COUNTRY REPORT

TURKEY

EUROPEAN COMMISSION

CITIZENS AND GOVERNANCE IN A KNOWLEDGE-BASED SOCIETY

Undocumented Migration

Counting the Uncountable. Data and Trends across Europe

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CLANDESTINO

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CLANDESTINO
Undocumented Migration: Counting the Uncountable

Data and Trends across Europe

This interdisciplinary project is a response to the need for supporting policy makers in designing and implementing appropriate policies regarding undocumented migration. The project aims (a) to provide an inventory of data and estimates on undocumented migration (stocks and flows) in selected EU countries, (b) to analyse these data comparatively, (c) to discuss the ethical and methodological issues involved in the collection of data, the elaboration of estimates and their use, (d) to propose a new method for evaluating and classifying data/estimates on undocumented migration in the EU. Twelve selected EU countries (Greece, Italy, France and Spain in southern Europe; Netherlands, UK, Germany and Austria in Western and Central Europe; Poland, Hungary, Slovakia and the Czech Republic in Central Eastern Europe) are under study in this project. Three non EU transit migration countries used as key 'stepping stones' by undocumented migrants en route to the EU, notably Turkey, Ukraine and one Maghreb country, are also analysed. Where relevant, the project considers the factors affecting the shift between legal and undocumented status among migrant populations. The project work programme is complemented by two regional workshops with policy makers and academics, 12 fieldvisits each resulting in a series of meetings with key policy actors, NGOs and journalists working on migration in each of the EU countries studied. The CLANDESTINO database on irregular migration in Europe, the Project reports and Policy Briefs are available at: http://clandestino.eliamep.gr

Each country report reviews all relevant data sources on irregular migration (e.g. apprehended aliens at the border or in the inland, expulsion orders, people registered through health or other welfare schemes for undocumented immigrants, municipal registers, statistical estimates from national and European statistical services), assesses the validity of the different estimates given and produces a new estimate for year 2007 for each country studied. The country reports cover the period between 2000 and 2007 and the database offers estimates for each country for years 2001, 2004 and 2007 (as the last year for which data or estimates were available when the study was conducted, that is in late 2008). This quantitative analysis is complemented by the critical review of qualitative studies and by interviews with key informants with a view to exploring the pathways into and out of irregular status in each country. It is noted that the non-registered nature of irregular migration as a social phenomenon makes any quantification difficult and always produces estimates rather than hard data.

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PART I: SETTING THE FRAME

Turkey is on a major migration route with ever-increasing numbers of irregular migrants from its economically and politically unstable east and south trying to cross its territory towards Europe. Turkey also experiences a dramatic economic and social change. Especially after the economic and political crises in 2001, Turkey managed to catch an economic development trend. Although the governing party, the Justice and Development Party, has been seriously criticized for having leading figures with pro-Islamist background, very important political reforms have been done since 2002. In 2005, Turkey started negotiations for full EU membership. Being an EU candidate country has been accompanied by a significant increase in foreign investment. Turkey which was once regarded as a source country for migration to Europe, is now also a transit and destination country. Geographically Turkey is a bridge between east and west, between Asia and Europe. Asian, as well as African, immigrants use Turkey as a transit country on their way to Europe. As a destination country Turkey attracts immigrants not only from Asia and Africa but also from Russia, Ukraine, Moldova as well as the EU states such as Romania and Bulgaria. Apart from immigrant workers of the said countries, Turkey is also becoming a destination country for relatively rich western Europeans who prefer Turkey as their retirement home.[1] Turkey gets more and more integrated with the rest of the world. In 2000, 10 million people visited Turkey and the figure tripled in just five years.[2]

[1] Bahar, H. I et al, TUBITAK Research Project, Resident Foreigners in Turkey, 2007.
[2] See Table 20 below.

Map of Turkey

Source: www.mapturkey.org

1. Regular Migration: Empirical Framework

Turkey has a long history of immigration since the Ottoman times. One of the most cited cases is the Jewish migration to the Ottoman Empire from Europe.[3] However, it is the immigration of Turks and Muslims in the 19th and 20th centuries that characterized immigration to Turkey. This is as a result of the retreat of the Ottoman Empire from the Balkans, Caucasus and Middle East and mistreatment of hundreds of thousands, if not millions, of Muslims of different ethnic backgrounds, most notably the Turks, in the territories left behind. Immigration of Turks and Muslims to the new Republic which was established in 1923 continued in the early republican period.[4] 823,208 migrated to Turkey between 1923 and 1939. The total number between 1923 and 1997 is well above 1,6 million.[5] For various reasons the new Republic welcomed the migrants and most of them were helped by the state to settle.

[3] Although one of the most remembered Jewish case is the 1492 immigration from Spain, Jews sought refuge in the Ottoman territory as early as in the 14th century from Germany and France. Kirişçi K, 'Introduction' in UNHCR, *The Collection of Turkish Jurisprudence on Asylum, Refugees and Migration*, second edition, Istanbul: Bogazici University Foundation, 2000, pp. 2-3.
[4] Danış, D. (2006) *Integration in Limbo: Iraqi Afghan, Maghrebi and Iranian Migrants in Istanbul.* Research Report, MIREKOC, pp. 10-11.
[5] Kirişçi, supra, 24.

Beginning with the 1979 Iranian Revolution, Turkey has started to experience a massive and sudden forced migration. This is a result of the factors which are out of Turkey's control such as political instability in the region (Balkans, Caucasus, Middle East and even in Africa and Southeastern Asia), wars (Afghanistan, Iraq) and economic crises due to transition periods.[6] Also over the years as Turkish economy grows and the Europeanization of the system continues, Turkey has attracted migrants from ex-socialist countries. As noted by Danış unlike the migrants of early Republican years, most of the post-1980 migrants were 'un-invited' and unwelcome.[7] Probably domestic workers may be an exception since they really fill a gap in the care sector.

Turkey is a country with a population just above 70 million. 70% live in cities whereas the remaining live in the countryside.[8] It has a territory of 814.578 km2. Although Turkey is a geographically vast country the number of foreigners who live legally in Turkey is quite low.

The Ministry of Interior is responsible for issuing residence permits in Turkey. According to a recent figure by the General Directorate of Security at the Ministry of Interior there are nearly 200,000 migrants residing in Turkey.

Table 1: Breakdown of foreigners by reason for residing in Turkey.

REASON	VARIOUS	EMPLOYMENT	EDUCATION	TOTAL
NUMBER	152.789	22.721	26.575	202.085

Source: General Directorate of Security (Ministry of Interior). Correct as of March, 2007.

The main reason for residing in Turkey is "various" reasons except employment and education. Nearly three quarter of all foreign residents is in Turkey for this category. It clearly includes family re-union as foreign spouses of Turkish citizens have right to remain in Turkey. The breakdown of foreign residents by nationality is given below:

[6] KADIM Project.
[7] Danış, supra, 11.
[8] This is the official figure provided by the Turkish Statistical Institute. www.tuik.gov.tr Correct as of the end of 2007.

Table 2: Foreigners With Residence Permits: Top Ten

COUNTRY/REASON	VARIOUS	EMPLOYMENT	EDUCATION	TOTAL
BULGARIA	48.064	463	3.260	51.787
AZERBAICAN	9.654	864	1.933	12.451
GERMANY	7.970	1.548	384	9.902
UK	6.277	1.493	170	7.940
RUSSIA	5.916	1.078	767	7.761
IRAQ	6.107	646	514	7.267
USA	3.997	2.211	574	6.782
GREECE	3.965	336	2.109	6.410
IRAN	4.420	934	847	6.201
AFGHANISTAN	4.689	121	942	5.752

Source: General Directorate of Security (Ministry of Interior). Correct as of March, 2007.

The number of the EU citizens and residence purposes is as follows:

Table 3: EU Citizens With Residence Permits

REASON	VARIOUS	EMPLOYMENT	EDUCATION	TOTAL
NUMBER	78.143	8.432	7.140	93.724

Source: General Directorate of Security (Ministry of Interior). Correct as of March, 2007.

The main EU countries whose nationals have residence permits are as below:

Table 4: EU Citizens With Residence Permits: Top Five Countries

COUNTRY/REASON	VARIOUS	EMPLOYMENT	EDUCATION	TOTAL
BULGARIA	48.064	463	3.260	51.787
GERMANY	7.970	1.548	384	9.902
UK	6.277	1.493	170	7.940
GREECE	3.965	336	2.109	6.410
FRANCE	1.822	1.337	152	3.311

Source: General Directorate of Security (Ministry of Interior). Correct as of March, 2007.

The following are the EU countries whose nationals are issued with a lower number of residence permits:

Table 5: EU Citizens With Residence Permits: Bottom Five Countries

COUNTRY/REASON	VARIOUS	EMPLOYMENT	EDUCATION	TOTAL
ESTONIA	37	4	19	60
SLOVENIA	21	20	19	60
LATVIA	36	11	4	51
MALTA	12	6	3	21
CYPRUS (SOUTH)	1	1	10	12
LUXEMBOURG	1	2	-	3

Source: General Directorate of Security (Ministry of Interior). Correct as of March, 2007.

Turkey has 2875 km long -green borders with Syria, Iraq, Iran, Azerbaijan, Armenia, Georgia, Bulgaria and Greece. Also sea borders of 6808 km. and in total, 9683 km.[9] Due to geographical conditions, it is not possible to easily control entries and exits.

