terms of hosting mass flows. When analyzed retrospectively, LFIP can be considered the first official document that mentions the integration matter. In this sense, whether the new immigration system facilitates more immigration and demographic change in Türkiye is another matter of discussion. As a result, İçduygu emphasizes that if the law were discussed presently, many people would oppose it because, for the first time in Türkiye's history, the law highlighted migrants' integration (Yinanç, 2014). İçduygu made that statement in 2014, and by 2022, there would be much greater opposition towards such a change in the migration system.

2.2 Law on Foreigners and International Protection (LFIP): The Origin, Purpose, Scope

It is important to briefly touch on the content of the law, to see some concrete practices that have changed, and to take a closer look at EU standards on migration management via some articles in LFIP.

According to Article 1, the purpose of this law is defined to govern the concepts and processes for foreigners' admission, stay, and exit from Türkiye. Furthermore, the definition and execution of the protection to be provided for foreigners seeking asylum in Türkiye, as well as the formation, duties, mission, and responsibilities of the Presidency of Migration Management under the Ministry of Interior (PMM, n.d.).

The Presidency of Migration Management (PMM)'s official statement on its website defines Türkiye's position as a "transit country" in terms of increasing migration movements after the Syrian crisis and that Türkiye's becoming a "target country" (PMM, n.d.).

In this context, the origin of the Law on Foreigners and International Protection (LFIP) and the Presidency of Migration Management (PMM) is defined as a functional institutional structure that develops and executes migration plans and regulations. The legal structure has been brought in line with international norms by this law. In addition, with this regulation, the General Directorate of Migration Management planned to be formed in 81 provinces, 148 districts, and overseas with the goal of executing migration policies and strategies, as well as enabling cooperation among organizations and institutions on such matters (Ibid).

Under Article 2, the scope of this law is defined as follows: the provisions of this legislation apply to foreigner-related activities and acts; international protection to be extended in circumstances of individual protection requests by foreigners at borders, border gates, or within Türkiye; the urgent temporary protection to be offered to foreigners in circumstances of mass immigration into Türkiye and inability to return to the country from which they were forced to abandon; and the organization, duties, mission, and responsibilities of the Presidency of Migration Management (PMM).

This Law shall have effect without regard to the terms of international treaties to which Türkiye is a party, as well as special legislation.

On the official website of the Presidency of Migration Management (PMM), the form of the law is defined as follows:

Following a transparent and participatory process with all its national and international stakeholders, the Foreigners and International Protection Law was accepted by the General Board of the Grand National Assembly of Türkiye on 04/04/2013 and entered into force after being published in the Official Gazette dated 11/04/2013 and numbered 28615 (PMM, n.d.).

It is also stated that in the law, a balance is maintained between human rights and public order and security, and mutual mechanisms are developed (PMM, n.d.).

2.3 Impact of Main Actors on LFIP in the Field: Suggestions & Appreciations Before and After the Law

During the period when discussions on the law were held, various comments and suggestions about the law from both lawmakers and various non-governmental organizations were covered in the media. Organizations that made statements about the law and opinion leaders working in the fields of migration and the third sector took an active role in this law-making process. Although how these recommendations and comments affect the law is a separate topic of discussion, unofficial statements by different actors in the media will be included at this stage of the study to assess the reciprocated impacts before and after concerning LFIP. In this context, examining the opinions in various media sources before and after the law is adopted, will be an important factor in terms of interpreting the law from the perspective of the actors in the field.

Different types of media sources, which include various informal and different views on the law-making process, have important indicators in understanding the framework in which the actors deal with the law and on which subject they make the most comments and suggestions. Those sources consist of news and interviews from

different media channels, official press releases, and statements made by state officials and representatives of local, national, and international organizations. Similarly, different media resources reflecting unofficial views after the law came into force are significant in understanding the approach of the actors working in the field and assessing what has changed from their point of view.

In this sense, François Crepeau's (UN rapporteur) assessment in 2012, just before the formation of the law, is very critical. According to this assessment, the cooperation between the EU and Türkiye was mainly focused on security-based approaches such as ensuring the securitization of borders and decreasing illegal and irregular crossings into the EU territories. Thus, the scope of the projects implemented in this regard mainly consisted of the detention and removal of migrants within Türkiye (Crépeau, 2012). As it can be concluded from this statement, the limited scope of the projects that were jointly implemented or funded in cooperation with the EU has also been changed with the adoption of LFIP.

That report was consisting of a few recommendations in relation to the migration management for both sides, the EU and Türkiye. According to Crépeau (2012), Türkiye side should;

- Guarantee that the Law on Foreigners and International Protection is rapidly administered without any revisions that might undermine its provisions and that appropriate secondary legislation is developed in a participatory way.
- Defend the rights of individuals, particularly migrants.
- Remove the geographical restrictions imposed by the 1951 Convention.
- Use caution when holding people only for the purpose of irregular migration; seek alternatives to detention; and provide attorneys, NGOs, and UNHCR with adequate monitoring access to all places where migrants are held, including the Istanbul Airport transit zone.
- Encourage and support independent non-governmental organizations that facilitate migrants.
- Make certain that all migrants, adolescents, children, and those in irregular status have access to public goods and services, health care, and shelter.

On behalf of the United Nations, that report suggests Türkiye adopt the Law on Foreigners and International Protection without making any modifications that may weaken its applications. In addition, it highlights that Türkiye needs to lift its geographical limitations arising from the 1951 Convention. For example, the last two articles provide a projection of the content of projects to be implemented after the law, which was prepared by taking these suggestions into account. Projects supported by the UN and carried out in partnership with the state through NGOs generally focus more on such components as health, rent assistance, and education in line with the integration.

According to the report, Crepeau's recommendations on the EU side were as follows:

- The EU should support Türkiye's efforts to regulate migrant movements into the Schengen area, with a particular emphasis on ensuring that all migrants' human rights are completely safeguarded, particularly in light of the recently signed EU-Türkiye Readmission Agreement.
- In a spirit of collaboration and shared responsibility, work with Turkish authorities to increase the number of refugees resettled on EU territory, particularly those from difficult-to-resettle nationalities.

The report also made a call for international organizations. According to the report, international organizations should:

- Enable UNHCR to work with Turkish authorities to implement programmes aimed at obsessively checking all detention centers to help migrants in need of protection.
- Allow UNHCR to continue working with EU states to welcome asylum seekers who have yet to reside in Türkiye for any reason.
- Mandate the International Organization for Migration (IOM) to apply human rights principles to all parts of its considerable cooperative work with Turkish authorities, such as assisted voluntary return, official training, and information dissemination.

- Encourage UNICEF to create programs related to enhancing the human rights of migrant children, such as access to school and health services for children who are irregular migrants or whose parents are irregular migrants. In addition, request to implement programs to help imprisoned migrant children, regardless of their status, with or without their parents, with the objective of ensuring their immediate release with their families whenever feasible.

As an official approach and assessment, that report is significant in terms of understanding the responsibility-sharing practices of UN agencies, the European Union, and Türkiye in line with the changing conditions of Türkiye's migration management. It also highlights the core emphasis of this thesis, the relationship between NGOs and the state on the issue of migration. In fact, that relationship becomes central to migration management.

In the process of law-making, the UN was not the only party to make recommendations. During this process, some civil society organizations & NGOs contributed to the law (Foça, 2012).

For instance, as a national NGO, MAZLUMDER prepared a report which mainly focuses on some suggestions in terms of humanitarian context. In the report, it was stated that the article "Prohibition of Discrimination", which was included in the draft but was removed from the text of the draft law, should be added back. Before the adoption of the law, state officials also highlighted the law's humanitarian context in line with the European Court of Human Rights decisions (Milliyet, 2013). In this context, most of the news in the press stated that the law is significant for EU membership despite the disagreements over the Cyprus issue.
Right after the adoption of LFIP, the main actors operating in the field have expressed their pleasure through various channels. UNHCR welcomed the transition to a new migration management system as a reflection of a strong commitment to humanitarian values and principles (UNHCR, 2013).

In addition, it was clearly stated that during the course of this transition, UNHCR would continue to support and expertise migration authorities in Türkiye within the

scope of the new legal framework and its application practices. At the same time, according to UNHCR officials, the application of practices in Türkiye became operational even before the law (Hürriyet, 2013). UNHCR also stated that Türkiye is on a very positive path by stressing that is a correct law both for the Turkish state and in terms of providing international protection. Finally, UNHCR highlighted that the new law covers the key points of international humanitarian law and human rights, as well as the establishment of a specialized agency to provide international protection within the Ministry of Interior (Ibid).

On the other hand, to assess the EU's perspective following the LFIP, the increasing financial support provided by the EU and the growing nature of cooperation practices can be observed. Since adaption of such a law means the Europeanization of the system or transforming the migration practices to European standards and norms, the EU welcomed the new legislation as well (European Commission, 2014).

CHAPTER 3

STATE & NGO RELATIONS

3.1 Background

This chapter examines state and NGO relations in accordance with the literature review. In the context of migration management, NGOs have come to the fore as one of the most important actors in Türkiye. In the course of time, they have become essential partners in terms of field operations and project management. Since the Turkish state did not expect such an influx and was not ready in terms of managing the migration, it had to utilize the work of NGOs in various services. All by itself, the emergence of the migration crisis enhanced the presence and the work of NGOs in Türkiye. In addition, the adoption of a new migration system regulated the operations while the partnership was increasing between the state and NGOs.

The local level NGOs in Türkiye were used as a tool by the ruling party until it lost the municipal elections in the metropolitan areas. For instance, it is claimed that millions of liras were transferred to pro-government NGOs when the administration of the Istanbul metropolitan municipality was under the ruling party (Duvar, 2019). This can be an example of local-scale state-NGO relations in the scenario where the interactions are vertical, unlike the internationally funded projects. In such an example, since the distribution of funds depends only on the ruling party, it is highly possible to determine the relations according to government policies.

This system, which works for the distribution of municipal funds to the local level NGOs and for measuring the response of government policies in society, differs from the field of migration. As an indicator of that differentiation, since international funds and their independent auditing process are generally in question, there has been a more

global operation not controlled by the government, unlike the distribution of municipal funds. Above all, the state's lack of full control in the field of migration, in terms of providing financial resources, has led it to cooperate with other actors in the field, especially NGOs. This is another aspect of state and NGO relations in Türkiye.

Although this study is limited to analyzing state and NGO relations within the scope of LFIP, this chapter also seeks to review the nature of the state and NGO relations in the literature. This review will also be a guide in terms of seeing how the situation in Türkiye differs from other examples in the world. Similarly, it will be possible to compare the situation in Türkiye with other examples considering the changing migration management system and state and NGO relations after LFIP.

3.2 Literature on State and NGO Relations

This literature review examines the present literature in relation to state and NGO relations in a global context. The main purpose of this literature review is to understand the nature of state and NGO relations in world politics in light of different approaches. To limit the study within the main frame, the first thing to elaborate on in the literature review will be the summary of how state and NGO relations are examined by scholars and their ways of understanding. Thus, the period when NGOs started to gain importance globally and the developments that paved the way for this will also be examined. Thereafter, the specific cases by researchers that focus on the state and NGO relations in different countries will be evaluated, as well as classifying the different roles of NGOs in governance mechanisms.

3.2.1 NGOs as the Actors

To start with the definition, according to Shigetomi, the term "NGO" can be defined as an organization that is (1) non-governmental, (2) non-profitmaking, (3) voluntary, (4) of a solid and ongoing form, (5) altruistic, and (6) philanthropic (Shigetomi, 2002, p. 6). According to him, the condition of being “non-governmental” indicates that an NGO shall make decisions as an organization independently towards the gov’ts or states’ wishes. The second criterion is that an NGO is "non-profit-making," which implies that its operations must not be motivated by profit, and any revenues generated

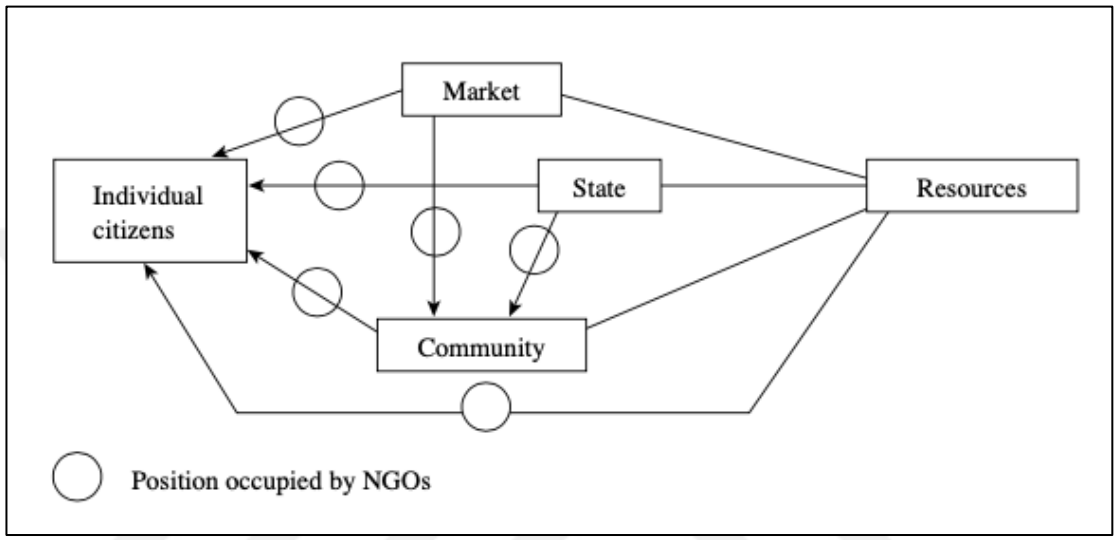
must not be distributed among its members for personal financial profit. The third criterion, "voluntary," signifies that the only condition for participation must be a person's wish to engage. Involvement should not be conditional on membership in another group. The fourth criterion, "a solid and enduring form," indicates that, among many types of ad hoc volunteer activities, an NGO must be an operating body with a clear organizational structure. The following condition, "altruistic," states that the primary priority of an NGO is to help others. Lastly, "philanthropic" signifies that an NGO has a limited probability of getting enough compensation from those who benefit from its services. This condition is premised on the reality that the beneficiaries of NGOs' services in emerging economies are those who are socioeconomically disadvantaged. As a result, NGOs must obtain financial sources for their operations from parties other than the beneficiaries. Considering their non-governmental character, they typically rely on private-sector funding for a large percentage of their funding (Shigetomi, 2002, p. 6). As stated by Shigetomi, only classic NGOs can fulfill all six requirements at the same time (2002, p. 7).

In this context, NGOs in practice could differ in their types and styles to a certain degree. Thus, it can be argued that nations with no classic NGOs are significantly more prevalent than those with them. For example, NGOs in Hong Kong rely on state funding to a degree that they can pay their personnel wages equivalent to those of public servants. Moreover, various NGOs in Bangladesh rely on earnings from their micro-credit operations as a critical financial resource; it is debatable if these NGOs meet the philanthropic criteria if it is implemented properly (Shigetomi, 2002, p. 7).

According to Shigetomi, when the market, state, and community systems fail to correctly allocate resources, there is an opportunity for NGOs to arise as a fourth category of players to allocate resources on their own, or to cooperate with ongoing distribution channels, making up for or addressing their weaknesses. Moreover, Shigetomi illustrates some resource allocation practices from various countries. In this regard, it is typical practice in Japanese rural communities to maintain a publicly owned forest or irrigation system and to share the profits of these communal assets among its members.

As another example, in China, individuals routinely join organizations of others from the same region to donate charity to needy group members. Islamic communities, likewise, have zakat and commodity mechanisms characterized by mutual support relations between people. All of these may be viewed as societal distributive processes (Shigetomi, 2002, p. 10-11).

Figure 1. Movement of Supplies & Potential Venues for NGO' Operations



Source: Shigetomi, 2002, p. 10

As well as being studied by scholars, non-governmental organizations (NGOs) have become an important non-state actor in the second half of the twentieth century. Some supporters of NGOs argue that these groups often promote values and behaviors that may threaten authoritarian regimes. More significantly, NGOs often could ensure public services that rulers themselves may not be able to provide. Indeed, governments take a range of actions to counter challenges to NGOs, including requiring them to register with the state, establishing state institutions to take their place; limiting their capacity to find and generate funds; and establishing government-based NGOs to replace NGOs. In this context, to organize, direct, and repress NGOs, umbrella organizations were developed and formed (Heurlin, 2009, p. 222). In a sense, the formation of PMM in line with the adoption of LFIP can be evaluated as an important indicator that suppresses NGO activities as well as creates an umbrella organization, in the case of Türkiye.

Similarly, in accordance with suppressing NGO activities, by providing resources like employees, services, or office space, the state may be able to physically coax the NGO into its fold (Foster 2002; Ma 2005, as cited in Heurlin, 2009, p. 222). This tactic predominantly affects professional associations, development, and social welfare non-governmental organizations (NGOs). It is worth noting that even authoritarian governments that seek a corporatist policy sometimes exclude advocacy NGOs. For instance, to regulate NGOs, authoritarian states in China, Taiwan, and Vietnam have all adopted a "corporatist" policy (Ibid). With the emergence of NGOs as an important actor, there has been an effort, particularly by authoritarian regimes, to control and direct NGOs. Accordingly, since NGOs produce services that states may not be able to provide and fill the gaps along with competent professionals with the capacity to organize people in service of communal goals (Heurlin, 2009, p. 225), it is not surprising that they are seen as a threat by authoritarian regimes.

3.2.2. Studying the State and NGO Relations

The topic of state-NGO interactions has become inevitable for academics of NGOs in international relations. According to Stroup, research on NGOs has progressed in two large phases, challenging the field's state-based approach. Researchers from the first phase of NGO studies questioned the traditional focus on governments as actors in the 1990s, revealing that NGOs had a considerable effect on government policies and social activities (Stroup, 2019, p. 32). Since the early 2000s, the second wave of NGO research focused on a variety of topics, along with the various forms of connections that NGOs and governments may have (Stroup and Wong, 2016; Stroup, 2019, p. 32). Despite academics' understanding of states' essential importance in global politics, states are hardly ever the only focus of a researcher in contemporary studies. In this context, the state may be a major regulator, a funding source, a target for policy shift, an ally in global cooperation, or some combination of those for NGOs (Stroup, 2019, p.32). As was classified by Najam (2000) and Stroup, this thesis aims to examine the cooperation side of the state and NGO relations in Türkiye by focusing on the proceeds of the new migration system.

Since the combinate nature of contemporary state and NGO relations brings subfields to concentrate on, studying Türkiye is significant as it presents a large number of examples in terms of being a country with major changes in the migration system and where the most active NGOs are located in the field of migration.

In terms of studying state-NGO interactions, researchers recognized a broader spectrum of state-NGO ties as studies about NGOs broadened. Cooper and Hocking claim that state-NGO interactions have reached a new paradigm, stressing that the various requirements of both state and non-state actors push these players to collaborate more often on an increasing number of topics (Cooper and Hocking, 2000; as cited in Bahçecik and Turhan, 2022, p. 981). As summarized by Bahçecik and Turhan (2022, p. 981), there are many different approaches adopted by researchers to study state-NGO interactions in the literature. Those interactions, according to Coston, can consist of repression, rivalry, competition, contracting, third-party government, collaboration, and complementarity (Coston, 1998; as cited in Bahçecik and Turhan, 2022, p. 981). Cooper and Hocking argue that the 'interface' between governments and NGOs can have three components, depending on their operational responsibilities in diplomacy: initiator, agent, and joint manager (Cooper and Hocking, 2000; as cited in Bahçecik and Turhan, 2022, p. 981). On the other hand, according to John Clark, NGOs may engage in three ways: they can operate in parallel operations with the state, they can play an opposing role, or they can represent the vulnerable aspects of society (Clark, 1995; as cited in Bahçecik and Turhan, 2022, p. 981). In addition to the modes above, Bahçecik and Turhan summarize Young's definition of three sorts of partnerships based on cognitive models in economics: supplemental, complementing, and oppositional. The presence of these three forms of state-NGO connections is supported by many strands of economic theory. (Young, 2000; as cited in Bahçecik and Turhan, 2022, p. 981). However, according to Bahçecik and Turhan, none of these three approaches is sufficient for a comprehensive and global understanding of state-NGO relations (Bahçecik and Turhan, 2022, p. 981).

According to Stroup, as the scale and significance of NGOs have expanded internationally, so has their interaction.
In light of the question "Who affects whom?" the first round of NGO studies in international relations recorded instances of INGO impact in order to challenge the dominant concentration on official players (Price 2003; Stroup, 2019, p.39).

Such research, which was essential in allowing NGO researchers to enter the field, also concentrated on the responding variable by focusing on key examples of the INGO effect on governments and IGOs. Accordingly, Stroup states that most NGO research nowadays focuses on determining how, when, and why NGOs influence governmental policy and practice. In addition, Stroup highlights (2019, p. 39–40) three major issues with evaluating INGO impacts: *1) it may not persist, 2) it is hard to trace in terms of documentation,* and *3) INGOs may be unwilling to give recognition*.

3.2.3. Conceptualizing the Interaction Between the State and NGOs

The conceptual framework by Najam mainly covers the types of state-NGO relations. Accordingly, the combinations of relations were classified as the "4-C" of interactions. When those actors come across an environment, they may engage with any of the 4 possible varieties: a) chasing similar functionalities by multiple means; b) chasing different ends through different methods; c) pursuing similar objectives but choosing alternative methods; or d) favoring similar methods but for different outcomes. "Cooperation, confrontation, complementarity, and co-optation" are the types of interactions represented by the aforementioned combinations, as well as the fifth option of interactions: "non-engagement" (Najam, 2000, p. 384).

Stroup claims that when states and NGOs commit to common goals, they work together (Stroup, 2019, p. 34; Stroup, 2020, p. 2). According to her, cooperation is increasingly common in areas where service delivery is the major focus. Conflict arises when aims diverge. In human rights and environmental protection, NGOs identify uncooperative governments and then blame them with shaming measures (Ron et al. 2005, p. 557; Murdie and Urpelainen 2014, p. 353–355). On the other hand, NGOs with foreign financing or a concentration on political activism confront rising limitations in authoritarian regimes (Dupuy et al. 2013, Christensen and Weinstein

2013, as cited in Stroup, 2020). In this sense, an NGO operating in the field of advocacy is more likely to face difficulties and be suppressed by the state than an NGO operating with the state in terms of project implementation under a common policy or running a joint charity activity.

In addition to the cooperation mechanisms under a common goal or conflict, the nature of state and NGO relations also consists of competition and political manipulation [co-optation] (Najam, 2000, p. 380-382). Furthermore, the competition phenomenon between states and NGOs may occur in a variety of ways. As regulatory agencies, NGO-led sector norms may replace state-led initiatives (Auld 2014). Very seldom and yet noticeably, non-governmental organizations (NGOs) try to implement laws when states perform poorly. (Stroup, 2020). Political manipulation of NGOs by states takes a backseat in international relations. Many claim that non-governmental organizations (NGOs) are tools of broad Western cultural norms (Boli and Thomas 1999) or liberal reasoning of governmentality (Sending and Neumann 2010; as cited in Stroup, 2020, p. 2), but this is not an evident influence of NGOs by governments for a differing agenda. Throughout the international political field, political manipulation has drawn a lot of attention in authoritarian regimes (Heurlin, 2009, p. 222).

Concerning the Türkiye example, Bahçecik and Turhan (2022, p. 982) claim that the co-optation [political manipulation] phenomenon in Türkiye-based humanitarian NGOs mostly refers to increased state influence on existing civil society entities rather than the establishment of government-organized non-governmental organizations (GONGOs).

According to Stroup, (2019, p.34) when governments lack the capacity to accomplish objectives such as reducing poverty (Lewis and Kanji 2009; as cited in Stroup, 2019, p. 34) or election observation, cooperation may be more possible (Hyde 2011; as cited in Stroup, 2019, p. 34). Cooperation between states and NGOs may also be substantially outside of the development sector and in other sectors such as humanitarian, education, or health.

With regard to Türkiye's practices, it can be concluded that the development of the cooperation between state and NGOs in the field of migration management arises from a lack of capacity in terms of handling the humanitarian crisis. The NGOs' spontaneous engagement and swift response in humanitarian help made it unavoidable that they would play an active role in the future and get state cooperation.[1]

In the literature, many factors that shape state and NGO relations are mentioned. Stroup highlights that NGO-state interaction characteristics are as diverse as the populations of NGOs and states. Scholars and researchers have made significant progress in recognizing the variety of elements that determine NGO-state relations.

According to Stroup, at least four variables are critical: the problematic area, NGO characteristics, state-level issues, and funding flow (Stroup, 2019, p. 36). Although certain methods appear to be noticeable winners, literature from a range of perspectives indicates that current knowledge of proper and effective NGO strategies grows via social and political interactions (Neumann and Sending 2010; Krause 2014; Watkins et al. 2012; Reimann 2006; Stroup, 2019). NGOs are assumed to exist apart from states, although the "non-governmental" aspect of an NGO may be quite essential. Autonomy from states and other players is theoretically a core concept in the humanitarian aid sector, although some NGOs are less focused on protecting the system by which they deal with states (Stroup, 2019, p. 36-37). Similarly, NGO-state interactions are heavily influenced by the features of the state. Studies have highlighted state characteristics such as degree of development, regime type, and domestic regulatory systems as crucial state variables that impact the state and NGO interaction (Ibid, 2019, p. 37). In addition, Stroup stresses that the source of NGO funding is important in state and NGO relations since NGO partners and goals may also be the power that supports them. State assistance to INGOs has increased significantly during the last several years. Numerous NGOs have demanded regular financial assistance from states as a result of the privatization of many government operations and an

[1] Turkish Red Crescent, International Middle East Peace Research Center, Association for Solidarity with Asylum Seekers and Migrants, Human Resources Development Foundation, Human Rights Foundation, Danish Refugee Council, Concern Worldwide, International Medical Corps were some of the engaged NGOs at the beginning of the crisis, as the implementing partners of UNHCR.

increase in the number of possible NGO partners (Edwards and Hulme 1996; Mitchell and Schmitz 2014; as cited in Stroup, 2019, p. 37-38).

Since NGO research takes off in world politics as a component of criticism of the state-based approach, research now presents a much more comprehensive overview than critical NGOs reducing state autonomy. States and NGOs engage in an increasingly crowded sphere of international cooperation, seeking to influence both one another and the practices of inter-governmental entities and organizations (Stroup, 2019, p. 40-41).

Brass (2016) examines NGO roles and involvement in governance in accordance with Robert Dahl's question: "Who governs?" (Dahl, 1961; as cited in Brass, 2016, p. 121). As it was indicated by Brass, researchers focusing on governance realize that people who govern may be found in a variety of public, private, and nonprofit organizations in addition to government (2016, p. 121). Drawing on the Kenyan example, Brass states that governments sometimes fall short in the provision of services due to both rules, a lack of staff, and a lack of equipment.
(Brass, 2016, p. 128-131). Accordingly, it is possible to conclude that NGOs fill the gaps left by the government in the provision of services. Since governing is no longer classified purely as the territory of government entities and became currently regarded as a collaborative or interconnected activity involving all sorts of organizations, the overall number of services delivered as a consequence of state-NGO collaboration on service delivery was certainly more than it has been in the lack of NGOs in the Kenyan case (Brass, 2016, p. 149). Moreover, Brass states that this is not a Kenyan phenomenon. In Brazil, nongovernmental players assist governmental entities in carrying out their duties, therefore engaging both civil society and government actors (Abers and Keck 2009, p. 291; as cited in Brass, 2016, p. 150). Furthermore, in Brazil, and even in Gambia and Ecuador officials have noticed the benefits of cooperating with NGOs. A partnership among areas grew gradually until government employees understood it was in their mutual benefit to collaborate with NGOs (Brass, 2016, p. 150).

As can be seen from various examples, it is possible to say that NGOs share a burden with the states in terms of providing services in many respects. In this direction, the existence of NGOs, especially in developing countries, supports states in crisis management through personnel, indirect service provision, and sometimes in terms of financial burden via international funds. However, Brass thinks that (2016, p. 151) while NGOs certainly offer a variety of assistance and policy capabilities to the state, measuring their impact is challenging. According to Brass, this challenge stems in part from donor unwillingness to finance recurring expenditures, in part from NGOs' excessive spending, and in part from the fact that NGO activities frequently rely on intangible/abstract items such as education. As a result, it is critical to continue examining the long-term implications of depending on this specific type of private player - primarily foreign-funded NGOs - as significant participants in the governance process (Brass, 2016, p. 151). In summary, Brass (2016) states that state-NGO relations in developing countries are mutually beneficial for both parties, in practice. However, she notes that researching the long-term effects of this relationship is also difficult since the outcomes are often intangible.

Regarding funding possibilities, states are key sources of revenue for many NGOs and INGOs (Mitchell and Schmitz 2014; as cited in Stroup, 2020, p. 1). Accordingly, government aid agencies' preferences can impact NGO activities and strategy (Cooley and Ron 2002, Bush 2015; as cited in Stroup, 2020, p .1). However, as was highlighted by Stroup (2020) in many national and local environments, NGOs are profitable and self-sufficient from their host countries. To illustrate concretely, in Kenya, NGOs get almost no governmental funding, but strong international financial support enables them to play a key role in service provision and governance (Brass 2016).

As will be discussed in the next chapter, the survival of NGOs on their own is also seen in the example of Türkiye, particularly in the field of migration management. The existence of international funds in the field of migration management prevents NGOs from relying only on governmental funds to operate. In this direction, NGOs' self-sustaining and operating without governmental financial assistance has redefined their relationship with the state. The most important breaking points in this regard are the growth of the refugee crisis, the enactment of the new immigration law (LFIP) and

system, and the subsequent processes. Although it is mentioned in the literature that the challenges to measuring the impact of NGOs on the state, it is emphasized that international funds are the most important way for NGOs to gain power. In the Türkiye example, rather than measuring the impact of NGO activities, it is possible to examine how they gained power and how their relations with the state were (re)defined accordingly.

Bahçecik and Turhan (2022) present a case study within the scope of Stroup's concepts of state and NGO interactions. This study has been a guide in understanding the concrete Turkish equivalent of Stroup's concepts. According to the study, the conflict between the state and NGOs is visible, like in the instance of the Mavi Marmara and Uighurs, when particular NGOs reacted to and openly criticized official initiatives. Secondly, cooperative interaction is the most prevalent type of engagement, which can be seen in joint activities by the state and non-governmental organizations in Somalia, Syria, and beyond. It is also observed by researchers how certain NGOs can shift between conflict, cooperation, or indeed co-optation. Third, another way of a relationship between the state and NGOs is competition for responsibilities in the humanitarian sphere. However, the great majority of NGOs' competitive relationship is less noticeable throughout the provided period, according to the researchers (Bahçecik and Turhan, 2022, p. 990). As one of Stroup's concepts of understanding state and NGO interactions, the cooperative interaction phenomenon will be also the main guide for the next chapter of this thesis. As it was referred to above and previously stated, cooperation is the most common way of state and NGO relations in Türkiye, particularly in the area of migration.

Sollis (1995) examines state and NGO interactions under two stages of evaluation within the scope of the Central American example. Accordingly, he states that collaborative effort on modernization and competition over empowerment defined the development of government-NGO interactions (Sollis, 1995, p. 528). In this sense, During the 1960s, the modernization paradigm influenced development strategies, urging for the provision of essential social services in order to maintain high growth which signified a shift in the role of the state in social welfare. (I)NGOs adopted the fundamental principles of modernization and gained major engagement in welfare

initiatives such as the distribution of food and projects focusing on nutrition (Sollis, 1995, p. 528-529).