2. Regular Migration: Legal Framework

No provision in Turkish legislation defines illegal migrant. However it can be assumed that in the Turkish legal context anyone who entered or left Turkey or be present in Turkey breaching migration law (passport, visa, residence and work permit legislation) is an 'illegal migrant'. This definition is also used by the Ministry of Interior. Therefore, it is important to outline that how legal entrance, exit, residence and employment is regulated.

Turkish Citizenship Law

The status of Turkish citizenship is regulated under the Citizenship Law.[10] Accordingly, Turkish citizenship may be obtained by birth, descent, marriage or naturalization. Birth within the territory of Turkey does not automatically confer citizenship; however if a child who was born in Turkey does not obtain a citizenship through his father or mother then he/she is a Turkish citizen. A child at least one of whose parents is a Turkish citizen is right to Turkish citizenship.[11]

An alien who has resided in Turkey for at least five years, shown an intent to remain in the country, familiarity with the Turkish language, has adequate means of self-support, good moral character and has no illness that may pose a threat to the public may obtain Turkish citizenship through naturalization.[12] However, "those who are of Turkish descent, their spouses and children" constitute one of the categories of persons who may be granted Turkish citizenship irrespective of fulfilling completely all the conditions above.[13] Persons with Turkish descent are given Turkish nationality upon only two years residence, instead of five,

[9] Terzioglu, M., "The Situation of Turkey Concerning Migration, Illegal Migration, Trafficking in Human Beings and Refugees" COE Conference Proceedings, p. 158
[10] Law no 403.
[11] Constitution Art. 66.
[12] Art. 6. Citizenship Law.
[13] Art 7. Citizenship Law.

in Turkey. It is not always easy to prove "Turkish descent" which is, in general, supported by an official statement by Turkish representations in the country of origin. Marriage to a Turkish citizen does not automatically confer citizenship. To obtain Turkish citizenship the couple has to be married for at least three years and live together.

Entry, Exit and Residence

The legal regulations concerning entry into and exit from Turkey fall within the Turkish Passport Law number 5682 which stipulates that all travelers require a valid passport or travel document whenever they leave or enter the country.[14] Foreigners, as well as Turkish nationals, may only enter and exit Turkey through places determined by the Council of Ministers upon a proposal of the Ministry of Interior.[15] With some exceptions, a visa is needed to enter Turkey.[16] For certain countries nationals, it is possible to obtain visas (sticker visas) at border gates. The table annexed to this report gives an outline of visa regime by Turkey and lists all the countries. Almost 10,000 people are denied to entry into Turkey, while around 30,000 are deported each year.[17] According to Passport law beggars, the insane and those suffering from contagious diseases, persons accused or sentenced for crimes that would lead deportation and those previously deported from Turkey, persons who are suspected of carrying out criminal activities against the security of the state, persons who cannot demonstrate that they have enough financial ability to support themselves while in Turkey are forbidden to enter Turkey.[18]

Residence permits are regulated by the Law on Residence and Travel of Foreigners in Turkey.[19] Article 3 (1) of the Law states that foreigners have to make an application to local police authorities within one month upon their arrival and in any case before taking up employment. Under this law Council of Ministers is allowed to make amendments to time limits. In 2004 "one month" clause was amended as "ninety days".[20] However, "ninety days" clause is subject to visa period. If visa expires before ninety days, the person is required to apply for residence permit before the expiration of visa.

[14] Official Gazette, 24.07.1950 no. 7564. Passport Law, Art. 2.
[15] Passport Law, Art. 1.
[16] Passport Law, Art. 5.
[17] Ministry of Interior. www.egm.gov.tr See table 21 below.
[18] Art. 8.
[19] Law no. 5683. Official Gazette, 24.07.1950 no. 7564.
[20] Official Gazette, 08.01.2004 no. 25340.

Duration of residence permits are maximum of five years.[21] For persons with residence permits who left Turkey and want to enter again within the period their permits are valid no visa is needed.[22] Persons who apply for asylum are required to live in cities permitted by the Ministry of Interior.[23] When they left their assigned cities of residence without permission they violate the law. This may result in deportation.[24] Unlike asylum seekers, other foreigners with residence permits are free to travel and choose their city of residence freely as they please.

Employment

In Turkish law, a foreigner wishing to work in Turkey must follow a three-staged procedure:

1. First, foreigners apply for a "work permit" through Turkish consulates abroad, then
2. They receive an "employment visa" from the Turkish consulate, and finally
3. When they arrive in Turkey, they obtain a "residence permit" for employment purposes from police authorities in Turkey.

However, there are certain exceptions to this procedure. The Law on Work Permits of Foreigners (LWPF) is the governing legal document in this area.[25] It is addressed to foreigners working independently (self-employed) and dependently (employees).[26] Some categories of foreigners are left outside the scope of the Law, including foreigners exempted from the work permit requirement on the basis of reciprocity, international law and the EU law.

With the exception of some government ministries, public agencies and institutions on the basis of statutory powers given by Turkish law such as the Prime Ministry, Ministry of Health and Higher Education Council which can issue work permits or employ foreign staff, the Ministry of Labour and Social Security (MLSS) is the main authority for issuing work permits to foreigners.

[21] Art. 9(1).
[22] Art. 13.
[23] Art. 17.
[24] See below asylum seekers.
[25] Law no. 4817. Official Gazette, 06.03.2003 no. 2504.
[26] Art. 1.

Under the LFWP there are four types of work permits, namely definite, indefinite, independent and exceptional ones. Definite work permits are issued for a specific duration and for a certain workplace or enterprise in order to perform a certain profession.[27] The permits are valid for a maximum period of one year. After the expiry of the one-year work permit, the work permit may be extended for three years for the same workplace or enterprise and in the same profession and after that in the same profession for the same occupation, for any employer the foreigner prefers to work for six years.[28]

Foreigners who have resided in Turkey for a period of eight years legally and uninterruptedly (continuously) and foreigners who have worked legally for six years in Turkey may be issued work permits with indefinite duration, not restricted for an operation, an occupation or an administrative or geographical locality.[29] This kind of work permits is called indefinite work permits. The conditions prevailing in the business world or the developments in the labour environment are not to be taken into account while issuing such work permits.

In Turkey, foreigners are not entitled to directly apply for an independent work permit which allows them to work as self-employed. In order to be able to apply for this kind of work permit a foreigner first has had to reside in Turkey at least for five years legally and uninterruptedly. Therefore, no foreigner can be issued an independent work permit before coming to Turkey.

Although work permits may be restricted for a certain time for agriculture, industry or service sectors, for specific occupations or administrative or geographical locality, such restrictions cannot be imposed when issuing an indefinite work permit.

In the case of definite work permits, the period of residence permit for employment is determined and extended in accordance with the period of work permit. When a foreigner with an indefinite or independent work permit has applied for residence permit, the duration of his residence permit is determined by taking into account the legislation on residence and

[27] Art. 5.
[28] Art. 5(2) and (3).
[29] Art. 6.

travel of foreigners. The foreigner may be issued a residence permit for up to five years. However, the period cannot exceed the validity period of his passport.

To sum up a foreigner may apply for a work permit in Turkey if he is issued at least six months residence permit beforehand. Otherwise an application must be made to Turkish consulate in the country of nationality. But first the person must have a job offer and the prospective employer must support the application. Residence permits cost nearly 30 Euro per month and work permit fees are as follow by category: one year (45 Euro), three years (135 Euro), indefinite (225 Euro) and independent (450 Euro). It seems that the fees are not high and therefore cannot be considered preventive and a reason for illegal employment.

The Law on Settlement (2006)

The previous law on settlement dated back to 1934 and therefore out of date. In 2006 a brand new Law on Settlement was enacted by the Parliament.[30] The law deals with the admission and settlement of migrants coming to Turkey as well as re-housing of Turkish citizens whose immovable property was nationalized and who had to leave their houses for security reasons. Although in the earlier legislation refugees were defined by the law, they are now left outside the scope in the new law due the enactment of new legislation specifically dealing with refugees and asylum seekers.

The new Law on Settlement defines a migrant as a "person of Turkish descent and who is attached to Turkish culture". Therefore, in legal sense migrants are only those who had Turkish origin. Others living in Turkey are not migrants but foreign residents. To be treated a migrant the person has to come to Turkey for settlement and has to be admitted as such by the Turkish authorities.[31] The previous law was criticized for listing gypsies in the list of the people who cannot be admitted as migrants. The new one does not contain a list but provides that the people of no Turkish descent and people who are not attached to Turkish culture cannot be accepted as migrants, so did the old law. Also those who are deported from Turkey and those who are deemed to pose a security threat cannot be admitted as migrants.[32]

Asylum

[30] Law no. 5543.
[31] Article 3 (d).
[32] Article. 4.

Turkey recognizes right to asylum as envisaged by article 14 of the Universal Declaration of Human Rights and party to the 1951 United Nations Convention Relating to the Status of Refugees and 1967 Protocol which mainly removed the time and geographical restrictions from the Convention.[33] Yet, Turkey maintains a geographical limitation under which "it applies the Convention only to persons who have become refugees as a result of events occurring in Europe".[34] In fact, Turkey does not accept *de jure* refugees from non-European countries. Turkey's convention obligations are only towards persons uprooted by events in Europe. However, they were given *de facto* status of asylum seekers and provided with international protection.