On the other hand, as an indicator of competition, the collapse of the modernization paradigm effectively terminated the NGO-government relationship by the early 1970s, in Central America. Governments were less ready to absorb more welfare expenditures while revenues were pretty static. NGOs increasingly regarded development as a fundamental structural transformation rather than a humanitarian service (Sollis, 1995, p. 530).

From the 1970s till the 1990s, governments adopted four separate methods to regulate NGO activity: legislative restrictions, repression, cooptation, and the formation of competitive organizations. Sollis (1995, p. 529 – 532) uses those strategies as a baseline for an examination of UN and NGO cooperation in postwar Central America, in parallel with the state and NGO interactions. In the study, Sollis (1995) mainly stresses that the Central American NGO industry is in a dilemma. Its capacity to withstand the 1980s wars as a viable and rising industry demonstrates its adaptability and resilience. According to him, as the NGO sector grapples with the problems of postwar recovery and democratization, key problems must be resolved (Sollis, 1995, p. 539).

3.2.4. NGOs in the Global Politics

With regard to the UN effect, Sollis highlights that the UN system has a vital role in promoting NGO entities and channeling associational efforts into policy decisions, while also demanding that the state operate more effectively. However, according to him, in order to facilitate NGOs in addressing these new issues, the UN system also should evolve, particularly in terms of its position towards the state. The UN's special programs demonstrate how UN organizations may have a substantial impact on NGOs even though they're not collaborating particularly with them (Sollis, 1995, p. 539). In this sense, Sollis suggests that to be competent as a "referee," the UN system should not become an expansion of the state but should become more of an expansion of civil society within the state. More precisely, it should be less focused on delivering sectoral technical support and much more effective in impacting the development and

construction of policies that promote and assure the engagement of all development players. According to him, sustainable cooperation with equals is unlikely to be found before these problems are resolved (Sollis, 1995, p. 539).

According to Kim and Whang (2018), the role of NGOs in global politics has received considerable attention. In light of the studies concerning the role of NGOs, it is possible to observe how NGOs engage with states and seek to influence state policy. In this sense, it can be concluded that there are several explanations why NGOs are seen as major actors in changing state actions. For instance, they have been quite involved in international politics, collaborating with nations and intergovernmental organizations. Overwhelmingly, the Economic and Social Council (ECOSOC) of the United Nations conferred consultative affiliation to just 41 NGOs in 1945 (Kim and Whang, 2018, p. 211). Presently, 6,110 NGOs have consultative affiliation with the ECOSOC, and over 29,000 NGOs cooperate with the UN (NGO Branch, 2019). This is a very significant indicator that implies that NGOs are constantly engaging with states and other key international entities.

Kim and Whang stress that the full potential of NGOs can also be determined by their budgetary possibilities. Accordingly, the budgets of some big NGOs exceed those of certain tiny states (Kim and Whang, 2018, p. 211). For instance, Catholic Relief Services, for instance, had a total operating income of $701 million and total operating costs of $732 million in 2012. Similarly, CARE's total income and expenses were $561 and $585 million in 2012 (Ibid.). On the other hand, Bhutan's budget is less than that of some of the greatest NGOs. Bhutan's revenue and expenditures in 2012 totaled $615 million and $651 million, respectively. Even though this is an abstract assessment using only one indicator between the biggest NGOs and one small country's government, Kim and Whang claim that it provides the perspective of the reality that NGOs today can make a substantial difference. As it was implied by Kim and Whang, studies also indicate that NGOs are transforming state politics, which is usually deeply connected to state security.

When considering the assumption that NGOs influence state policy primarily in areas of competence, including development, relief, education, the environment, and human rights; Kim and Whang find that situation very strange (2018, p. 212). As a concrete example, refer to Atwood's study (2002), which concerns NGOs' presence in the field of disarmament. Kim and Whang claim that NGOs play a vital role in promoting disarmament problems, despite their restricted access to disarmament discussions (Kim and Whang, 2018, p. 212).

Clark's (1995) approach to NGOs' work at the intergovernmental stage provides the basis for both Atwood's (2002) and Kim and Whang's (2002) perspectives (2018). Accordingly, the "contemporary NGO" can enhance its influence over the international governance agenda. Although the intergovernmental policymaking arena is likely to remain a focus for specifying international issues such as human rights and the environment, NGO participation in official international arenas can reshape them into organizational avenues for community members as well as states on pressing international problems (Clark, 1995, p. 523).

As can be seen from the Central America case (Sollis, 1995), states often use legal arrangements to control or reshape NGOs (occurring as a restriction, co-optation, and/or competing). When considering the Türkiye case, legal arrangements in 2013 are more likely to be evaluated – as the tip of the iceberg – under cooperation within the scope of state-NGO relations. To some extent, it is highly possible to find the existence of restriction, co-optation, or competition aspects of state-NGO relations in Türkiye, in several fields.

However, since this thesis mainly focuses on the cooperation aspect of state – NGO relations within the scope of migration management / LFIP, the presence of other components will not be the principal issue for the study.

3.3 Conclusion

Most of the findings from the literature review support the initial idea of this study, as almost all the scholars agreed that NGOs' growth is usually related to the "lack of state" in terms of distribution of sources and provision of services. In addition, the literature review provided a clear view in relation to the research interests and components of state and NGO relations. Moreover, it has been understood by examining many examples in the literature that Stroup's typology is one of the most accepted and mentioned methods in the explanation of state-NGO relations. Those components allow a researcher to form a framework before examining the state-NGO relations in a country.

The first thing that draws attention in the literature review is that this issue has been increasingly discussed since the post-Second World War period. In the literature, one of the common opinions is that NGOs' financial growth usually depends on foreign funds. Furthermore, from the case examples examined, it is seen that some NGOs have more financial power than even states. It is also seen that cooperation is often realized through projects in different countries.

In addition, NGOs' impact on state policies is another common topic in the literature. In this regard, studies in the literature show that, from time to time, states tend to control NGOs through legal regulations and limitations. The trend of creating an umbrella organization and taking control of NGOs is a phenomenon that is being observed in different parts of the world. In this regard, the establishment of an umbrella organization by states can be analyzed from various perspectives. As well as organizing the cooperation, an umbrella organization can also shape the whole system or limit other actors in the field, in the event of a conflict with government policies.

Even though the literature shows that there are a few ways to study state and NGO interactions or NGOs' impact on state policies, Stroup's concept presents a better fit to study the Turkish example. Because it is the most prevalent type of state and NGO engagement in Türkiye, the purpose of this study is to examine state and NGO relations through the lens of collaboration. Thus, LFIP's contribution to the cooperation mechanisms is a different part of this thesis. As was previously stated, the most

prominent means of cooperation between the state and NGOs is implementing joint projects in such areas.

Although there are several motivations, such as controlling, supervising, or addressing urgent demands, one of the occasions where partnership may be most clearly seen in terms of operation is when implementing a project. In this regard, Türkiye provides several instances of carrying out various joint activities and monitoring collaboration.

The next chapter discusses the impacts of the LFIP on state and NGO relations in terms of cooperation, in line with the reviewed projects and initiatives after the adoption of the new migration system. Before diving into the impacts of the LFIP on cooperation, it is necessary to identify the key players in the migration management field. Despite the reality that there are many NGOs in Türkiye among the actors, since this study is restricted to migration by explaining how LFIP affected the patterns of cooperation between the state and NGOs, attention was given to identifying the most notable NGOs in this sector.

3.4.Major Actors in the field of Migration

Due to the excessive urgency of the crisis and the influx of people, the number of actors in the area of migration has increased by the day. Various entities began to operate in the field as the quantity and ability of organizations to address the demands became insufficient.

In the field of migration, major organizations stand out in Türkiye, some of which will be discussed in further detail in the following chapter. Even though the Presidency of Migration Management is stated as an umbrella body, the state's actions on migration are not restricted to one institution. Aside from the PMM and the Ministry of Interior (MoI), numerous state institutions, including the Ministry of National Education (MoNE), the Ministry of Health (MoH), the Ministry of Labor and Social Security (MoLSS), and the Ministry of Family and Social Services (MoFSS), and embassies actively promote different migration practices and projects in cooperation with other actors.

Inter-governmental and transnational organizations play a crucial part in this area as well. UN agencies, specifically United Nations High Commissioner for Refugees (UNHCR), United Nations International Children's Emergency Fund (UNICEF), International Organization for Migration (IOM), United Nations Development Programme (UNDP), and World Food Programme (WFP) are actively involved in migration management processes in Türkiye, as well as European Union institutions. Furthermore, (inter) governmental entities such as International Center for Migration Policy Development (ICMPD) and Deutsche Gesellschaft für Internationale Zusammenarbeit (GİZ) are active in the field of migration.

National and international NGOs play a major operational role in this field. Many I/NGOs are at the forefront of the collaboration chain in terms of project implementation, one-on-one interaction with asylum seekers and the preparation of necessary reports in line with project outputs as well as providing primary data to state institutions & donor organizations.

Association for Solidarity with Asylum Seekers and Migrants (ASAM), Türkiye's foremost NGO and UNHCR implementing partner, maintains operations in various regions and implements joint projects with UN agencies & state institutions as well as providing consultation and informational support. As well to the Turkish Red Crescent, there are also similar organizations with counseling services such as Mülteci-Der, Refugee Rights Türkiye, and the International Refugee Rights Association. In addition, Refugee Support Center (MUDEM) and Human Resources Development Foundation (HRDF) provide information services and psycho-social assistance in field offices in some regions of Türkiye. Besides, Support to Life and YUVA are two prominent organizations in the migration area (AIDA & ECRE, 2022). These organizations, like ASAM, are part of the chain of collaboration and work on joint projects with other actors in the field.

Religious-based organizations are often quite involved in supporting migrants. Turkish Diyanet Foundation (TDF), a government-funded religious charity, primarily focuses on the educated young Syrians and provides emergency assistance, economic support,

and language courses. Humanitarian Relief Foundation (İHH) is another religious-based organization functioning in many regions of Türkiye.

There are other NGOs that support vulnerable populations, such as the Women's Solidarity Foundation, Kaos GL, Pozitif Yaşam, and Red Umbrella Sexual Health and Human Rights Association (AIDA & ECRE, 2022). Since these organizations provide services and assistance in more particular areas, their target audiences are more limited in scope. However, those organizations provide services that the previously stated organizations lack in the field of migration such as sex workers and/or persons diagnosed with HIV. Although such organizations rarely collaborate with state institutions, they commonly act with UN agencies, embassies, and INGOs.

After briefly mentioning the outstanding institutions, organizations, and bodies that have been operating in the field for a long time, the following chapter discusses the links between these actors and how LFIP impacts these relationships, considering the facts that lead these actors to cooperate and how can collaboration be seen in the selected examples.

CHAPTER 4

THE IMPACT OF THE LFIP ON STATE AND NGO COOPERATION

4.1.Echoes of LFIP

Following the LFIP, Türkiye's immigration policy and activities changed dramatically, as well as affecting other players in the field. Before looking into the topic of cooperation, it is worth briefly noting that the Presidency of Migration Management emerges as an umbrella organization at multiple stages. One of the most prominent examples is the change in responsibility in the registration of international protection. For instance, while UNHCR initially supported the registration of international protection applicants after the LFIP was adopted, the task was eventually transferred to the Presidency of Migration Management (UNHCR, n.d.-b). Based on the LFIP, the Turkish state has acquired complete control through an umbrella organization and accumulated power from other actors in the field, as demonstrated by this case. Second, the notion that the Presidency of Migration Management would supervise institutional cooperation in the operations against irregular migration demonstrates that it has been developed as such an umbrella body. Furthermore, it can be observed that the legislation has brought the subject of public order and security to the forefront, establishing a sphere of activity where no actor may interfere with the state when people are accused of terrorism or similar crimes by the state (Bianet, 2013). Similarly, Türkiye's hiring of civil servants as migration specialists for the first time in its history, as well as the fact that migration policies will be produced and monitored by these experts (Official Gazette, 2013), are examples of the umbrella function of the Presidency of Migration Management, which was established after the law.

4.1.1. General Impact

In terms of cooperation, as was stated in the second chapter, the LFIP received good feedback from field actors as soon as it was established as a law aimed at increasing cooperation across organizations. When press releases are scrutinized, it is possible to see that all actors are satisfied with the legislation. For example, according to UN Secretary-General Guterres, this law was considered an indication of Türkiye's commitment to humanitarian values and principles (Hürriyet, 2013; UNHCR, 2013). Furthermore, Guterres claimed that, while no such legislation exists as of yet, implementations have already begun.

Collaboration and partnership announcements in the press just before the legislation came into operation verify Guterres' opinion (Anadolu Agency, 2013). According to the partnership agreement between AFAD and UNCHR, the $3 million initiative would be funded jointly by those two organizations. In addition, it was stated by Guterres that with a stronger presence and close coordination with the Turkish government, UNHCR would have been as engaged in Turkish operations as necessary (UNHCR, 2013). Similarly, Muammer Güler, the former Minister of Interior, underlined at a news conference held after the law was enacted, that it is critical to work closely with other actors in the field (other state institutions, universities, international organizations, and non-governmental organizations) during the implementation phase of the law as well as the process of making it (Ministry of Interior, 2013). In addition, one of the most important points is that the procedure that led to the formulation and passage of the law was unique in Türkiye, as individuals from civil society are rarely invited to take part in such processes (İçduygu; Yinanç, 2014).

As can be understood from the drafting process of the law, apart from PMM's standing as an umbrella organization, there is also the fact that it had a role in strengthening NGOs. It would not be inaccurate to suggest that the LFIP's adoption reshapes the relationship between migration-related NGOs and the state. Organizations that match Shigetomi's definition of an NGO (2002), those that stand on their own without government funding and carry out their operations independently of the government’s

policies, appear to have risen to prominence following LFIP. Following this trend, NGOs' self-sufficiency and reliance on international funds transformed their relationships with the state to a more horizontal level and enhanced collaboration as well. In this regard, the transformation brought about by LFIP might be seen as a major milestone. While cooperation between state institutions started to increase, NGOs were able to survive on international funds, expand their operations and facilities, and were not financially dependent only on the state.

International funds allow an organization to exist and operate without campaigning for or agreeing with the policies of the government. For instance, although pro-government and/or conservative NGOs can readily profit from state financing, those with opposing political beliefs and/or disagreeing with the government cannot, even if they could contribute to the public good.

Under the administration of the Justice and Development Party, while a large number of funds and aids – approximately 850 million Turkish liras – were provided to organizations close to the government by the Istanbul metropolitan municipality (Öğreten, 2019), similar aids were not provided to other NGOs working in the public interest, such as Pozitif Yaşam or Red Umbrella Sexual Health and Human Rights Association, KAOS GL, and many others. These kinds of NGOs can only have a chance to provide services to refugees and vulnerable people via international funds.[2] Ironically, when they obtain international funds, their possibilities of working with state institutions also increase.

Although it's not the only factor, the implementation of the LFIP contributed both directly and indirectly to the growth of NGO-state collaboration. To begin with, improving collaboration between institutions, which is included in the legislation, has undoubtedly strengthened cooperation between numerous parties involved in migration and governmental institutions.

[2] As an example, the Red Umbrella Sexual Health and Human Rights Association's website was created with international funds. http://kirmizisemsiye.org/

4.1.2. Impact on the Structure of Relationship

Following LFIP, NGOs that do not work directly with the state collaborated with it in a three-headed structure. This structure may be described as an international organization, government agency, and NGO. To elaborate further, an international organization that provides and controls the distribution of projects' funds; a government agency such as the ministries or local level departments that operate in the area of the project and provide information regarding target groups, and an NGO which monitors the budget, prepares reports and provides the know-how while implementing the operation with qualified staff or experts in the field. This structure, of which specific examples will be shown in the next section, grew increasingly after LFIP and has encouraged the partnership of various institutions with one another. While the cooperation of inter-governmental organizations with the state can be evaluated as the direct impact of LFIP's cooperation mission, the three-headed structure which was defined above can be also determined as the indirect impact of LFIP's cooperation mission.

Despite criticism from many parties over civil society freedom (European Commission, 2014), the Turkish government has at least maintained long-term collaboration with some migration-related NGOs. In this sense, the collaboration was highly welcomed by many actors as well.

The establishment of the Department of Harmonization and Communication (DHC) was another move that emphasized LFIP's commitment to coordination. DHC under PMM was assigned as the leading state body aimed at promoting cohesion within the scope of LFIP's umbrella concept for harmonization (PMM, n.d.). With LFIP, Türkiye's legislation for the first time addressed the issue of harmonization. Based on the growing number of refugees, coordination has become extremely vital in terms of harmony as well. In this regard, the establishment of DHC is a significant step in terms of LFIP's impact on state and NGO partnerships, as well as the contents and aspects of the internationally funded projects. According to the LFIP, the major goal of harmonization is to allow foreigners to participate in all aspects of social life without the assistance of third parties (PMM, n.d.). The complex nature of the harmonization process necessitated the development of a roadmap and the categorization of priorities

for the cooperation of actors operating in the field. Accordingly, to meet the aforementioned demands, it was determined to draft the Harmonization Strategy and the National Action Plan 2018–2023 with the cooperation of all relevant parties and under the direction of PMM. Six subject areas were identified within the scope of the document's development: social cohesion, information services, education, health, labor market, and social services (PMM, n.d.).

Since all relevant actors (public institutions, inter-governmental organizations, universities, and NGOs) are involved in the drafting process of this strategy and action plan, the main subject areas clearly show the changing nature of the cooperation mechanisms via new concerns about the implementation of migration-related projects. In addition to the previously described three-headed structure, the content of the projects carried out differs following the LFIP. Previously, when the actors in the field were operating within the framework of emergency assistance (UNHCR, 2016) and there was insufficient coordination, the LFIP and its accompanying institutions developed a more regulated and cooperative structure among the organizations.

Another aspect that enhanced the impacts of LFIP on collaboration was the implementation of the Regional Refugee and Resilience Plan (3RP), which is similarly based on inter-organizational cooperation. 3RP is a strategic plan that outlines the requirements of refugees and national systems as well as a coordination mechanism that assures effective resource allocation and service delivery without duplication. Furthermore, it is a tool that meets the financial demands of the field's components, such as NGOs (UNHCR, n.d.-c).

The 3RP initially requested $5.5 billion for funding. It was planned to allocate $1 billion of this amount to host-country needs and $4.5 billion to programs sponsored by UN agencies and NGOs (UNICEF, 2015). The new system has expanded the range of influence of NGOs, as evidenced by the ever-increasing amount of money that was anticipated to be allocated to NGOs even at the start of the 3RP program. Furthermore, without LFIP and its affiliates, it was unlikely that Turkish NGOs would have profited from these resources. It may be difficult to claim that LFIP is the sole factor in the rise of NGOs, the transformation of their relationships with the state, and the strengthening of the coordinating mechanism. However, it is a fact that LFIP is at the top of the

dominoes that are reshaping relations in this process. The synchronization of the immigration system with international norms paved the way for financial support, both for the Turkish state and NGOs working in Türkiye. For instance, UNHCR (2018) claimed that, in accordance with the 3RP strategic objectives, the adoption of LFIP and the formation of PMM has improved UNHCR's conversation and engagement with the Turkish state, as well as the NGOs.

Within the scope of enhancing cooperation mechanisms between organizations, the EU Facility for Refugees in Türkiye was also established in 2015; in response to a request from the European Council for extra funds to provide assistance for the refugees in Türkiye. Until 2017, approximately 50 projects costing more than €1.5 billion have been contracted, with €777 million granted. Furthermore, the total amount of money authorized for the implementation under the Facility for Refugees on humanitarian and non-humanitarian operations in Türkiye was more than €2 billion in 2017. The Facility was aimed at a comprehensive coordination structure to guarantee that the demands of refugees and host communities would be fulfilled adequately and in a synchronized manner (European Commission, 2017). From 2016 to 2019, €2.4 billion in the humanitarian fund was allocated, while the total aid under the facility was more than €5 billion. As it was stressed in the recent ECHO fact sheet (European Commision, 2022), projects funded by the EU reached approximately 3 million people.

In addition, the Emergency Social Safety Net (ESSN) is the EU's humanitarian flagship initiative in Türkiye. The ESSN is a social aid program that provides monetary support to refugees to help them fulfill their daily requirements. After the LFIP, since 2016, NGOs have worked with the Turkish Red Crescent and Turkish government entities to provide refugee families prepaid cards sponsored by the EU. Via ESSN, which was the EU's single greatest humanitarian operation in history, more than a million people have been supported. The development component of the EU Facility for Refugees in Türkiye provided economic support to around 370,000 vulnerable refugees (European Commission, 2022). As the examples also show that NGOs are one of the most important actors in this field, it can be observed that a huge amount of money has been allocated to them. After the discussion that mainly concerned the

general impacts of LFIP, its affiliations, and the following process on cooperation mechanisms and state and NGO relations, the specific cases should be evaluated to see the impacts and changes concretely. Projects and programs are the areas where this issue may be seen and where all aspects of the collaboration mechanism exist at the same time.

Depending on the fact that there have been thousands of projects, it would not be possible to evaluate all of them with such a limited study. However, it is possible to observe the increasing numbers and amounts of funds following LFIP in the field of migration. For instance, the EU's direct assistance to the PMM continues (European Commission, 2021) as predicted in the migration deal (2016). Considering the first stage, an alternative scenario can be projected in which legislation such as LFIP has not been enacted and the Turkish immigration system has not been brought up to international standards. State structures to ensure cross-cooperation would not have been developed in such a scenario. Thus, NGOs would be unable to obtain sufficient foreign financing, and the government may create legal barriers in this area. There may have been obstacles not only financially but also logistically, as there are challenges when working in the field and collaborating with other non-state groups.

As a result, while studying state-NGO interactions in the sphere of migration in Türkiye, it is crucial to underline once more that LFIP is a key breaking point in terms of shaping relations directly and indirectly. Since the methodology of this thesis requires desk research, open sources, reports, and press releases have been the primary sources to evaluate migration context, LFIP, literature review, and indicative projects. Within the framework of online desk research, search engines and the websites of the organizations operating in the field were utilized as primary sources while assessing the state-NGO interactions through the projects carried out. In addition, state-published data and reports by international organizations benefited. It is possible to access open-source projects in the field of migration thanks to the visibility policies of many donor organizations that provide financial support.

4.2.LFIP's Reflections on Cooperation: Projects and Initiatives

Since it is impossible to interpret all projects and concerning the limitations of this thesis, the post-LFIP relationships between NGOs and the state will be examined using the three-headed project examples provided above. The content of the projects to be carried out under the new migration system is outlined in the first component of the Harmonization Strategy and National Action Plan (2018–2023), which was produced based on LFIP and published by DHC with the participation of multiple stakeholders. According to the Harmonization Strategy and National Action Plan, social cohesion or harmonization is defined as the common sense of belonging for the immigrants, and their social, cultural, and economic adaptation to the host country. The plan underlines that the concept of social cohesion or harmonization generally aims at the social acceptance of immigrants and the culture of living together. Awareness of differences such as language, religion, and culture is crucial for social harmony so that everyone may participate in life without being alienated. According to the plan, being praised for one's skills and labor, as well as being seen as a valuable individual, are crucial aspects of social harmony. Other important components in this plan are education and health. The plan highlights that the Ministry of National Education is the primary organization responsible for developing and implementing national and international education programs in collaboration with stakeholders. Similarly, primary health care services for Syrians under temporary protection are provided in Türkiye through health care facilities, family health clinics, and other relevant units under the Ministry of Health. In light of the Harmonization Strategy and National Action Plan, projects for all of these components and sectors are being developed and would be carried out in collaboration.

The core objective of the joint projects carried out in the field has become harmony from the first mention of the idea of harmonization in LFIP and its concrete presentation in the Harmonization Strategy and National Action Plan. As a consequence, while the content of projects has changed since the LFIP, reading state-NGO cooperation via these initiatives is one of the areas where the redefined partnership can be perceived. As migration experts were first employed as civil servants after LFIP, NGOs stood out in these initiatives due to their expertise in field

operations and project management, as well as their skilled workers. This partnership has benefited both sides since it is also convenient for NGOs to conduct joint projects with the state.

In this sense, joint projects and initiatives come to the fore by combining the main developments in the post-LFIP period such as harmonization, international funding, and collaboration between organizations. Since those projects and initiatives cooperatively operate in the field, observing them can show the components of a new migration system. Moreover, the impacts of LFIP can be examined via these projects in terms of presenting a new structure for the interactions between the state and NGOs. Apart from the PMM's umbrella mission for the coordination of migration-related activities, some of the foreign funds aim at improving the institutional infrastructure. For instance, one of the main objectives of FRIT funds—as one of the biggest initiatives in this field—was to focus on enhancing municipal infrastructure (European Commission, n.d.). In this regard, the traces of collaboration may be seen in the new system, where hundreds of projects are implemented each year.

Since the core emphasis of this thesis is to examine the relationship between the state and NGOs in the post-LFIP period, those joint projects are one of the best tools for reading the interactions and representing the new migration system. Assessing the project's content, budget, partners, and objectives illustrate the practical applications of the post-LFIP period, as well as the collaboration mechanisms. In this direction, this thesis interprets the cooperation between the state and NGOs under the guidance of 6 projects and 2 initiatives. These projects and initiatives mainly focus on harmonization processes with the joint implementation of different actors. Although they differ from each other to a certain extent, they have a lot of components in common.

The projects and initiatives to be assessed in the following parts are respectively, Improving the Health Status of the Syrian Population Under Temporary Protection and Related Services Provided by Turkish Authorities (SIHHAT), Women and Girls Safe Spaces (WGSS), Promotion of Economic Prospects (PEP), The Transition to Formality Programme (KIGEP), Promoting Integration of Syrian Kids into the Turkish Education System (PIKTES), Support for School Enrollment Programme (SSE),

Bursa Yıldırım Municipality Social Cohesion Center (YILSUM), and the Establishment of the Directorate of Migration and Harmonization Services (DMHS) in Şanlıurfa Municipality. While SIHHAT and WGSS projects are mainly concerned with health integration, PEP and KIGEP projects focus on economic integration. On the other hand, the core element of the PIKTES and SSE projects is the integration of the education services. YILSUM and DHMS stand out for the local level integration as well as the provision of social services.

The first motive in the selection of these projects, which emerged in line with HSNAP, is that the cooperation mechanism is extremely visible. The visibility of projects and their stakeholders can be witnessed on their websites as well as in press releases. Secondly, in order to evaluate active instances of collaboration, all of these examples were selected as ongoing programmes. To demonstrate that collaboration does not take place in only one area or scale, examples from many spheres of harmonization such as health, education, and economic components were used. In addition, samples from diverse backgrounds were chosen in terms of the source of funds. Finally, in terms of target audience and budget, examples on a large and small scale were selected. The major objective here is to assess whether the mechanism of collaboration differs depending on the budget or the region covered by the example.

These initiatives, chosen from several components under harmonization, are primarily reviewed under the following headings: budget, main activities and objectives; mechanisms of collaboration; and impact of the law and further transformation. Both the execution of the new migration system and the linkage of the collaboration mechanisms with the project contents will be discussed separately when reviewing the examples. In addition, it will be demonstrated by looking at the state NGO collaboration mechanisms in the examples that many different state entities and players cooperate in the sector.

The information regarding the examples was collected through online desk research. The data published by the government, reports published by organizations operating in the field, and news in the media were the primary sources for this online desk research. The majority of the material on the examples came from project brochures,

the websites of the NGOs implementing the programmes, and the official websites of the EU and UN entities that provided financing, as well as the reports published by those organizations. The examples were reviewed in light of open-source information, and state-NGO connections were examined from the perspective of post-LFIP era initiatives. In each of the examples, the fundamental approach was based on cooperation mechanisms.

4.2.1. Improving the Health Status of the Syrian Population Under Temporary Protection and Related Services Provided by Turkish Authorities (SIHHAT)

4.2.1.1 Funds, Objectives and Activities

The Financial Assistance Program for Refugees in Türkiye (FRIT) is one of the most prominent initiatives for raising funds in the sector of migration to Türkiye. FRIT, which was launched in 2016, mobilized 3 billion euros for refugees and locals in Türkiye, assisting in important sectors including education, health, infrastructure, socioeconomic development, and migration management, as well as large-scale humanitarian assistance (EU Delegation, 2017). Within the scope of FRIT, the project Improving the Health Status of the Syrian Population Under Temporary Protection and Related Services Provided by Turkish Authorities (SIHHAT) can be illustrated as the collaborative coordination mechanism, developed to fulfill the demands of refugees and host communities in Türkiye.

The SIHHAT project, which began in 2016, is a collaboration project in which various players in the new migration system are involved in the post-LFIP period. Accordingly, it was underlined by EU Delegation Türkiye Ambassador Christian Berger, that without the close partnership between EU and Turkish state institutions, UN agencies, and NGOs, it would not be possible to conduct such a project (EU Delegation, n.d.).

The purpose of the SIHHAT project was to gradually improve the existing health care services available to immigrants in terms of availability, accessibility, and quality. Within the scope of the project, Migrant Health Centers (MHC) were expanded throughout Türkiye, staff was employed, medical devices were procured for primary

and secondary health care facilities, and studies were carried out on the supply of vaccines and vitamins. In line with the project objectives, 181 Migrant Health Centers and 10 Community Mental Health Centers (CMHC) were opened in 29 provinces where immigrants living in substantial populations, and over 4,000 health professionals were employed in these centers (SIHHAT, n.d.-a).

The objective of the establishment of the MHC initiative is to offer primary health care services in Syrians' native language to SuTPs. Similarly, the goal of CMHCs is to provide mental health treatments to SuTPs who have chronic mental health issues as well as to the host community. Sexual health services, as well as mobile health services, are included in the project's scope. Last but not least, training services were offered to the employees working in those centers in order to develop their expertise in areas such as migration health, intercultural communication, and national and international migration regulations (SIHHAT, n.d.-b). There are several components in this project that are entirely focused on harmonization. As a result, managing various components through a single mechanism without collaboration would be an extremely costly and complex task.

4.2.1.2 Mechanisms of Collaboration

SIHHAT, the greatest project carried out in the field of health, stands out as one of the most visible components of harmonization, with massive funding in comparison with previous projects. The project, worth 300 million euros and a direct grant, was initially scheduled to run for three years, from 2016 to 2019. However, due to delays in project component activities in 2019, the project's end date was extended by one year with an amendment and set at the end of 2020 (Küçük, 2020, p. 485). The project's second phase is currently proceeding, intending to provide the same services to a larger number of people (SIHHAT, n.d-a).

Although the MoH is the main executor of the SIHHAT project, it can be seen that the state benefits from NGOs in line with certain needs. For instance, NGOs provide assistance while trainings were given to the MHC workers. In addition, in case of a technical issue, NGOs provide consultation for the information services and/or

seminars with qualified and experienced staff. Furthermore, in case of any conflicts between the beneficiaries and state officials, there are NGOs in the field who might observe and report the problems to the funding bodies.

The project's aims included training for 2520 healthcare professionals who communicate exclusively with SuTPs. These trainings were given by NGOs, as well as interpreting assistance when required. In this case, a cooperative model can be observed in which the burden is not fully on the shoulders of one actor and all stakeholders join in when necessary. Whenever needed, UN institutions step in, and non-governmental organizations (NGOs) help Turkish government institutions on behalf of the EU.

In this example, a cooperative model can be observed in which the burden is not fully on the shoulders of one actor and all stakeholders join in when necessary. Whenever needed, UN institutions step in, and NGOs help Turkish government institutions on behalf of the EU.
Since all parties are involved in this project for a common output as well as applying different methods such as funding (EU), training (NGOs), and implementation (state), the types of interaction can be classified as both complementary and coordinative.