According to the Ministry of Interior, General Directorate of Security the total number of the people who applied for asylum in Turkey is around 50,000 as of January 2008. The annexed table shows the breakdown of the applicants by nationality between 1995-2007.[35] Almost 25,000 applicants are successful. Overwhelming majority of the applicants are recognized as asylum seekers. It is noteworthy that the recognition rate is almost 50% which is a quite high when compared with other countries. Turkey does not recognize non-Europeans as refugees but only as asylum seekers that is why persons whose applications were successful are needed to settle in a third country. Total number of those who left Turkey for resettlement in a third country is 24,741. Almost 9,000 people's application was rejected. In addition to that figure nearly 2,500 people became out of status, mostly they withdrew their applications. The remaining 14,000 application are processed currently. As a result it is possible to talk about a group of 14,000 people as asylum seekers currently in Turkey. The highest number of applicants in total since 1995 is from Iran (28,963 people), Iraq (16,972 people), Somalia (1,494 people), Afghanistan (1,480 people) and Sudan (140 people). The most important countries of origin with regard to the applications currently under process are again the same countries: Iran (6,048 people), Iraq (4,707 people), Somalia (1,195 people), Afghanistan (860 people) and Sudan (104 people).[36]

Turkish parliament has not enacted a law comprehensively regulating asylum and related issues which have been dealt with by a number of pieces of legislation such as Passport Law,

[33] Turkey became party to the Convention and Protocol in 1962 and 1968 respectively.
[34] Decleration made by Turkey. See UNHCR. www.unhcr.org
[35] See table 26.
[36] Ministry of Interior (on file with the author).

Law on Residence and Travel of Foreigners and the 1994 Council of Ministers Regulation[37] which was amended in 1999 and 2006. In 2006, General Directorate of Security, at the Ministry of Interior prepared an Implementation Circular to stipulate the asylum procedure, rights and obligations of refugees and asylum seekers.[38]

Persons who apply for asylum are required to live in cities permitted by the Ministry of Interior.[39] If entered legally, residence permit becomes valid for six months after the expiration of visa. If entered illegally, the residence permit is valid for six months from the date of arrival in Turkey. It is renewed by the police after six months until the asylum application is evaluated and finally decided.[40]

In line with international legal standards illegal entry is not penalized in the case of asylum. It is observed that some refugees in a sociological sense who entered Turkey illegally never make an application to Turkish officials and try to leave Turkey illegally. Some make application after they are apprehended by the police.

Article 27 of the 1994 Regulation provides that "within the general provisions, possibilities for education and work, limited to their period of residence in our country, are to be accorded to refugees and asylum seekers." Under Turkish law, anyone who holds residence permits for six months or more is allowed to apply for a work permit.[41] It is stated by the 2006 Circular that asylum seekers are to be encouraged to get a job. However, it must be noted that cities where they live do not have abundant job opportunities like Yozgat, Kastamonu and Van. Also it is known that an important portion of employees work unregistered in Turkey. It is observed that many asylum seekers leave their assigned cities for bigger and industrial cities such as Istanbul and Antalya where they find jobs easier. Once the assigned city is left without permission, the asylum seeker is regarded as an "escapee". Escape can result in prosecution (monetary fine and/or imprisonment), only reasonable grounds that satisfy the police prevent prosecution.

[37] The official title is "The Regulation On The Procedures And The Principles Related To Population Movements And Aliens Arriving In Turkey Either As Individuals Or In Groups Wishing To Seek Asylum Either From Turkey Or Requesting Residence Permission In Order To Seek Asylum From Another Country".
[38] Circular No. 57. 22.6.2006.
[39] Art. 17.
[40] See for details Kaya, I., *Turkey and Iraqi Refugee Crisis: Legal Aspects*, CARIM, 2008.
[41] Law no 4817.

With regard to the deportation of asylum seekers the general rule as provided by the Residence and Travel of Foreigners Law applies: "Foreigners whose residence in the territory is deemed be contrary to public order or political or administrative requirements shall be invited to leave Turkish territory by the Ministry of Interior within a fixed period of time. Those who remain in Turkey beyond such period may be deported".[42] The action taken by the Ministry of Interior is obviously an administrative one and can be challenged in courts. Even an individual application may be made to the European Court of Human Rights against the decisions of Turkish national courts. [43]

If the application for asylum is rejected, the applicant has 15 days to leave Turkey or can file a case in administrative courts. If no appeal is made to the administrative court or the country is not left the applicant who is subject to deportation becomes illegal resident in Turkey.

Turkey conducts accession negotiations to the European Union. In 2003, Turkey put into force its National Program (NP) on the Adoption of EU *Acquis Communitaire,*[44] under which Turkey undertook "initiation of harmonization process with the EU legislation in the field of asylum has been identified as a priority in the Accession Partnership Document of 2003 and it is foreseen that administrative and technical capacity be improved particularly through the maintenance of works in developing accommodation and social support mechanisms for refugees. Following the enactment of the Draft Bill on Asylum, administrative arrangements shall be put into force and the harmonization process with the EU legislation shall continue".[45]

Turkey is obliged to undertake the EU *acquis* in the field. To this end General Directorate of Security, at the Ministry of Interior prepared an Action Plan for Asylum and Immigration which was endorsed by the prime minister in 2005.[46] The Action Plan sets forth how Turkish

[42] Article 19.
[43] For a collection of Turkish case law see UNHCR, *The Collection of Turkish Jurisprudence on Asylum, Refugees and Migration*, second edition, Istanbul: Bogazici University Foundation, 2000.
[44] *Official Journal*, n° 25178 of 24 July 2003. although a new NP is in the process of preparation for 2008, it has not yet been accepted as an official document. The new draft NP can be obtained at www.abgs.gov.tr .
[45] Article 24.1.
[46] See Turkish National Action Plan for Asylum and Migration. The Plan can be obtained from the official website of the General Directorate of Security at www.egm.gov.tr both in Turkish and English Adopted on 17.1.2005.

national legislation should be made compatible with that of the EU and a time frame is also set. The NAP contains information on what to do and when to do them in order to comply with the EU *acquis* in the field of asylum. As stated earlier, asylum system in Turkey lacks statutory legislation. The NAP includes the adoption of two separate laws, namely a law on foreign nationals and another law on asylum. The deadline is 2012.[47]

The core of the International Refugee Law is the principle of *non-refoulement* which is also guaranteed by the 1951 Convention apart from being a customary law obligation. The NAP clearly states that "Aliens reaching the Turkish border in person shall be allowed to seek asylum".[48] The NAP makes it clear that procedures related to "Subsidiary Protection", "Tolerated Aliens" and "Residence Permits based on Humanitarian Grounds" in the new asylum law should be established in order to avoid different practices and to provide uniformity.[49]

With regard to legislation and policy implementation the NAP keeps in mind that asylum and migration, both legal and illegal, are necessarily interconnected and dynamic processes. Therefore, a holistic approach and constant review mechanism are needed to handle asylum and migration policies and legislation.

Apart from an asylum law and related legislation, the NAP mainly envisages an institutional reform and investment projects. Turkey committed to the establishment of "a single and centralized institution under the Ministry of Interior specialized in the determination of refugee status and fulfillment of the legislative, administrative and infrastructure needs for developing its operational capacity."[50] According to the NAP the existing specialization unit will be expanded and strengthened for guaranteeing that asylum and migration procedures are enforced in harmony with the EU *acquis*.[51] Although the existing system allows appeals against negative decision as explained above,[52] a comprehensive and independent board for

[47] NAP, p. 55.
[48] Ibid, p. 38.
[49] NAP, p. 40.
[50] 2003 NP.
[51] NAP, p. 33.
[52] *Supra*.

appeals is needed. Both the NAP and draft NP make reference to this board as call it "Appeal Evaluation Board".[53]

Combating People Smuggling and Trafficking: The Criminal Code (2005)

Until 2002 there was no direct reference to people smuggling and trafficking in Turkish Criminal Code (TCC). In August 2002 the Parliament inserted Articles 201/a and 201/b to the Criminal Code to supplement Article 201.[54] In line with the EU *acquis* a brand new Criminal Code was adopted in 2005 replacing the old one altogether.[55]

Article 79 of the TCC, entitled "migrant smuggling", stipulates penalties of three to eight years imprisonment and significant monetary fines to migrant smugglers. If the crime is committed by perpetrators acting as an organization, the penalty to be imposed will be increased by half.[56] The smuggling of migrants is defined as assisting foreigners enter or stay illegally in Turkey,[57] or assisting foreigners or Turkish citizens leave Turkey illegally[58] with the intention of directly or indirectly obtaining material gain. Human trafficking differs from migrant smuggling. According to Article 80 of the TCC human trafficking is committed with the intention of making a person work or serve, subjecting a person to prostitution by force, persuading a person to give up his bodily organs and perpetrated by means of threat, pressure, coercion, use of force, use undue influence or secure his consent by deception or by exploiting the despair of such individuals. Those who make a person entered or left Turkey, supply, kidnap, take from one place to another, transfer or provide shelter will be sentenced to eight to twelve years imprisonment and a considerable amount of monetary fine.[59] If the person in question is younger than eighteen, even if the means are not taken, the sentence will be applied.[60]

[53] The Board will be established in the framework of the Council Resolution of 20 June 1995 on minimum guarantees for asylum procedures.
[54] See for details İçduygu A., *Irregular Migration in Turkey*, Research Series No: 12, Geneva: IOM (International Organization for Migration), 2003 pp. 59-61 and 77-78.
[55] Law No. 5237.
[56] Article 79 (2).
[57] Article 79 (1) (a).
[58] Article 79 (1) (b).
[59] Article 80 (1).
[60] Article 80 (3).