4.2.1.3. *Impacts of LFIP*

LFIP impacts can be observed within this project. The fact that the Ministry of Health operates as an umbrella entity for institutional coordination and that several players engage in the management makes this example valuable in terms of LFIP implications. Addressing the "harmonization" specified in the LFIP and developing a horizontal interaction with the NGOs responsible for supplying training within the scope of the project are both indicators that collaboration is becoming apparent, and all parties are engaging without repressing each other. It is possible to see burden-sharing practices in the field of migration management within the framework of collaboration in the post-LFIP period, thus further increasing cooperation. This project, in particular, demonstrates how the burden is shared across migration stakeholders on topics such

as coordination, funding, knowledge, and staffing, as well as the sustainability of this cooperation due to the fact that the project is still ongoing.

In addition, it is seen that the structure both in this project and similar ones also prevents the state from positioning itself as superior to other actors, and thus, forms of relations such as co-optation or confrontation do not occur. In this regard, the existence of the EU as a financing body in this initiative also helps to define the relationships. If the state had funded this project, the state's actions may have been different.

4.2.2. Women and Girls Safe Spaces (WGSS)

The SIHHAT project is also significant due to the cooperation mechanism, which brings sub-collaboration initiatives. In collaboration with the SIHHAT project and the United Nations Population Fund (UNFPA), Women's Health Counseling Centers (WHCC) were established. In addition, the Women and Girls Safe Spaces (WGSS) project in these institutions provided consultancy services to migrants and beneficiaries from the local community.

4.2.2.1. *Funds, Objectives and Activities*

As part of SIHHAT, the project is funded by the Swedish International Development Cooperation Agency (SIDA) and provides trainings on hygiene, early marriage, stress management, contagious illnesses, gender equality, family planning, infant care, and other topics at Women's Health Counseling Centers. Within the scope of the project, hygiene kits are distributed in cooperation with the Ministry of Health's Provincial Health Directorates through teams of psychologists, health educators, social workers, health mediators, interpreters, and support staff. The project also includes Turkish courses that are regularly offered in Public Education Centers (PEC) in accordance with the protocol signed by the MoNE and ASAM. In this regard, accredited programs are also provided to assist Iraqi, Syrian, and Afghan beneficiaries in overcoming the language barrier (ASAM, n.d.).

WEglobal, as an I-NGO that provides project management consulting and has assisted in the completion of several significant worldwide projects, provided trainings to health staff in addition to WGSS as a component of SIHHAT, within the scope of the project. Hence, after conducting an intensive training schedule in numerous Turkish cities, WEglobal stated that the organization would increase awareness of the SIHHAT project through different communication channels and promotional initiatives (WEglobal, n.d.). As a result of these initiatives within the scope of the project, an increasing number of patients applying to immigrant health clinics has relieved hospital burdens and workload (3RP, n.d.-b). Furthermore, by employing migrant doctors and health workers, it could be observed that it helped the integration processes as well.

4.2.2.2. *Mechanisms of Collaboration*

As was experienced in the SIHHAT project, a complex and interconnected structure of cooperation draws attention to the WGSS project. The unboxed form of this structure, which includes governmental institutions, UN organizations, and NGOs, is one of the examples that reveals the cooperation of the post-LFIP era. To begin with, the number of funds provided to the project and the financing program's demand for collaboration with other actors demonstrate that the financial assistance granted cannot be completely utilized by the state solely. When deeply analyzing the distribution of roles, there stands an intergovernmental organization that provides the funds and ministries as the umbrella body to coordinate all kinds of project components. In addition, there are also I/NGOs to assist in the implementation of the project multi-dimensionally. In the WGSS project, there exists an international fund, state institutions, and an NGO as well. Similarly, there are numerous examples of this project model that illustrate collaboration most vividly. The need for parties to interact in the post-LFIP period gave birth to this project paradigm.

On the other hand, ASAM is the main implementor of the WGSS project which provides psychosocial support, manages the budget, and monitors activities. In the implementation stage of this project, close cooperation among parties is provided (ASAM, n.d.). This project stands out as an example of a three-headed structure since

it contains UNFPA, MoH, and ASAM at the same time. It is clear from this structure that the parties do not act independently of each other. The interdependence of each project component, as well as the cooperation mechanism established within this framework, limits unilateral action. Furthermore, independent audits conducted within the framework of projects present an additional barrier to actors acting alone.

4.2.2.3. *Impact of LFIP*

Both SIHHAT and WGSS demonstrate that without cooperation, the management of these kinds of projects would be challenging in terms of time, budget, staffing, and burden-sharing principle. The fact that such a major project is still being implemented indicates that the collaboration is successful, so the interactions between the field actors persist. Hence, similar partnerships with the same organizations can also be seen in various projects. Accordingly, the interactions between the actors in the migration field might be considered long-term collaborations.

As a result of LFIP, the umbrella role of the MoH, a state organization, is shown here. Unlike SIHHAT, the implementation part of this project is entirely delegated to an NGO in collaboration with governmental workers in MHCs. Instead of complementarity, there is total cooperation in this instance. NGO services such as translation and call centers are offered in order to guarantee that individuals receive the best possible consultancy. Furthermore, as a consequence of the cooperation of the ministry and the UN organization, it is feasible to report relevant instances to the appropriate units. It is likely that the collaborating institutions will behave as distinct components of a single body throughout time in such a cooperatively running project. With these efforts, the actors involved in the creation of LFIP appear to be getting closer to each other.

As another dimension, this scenario contrasts with the definition of being an NGO, which includes characteristics such as making choices and producing policies fully independent of the wishes of the government (Shigetomi, 2002). However, the reverse is also true since it enhances the collaboration of NGOs with the government, which operate for a shared goal without being directed by the government. As a result, the

migration management mechanism established following LFIP provides a unique platform for evaluating state-NGO ties and developing a unique definition of relationships in the context of a crisis.

While assessing the state-NGO relations in the context of an exceptional example in the world, as Türkiye's hosting millions of refugees, it is important to remember that the relationships are unique in this setting. Furthermore, in contrast to other sectors, these partnerships take a distinct path in the field of migration in Türkiye.

4.2.3. Promotion of Economic Prospects (PEP)

The PEP project is another indicator where the collaboration and economic harmonization components are provided within the scope of HSNAP. GİZ aimed to support this coordination process through a series of structured panel discussions with representatives from key stakeholders working in different sectors of the refugee response at both the national and local levels, as part of its largest program, PEP. GİZ designated the broad goals of establishing mutual understanding regarding harmonization in various segments of migration management, identifying common solutions to common problems of implementing actors; and establishing a basis for new dialogue and collaboration across all relevant parties. In this sense, the roundtable themes were chosen to assure coverage of multiple areas of the refugee crisis, different types of players participating, and different levels at which these actors operate in Türkiye (UNHCR, 2022).

4.2.3.1. *Funds, Objectives and Activities*

GİZ's approach to PEP consists of several initiatives, including vocational training opportunities; support for employment measures in the private and municipal sectors; support to innovators and start-ups, formalization of unregistered businesses; capacity development of key business development service providers; and facilitation of synergies between public and private sector stakeholders (GİZ, 2020). Accordingly, collaboration with national or global actors was underlined as the main concern in the PEP project for successful implementation.

In line with the PEP project, financed by the German Federal Ministry for Economic Cooperation and Development (BMZ), more than 5,000 people and their families have directly benefited from PEP initiatives. In addition, about 2,000 recipients have started working. Approximately 3,000 people have finished a vocational training course, and over 2,000 have improved their Turkish language abilities. Nearly 1,500 participants get paid that met national criteria and included social security insurance. Last but not least, almost 900 work licenses have been provided to Syrians, and harmonization efforts have been organized to improve relations between Turkish nationals and Syrians (GİZ, 2020). The overall implementation period of the project is between 2019 and 2023. However, since it has so many things in common with SIHHAT, the extension of the project would not be a big surprise.

GİZ works in cooperation with the 3RP, which has included social cohesion as a primary theme for collaborative efforts among all stakeholders working as implementing partners in the refugee response since 2018 (UNHCR, 2022).

4.2.3.2. *Mechanisms of Collaboration*

Under the PEP project, sub-projects are also carried out with different implementing partners. These partners are ministries, municipalities, chambers, and I/NGOs. In this context, as one of the sub-projects of the PEP, the Promotion of Economic Prospects for the Syrians under Temporary Protection and Host Communities project was launched in 2019, as well as the other components. The stakeholders of this particular project were GİZ, MoNE, and ASAM. Since the PECs were the primary implementation locations, communication between state authorities and NGO workers operating at those PECs were very strong (MoNE, 2019). Like SIHHAT, the PEP project was also a joint project within the scope of LFIP, HSNAP, and 3RP.

In terms of its content, the project, which targets the integration of SuTPs and their engagement in economic life, as well as the provision of language courses and vocational training is an important example of the post-LFIP period. Activities that directly concern harmonization in the project's content, as well as the fact that the project is being carried out in collaboration with a three-headed organization, can both

be viewed as reflections of the new migration system, as in previous examples. In this scenario, it is clear that GİZ has a role in the allocation and monitoring of funds. As the umbrella body, MoNE facilitates coordination and allocates the locations where educational activities will be carried out. ASAM, on the other hand, verifies that field operations comply with GİZ grant guidelines and provides technical assistance to MoNE staff in this respect. MoNE engages with ASAM on matters such as expenditure tracking and accurate reporting.

In this project, as in other examples from the post-LFIP period, a structure is observed that adheres to a set of standards, cannot act independently of each other, and is subject to norms other than the Turkish state's official rules. The fact that MoNE as a government institution follows this structure identifies the government institution as one of the entities cooperating in the sector.

4.2.3.3. *Impacts of LFIP*

As stated above, in this example, there is a structure that acts for a common purpose and there is a mutual benefit cycle within the structure. It may also be regarded as a process in which all parties are involved in some manner, and no one is left behind, as well as contributing to a more horizontal level of state and NGO relationships in the new migration system.

Based on the fact that the project's trainings and opportunities are also available to Turkish citizens (MoNE, 2019), it would be fair to say that the project includes a mission of harmonization at the individual level as well. As can be seen from the project outputs, the PEP project contributed to the harmonization component in the post-LFIP period with the proposed cooperation between parties. The most prominent indicator for this cooperation period is the appearance of a new state-NGO partnership that acts interactively for a common purpose on a more horizontal scale. The fact that NGO staff work in state institutions' buildings, in PECs, providing services such as translation and technical support with their expert staff and liaison in continuous collaboration with MoNE staff, reflects a clear partnership example. Furthermore, providing unconditional cash support to beneficiaries within the scope of the project

during the pandemic period clearly delineates this project in comparison with the previous ones (GİZ, 2020).

Furthermore, the process of unconditional financial support implemented by an NGO and coordinated by a government agency within the collaboration circle underlines the distinctive structure of post-LFIP state-NGO connection observed in this project. The fact that all parties know the limitations of their own roles and continue their activities in this direction can be considered an important example of the coordination mechanism brought by LFIP. The project's definition inside the framework of harmonization, as well as its multi-headed implementation, demonstrate that LFIP provides a substantial shift in the content of the projects as well as the cooperation.

During this period, the establishment of specific norms, as well as the fact that the project content or cooperation actors restrict themselves to their responsibilities, prevents the formation of interactions such as co-optation or conflict, which may be observed in other examples of state-NGO relations, in other sectors or countries.

4.2.4 The Transition to Formality Programme (KIGEP)

As another example of the harmonization projects, The Transition to Formality Programme (KIGEP) stands out. The KfW Development Bank, the International Labour Organization (ILO), the Ministry of Labour and Social Security (MoLSS), the Social Security Institution (SSI), and other NGOs are stakeholders in the project, which is also carried out in collaboration by a multidimensional and complex structure.

4.2.4.1. *Funds, Objectives and Activities*

The project started in 2019. The objective of the project is to encourage formal employment by supporting SuTPs and Turkish citizens to participate in the labor market. It also assists in the development and strengthening of their skills and competencies (ILO, 2020). The project, which is funded through FRIT (Özdemir, 2021), focuses on economic harmonization, which is also one of the components defined within the framework of HSNAP. Because of its content and complex structure, it is very similar to the PEP project.

The Programme impacted 460 businesses and approximately 3,500 employees. Businesses that obtained KIGEP assistance increased economic activity by 16% more than those that did not. A total of 13 million TRY was distributed to businesses under KIGEP. As a result, their spending was reduced, no employees were laid off, and loans were paid (ILO, 2020).

Since the project's primary focus is on providing beneficiaries with skillsets and enabling their involvement in economic life, it attempts to prevent Syrians from being used as cheap labor in Türkiye's informal economy. In addition, this project was also designed to be implemented collaboratively. This project, focused on economic integration, is similar in specific topics to other initiatives implemented after LFIP. KIGEP, as one of the initiatives created as a result of Syrians settling in Türkiye, is also the outcome of a common mechanism.

Within the scope of this project, 41 percent of Turkish workers reported that after starting to work with Syrians, their views on working together improved. However, 24 percent felt that harmonization would take time. Furthermore, employers reported that Syrian staff made substantial development in terms of linguistics, expertise, motivation, and efficiency (ILO, 2020).

4.2.4.2. *Mechanisms of Collaboration*

The three-headed project structure can be seen here as well, although the operation is slightly different. In many ways, the project reflects the general characteristics of the post-LFIP period, with the only minor difference as the international NGOs monitor funding distribution and implementation is jointly handled by government agencies and the ILO.

Since the additional funds for the project were provided by the KfW Development Bank, the EU Regional Trust Fund, and the US Department of State Bureau of Population, Refugees, and Migration, the Turkish state institutions are in the role of ensuring the coordination between actors and the implementation (ILO, 2020). The ILO, as a UN organization, comes to the fore in this project, and by acting on the norms

defined within the scope of LFIP, it both helps with implementation and takes on the duty of coordinating and sourcing finances.

ILO also acts as a bridge between NGOs and government entities in order to organize partnerships as necessary. For example, the ILO takes the lead in organizing the NGOs operating in Türkiye as part of the project's scope and implementation, as well as coordinating the interaction with INGOs or other governmental agencies in terms of funding.

4.2.4.3. *Impact of LFIP*

Within the scope of KIGEP, both the project objectives and mechanisms of collaboration stand out as an example where the issues defined in both LFIP and HSNAP are met. Even if the NGOs were not sincerely involved in the project, in terms of direct implementation, various NGOs and field actors participated in the program's information meetings, and the collaboration proceeded indirectly (Doğaka, n.d.).

This example stands out as a new dimension of collaboration activities in the post-LFIP period. In comparison to previous projects where implementation is almost fully provided by NGOs, there appears to be a system where NGOs and government institutions have been shifted.

In this sense, within the framework of complementarity, a state-NGO connection stands out in this project. There is a system in which cooperation also continues as required, where the actors on the field stand in to address each other's deficiencies and aim to contribute to all activities. One of the most essential impacts of LFIP at this stage is that it pulls together institutions that would not regularly work together, even though the state entities may not act together in internal operations. However, the new migration management system directs them to cooperate and act collectively.

Although the stakeholders in the collaboration circle have capabilities and limitations, as seen in the example of this project, there is no limit to the number of actors engaging in the cooperation mechanism. This is among the consequences of the LFIP, which

opens the doors of the harmonization process to the active participation of all stakeholders and provides a horizontal collaboration framework.

4.2.5 Promoting Integration of Syrian Kids into the Turkish Education System (PIKTES)

One of the projects where the post-LFIP period can be read is Promoting Integration of Syrian Kids into the Turkish Education System (PIKTES). The project, which began in 2016 and was directly funded by FRIT, aimed to enable Syrian children under temporary protection to access educational services and to support the MoNE in this regard (Hürriyet, 2022). This project also meets the definition of harmonization in HSNAP since it involves the integration of Syrian children into the educational system.

4.2.5.1. *Funds, Objectives and Activities*

PIKTES, under the financial support of FRIT, focused on training hundreds of Syrian children in the Turkish language. In this sense, harmonization courses have been established by MoNE. These courses were aimed at improving foreign students' language skills and allowing them to follow academic courses in schools and interact with the host community. The project also covered school guidance and psychological counseling for Syrian kids, awareness-raising activities & trainings for MoNE staff, and coordination meetings with partners.

4.2.5.2. *Mechanisms of Collaboration*

In this sense, NGOs and universities were also indirect partners of the project in terms of providing necessary support while training MoNE staff regarding working with vulnerable groups or preparing the educational methodology (Global Compact on Refugees, 2019). The project aimed to carry out social harmonization activities as well as components such as equipment support and family visits (PIKTES, n.d.-a). In terms of logistics, field operations, and technical support, NGOs benefited within the scope of the project.

In comparison to previous examples, this project, which is also directly implemented by a government entity, has a more indirect relationship in terms of collaboration mechanism. In this context, it is clear that the state institution interacts with other actors both when it is insufficient in operational terms and when performing activities that require common sense. This demonstrates that the state-NGO interaction in this scenario may be described in light of the complementarity aspect.

4.2.5.3. *Impact of LFIP*

One of the significant aspects of the project that reflects the post-LFIP period is that it encourages Turkish state institutions to have a different structure within the scope of project management (PIKTES, n.d.-b). In this regard, another issue that must be addressed is the establishment of units that do not currently exist within the ministry, as well as the training of relevant personnel to perform these duties. Aside from harmonization and access to education, this project provides an illustration of the Europeanization of a state institution. MoNE had to apply to a different structure than its official structure since it is directly implementing the project. Apart from the Europeanization after LFIP, this shows that government entities working with NGOs in the post-LFIP period may be directly or indirectly influenced by NGOs in terms of project management schemes.

At the same time, the fact that the collaboration occurs on a horizontal surface demonstrates that the actors can replace each other in a variety of scenarios. In this sense, it can be said that it is more vital for all stakeholders to engage in the cooperation mechanism than the specific activity they perform.

4.2.6. Support for School Enrollment Programme (SSE)

4.2.6.1. *Funds, Objectives and Activities*

UNICEF, MoNE, and ASAM collaborate on the SSE programme, which is funded by ECHO. The program's goals are to assist out-of-school migrant kids in gaining access to a wide range of services to support their access to schooling. All facilities offered through the SSE program are provided at no cost. Within the scope of the project, it

was also planned to provide consultancy services and protection activities. (UNICEF, n.d.). Speaking at the project's kick-off meeting, MoNE Deputy Minister Mustafa Safran emphasized the importance of getting children back into school and the importance of collaboration among stakeholders (MoNE, 2020).

Within the scope of the programme, ASAM SSE teams work with Syrian children aged 5 to 17 to enroll them in the most appropriate learning program for their age. The SSE program teams assess each child's educational needs, advise them regarding available educational opportunities, and refer OOSC to appropriate educational pathways in their area (including pre-school education). In addition, ASAM provides transportation, translation, and in-person support as needed throughout the process (UNICEF, n.d.).

4.2.6.2. *Mechanisms of Collaboration*

Along with its three-headed structure and harmonization-based nature, SSE, one of the indicator projects of the post-LFIP system, is very similar to the PEP project. It can also be seen that the state-NGO relationship is on a horizontal surface as a result of the cooperation on the project implementation. ASAM's presence in the project regions with the experienced staff and technical support as an NGO, as well as MoNE's cooperation in providing data and enrolling in the school, indicate that the activities are carried out in accordance with HSNAP.

Since this is a common structure of collaboration among the examples, it can be also considered as cooperation rather than complementarity, in terms of types of state-NGO relations.

4.2.6.3. *Impact of LFIP*

As an international organization, UNICEF's control over fund distribution and reporting to ECHO set a precedent for post-LFIP term projects. Like previous ones, a multidimensional cooperation mechanism stands out within the project. There are collaborating actors who provide logistical and technical support to each other and complete the missing aspects when needed.

The activities carried out within the scope of the project and the way the project is implemented also show that all activities are shared among the actors with the burden-sharing principle as a result of the post-LFIP period. In this instance, where a horizontal collaboration tie is observable, the cooperation dimension takes priority over the complementarity component of state-NGO interactions. The key reason for this is that the collaboration is "direct" and the roles and limits of the actors are defined. In particular to this project example, one of the most significant implications of LFIP on existing collaboration is that it occurs for the goal of harmonization.

4.2.7. Bursa Yıldırım Municipality Social Cohesion Center (YILSUM)

4.2.7.1. *Funds, Objectives and Activities*

In 2019, a Social Cohesion Center was created by Bursa Yıldırım Municipality to promote harmonization among host and refugee communities and to provide assistance for women's cooperatives through empowerment initiatives and livelihood opportunities. During the pandemic, the center also provided social assistance for refugees. The project is implemented in cooperation with UNHCR, state institutions, and NGOs. The project seeks to strengthen social harmony initiatives in Bursa as well as the self-sufficiency of refugees by providing employment opportunities via skills courses and Turkish language classes (Global Compact on Refugees, 2022).

4.2.7.2. *Mechanisms of Collaboration*

Partnership with UNHCR also enhanced the accessibility of the centers. Furthermore, the close cooperation with the Turkish Employment Agency (İŞKUR) brought the chance to provide job opportunities as well as vocational training and workshops. In addition, the center also collaborates with universities to provide information sessions and seminars on living in a multicultural environment. Interpretation services in the center are provided by ASAM. The Turkish Red Crescents is a partner in the project as well, to provide assistance logistically. (Global Compact on Refugees, 2022).

4.2.7.3. *Impact of LFIP*

The significance of state-NGO cooperation is highlighted once more in this project example. Bursa Yıldırım municipality, which could not reach many people at first due to numerous obstacles, appears to have broadened its projects' scope with the assistance of UNHCR and ASAM. In this case, even if other stakeholders are not directly involved in the project, they make positive contributions when they are indirectly involved in the implementation of the activities. This project, as a post-LFIP period project, is also a local scale harmonization project that includes more than one HSNAP component. In this example, the complementarity component of state-NGO interactions is more visible due to the fact that the indirect structure of the interactions. It is an initiative where cooperation is ensured when necessary and actors cover each other's shortcomings.

4.2.8. Establishment of Directorate of Migration and Harmonization Services in Şanlıurfa Municipality

4.2.8.1. *Funds, Objectives and Activities*

Since the formation of such a directorate in a municipality is the first example throughout the country, this initiative has particular importance. In addition, some problems faced in the process of creating a new body were solved thanks to the new cooperation mechanisms in the post-LFIP period.

The establishment of such a structure is a powerful illustration of Europeanization, which resulted in the bureaucratic/structural changes in public institutions outlined at the introduction of the thesis. In this example, a government agency is acting in the role of an NGO. Both the directorate and its activities were underfunded at the start. Furthermore, it produced a challenge that an NGO typically faces in terms of service delivery. The solution was to operate in the manner of an NGO.

4.2.8.2. Mechanisms of Collaboration

In this sense, collaboration with international organizations was the first option to overcome such a challenge. As a result, more projects have started to be launched within the scope of harmonization. In terms of partners, the department now has a very broad scope. Some of them are UN agencies, GİZ, the Danish Refugee Council (DRC), Goal, and Qatar Charity. Other government institutions and ASAM are also among the national partners (Global Compact on Refugees, 2022).

4.2.8.3. *Impact of LFIP*

The establishment of such a directorate, along with harmonization practices such as vocational training in the field of employment or counseling in the field of health services, is a local-level indicator regarding the Europeanization of state institutions, in accordance with both LFIP and HSNAP. Another sign of the post-LFIP period is that the directorate, a local level state institution, requires close collaboration with both national and NGOs in order to carry out projects targeting migrants. Similarly, finding the necessary funds after collaboration with key players in the field might be considered another reflection of a new model.

4.3.Limitations

Although LFIP is emphasized throughout the study, the most essential aspect of LFIP in this thesis is that it addresses harmonization. The development of PMM, as well as the following announcement of HSNAP, places LFIP in a critical position for this research. However, because the main focus of the thesis is not LFIP, not all articles of the legislation were evaluated, and sections that were not determined to be strongly relevant to the research were not considered. Since this study is entirely focused on state-NGO interactions in the post-LFIP period, additional topics are highlighted to offer an overall insight.

As can be seen from the literature, state-NGO relations can be studied in terms of many dimensions. While there may be a theoretical examination, it is also possible to examine these relations via an indicative country or sector assessment. State-NGO interactions can also be studied under a particular concept such as security, fraud, or governance. However, this thesis focused on state-NGO relations considering a designated country within the scope of a particular period, under a specific field, as well as centering on the cooperation phenomenon. Time constraints, and the impossibility of analyzing relationships across all dimensions restricted this study to the specified paradigms in line with the research questions.

In addition, to narrow the scope of the study, project examples with harmonization as the key component, conducted in collaboration, and involving various players were specified. To demonstrate that the main objective and the cooperation mechanism are always visible regardless of the project's budget, project examples were chosen from both moderate and big ones in terms of budget. Similarly, regional, and national illustrative projects were used to determine whether the effectiveness of the identical mechanisms varied depending on where the project is carried out.

4.4.Conclusion

When the projects and initiatives conducted throughout the post-LFIP period are examined, the most striking similarity is the specific norms and standards of these projects. These instances, which focused on the LFIP and HSNAP harmonization phenomenon, were initiatives for the breakdown of harmonization in areas such as education, health, and employment. Another significant similarity is that the projects are carried out via a multidimensional framework. In conclusion, reviewing the project examples, it is observable that the field actors collaborate in line with the requirements of the post-LFIP period, particularly the state and NGO ties differentiate in the field of migration. As can be seen from the examples, state-NGO ties are usually accomplished under the concept of cooperation or complementarity. Because these two notions focus on collaboration at one point, all the instances show that the relationships evolve towards a horizontal surface. Although the structures vary over time and the responsibilities in the activities vary, there have been no examples of projects that did not include collaboration among the field actors and were carried out independently. Through these instances, the developments, Türkiye's migration management practices can be read in line with the new migration management system, which has experienced a transformation since the LFIP.

The Europeanization of Turkish official institutions have been noticed as a result of the structure and roles observed in the projects, in addition to the shift in migration management practices and interactions. In this regard, examining the PIKTES project showed that a state entity could act as an NGO when implementing a joint project. That instance can be considered as an indicator of how state bodies working with NGOs in the post-LFIP era may be influenced by NGOs concerning project management practices. Therefore, it would not be wrong to say that the established structure also affects the internal practices of the actors in the field.

Aside from the fact that the state is the implementing body in the PIKTES and SIHHAT projects, WGSS, PEP, or SSE are the most typical structures in projects in the post-LFIP period where the NGOs' implementation is seen. KIGEP, on the other hand, stands apart as a project that is jointly implemented by government institutions

and a UN organization. The examples of YILSUM and Şanlıurfa Municipality are local examples that operate within a more complex structure, where actors take part in project activities as needed.

Despite their varying structures, these projects are fundamentally similar in that they include more than one actor. Since the EU or UN organizations are engaged in practically all initiatives, they have the role of a mediator. In this manner, scenarios such as confrontation or co-optation are prevented, which may arise in an example when just the state and an NGO exist. In line with the funding bodies, a more horizontal connection is pursued, which focused on complementarity and collaboration.

In another dimension, it can also be noticed in the projects that there is harmonization among the collaborating parties in the projects carried out within the scope of harmonization. The most obvious example is that certain initiatives are implemented as NGOs by government entities. It is not unexpected that organizations that are constantly in cooperation with each other eventually entangle and update themselves in accordance with the same common standards. At this moment, LFIP emerges as the most significant breaking point that establishes norms and shapes interactions.

Project examples in which state-NGO relationships may be assessed directly via activities are areas whereby the LFIP's mission can also be measured. In this regard, the fact that practically all of the projects after 2015 targeted harmonization and the fact that all stakeholders collaborated in this field made easier to assess. The literature repeatedly mentions the difficulty in assessing NGO influence. In this perspective, reading this connection through projects is the most appropriate approach to assessing the influence on state-NGO relationships in Türkiye. Although evaluating state-NGO relationships is not always traceable, owing to the structure developed in the field of migration in Türkiye, it has been possible to examine this component of the relationship through initiatives. The goal of determining indicators throughout the project evaluation phase is to examine each sample in the same way and demonstrate that the structure introduced by LFIP remains constant even when some aspects have changed.

The equal existence of NGOs in the multi-headed structure, which includes both the state and international organizations, revealed that the relations between actors were redefined in the post-LFIP period. It has been seen that the parties have created a new model by acting jointly for a common goal without trying to suppress each other.

CHAPTER 5

CONCLUSION

This thesis examined state-NGO relations within the scope of project examples in the post-LFIP period. The effects of such a radical change on the key actors operating within the migration system, as well as the nature of their relationships, were reviewed. Press releases, official statements, and official data shared by both the government and other actors were examined in accordance with the online desk research method, and differences in post-LFIP state-NGO relations were determined.

In this regard, initially, the Turkish migration management system was reviewed by using online resources and official documents as well as examining Türkiye's relationship with migration. Considering major events, Türkiye has been discussed as a country of migration, varying as a sending, a transit, or a host country.

After reviewing Türkiye's historical relationship with migration, the current situation was evaluated in light of government-published data. Afterward, the conditions that required a new migration system and legislation were questioned in accordance with Türkiye's candidacy process for joining the EU as well as the Europeanization of migration management practices and the institutions of Türkiye. In addition, press releases and un/official statements were reviewed regarding the adoption of LFIP via online resources. After examining the statements, the content of LFIP was reviewed as well as its importance in the migration management practices in Türkiye.

Following the new legislation, state-NGO relations were researched in the literature. In the literature, several different approaches exist to state-NGO interactions. While the increasing importance of NGOs is highlighted by scholars, it is also emphasized that there are several ways to study state and NGO relations.

Similarly, studies in the literature indicate that, while NGOs operate in many countries, their relationships with governments vary. Furthermore, the impact of NGOs on policy-making processes fluctuates depending on the region or form of government. The examples in the literature show that states' perceptions toward NGOs can switch over time. This might consist of cooperation, or it can come in the form of controlling NGOs. Furthermore, it has been a frequent example in the literature that especially authoritarian governments may establish GONGOs to spread and advocate their policies among civil society.

As it was reviewed in the third chapter, the literature on state and NGO relations demonstrates that studying these interactions requires limitations. This chapter utilized projects and initiatives to provide a concrete evaluation of state and NGO interactions in the post-LFIP period. These relationships may change over time, but it appears that they have evolved in the way they are examined in this section since the adaptation of the new migration system. One of the most significant factors that may affect relations is the potential change in the state's immigration policy and the implementation of voluntary return policies for asylum seekers.

Examples of large and small-scale projects were considered when selecting the projects to evaluate the post-LFIP state and NGO relations. In this regard, different implementation methods and structures were illustrated. Another criterion for selection was to demonstrate that the collaboration and project content did not change based on project size during the post-LFIP period. The most significant indicator of collaboration observed in projects, which were jointly carried out with various partners and funding, is that since the projects are created in line with the components established by LFIP and HSNAP, it can be seen that the cooperation mechanism is set to a certain standard. From this perspective, it is clear that post-LFIP state-NGO relationships are primarily grounded on Stroup's cooperation paradigm. The control or restrictions of the organizations operating in the field are not readily apparent. Similarly, Stroup's conception of control or political manipulation is not seen in the field of migration in the post-LFIP period.

Furthermore, relations are becoming more horizontal and cooperative. In practice, several protocols signed following HSNAP by governmental entities and NGOs may be considered crucial papers in which the parties see each other as equals and agree to collaborative action.

There are examples of large budgets being provided to NGOs in this process, and in certain cases, foreign NGOs provide funds to government organizations. This scenario is an example of a condition in which some of the NGOs described earlier exceed even state funds. Although it does not exceed the state's entire budget, it can more easily find and control the extra resources that it can provide for the relevant issue. The fact that a government agency financed the YILSUM project from INGOs might be used as an example of this scenario.