Due to her unique geographical position, with regard to human smuggling Turkey is a transit country between east and west but with regard to trafficking a destination country. Victims of human trafficking are mostly from old Soviet Republics. Human trafficking emanates from sexual exploitation in Turkey.[61]

List of Legislation

Here is a list of most important legislative documents on migration in Turkey:

- Implementation Directive (Circular 57), 2006
- Settlement Law No. 5543/2006 (Previous law was No 34/2510 of 14 June 1934)
- Regulation No 94/6169 of 30 November 1994 on the procedures and principles related to population movements and aliens arriving in Turkey either as individuals or in groups wishing to seek asylum either from Turkey or requesting residence permits in order to seek asylum from another country
- Regulation No 7473 of 07 November 1995 on Combatant Members of Foreign Armies Seeking Asylum in Turkey
- Law No 4817 of 27 February 2003 on Work Permits of Aliens and Implementation Directive for this law
- Labor Law No 4857, 2003
- Law No 41/4104 of 11 August 1941 on Combatant Members of Foreign Armies Seeking Asylum in Turkey
- Law No 50/5683 of 15 July 1950 on Residence and Travel of Aliens in Turkey as amended by the Law No 98/4360 of 1998
- Passport Law No 5682 of 15 July 1950
- Turkish Citizenship Act No 64/403 of 11 February 1964 as amended by Law No 2383 of 12 February 1981 and Law No 4866 of 4 June 2003
- Turkish Penal Code
- Law No 4028 of 13.11.1996 on the Prevention of Money Laundering
- Law No 4422 on Combat Against Interest-Oriented Criminal Organizations
- Penal (Criminal) Code, 2005
- Penal Execution Law
- Law No 2922 of 1983 on Foreign Students Studying in Turkey

[61] Ministry of Foreign Affairs. www.mfa.gov.tr

- Regulation on Refugee Guest Houses 1983
- Law on the Protection and Security of Land Borders law no 3497
- Law on the Commang of Coastal Guard (Law no 2692)

3. Irregular Migration

3.1 Pathways into Irregularity

Thanks to the liberal visa regime, it possible to enter into Turkey legally for the citizens of many countries. During their stay, many engage in working activities in various sectors without a valid work permit. Sometimes labour migrants overstay their visa period and become irregular. It seems that law enforcement officers, both police and labour inspectors, are reluctant to go after irregular workers as long as they do not commit crime. This group of irregular migrants consists of the citizens of ex-socialist states who strategically plan their stay in Turkey. They enter Turkey legally, stay legally, leave legally before their visa or visa exemption period expires, but work in Turkey illegally. Some also overstay and become illegal. If caught working or committed crime they face deportation. On the paper they are tourists, meaning they are on tourist visa, arriving in Turkey legally and leaving Turkey legally. But in the period of their legal stay they may work illegally.

By definition asylum seekers are legal migrants. They have right to work if applied and the relevant work permit fee is paid. However, unregistered employment in Turkey is quite common and the fee may be regarded as an obstacle. Asylum applicants may be irregular labour migrants when they are employed without a valid work permit. Apart from being irregular labour migrants they can be considered irregular only when their claim of asylum has been refused, if they continue to stay in Turkey without having a legally valid ground such as humanitarian reasons or family unification. Furthermore, asylum seekers may be drifted irregularity when they leave their assigned place of town without obtaining a prior permit to do so.

The main category of irregular migrants are transit migrants as the figures cited in this report suggest.

3.2 Discourses

The main issue of discussion with regard to irregular migration in Turkey is the employment of irregular labour migrants. It is stressed that the employment of foreign irregular workers has a negative impact on the employment of Turkish nationals, since Turkey has an important rate of unemployment.[62] In short foreign labour migrants are seen as a rival to Turkish workers.

Possibly the most cited estimate was made by Yasar Okuyan the then Minister of Labour who put the irregular labour migrants' number at 1 million.[63] The biggest economic crisis in Turkey occurred in 2001 under his government. Many Turkish citizens lost their jobs. The then Labour Minister was quoted by a newspaper saying that '1 million irregular migrant workers steal the bread of Turks' blaming foreigners for the failure of the economy policies of his government.[64]

Media often talk about 'millions' of migrants. There are plenty of daily news articles talking about at least one million of illegal migrant workers who are deemed to be a reason for unemployment in Turkey. Newspapers also point out that illegal migrant workers cause significant losses of government money. A newspaper stated in an article entitled 'Foreign Illegal Worker Nightmare' that the harm given by 1 million illegal migrant workers to the economy is around 1,5 billion dollar. [65]

Also the employment of foreigners sometimes is connected with public order and security issues as well as social life of Turkish society. As a result employment of irregular migrants is regarded as a 'problem' in public discourses.[66] It is reported by a Turkish daily that the number of illegal workers from Armenia has risen from 40,000 to 70,000 in the past three

[62] Nearly 10%.
[63] Aksam daily newspaper, 30.12.2000.
[64] Aksam, 25.7.2001. 'Bread stealing' argument have been repeated by other media news.
[65] Sabah, 18.2.2001. Another media report calls for immediate dramatic increase in the fines for employing irregular migrants and fierce enforcement. Aksiyon, 4.10.2004
[66] For an example see Akşam, 1.1.2001 Yabancı İşçi Sorunu.

years, although there is no diplomatic relations between Turkey and Armenia.[67] A report on a illegal migration in Turkey by a think tank specifically mentioned citizens of Armenia as a threat and called for deportation of all illegal migrant workers.[68]

Apart from domestic workers in other sectors foreign women are not welcome. The prostitute is a category that became inevitable and recurring in the representations and common talks on the foreigners' presence in Istanbul.[69] There is a common misperception of women coming from ex-socialist countries. They are called 'Natasha', a common name given to prostitutes from ex-socialist countries.

There may be one sectoral exception to the 'problem' of irregular migrants: Domestic workers. Many in Turkey do not see foreign domestic workers as a 'threat' or 'problem'.[70] This may be due to various factors including gender dimension. Domestic workers in Turkey are generally from ex-socialist countries and highly educated women. As pointed out by İçduygu & Yukseker and Kaska there is also an important 'care crisis' and 'care deficit' in Turkey.[71]

There is also cultural dimension of irregular migrants' perception by the society. Those from Middle Eastern and African countries are regarded as the 'victims' of the West and earned

[67] Hurriyet, 30.6.2008.

[68] National Security Strategies Research Center (TUSAM) which is close to the right political spectrum. The report estimates the number of Armenian citizens working in Turkey as 100,000. Available at www.tusam.net

[69] Mentioned by Perouse, Jean-François (2006), "Transit Maghrebis in Istanbul" in Danış, D *Integration in Limbo: Iraqi Afghan and Maghrebi Migrants in Istanbul.* Research Report, MIREKOC, p. 106

[70] Eder, M, et. al., Modalities of Organizing among "New Migrants": A Comparative analysis of Bulgarian Turks, Iraqi Turkmens and Moldavians in Turkey. TUBITAK Project. (Mentioned by Kirişçi, K. (2008) "Informal 'Circular Migration' to Turkey: The Bureaucratic and Political Context" CARIM, Analytical and Synthetic Notes – Circular Migration Series. Political and Social Module. CARIM-AS 2008/21, p. 9).

[71] İçduygu A. and Yükseker, D., "Rethinking the Transit Migration in Turkey: Reality and Re-presentation in the Creation of a Migratory Phenomenon", Paper – prepared for IMISCOE Conference on "(Irregular) Transit Migration in the European Space: Theory, Politics, and Research Methodology" Koç University, Istanbul, April 18-19, 2008 and Kaşka, S., (2006), The New International Migration and Migrant Women in Turkey: The Case of Moldovan Domestic Workers, Research Report, MIREKOC, p. 10.

sympathy of the public.[72] This is especially true in the case of asylum seekers who have been provided with various forms of help by civil society organizations.[73]

Turkish media covers various stories of irregular migrants. In these news their story is dramatically presented as a 'journey to hope'. Turkish media also criticizes the treatment of irregular migrants by Turkish officials. For example the death of Festus Okey, a Nigerian national arrested by police for drug dealing, in police custody is seriously criticized by the media.[74] Apart from the sad stories of irregular migrants whose journey sometimes ends up in the waters of the Agean sea, Turkish news bulletins report frequently protests of the apprehended migrants in Edirne and Kırklareli, the EU neighbouring provinces of Turkey.[75] There is also a "guesthouse" in Kumkapi/Istanbul where irregular migrants are held for deportation which sometimes hits the headlines.