According to Howell and Pierce (2002, p. 91), one of the essential components of harmonization is cooperation. In addition, NGOs can also be considered as the roots of new integration forms and alternative distributors of public services. In this sense, NGOs in Türkiye in the post-LFIP era might be evaluated as the deliverers of these kinds of services in line with the illustrated project examples. In terms of ensuring the harmonization in Türkiye, NGOs' role is crucial as they are one of the most critical parts of the cooperation chain.

In the pre-LFIP period, there were no examples of such complex project execution and the provision of such large funds to NGOs. There were no examples of such harmonization projects in that period. The projects funded by the EU in the pre-LFIP period had various contexts but no harmonization. EU funds were more likely to concern the emergency needs of refugees (Directorate for Eu Affairs, 2013). For instance, between 2007 and 2013, the EU provided the largest financial help in the field of regional development, in the amount of €1.7 billion. EU grants promoted regional cooperation and helped to reduce poverty while facilitating long-term development in the pre-LFIP period (Dünya, 2012).

Following the introduction of the LFIP, which included all parties and brought the topic of harmonization to the foreground of legal law, international funds were made available to both NGOs and government institutions to carry out initiatives in this area. In this sense, it is clear that the EU has risen to prominence with its comprehensive programmes like FRIT.

Projects supported by the EU have a distinct management structure, as demonstrated by several instances in the preceding section. If this is directly implemented by government bodies, it should be managed using a new structure that adapts to project management, rather than the existing structure of the government bodies. A transformation is taking shape in this direction, with new divisions and titles. This demonstrates both the Europeanization of the migration system as stipulated in LFIP and, in a broader sense, the adaptation of Turkish institutions to EU norms throughout the EU candidacy process.

In this sense, PIKTES could be a quite concrete example of a project shaping the state institutions' structure while in the implementing phase of the project activities. This is significant whereas a state institution is subject to norms other than the legal regulations to which it is attached. Furthermore, when other project examples are considered, it is clear that the state cannot act independently from other partners in terms of using the funds, implementing the project, or provision of services under these programmes.

One of the most notable findings of this study, which analyzes state-NGO interactions in the post-LFIP period by focusing on projects in education, employment, and health, is the fact that the state has weakened in terms of control while NGOs have become stronger.

Through sample projects, it is visible that the state's superiority over NGOs in this field has decreased, even more, interactions have changed to a flat direction, and cooperating organizations have adapted to the new project management system.

As was emphasized by Stroup (2019, p. 40), tracing the NGOs' impact has some difficulties in terms of documentation. Considering the difficulties of measuring and documenting the effects of NGOs in the post-LFIP period in Türkiye, NGO effects can be examined in terms of the technical support they provide in joint projects.

In comparison with the competition or co-optation (Najam, 2000) concept, the relationships between the state and NGOs in the new migration system can be described as a form of cooperation. Stroup (2019, p.34) stressed that cooperation might be more possible when the governments fail to fulfill objectives. In this sense, one of the most fundamental reasons for the rise of NGOs and the development of cooperation is that the state lacks the capability and funding to manage the migration issue on its own in the case of Türkiye.

According to Heurlin (2009), creating umbrella institutions by the state to prohibit and therefore control NGOs is a regular strategy. In this perspective, the foundation of PMM in Türkiye as an umbrella organization stands remarkable. However, such suppression is not a regular phenomenon in the migration field, even though it is assumed to have been initiated for this purpose at the beginning. Given that funding would not go solely to the government, the government will indeed prefer to continue cooperation in the post-LFIP migration management mechanism.

Such initiatives would not exist if the LFIP did not include the idea of harmonization. The crucial dominoes that accompanied, such as PMM and HSNAP, were the most significant breaking points of the new migration management system. Türkiye's new migration management system is comprised of all of these breaking points and related programs. This system has a sophisticated structure that makes collaboration among all actors nearly mandatory. Although there have been populist migration discourses in the political arena recently, the new migration system continues to be collaboratively managed by actors in the field.

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APPENDICES

A. TURKISH SUMMARY / TÜRKÇE ÖZET

Türkiye'de Yabancılar ve Uluslararası Koruma Kanunu (YUKK) kapsamında devlet ve sivil toplum kuruluşları arasındaki ilişkiyi inceleyen bu tez, Türkiye'nin göç sisteminde yaşanan köklü değişimin bu ilişkileri nasıl etkilediğine odaklanmaktadır.

Yabancılar ve Uluslararası Koruma Kanunu'nun yürürlüğe girmesiyle birlikte, hâlihazırda alanda faaliyet yürüten başlıca kuruluşların ve uygulama biçimlerinin Avrupalılaşmasına önayak olan epey kritik bir değişim gerçekleşmiştir. Sürekli artış gösteren insan akınıyla birlikte hem bir geçiş ülkesi hem de ev sahibi ülke konumlarında bulunan Türkiye, yeni kanunun getirdiği pratikler ve kuruluşlar ile yeni bir göç yönetim modeli benimsemiştir. Bu kapsamda tez, kanun öncesi ve sonrası iş birliği & iletişim pratiklerine odaklanarak, göç yönetimi ve alandaki başlıca taraflar üzerinde kanunun yaratmış olduğu etkileri incelemektedir. Açık kaynaklar aracılığıyla Yabancılar ve Uluslararası Koruma Kanunu (YUKK)'nun öncesi ve sonrasında yapılan resmi olmayan basın bildirilerini, tavsiyeleri ve resmî açıklamaları içeren bu çalışma, devlet ve STK (Hükümet Dışı Organizasyon) ilişkilerini iş birliği kavramını ele alarak incelemektedir. Ayrıca tez, Türkiye'de göçle ilgili uluslararası fonlara ve projelere bağlı olarak, yeni göç sisteminin devlet ve sivil toplum kuruluşları arasındaki ilişkiye ve hiyerarşiye olan etkilerini analiz ederek literatüre katkı sunmayı hedeflemiştir.

Tezin birinci bölümünde Türkiye'nin göçle olan ilişkisi, tarihsel olarak kısaca özetlenmektedir. Devlet ve STK ilişkilerini incelemeden önce, bu ilişkilerin doğasını değiştiren kanunu incelemek, kanunu incelemeden önce de göç ile Türkiye'nin

ilişkisini incelemek büyük öneme sahiptir. Bu bağlamda, ilk bölümde Türkiye'de bulunan göç sistemi, temel aktörleri, mekanizmaları, kurumları ve Türkiye'de bulunan göçmenlerin milliyetleri gibi konulara değinilmektedir. Bu kısa değerlendirmeyle de Yabancılar ve Uluslararası Koruma Kanunu öncesi nasıl bir sistemin yürürlükte olduğu ortaya konmaktadır.

Türkiye'nin tarihsel olarak göçle ilişkisini inceleyen birinci bölüm, aynı zamanda modern Türkiye'de kronolojik olarak göç konusunda yürürlüğe giren ve devletin aldığı pozisyonu belirleyen kanunlara da kısaca değinmektedir. Bu kapsamda, 1923'ten 2000'lerin başına kadar göç sistemini şekillendiren kanunlar bir tablo halinde özetlenmiş ve Türkiye'nin göç tarihi buna paralel olarak kategorize edilmiştir. Benzer şekilde, Türkiye'ye yönelik gerçekleşen göç akınları da yine kategorize edilerek birinci bölümde yer bulmuştur.

Ayrıca tez boyunca yer yer bahsedilen "Avrupalılaşma" ve "Sosyal Uyum" kavramları tanımlanmıştır. Tez boyunca yer verilen Avrupalılaşma kavramı, Türk göç sisteminin Avrupa Birliği norm ve standartları çerçevesinde dönüşmesi ve faaliyet anlamında Avrupa Birliği pratiklerini benimseyerek hareket etmesi olarak özetlenebilir. Bu kapsamda, kanunun yürürlüğe girmesi ve göç yönetim pratiklerinin değişmesi sonucu, Türk devlet kurumlarının da bürokratik işleyişlerinin değişikliğe uğraması söz konusu olmuştur. Devlet kurumlarının uluslararası göç projeleri yürütülürken farklı bir bürokratik yapıya bürünmesi ve halihazırda kendinde bulunmayan birimler / pozisyonlar / pratikler benimsemesi de bu Avrupalılaşma kavramının bir örneğidir. Benzer şekilde, "Sosyal Uyum" kavramı da ilk kez – resmi olarak – Yabancılar ve Uluslararası Koruma Kanunu içerisinde yer almış olup tez boyunca bahsi geçen uluslararası projelerin ve göç yönetim pratiklerinin temelini oluşturmuştur. Uyum konusunun resmi bir metinde yer bulması ve göç yönetim pratikleri arasına girmesi, entegrasyona yönelik projelerin temelini oluşturmuştur. Bu nedenle "Avrupalılaşma" gibi, "Sosyal Uyum" da bu tezin önemli bir parçası ve sıkça referans olarak değindiği en önemli kavramlardandır.

Tezin ikinci bölümünde, yeni bir göç kanununu gerektiren koşullar incelenmektedir. Bu koşullar incelenirken, Türkiye'nin Avrupa Birliği tam üyelik yolculuğunda önceki

sisteme kıyasla nasıl bir göç sistemi benimsediğini göstermektedir. Bu doğrultuda, alandaki tüm paydaşların pozisyonunu görebilmek adına hükümet yetkilileri tarafından yapılan basın açıklamaları, Birleşmiş Milletler tarafından yapılan duyurular, yayımlanan raporlar ve resmî açıklamalar incelenmektedir. Benzer şekilde, kanun yapıldıktan sonra sivil toplum kuruluşlarının da yeni sisteme yönelik tepkilerinin ve/ya olumlu görüşlerinin gözlemlenebileceği açık kaynaklar incelenmektedir. Taraflarca yapılan bu açıklamaların kanundan önce ve kanundan sonra olacak şekilde incelenmesi de hem birçok paydaşın katılımıyla ortaya çıkan bir kanunu hem de alandaki aktörlerin kanuna yönelik olumlu pozisyonunu göstermektedir.

İkinci bölümün diğer bir kısmı ise Yabancılar ve Uluslararası Koruma Kanunu'nun genel olarak içeriğine odaklanmaktadır. Kısaca kanunun kapsamı, niteliği ve belli başlı maddelerine yer verilmektedir. Tezin konusu devlet ve STK ilişkilerini temeline aldığı için, kanunun incelenmesi de bu kapsamda gerçekleşmiştir. Tüm maddelerin incelenmesindense, tezin konusuyla paralellik gösterecek maddelerin incelenmesine ağırlık verilmiş ve alakalı olabilecek diğer maddelere çok kısa değinilmiştir. Tezin ikinci bölümünün sonunda, birinci bölümde temel hatlarıyla yer verilen, kanunun öncesi ve sonrasında alanda faaliyet gösteren aktörlerin görüşleri incelenmiştir. Bu doğrultuda, Birleşmiş Milletler, Avrupa Birliği ve STK'lar gibi alanda faaliyet yürüten aktörlerin kanunun ortaya çıkması sonrası yayınladığı resmi mesajlara ve basın bültenlerine yer verilmiştir. Bu mesajlardan, Türkiye'nin benimsemiş olduğu yeni göç sisteminin alandaki tüm aktörleri memnun edecek bir sistem olduğu açıkça görülmektedir. Birleşmiş Milletler yetkililerinin yaptığı açıklamalardan da anlaşılacağı üzere, tüm tarafların ortak katkısı sonucu Türkiye'de uygulama yasadan önce oluşmaya başlamıştır ve bu durum yasayı kaçınılmaz hale getirmiştir. Uygulamanın bu şekilde gerçekleşiyor olması, kanun sonrası edinilen iş birliği mekanizmasını tüm tarafların kaçınılmaz olarak benimsemesi takip etmiştir. Bu kanunun ortaya çıkması aynı zamanda, ev sahibi ülke olarak Türk hükümetinin denetimi sağlamak adına bir çatı teşkilat kurması anlamına geliyordu. İlk aşamada belki de bu kriz geçici bir sorun olarak görülüyordu. Ancak, bu krizin geçici olmadığını anlayan Türk hükümeti, göç uygulamalarını yenilemek zorunda kaldı. 2012 BMMYK Küresel Raporunda belirtildiği gibi, 2012 yılının ortalarında gelen

kitlesel insan akınıyla birlikte hükümet bunun artık kalıcı bir sorun olduğunun farkına varmaya başlamış olabilir.

Bu bağlamda, Göç İdaresi Genel Müdürlüğü (Göç İdaresi Başkanlığı) çatı organizasyon olarak ön plana çıkmıştır. Kanunla beraber ortaya çıkan bu yapı da ilk kez göç politikalarının sivil bir organ tarafından yönetilecek olması adına önemli bir ayrıma sahiptir. Göç uygulamalarının devlete bağlı sivil bir organ tarafından koordine edilmesi, aynı zamanda devletin alandaki tüm aktörlerle bu yapı aracılığıyla iş birliği yapması anlamına da gelmektedir. Bu doğrultuda, Göç İdaresi Genel Müdürlüğü'nün kurulması, devlet – STK ilişkilerini etkileyen Yabancılar ve Uluslararası Koruma Kanunu'nun en önemli uzantılarından birisi olarak ön plana çıkmaktadır. Bu sebeple tez boyunca iş birliği mekanizmasından bahsederken, bu yapının da adı sıklıkla geçmektedir. Göç İdaresi Genel Müdürlüğü, devletin göçle ilgili işleyişi ele almak ve kontrol edebilmek için kurmuş olduğu çatı bir organizasyon olarak hem iş birliğinin sağlanması hem de yeni göç sisteminin norm ve standartlarını temsil etmesi anlamında önemli bir adımdır.

Bu çalışma, Yabancılar ve Uluslararası Koruma Kanunu kapsamında devlet ve STK ilişkilerini analiz etmekle sınırlı olsa da, üçüncü bölüm aynı zamanda literatürdeki devlet ve STK ilişkilerinin doğasını da incelemeyi amaçlamaktadır. Bu derleme aynı zamanda Türkiye'deki durumun dünyadaki diğer örneklerden ne kadar farklı olduğunu görmek açısından da yol gösterici olacaktır. Benzer şekilde, Yabancılar ve Uluslararası Koruma Kanunu sonrasında değişen göç yönetim sistemi ve devlet ve STK ilişkileri dikkate alındığında Türkiye'deki durumu diğer örneklerle karşılaştırmak mümkün olacaktır.

Konuyla ilgili anahtar kelime ve önemli bağlantı niteliğinde olacak bu kısımlara ilaveten, tezin üçüncü kısmı devlet ve hükümet dışı organizasyonlar arasındaki ilişkiyi literatür taraması üzerinden incelemektedir. Bu kapsamda, hükümet dışı organizasyonların devletlerin karar alma mekanizmalarına etkileri, bazılarının ise kimi devletlerden daha fazla bütçeye sahip olması gibi durumlar incelenmektedir. Ayrıca, konuyu çalışan araştırmacıların bu ilişkilerin hangi değişkenler üzerinden incelenmesi gerektiğine dair çalışmaları da literatür taraması bölümünde yer almaktadır. Buna

göre, literatürdeki yaygın görüş devlet ve hükümet dışı organizasyon / STK'lar arasındaki ilişkilerin iş birliği, çatışma, rekabet ve ilgisizlik gibi başlıklar altında incelenebileceğine yöneliktir. Benzer şekilde, bu tezin konusunu oluşturan devlet ile hükümet dışı organizasyonların ilişkisi iş birliği çerçevesi altında incelenmiştir. Literatürde de sıklıkla görülen bu kavram, ilişkileri incelemek adına önemli bir alan ve bir bakıma kontrol listesi sunmaktadır. İş birliğinin varlığı ve iş birliğinin sonuçlarını incelemek için ortak hareket etme ve ortak sonuç alma gibi değişkenler söz konusudur. Türkiye örneğinde de bu kavram özelinde hareket edildiği için, iş birliği kapsamında göç alanındaki aktörlerin ortak hedef ve ortak anlam çerçevesinde faaliyetlerini yürüttüğü görülmektedir.