The position and policy suggestions of the EU are seen as an instrument of pressure on Turkey. In the public eye, the west created many problems, including wars, and exploited the sources of the Middle East and Africa. The people of these countries had to leave their homes. As a result, the EU has moral duty to accept them as a remedy.[76] Stricter border controls deny their 'right' to survive. By introducing more difficult visa conditions, such as language exams for family unification, and pressurizing on Turkey to tighten its borders especially with Greece, the 'displaced' persons of these countries become stuck in Turkey. At the same time the EU makes pressure on Turkey to adopt a European style asylum system which will lead to the lifting of geographical limitation. At the end, Turkey will be a 'buffer zone' or 'dumping ground'.[77] The position of the EU is regarded as hypocrisy since on the one hand it seriously limits the entrance of foreigners to its territory and, on the other, it pressurizes Turkey to

[72] Daily Zaman newspaper quotes a report by an Islamic aid organization (IHH) stating most of the refugees in the world are Muslims. 21.6.2008.
[73] Turkish NGOs working in local, national and also international levels provides aid ranging from food to shelter and from training to health care to refugees within the framework of 'Islamic solidarity'. For example see www.konya-ayder.org and www.ihh.org.tr .
[74] www.ntvmsnbc.com, 26.10.2007.
[75] www.nethaber.com 15.2.2007 and Hurriyet 12.6.2008.
[76] Not only the pro-Islamist but also the socialist circles believe this view. See for example 'Imperialist Europe' Yuruyus Dergisi, 13.11.2005. Available at www.yuruyus.com.
[77] For example see Ali Bulac, www.serinselvi.com and Ibrahim Buyukeken www.merhabagazetesi.com 10.12.2006.

accept more foreigners. This common public belief is also shared by some officials as well as politicians as witnessed by the author of the present report.[78]

Like Turkish public, many officials also feel sympathy towards some irregular migrants.[79] Especially those with Turkish origin are tolerated most. Among them Turkmens of Iraq and Afghanistan, Azeri Iranians and Gagauz Moldovans prevail. With regard to corruption, despite it is almost impossible to bribe an official when entering or exiting legally, it is an undeniable fact that the corruption plays a role when the irregular migrant works or overstays.[80]

It could be appropriate to say that the EU nationals are not discussed in the current debates on irregular migrants. Yet it needs to be pointed out that especially Romanians had been one of the nationalities which occupied public agenda on migration issues until a few years ago.[81]Today as a result of the EU membership the growing Romanian economy needs more workforce and to meet the demand Romanian officials provide incentives for returning citizens.[82] Moreover, Romania becomes a country of destination for international migrants and the Turks, Moldavians and Chinese are the first three foreigner nationalities who provide work force to Romania.[83]

[78] See for example Orkun Atalay, www.ufukotesi.com, 26.10.2008.
[79] See Eder supra.
[80] This is especially the case when the irregular migrant works as a prostitute. See for example Radikal newspaper reporting 67, including 10 officials, are under arrest in an operation against prostitution. 21.4.2006. An internet news site reports that three public prosecutors and a judge involved in forced prostitution of foreign women in Turkey. www.haber5.com 9.6.2007.
[81] See Star, 31. 05.2008. The daily newspaper Star states that the irregular migrant Romanians made money after joining the EU and now they come to Turkey as real tourists.
[82] Turkish daily Referans reports that Romania has nearly 2 million citizens working abroad and the government prepares a plan to provide higher salaries, subsidized accommodation and transportation for those who return the country. 26. 3. 2007.
[83] Daily newspaper Yeni Safak, 26.10. 2008.

PART II: ESTIMATES, DATA AND ASSESSMENT OF TOTAL SIZE AND COMPOSITION OF IRREGULAR MIGRANT POPULATION

1. Most relevant studies

It could be safely pointed out that there is no study with the sole aim of estimating the size of irregular migration in Turkey. This is not to say no one has estimated the number of irregular migrants, but estimates have been made in studies which have dealt with different aspects of irregular migration than that of solely estimating the size. Therefore, the present report relies on the studies on other topics relating to irregular and circular migration. In addition, the official data supplied by the government authorities provide an important tool to produce reasonable estimates.

1. 1. Academic Papers and Reports

The previous academic studies on migration in Turkey provide very helpful information. It is very useful to mention findings of the studies conducted by Icduygu. His 2003 IOM study primarily focused on irregular migrants. The study reflected mainly migrants who consider Turkey a transit country to the west. Most of the transit migrants entered Turkey illegally and wanted to leave illegally. These are people coming from Iran, Iraq, Afghanistan as well as Africa. The study also interviewed irregular migrants from Eastern Europe and the former Soviet Union. The respondents in this group entered the country legally but drifted into illegality later on. (Icduygu, 2003).[84] There is also an important group of citizens of ex-socialist states who strategically plan their stay in Turkey and thanks to the liberal visa regime never become illegal. They enter Turkey legally, stay legally, leave legally before their visa or visa exemption period expires, but work in Turkey illegally. Illegal immigrant workers face deportation. Some also overstay and become illegal. Icduygu's recent work, with Yükseker, describes very well the panorama of transit migration in Turkey (Icduygu &Yukseker 2008).[85]

[84] *İçduygu*, A., *Irregular Migration in Turkey*, Research Series No: 12, Geneva: IOM (International Organization for Migration), 2003

[85] *İçduygu A. and Yükseker, D.* "Rethinking the Transit Migration in Turkey: Reality and Re-presentation in the Creation of a Migratory Phenomenon", 2008 Paper – prepared for IMISCOE Conference on "(Irregular) Transit Migration in the European Space: Theory, Politics, and Research

Kirisci is also another eminent scholar on the migration in Turkey. His recent report analysis the bureaucratic and political context of informal circular migration in Turkey (Kirisci, 2008).[86] He considers irregular 'circular migration' a very important dimension of Turkey becoming a 'new' country of immigration and points out that an 'undetermined' number of people from ex-socialist world as well as the EU countries move back and forth.[87]

It is a very difficult task to estimate accurately the number of irregular migrants in Turkey. It seems that Iranians, Iraqis and Afghans constitute an important portion of them. In the coordination of Daniş, a team of researchers studied how these group and Magrebis integrated in Istanbul (Daniş, 2006).[88] Istanbul is one of the biggest metropolitan cities in the world and the most populated in Europe with nearly 11 million residents. This is the official figure whereas unofficial population estimates go as far as 33 million.[89] Many immigrants, both legal and irregular, find Istanbul attractive. Perouse examined the transit migrants in Istanbul and pointed out that the matter is extremely complex one.[90]

In addition to middle eastern migrants also irregular migrants from other countries who prefer Turkey. One of the important groups is Moldovans and in terms of the domestic work the most important country has been Moldova since the mid-1990s. Kaska studied the Moldovan domestic workers in Turkey, highlighting the gender dimension (Kaşka, 2006).[91] Kaya also contributed to understanding of Turkish legal context by providing information specifically on circular and irregular migration.[92]

Methodology" Koç University, Istanbul, April 18-19, 2008. Also *İçduygu*, A., *Transit Migration in Turkey: Trends, Patterns, and Issues*, CARIM RR (2005/04), Robert Schuman Centre for Advanced Studies, San Domenico di Fiesole (FI): European University Institute, 2005.

[86] Kirişçi, K. (2008) "Informal 'Circular Migration' to Turkey: The Bureaucratic and Political Context" CARIM, Analytical and Synthetic Notes – Circular Migration Series. Political and Social Module. CARIM-AS 2008/21.

[87] Ibid. p. 11.

[88] Danış, D. (2006) *Integration in Limbo: Iraqi Afghan, Maghrebi and Iranian Migrants in Istanbul.* Research Report, MIREKOC.

[89] www.internethaber.com

[90] Perouse, Jean-François At The Cross-Roads Between Europe And Asia - Complexity Of Transit Migration İn Istanbul, , Conference on Mıgrants In The Transıt Countrıes: Sharıng Responsıbılıtıes In Management And Protectıon Conference Prooceedings , 2004 Available At www.coe.int

[91] Kaska, S., (2006), The New International Migration and MigrantWomen in Turkey: The Case of Moldovan Domestic Workers, Research Report, MIREKOC.

[92] Kaya, I., *Circular Migration and Turkey: A Legal Perspective,* CARIM AS (2008/37), Robert Schuman Centre for Advanced Studies, San Domenico di Fiesole (FI): European University Institute, 2008 and Kaya, I., *Legal Aspects of Irregular Migration in Turkey*, CARIM AS (2008), Robert

It is very much needed to look at the legal framework to understand legal and illegal immigration. The UNHCR helped the publication of a Collection of Turkish court cases on asylum, refugees and migration. Kirisci's commentary to the collection provided valuable historical and legal information which formed the contextual background of the court cases.[93]

By definition irregular immigration is an international phenomenon. Turkey is a major transit country *en route* to Europe. Most of the irregular migrants travel from Turkey to Europe through Greece and increasingly Bulgaria. The population movement between Greece and Turkey is examined by Baldwin-Edwards.[94] The author also cites number of irregular border passages between the two countries. This is very important since the paper exemplifies transit migration through Turkey. Icduygu &Yukseker paper is also relevant in border crossings context.

According to the estimates in 2001, over 254,000 foreign nationals were recorded as migrants in Turkey according to the four types of migratory flows, namely asylum seekers and refugees; transit migration flows; illegal labour migration; and registered migration of non-nationals.[95] For 2007 the quoted number of irregular migrants varies from 150,000 to 5 million. (See 2.1. Total Stocks) The difference gap between the estimates is obviously a huge one.

A reasonable estimate might be between 600,000-700,000 as put by National Geographic, including all categories.[96] However there is no scientific methods used to give credibility for the figure. The figure conforms to estimates made by eminent scholars like Icduygu and Kirisci. Kirisci stated that the number is between 150,000 and million whereas Icduygu put the number between half a million and million.[97] This figure also seems reasonable when the

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Schuman Centre for Advanced Studies, San Domenico di Fiesole (FI): European University Institute, 2008

[93] UNHCR, *The Collection of Turkish Jurisprudence on Asylum, Refugees and Migration*, second edition, Istanbul: Bogazici University Foundation, 2000.

[94] Baldwin-Edwards, M. (2006) "'Migration between Greece and Turkey: from the "Exchange of Populations" to Non-recognition of Borders" South east Europe Review No: 3

[95] Cited by Kaşka, supra, p.24

[96] Slaves of the 21st Century, National Geographic (Turkey), September 2003, p. 23.

[97] In somewhere else with regard "illegal" migrants Icduygu puts the figure at least two or three times the number of migrants apprehended. Total number of the apprehended is around 60,000 and total

aim of the KADIM project to prevent the employment of 100,000 irregular labour migrants is taken into consideration. It is a fact that not all of the irregular workers are employed. Especially those who use Turkish territory *en route* to west (transit migrants) prefer to stay in Turkey very short period of time and many do not need to work or are able to find a work.

1.2. Official Data

The main source of data on international migration in the Turkey is Ministry of Interior. The General Directorate of Security is a police organization within the Ministry of Interior. People Movements Bureau and the Bureau for Foreigners, Borders and Asylum keep the record of immigrants. Especially the apprehension and deportation statistics are very important in order to estimate the trends, the volume and other characteristics of the irregular migration into and through Turkey. [98]

However, the data provided by official authorities do not give comprehensive and reliable estimates of migratory flows to Turkey.[99] This is especially true with regard to irregular migration. Although arrival statistics may give an indication of the trend of nationalities arriving in Turkey, they do not distinguish between migrants and tourists.[100] Tourists can also be irregular labour migrants. They arrive in Turkey legally and leave Turkey legally. But in the period of their legal stay they may work illegally.

The Ministry of Culture and Tourism records entries and exit statistics. This data is not suitable for calculating irregular migrants as it only gives the annual difference at the end of each calendar year and, furthermore, the data does not allow the possibility of figuring out what percentage of the total entries and exits are actually repeated by the same persons.[101] Also data provided by Ministry of Foreign Affairs is used in this report.

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number of "illegal" migrants must be around 180,000. When the number of labour migrants is added to the 'illegal' migrants the number can easily reach 600,000.

[98] People Movements Bureau, Number of Illegal Migrants Apprehended: Illegal entry, exit, presence and breach of visa and residence permit. (As of the end of 2007) (on file with the author)

[99] Icduygu (2003), supra,. 2.

[100] Ibid.

[101] Kirişçi (2008), supra, p. 5

The number of asylum seekers, like apprehension and deportation statistics, is also a tool for estimation. But by definition of law, asylum seekers are not irregular migrants, since they stay in Turkey legally with the exception of refugees in the sociological sense who arrive Turkey through illegal border crossings.

The apprehension statistics are also to indicate the trend, but it can be easily claimed that there might be plenty of people who enter Turkey illegally and leave illegally, even not becoming a statistic. There can also be cases of multiple records of one person in the apprehension statistics. The apprehension statistics also includes Turkish citizens who by definition cannot be regarded as irregular migrants.

As stated earlier in the Turkish legal context anyone who entered or left Turkey or be present in Turkey breaching migration law (passport, visa, residence and work permit legislation) is an 'illegal migrant'. This definition is used by the Ministry of Interior and the total numbers of 'illegal migrants' apprehended in the last ten years are shown below:

Table 6: Total Number of Illegal Migrants Apprehended: Illegal entry, exit, presence and breach of visa and residence permit.

Year	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Number	29426	47529	94514	92365	82825	56219	61228	57428	51983	64292

Source: People Movements Bureau.

The figures also include Turkish nationals who left or entered Turkey breaching passport law. Their numbers are as follows: 2085 (1999), 3289 (2000), 5304 (2001), 6951 (2002), 5660 (2003), 3341 (2004), 2164 (2005), 2052 (2006) and 2476 (2007).[102] All the others are third country nationals, including the EU citizens. The number of Turkish citizens reaches its peak in 2001, 2002 and 2003. This could be due to economic crises and hardship experienced by the country in 2001 and immediate afterwards. After 2003 the number steadily declines.

It seems that in 2006 nearly 3,500 EU citizens became illegal while for 2007 the number is almost 4,000. When we look at the illegal border crossing figures, we cannot come across the EU nationals. Therefore, it could be assumed that the EU nationals may become illegal as a result of simple visa or residence permit breaches.

[102] People Movements Bureau, General Directorate of Security.

With regard to the present study the EU nationals are excluded from the analysis and only third country nationals (TCN) are taken into consideration. The table below shows the number of TCNs in the past two years:

Table 7: Number of Illegal Third Country National Migrants Apprehended: Illegal entry, exit, presence and breach of visa and residence permit.

Year	2006	2007
Number	46,406	57,880

Source: People Movements Bureau.

Although there is no official data available on the breakdown of illegal entry, exit, presence and breach of visa and residence permit categories, official statistics on illegal border crossings may throw a light. General Command of Gendarmerie provides official statistics on the number of illegal migrants and human smugglers apprehended.[103] For the last five years the numbers are as below:

Table 8: Number of Illegal Migrants and Human Smugglers Apprehended by the Gendarmerie

Year	2003	2004	2005	2006	2007	Total
Number	20436	25995	28594	30722	41125	146876

Source: General Command of Gendarmerie

The Gendarmerie statistics do not make any distinction between the number of illegal migrants and human smugglers. However, the number of smugglers apprehended which is around 1,000 per year, the remaining is the number of illegal migrants.[104] In the light of the above table for 2007, the total number of illegal migrants apprehended by the Gendarmerie must, therefore, be around 40,000. Another calculation made by Icduygu and Yukseker (2008) confirms this proposition. On the information provided by the Gendarmerie and Coastal Guard, they provide a table showing the "illegal" border crossings for 18 months between September 2006 and February 2008. For this period total number of border crossings

[103] www.jandarma.gov.tr
[104] See the following page.

is around 48,000 and it is almost 40,000 for 2007.[105] These figures reveal an important fact: only fewer than 25,000 illegal migrants are apprehended by the police while they are in Turkey. In other words, nearly two-thirds of illegal migrants are apprehended either while they were entering or leaving Turkey. The Icduygu and Yukseker study also mentions that nearly four-fifths of these illegal border crossers were caught on the borders between Bulgaria and Turkey and between Greece and Turkey (including Aegean Sea) while they were departing, and only remaining one fifth were apprehended on the eastern and southeastern borders while entering Turkey.[106] Illegal migrants who are apprehended as they leave Turkey are, by definition, certainly transit migrants who make at least the half of the total illegal migrants apprehended.

According to official statistics the numbers (and years) of apprehended human smugglers are as follows: 850 (2000), 1155 (2001), 1157 (2002), 937 (2003), 957 (2004), 834 (2005), 951 (2006) and 1241 (2007). As can be seen there is a considerable increase in 2007. There seems a correlation between the number of illegal migrants and smugglers apprehended. In 2006 51983 irregular migrants apprehended and the number climbed 64290 in 2007.[107] Since 1995 almost 700000 irregular migrants were apprehended in Turkey. It is noteworthy to point out that human smuggling is carried out mainly by organized criminal networks.[108]

The recent figures on human trafficking are as follows:

Table 9: Human Trafficking

	Victims rescued	Victims voluntarily returned	Victims accommodated in shelters	Traffickers apprehended
2004	239	61	18(only last 2 months)	227
2005	256	220	142	379
2006	246	197	190	422
2007	148	117	114	308

[105] İçduygu and Yükseker, supra, tables 4 and 5.
[106] Ibid.
[107] http://www.mfa.gov.tr/turkiye_nin-yasadisi-gocle-mucadelesi-.tr.mfa.
[108] *Ibid.* The apprehended illegal migrants maintain that they have paid to human smugglers. There are plenty of media news on that. For example see "Refugee Mafia Makes 7 Billion Dollars", Aksiyon 22.8.2005. According to this journal article the price list is as follows: Europe (by land) 2,500-5,000 dollars, Europe (by sea) 4,000-6,000 dollars, UK 8,000-10,000 dollars and US 15,000-20,000 dollars.

Source: Ministry of Foreign Affairs

The only accurate figures about irregular migrants in Turkey are the statistics provided by the state. However, as discussed earlier, they do not reflect the real picture. As previously stated for the year 2007 the estimated number of irregular migrants varies from 150,000 to 5 million. (See 2.1. Total Stocks).The huge gap demonstrates that the figures that are cited in literature and media are highly contested.

2. Estimates, data and expert assessments on stocks

2.1. Total Stocks

According to the Ministry of Interior 696,412 illegal migrants have been apprehended in Turkey between 1995-2007.

Table 10: Apprehended Cases, 1995-2007. Illegal entry, exit, presence and breach of visa and residence permit.