Devamında, üçüncü bölüm Türkiye'deki başlıca STK'ların ve diğer kilit aktörlerin bir özetini sunmaktadır. Türkiye'de çeşitli alanlarda çok sayıda STK bulunduğundan, bunların devletle etkileşimlerini analiz etmek çok önemlidir. Türkiye'de faaliyet gösteren yerel, bölgesel, ulusal ve uluslararası STK'lar bulunmaktadır. STK'ların / hükümet dışı organizasyonların, bazı alt grupların taleplerini ileten ve kanun yapım sürecinde görünür/önemli kıldığı genel algıya rağmen, Türkiye'de bu tür kuruluşların işleyişi farklılık göstermektedir. Tezin üçüncü bölümü, hem kanun öncesindeki faaliyetleriyle ön plana çıkmış hem de devletle olan iş birliği içerisinde göç alanında önemli faaliyetler yürütmüş belli başlı STK'lara değinmektedir. Bu STK'ların çoğu alandaki diğer önemli aktör olan Birleşmiş Milletler'in yürütücü ortaklarındandır.

Uluslararası fonlar, bir kuruluşun / STK'nın hükümet politikalarını savunmadan da var olmasına ve çalışmasına olanak sağlamaktadır. Örneğin, hükümet yanlısı ve/veya muhafazakâr STK'lar devlet finansmanından kolaylıkla yararlanabilseler de siyasi olarak farklı yerlerde konumlananlar ve/veya hükümetle aynı fikirde olmayanlar, kamu yararına katkıda bulunsalar bile, yararlanamamaktadır. Bu durumun aşılması adına, Türkiye'de Yabancılar ve Uluslararası Koruma Kanunu sonrası oluşan göç sistemi önemli bir örnek teşkil etmektedir. Finansmanın genellikle devlet tarafından sağlanmadığı ve aktörler arasında hiyerarşik bir ilişki bulunmadan iş birliği içerisinde hareket edilmesi anlamında Yabancılar ve Uluslararası Koruma Kanunu bir mihenk taşı niteliğindedir. Bu kanunun içeriğindeki sosyal uyum kavramı uluslararası projelerin entegrasyon temelinde tanımlanmasına ön ayak olmuş ve tüm aktörlerin

ortak bir amaç için hareket etmesini sağlamıştır. Benzer şekilde, kanunun getirisi olarak Göç İdaresi Genel Müdürlüğü'nün kurulması da iş birliğinin bizzat devlet tarafından kontrol edilmesi – istenmesi gibi yorumlandığında önemli bir değişim niteliği taşımaktadır. Tarafların ortak bir amaç uğruna ortak bir anlamla hareket etmesi, birbirleri üzerinde baskı kurmadan iş birliği içerisinde proje yürütmesi ve bunun defalarca kez yapılması, aktörler arasındaki ilişkiyi günün sonunda yeniden tanımlamıştır. Bu tanıma göre de hiyerarşik bir yapı söz konusu değildir. Daha çok her bir aktörün kendi görev alanını bildiği, yeterliklerini ve yetersizliklerini dikkate alarak diğer aktörlerle iş birliği içerisine girdiği, gerektiğinde birbirinden destek alan yeni bir yapı oluşmuştur.

Göç alanında oluşan bu yapının arka planında, başta da belirtildiği gibi "Avrupalılaşma", "Sosyal Uyum" gibi kavramlar başlıca yer kaplıyor olsa da, derli toplu bir şekilde söylenecek olursa Yabancılar ve Uluslararası Koruma Kanunu yürürlüğe girdikten sonraki süreçte yeniden tanımlanan devlet – hükümet dışı organizasyon (STK) ilişkisi ön plana çıkmaktadır. Türkiye'de göç krizinin en başından beri sahada yer alan ve krize kendi imkânlarıyla müdahale eden STK'lar olmuştur. Bu organizasyonların hem hassas gruplarla doğrudan teması hem sahayı bilmesi hem de tecrübeli personelinin olması gibi avantajları / kazanımları söz konusudur. Göç krizi acil durum yardımı boyutunu aştıktan ve artık entegrasyon, sosyal uyum gibi kavramlar konuşulmaya başlandığı zaman, alanda proje yürüten aktörlerin, STK'ların bu tecrübelerinden yararlanmaması kaçınılmazdı. Dolayısıyla, krizin en başından beri işin içerisinde olan STK'lar, kanundan önce devlet ile farklı bir ilişki sürdürüyor olsalar da, kanun sonrası da aktif şekilde göç alanında var olmaya ve devlet ile farklı bir düzlemde ilişki geliştirmeye devam etmişlerdir. Burada tek kazanım devlet kurumlarının değildir. Benzer şekilde, devletin yasal, lojistik ve veri toplama anlamındaki gücünden yararlanan STK'lar, yürütmekte oldukları projelerde muhakkak daha avantajlı bir konuma gelmişlerdir.

Karşılıklı etkileşimin ve iş birliğinin vurgulandığı bu tezin dördüncü bölümü ise doğrudan Yabancılar ve Uluslararası Koruma Kanunu'nun, göç alanında faaliyet yürüten STK'lar ile devlet arasında süregelen ilişkiye nasıl etki ettiğini incelemektedir. Bu bağlamda, kanunun getirmiş olduğu yeni sistemin ilişkileri ne ölçüde değiştirdiği,

nasıl bir mekanizmanın kurulduğu üzerinde durulmaktadır. Buna göre, kanunla birlikte ortaya çıkan ve geçerlilik kazanan göç sistemi daha önceki yapıya benzemeyen, kendine has bir mimariye sahip olmuştur. Tezin dördüncü bölümünde üç başlı yapı ya da çok başlı bir yönetişim sistemi olarak bahsi geçen bu sistemin bir ucunda devlet kurumu, bir ucunda STK ve bir ucunda da fon sağlayan uluslararası kuruluş yer almaktadır. Genellikle bu tarz bir yapının göze çarptığı Yabancılar ve Uluslararası Koruma Kanunu sonrası sistemde, entegrasyon ve sosyal uyum gibi projeler yürütülmektedir. Bu projelerin genellikle bahsi geçen çoklu yapıyla yürütüldüğü ve tarafların iş birliği içerisinde hareket ettiği, yeri geldiğinde dahil olmayan tarafların bile destek olabildiği çok aktörlü bir yeni sistemin mevcudiyeti, projeler kanalıyla gözlemlenebilmektedir.

Tüm projeleri yorumlamanın mümkün olmaması ve bu tezin sınırları da dikkate alınarak, STK'lar ve devlet arasındaki Yabancılar ve Uluslararası Koruma Kanunu sonrası ilişkiler yukarıda da bahsi geçen üç başlı proje örnekleri kullanılarak incelenmiştir. Yeni göç sistemi kapsamında yürütülecek projelerin içeriği, YUKK temel alınarak hazırlanan ve Göç İdaresi Genel Müdürlüğü tarafından çok sayıda paydaşın katılımıyla oluşturulan Uyum Stratejisi ve Ulusal Eylem Planı'nın (2018-2023) birinci bileşeninde ana hatlarıyla belirtilmiştir. Buna göre, artık geçici bir sorun olmadığı kabul edilen sığınmacıların temel hizmetlerden yararlanabilmesi ve yaşadığı topluma entegre olmasını kapsayan "Sosyal Uyum" konsepti ön plana çıkmaktadır. Bu doğrultuda, incelenen projeler genellikle ekonomik entegrasyon, sosyal uyum, eğitim, istihdam gibi alanlarda sığınmacıların yaşadıkları ülkeye adapte olmalarını amaçlayan projeler arasından seçilmiştir. Kanun sonrası yürütülen uluslararası projelerin çoğunun da benzer temalara sahip olması ve sosyal uyum ya da entegrasyon gibi kavramlar etrafında geliştirildiği bilinmektedir. Aynı hedef altında hareket eden devlet ve sivil toplum kuruluşlarının bu projeler kanalıyla tam anlamıyla beraber çalışmaya başladığını, aralarındaki (yeni) ilişkinin de en doğru biçimde bu projeler aracılığıyla gözlemlenebileceği dikkate alınarak; kanunun bu ilişkilere etkileri bu yapıyı barındıran ve bahsi geçen temalar içerisinde yürütülen projelerle incelenmiştir.
Son bölümde değerlendirilen proje ve girişimler sırasıyla, Geçici Koruma Altındaki Suriyeli Nüfusun Sağlık Durumunun İyileştirilmesi (SIHHAT), Kadınlar ve Kız Çocukları İçin Güvenli Alanlar (WGSS), Ekonomik Fırsatların Desteklenmesi (PEP),

Formaliteye Geçiş Programı (KIGEP), Suriyeli Çocukların Türk Eğitim Sistemine Entegrasyonunun Desteklenmesi (PIKTES), Okula Kayıt Desteği Programı (SSE), Bursa Yıldırım Belediyesi Sosyal Uyum Merkezi (YILSUM) ve Şanlıurfa Belediyesi Göç ve Uyum Hizmetleri Müdürlüğü (DMHS) gibi örneklerden oluşmaktadır. SIHHAT ve WGSS projeleri ağırlıklı olarak sağlık entegrasyonu ile ilgilenirken, PEP ve KIGEP projeleri ekonomik entegrasyona odaklanmaktadır. Öte yandan, PIKTES ve SSE projelerinin temel unsuru eğitim hizmetlerinin entegrasyonudur. YILSUM ve DHMS, yerel düzeyde entegrasyonun yanı sıra sosyal hizmetlerin sağlanması anlamında ön plana çıkmaktadır.

Uyum Stratejisi ve Ulusal Eylem Planı doğrultusunda ortaya çıkan bu projelerin seçimindeki ilk motivasyon, iş birliği mekanizmasının son derece görünür olmasıdır. Projelerin ve paydaşlarının görünürlüğü, web sitelerinde ve basın bültenlerinde görülebilir. İkinci olarak, aktif iş birliği örneklerini değerlendirmek için bu örneklerin tümü devam eden programlar olarak seçilmiştir. İşbirliğinin tek bir alanda veya ölçekte gerçekleşmediğini göstermek için sağlık, eğitim ve ekonomik bileşenler gibi birçok uyum alanından örnekler kullanılmıştır. Ayrıca, fon kaynakları açısından farklı geçmişlerden örnekler seçilmiştir. Son olarak hedef kitle ve bütçe açısından büyük ve küçük ölçekli örnekler seçilmiştir. Buradaki temel amaç, iş birliği mekanizmasının örneğin kapsadığı bütçeye veya bölgeye göre farklılık gösterip göstermediğini değerlendirmektir.

Uyum kapsamındaki çeşitli bileşenlerden seçilen bu girişimler şu başlıklar altında incelenmektedir: bütçe, ana faaliyetler ve hedefler; iş birliği mekanizmaları, yasanın etkisi ve daha fazla dönüşüm. Örnekler incelenirken hem yeni göç sisteminin yürütülmesi hem de iş birliği mekanizmalarının proje içerikleriyle bağlantısı ayrı ayrı ele alınmaktadır. Ayrıca sektörde pek çok farklı devlet kurumu ve aktörün iş birliği yaptığı örneklerde de devlet ve STK ilişkileri iş birliği mekanizmalarına bakılarak ortaya konmaktadır.

Örneklerle ilgili bilgiler çevrimiçi masa başı araştırması yoluyla toplanmıştır. Devlet tarafından yayınlanan veriler, alanda faaliyet gösteren kuruluşlar tarafından

yayınlanan raporlar ve medyadaki haberler, bu çevrimiçi masa başı araştırmasının birincil kaynaklarını teşkil etmektedir.
Örneklerdeki materyallerin çoğunluğu proje broşürlerinden, programları uygulayan STK'ların web sitelerinden ve finansman sağlayan AB ve BM kuruluşlarının resmi web sitelerinden ve bu kuruluşlar tarafından yayınlanan raporlardan elde edilmiştir. Örnekler açık kaynaklı bilgiler ışığında incelenmiş ve devlet-STK bağlantıları Yabancılar ve Uluslararası Koruma Kanunu sonrası dönem girişimleri perspektifinden incelenmiştir. Örneklerin her birinde, temel yaklaşım iş birliği mekanizmalarına dayanmaktadır.

Bu projeler, değişken yapılarına rağmen, birden fazla aktör içermeleri bakımından temelde benzeşmektedir. AB veya BM örgütleri hemen hemen tüm girişimlerde yer aldıkları için ayrıca önemli bir role sahiptirler. Bu sayede sadece devlet ve STK'nın var olduğu bir örnekte ortaya çıkabilecek uyuşmazlık gibi senaryoların önüne geçilmektedir. Kanun sonrası dönemde, finansman kuruluşları ile uyumlu olarak, tamamlayıcılık ve iş birliğine odaklı daha yatay bir ilişki ön plana çıkmaktadır.

Bir başka boyutta uyum kapsamında yürütülen projelerde iş birliği yapan taraflar arasında uyum olduğu da projelerin yürütülüş aşamasında fark edilebilmektedir. Bunun en bariz örneği, bazı girişimlerin devlet kurumları tarafından bir STK gibi uygulanıyor olmasıdır. Birbirleriyle sürekli iş birliği içinde olan organizasyonların önünde sonunda birbirine karışması ve aynı ortak standartlar doğrultusunda kendilerini güncellemeleri beklenmeyen bir durum değildir. Bu noktada Yabancılar ve Uluslararası Koruma Kanunu, normları belirleyen ve etkileşimleri şekillendiren en önemli kırılma noktası olarak ön plana çıkmaktadır.

Devlet-STK ilişkilerinin faaliyetler aracılığıyla doğrudan değerlendirilebileceği proje örnekleri, Yabancılar ve Uluslararası Koruma Kanunu'nun bir bakıma misyonunun da ölçülebildiği alanlardır. Bu bağlamda 2015 sonrası projelerin hemen hemen tamamının uyumlaştırmayı hedeflemesi ve tüm paydaşların bu alanda iş birliği yapması değerlendirmeyi kolaylaştırmıştır. Literatürde STK etkisinin değerlendirilmesinin zorluklarından bahsedilmektedir. Bu bakış açısıyla, bu bağlantıyı projeler üzerinden okumak, Türkiye'de devlet-STK ilişkilerini değerlendirmek için en uygun

yaklaşımdır. Devlet-STK ilişkilerinin değerlendirilmesi her zaman takip edilemese de Türkiye'de göç alanında gelişen yapı sayesinde ilişkinin bu bileşenini inisiyatiflerle incelemek mümkün olmuştur. Proje değerlendirme aşaması boyunca göstergeleri belirlemenin amacı, her bir örneği aynı şekilde incelemek ve bazı yönler değişse bile kanunla ortaya çıkan yapının sabit kaldığını göstermektir.

Hem devleti hem de uluslararası örgütleri içeren çok başlı yapıda STK'ların eşit bir şekilde yer alması, Yabancılar ve Uluslararası Koruma Kanunu sonrası dönemde aktörler arasındaki ilişkilerin yeniden tanımlandığını ortaya koymaktadır. Tarafların birbirlerini bastırmaya çalışmadan ortak bir amaç için ortak hareket ederek yeni bir model oluşturdukları ve bunun da Yabancılar ve Uluslararası Koruma Kanunu'nun hem doğrudan hem de dolaylı etkileri aracılığıyla gerçekleştiği görülmüştür. Bu tez bahsi geçen etkileri özellikle seçilen proje örnekleri üzerinden değerlendirmiş ve bu örneklerden çıkan bulgular aracılığıyla etkilerin mahiyetini saptamıştır.

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YAZARIN / AUTHOR

Soyadı / Surname : Gemici
Adı / Name : Ali Aycan
Bölümü / Department : Orta Doğu Araştırmaları / Middle East Studies

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