Country	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Afghanistan	24	68	81	921	2476	8746	9701	4246	2178	3442	2363	3665	6614
Albania		1		9	792	1026	1137	580	341	318	220	57	15
Algeria	27	25	69	207	102	430	305	542	378	397	375	144	46
Armenia	4	2		1	98	474	452	505	494	835	858	933	779
Azerbaijan	21	3	3	10	620	2262	2426	2349	1608	1591	1410	937	1227
Bangladesh	113	322	301	2408	1193	3228	1497	1810	1722	3271	1524	2313	981
Bulgaria	21	22	39	103	1005	1699	1923	3132	989	550	363	376	1224
China				1	115	545	264	674	787	788	339	295	405
Egypt	4	12	99	29	94	382	184	182	222	257	137	80	51
Georgia	37	9	9	5	809	3300	2693	3115	1826	2294	2348	1989	2439
Germany		1	1		372	629	458	586	988	1477	984	634	611
India	2	25	18	102	189	779	599	475	846	803	206	105	97
Iran	252	362	364	1116	5281	6825	3514	2508	1620	1265	1141	972	1107
Iraq	2128	3319	5689	14237	11546	17280	18846	20926	3757	6393	3591	6412	9384
Macedonia	1				439	488	384	197	185	105	54	2	6
Moldova	19		17	5	5098	8312	11454	9611	7728	5728	3462	1575	1095
Morocco	28	53	93	295	369	1401	849	603	361	402	171	138	124
Nigeria	1	20	30	84	137	450	301	733	117	142	34	73	65
Pakistan	708	435	307	1798	2650	5027	4829	4813	6258	9396	11001	3508	6970
Romania	68	12	107	36	3395	4500	4883	2674	2785	1785	1274	1013	803
Russian Federation	5	4	52	2	1695	4554	3893	2139	2130	1266	1152	730	817
Sierra Leone				20	42	462	273	121	14	6	2	6	4
Stateless					61	322	235	0	0	0	0	0	0
Syria	78	86	144	476	776	1399	782	462	623	1097	983	1238	1383
Tunisia	3	48	81	44	76	255	216	191	274	301	300	292	113
Turkey					2085	3289	5304	6951	5660	3341	2164	2052	2476
Ukraine	9	4	17	4	1715	4527	3451	2874	1947	1341	1335	1004	798
UK		2		4	233	643	423	451	510	563	662	537	668
Uzbekistan	1	1			142	587	535	533	584	714	652	287	207
Other	7808	13948	20603	7382	3632	7695	8055	6908	8461	10644	662	2006	
Unknown		20	315	127	292	2998	2499	1934	826	716	4074	16606	2821
Total	**11362**	**18804**	**28439**	**29426**	**47529**	**94514**	**92365**	**82825**	**56219**	**61228**	**43841**	**51983**	**64290**

Source: People Movements Bureau as of the end of 2007 (updated version of the numbers cited by Icduygu, 2008)

In 2007 total number of apprehended immigrants is 57,880 excluding Turkish and the EU citizens entering or exiting Turkey illegally. However, it is generally accepted that the actual number of irregular immigrants is well above among researchers and officials. According to İcduygu and Yukseker the true picture may be at least two or three times the number of migrants apprehended.[109] However they do not give any explanation on how they reach such a conclusion. Kirişçi argued that the number of irregular migrants is somewhere between 150,000 and 1 million (cited by Danış 2006). It is obvious that between the minimum and maximum there is a 850,000 people difference which is a huge gap. In other words the maximum is nearly six times higher than the minimum figure.

Officials are reluctant to talk about suppositions. However, at the end of 2007 a daily newspaper article quoted that the official estimates started at 1 million.[110] Also Narli has been quoted by the same article saying the number of foreign workers was around 5 million.[111] Although it is not clear whether 5 million includes foreigners with work permit, since for 2007 their number is estimated to be around only 25,000, the number seems quite huge even when compared to the total number of irregular migrants in the whole EU.

2.2. Gender and Age Composition

Apprehension statistics in Turkey do not contain any information concerning demographic characteristics of irregular migrants. As pointed above, even if the demographic characteristics had been included, it would not have made much sense due to a huge gap between the real numbers and apprehended cases. However, some studies on domestic work indicate a high relevance of female migration in Turkey. In sex sector, workers are exclusively women. In some sectors such as agriculture and construction it can be said that the jobs are taken up by mostly men.

[109] İçduygu and Yükseker (2008), supra.
[110] The newspaper did not mention the source of the official estimate. Radikal, 15.12.2007. However, the then Minister of Social Security and Labour Yasar Okuyan was often quoted saying there were around 1 million foreign illegal workers in Turkey. See for example Aksam, 30.12.2000
[111] However, the newspaper does not give any explanation of the basis of 5 million. Radikal, 15.12.2007. Prof. Narli is a highly respected scholar in sociology.

As pointed out by Kaska the available statistics on migration are far from being sufficient and are not classified by sex. Therefore, it is not possible to calculate the number of women migrants in Turkey, since they work informally; there is no record of the number of foreign domestic workers. Kaska avoids making an estimation of the number of women migrants but is confident of saying that they constitute an important dimension of the migration flows directed to Turkey.[112] Although Turkey receives migration from many countries, in terms of women migration Moldova, Ukraine, Russia, Azerbaijan and Georgia are the particularly important countries of origin.[113]

As pointed out above, the apprehension statistics in Turkey do not include any information concerning demographic characteristics and also there are no estimates regarding age composition of irregular migrants. With regard to circular migrants it can safely be predicted that almost all of them in economic active age and only very small number of them bring their children with them since circular migrants come to Turkey to make some money, then go back and come again. Travel and accommodation costs may prevent them bringing dependents to Turkey. Furthermore, an irregular worker with a dependent is much less likely to find a job since many live where they work and spend most of the time at work.

The same can also be true for transit migrants as well: they have to be fit enough to survive a very hard journey through Turkey to Europe. Therefore, it is assumed that irregular workers are almost exclusively in economic active age. Taking into account the fact that transit migrants would not go back to their country of origin at least for a very long period of time when they arrive in Europe, they have to be ready to start a new life from the beginning. When looking images of irregular migrants provided by TVs and newspapers, it can be predicted that they may be mostly around twenties or early thirties.

2.3 Nationality Composition

Apprehension statistics in Turkey include information concerning nationality of irregular migrants.

[112] Kaşka,supra, p. 25
[113] Ibid.

Table 11: Breakdown of Irregular Migrants by Nationality (between 1995-2007) - TOP TEN in TOTAL (Excluding Turkey and unknown)

Iraq	Pakistan	Moldova	Afghanistan	Iran	Romania	Georgia	Bangladesh	Ukraine	Russia
123508	57700	54104	44525	26327	23335	20873	20683	19026	18439

Source: People Movements Bureau as of the end of 2007

Table 12: Breakdown of Irregular Migrants by Nationality in 2007 - TOP TEN in 2007 (Excluding Turkey and unknown)

Iraq	Palestine	Pakistan	Afghanistan	Somalia	Mauritania	Georgia	Burma	Syria	Azerbaijan
9384	8312	6970	6614	3921	3830	2439	1502	1383	1227

Source: People Movements Bureau as of the end of 2007

However, it must again be emphasized that true number is much higher.

In a recent project Danış and her team have investigated 'unofficial integration' models of four specific migrant groups in Istanbul, namely Iraqi, Afghan, Iranian and Maghrebi migrants. The research has claimed that these four groups have been chosen because they are the most significant nationalities among irregular migrants.[114] The term Maghrebi is used in a broader sense to include the Moroccan, Algerian, Tunisian and Libyan. As rightly pointed out by Danış 'even the most rudimentary demographic information on these groups is either lacking or inconsistent'.[115]

Iraq

Iraqis have been the largest group among the irregular migrants arrested by Turkish security forces in Turkey for the last twelve years. The total number of Iraqis apprehended since then is 123,508. It constituted almost one fifth of the total apprehended cases.

Table 13: Apprehended Iraqis

Country	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**	**2001**	**2002**	**2003**	**2004**	**2005**	**2006**	**2007**
Iraq	2128	3319	5689	14237	11546	17280	18846	20926	3757	6393	3591	6412	9384

Source: People Movements Bureau as of the end of 2007.

[114] Danış, supra, 2006 p. 5.
[115] Ibid, p. 4.

For the first half of 2008 almost 100,000 Iraqis visited Turkey.[116] It is expected that total number will reach 200,000 at the end of 2008. It is also known that some Iraqis prefer to enter Turkey illegally to depart for another country. For example in 2007 almost 7500 Iraqis out of 9384 were caught while they were crossing border illegally.[117] If the illegal cases figure repeats this year, only less than five percent becomes illegal migrant. It must be noted that this figure includes simple visa breaches such as overstays.

Many Iraqis enter Turkey legally, however some work in shadow economy breaching the law. They are mainly Iraqi Turkmens. Thanks to the Turkmen networks in Turkey, they easily find jobs. They leave Turkey just before their visa expiry and come back again. Also some Turkmens are registered in higher education in Turkey. Since Turkmens speak the same Turkish language and share the same cultural and religious background with the mainstream society in Turkey they are not visible. It is also easy for them to acquire Turkish citizenship due to their Turkish origin. Iraqis in Turkey are not a homogenous group. Apart from Turkmens there are Iraqi Kurds and Christian Assyro-Chaldeans as well. The latter come to Turkey to go to another country such as the EU countries or North America. With an educated guess it can be assumed that there is a population of three to four thousand persons and some 100,000 Iraqi Christians have used this route to reach their final destination in the course of twenty years (Danış, 2006). It is a common belief that Christians are easily accepted as refugees by the west. It could be stated that Christian Iraqis bring their family members to Turkey, because they leave Iraq permanently as Danış's interviews suggest. In her three interviews a 35 year old man, married with two children, 65 year old widowed women with two sons a daughter and 39 year old married man with five children and 69 year old mother have been named. The position of Iraqi Kurds is mixed. Some use Turkey as a transit country to the West, and others live in Turkey and work as a circular migrant.

It is observed that officials and researchers are reluctant to make an estimate on the number of Iraqi migrants.

Afghanistan

[116] Ministry of Culture and Tourism. www.turizm.gov.tr
[117] Icduygu and Yükseker, supra, table 4 in their study.

Afghans are one of the biggest irregular migrant groups in Turkey as the apprehension statistics indicate, although Turkey does not have a common border with Afghanistan.

Table 14: Apprehended Afghans.

Country	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**	**2001**	**2002**	**2003**	**2004**	**2005**	**2006**	**2007**
Afghanistan	24	68	81	921	2476	8746	9701	4246	2178	3442	2363	3665	6614

Source: People Movements Bureau as of the end of 2007.

It is also noticeable that the number of Afghans apprehended is on increase since 2003 nearly doubling in 2007. this may be due to war in Afghanistan.

Afghan migration to Turkey dates back to the Soviet invasion when the then president Evren invited 4000 and 2200 Afghans of Turkish origin in 1982 and 1983 respectively.[118] No known records have been kept of the progress of the Afghans invited in 1982 and 1983, and due to the flued state of irregular migration of Afghans it is difficult to offer any statistics about population of Afghans living in Turkey (Taraghi, in Danış 2006). However it could be suggested that those Afghans who have Turkish origins live quite similar to Iraqi Turkmens, integrating easily making use of previously created networks. It is noted by an important Turkish newspaper that "thousands" of Afghans live in Turkey (Hurriyet, 10.9.2002 cited by Taraghi)

Iran

Iranian migration started as a result of the 'Iranian Revolution' in 1979. Iranians have used Turkey mainly as a transit country on their route to the West. It could safely be argued that Iranians have made the most populous migrant group in Turkey over the time. Although the number of Iranians who passed to the West using Turkish territory is unknown, a million Iranians is the term often used in Turkey. Some estimated the over all number of Iranians who transited through Turkey as around 1,5 million.[119] Danış and Taraghi find this figure an exaggerated estimation considering the overall number of Iranians to the most popular destination, the US, is around 1 million and obviously Iranians used other routes such as Cyprus and Dubai than Turkey. Icduygu's estimation of between half a million and one

[118] Law no 2641.

[119] Kirişçi, K. (2000). "Disaggregating Turkish Citizenship and Immigration Practices," *Middle Eastern Studies*, vol. 36, no. 3. (Mentioned by Danış supra, p. 116.)

million has been found more reasonable by Danış and Taraghi.[120] As far as the methods applied for these estimates are considered, the reliability is always questionable.

In the 1990s, the Iranians found that they are not recognized easily as refugees since tougher immigration laws enacted in the West and due to stricter border controls it became much more difficult to enter Turkey illegally. As a result the number of irregular Iranians has dramatically dropped. Today mainly ethnic and religious minorities and some political refugees of Iranians use Turkey as a transit country. It is also noticeable that especially Iranians of Azeri origin who speaks Turkish prefers to stay in Turkey. The table of apprehended Iranians is below:

Table 15: Apprehended Iranians.

Country	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**	**2001**	**2002**	**2003**	**2004**	**2005**	**2006**	**2007**
Iran	252	362	364	1116	5281	6825	3514	2508	1620	1265	1141	972	1107

Source: People Movements Bureau as of the end of 2007.

Having into account the total number of Iranians entering Turkey these figures are quite low: for the first half of 2008 nearly half a million Iranians visited Turkey, with an estimation of annual one million Iranians for 2008. This means almost 1000 out of 1 million is irregular. The relative lowliness of the number may be due to visa free travel regime of Iranians to Turkey.

Moldova

Turkey receives mainly women migrants from Moldova. They are employed in middle or upper class Turkish houses, health centres, in the entertainment and sex sector.[121]

Table 16: Apprehended Moldavians.

Country	**1995**	**1996**	**1997**	**1998**	**1999**	**2000**	**2001**	**2002**	**2003**	**2004**	**2005**	**2006**	**2007**
Moldova	19		17	5	5098	8312	11454	9611	7728	5728	3462	1575	1095

Source: People Movements Bureau as of the end of 2007.

According to unofficial estimates, between 600,000 and 1,000,000 Moldovan people work abroad. (Sleptova, 2003).[122] Kaska refers to a report by the CBS-AXA Consultancy which is

[120] Ibid
[121] Kaşka, supra, p. 9.

based on research carried out in 2004 in Moldova.. Data was collected using three distinct methodologies. These are an opinion poll with a sample of 1000 households; qualitative data collection which depends on focus groups, in-depth interviews and mass media content-analysis; and a household survey involving 3714 people. According to CBS-AXA Report Moldovan migrants in Turkey consists of nearly 32% man and 68% woman.[123]

2.4 Economic Sector Composition

No precise information on sectoral breakdown of irregular labour migrants is available. As stated by Icduygu irregular labour migrants are those people from the poorer republics of the Community of Independent States (CIS) as well as some Balkan countries who arrive in Turkey on tourist visas to work informally in domestic services, the entertainment sector, sex work, construction, tourism sector, agriculture, and garment workshops. In addition to the ex-Soviet and Balkan countries, non-European countries of Iraq, Afghanistan, Iran and Maghrebi countries are needed to be added to the list.[124] One also observes out of personal experience that some African nationals such as Somalis and Sudanese work in Turkey. The majority among these is women who most typically find employment as domestic labourers, men are more likely to work in the construction and agricultural sectors.

Domestic Workers

Domestic workers do cleaning, cooking, but more importantly caring for children, the elderly, or the disabled. The new Turkish legislation on the employment of foreigners allows to hire foreign nationals as domestic workers. However, the statistics indicate that the number of foreign domestic workers is quite low, even ignorable. Although foreign domestic workers can get work permits, this is not a preferred type of action due to various factors including a bureaucratic mechanism, high fees, taxes and social security contributions.[125]

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[122] Cited by Kaşka supra, p. 37.
[123] Kaşka, supra, p. 39-40. According to report majority goes to Russia (62%). It is followed by Italy (16%), Portugal (4,5%), Greece (2,5%), Ukraine (2,2%) and Turkey (2,1%).
[124] Danış, supra.
[125] See for example Kirisci (2008), supra, p. 7.

Table 17: Foreign Domestic Workers with Work Permit in Turkey.

Country	Number
Moldova	20
Turkmenistan	4
Philippines	6
Romania	5
France	3
Uzbekistan	3
Others	7
Total	48

Source: Ministry of Labour and Social Security cited by Kaşka 2006. Correct as the end of 2005.

However, the true picture is definitely quite different. It is reported by a daily newspaper that the official estimate of foreign irregular workers is minimum 1 million and a considerable number of them are domestic workers.[126] The figure is unreliable and the newspaper avoids from mentioning its 'official' source.

To enter Turkey with a tourist visa is the main form of irregular migration in domestic sector. As pointed out by Kaska the main reason which gives an "irregular" character to this migration flow is the fact that, after their arrival migrants remain in the country to work even after the expiration of their visas.[127] Kaska also points out that although she came across numbers of domestic workers from other former Soviet countries, particularly from Uzbekistan, Turkmenistan and Azerbaijan, (also Bulgaria and Georgia) the most important country has been Moldova since the mid-1990s especially those of Gagauz ethnic origin who speak Turkish are preferred.[128]

[126] Radikal, 15.12.2007.
[127] Kaşka, supra, p.24
[128] Ibid, p.25-26.

In addition to ex-Soviet nationals and Eastern Europeans, there exists in the domestic service market of Istanbul a genuine niche for the Maghrebi nannies, mostly occupied by Moroccan women who are employed by French or French speaking families.[129]

Sex Sector

It is very well known that the sex sector, i.e. prostitution, is one of the main employment sources for foreign women in Turkey. Although there is no official estimates on the number of irregular labour workers employed in this sector the table given by Erder and Kaska prevails that Moldova, Georgia, Romania, Russia, Ukraine, Azerbaijan are the most important countries whose nationals have been deported from Turkey due to prostitution and sexually transmitted diseases (STDs).[130] In 2001, 4,700 were deported from Turkey for prostitution and STDs, 4,200 of which from these six countries. It should also be noted that many working in sex sector also breach their visa period and therefore overstay. It is easier for the state authorities to deport someone for overstaying the visa. When we look at the statistics for deportation as a result of visa expiration for the same year, we see that nearly 6,000 were deported for overstaying, almost 5,000 of them from again these six countries.[131]

Despite there is no officially published estimates on the number of irregular migrants working in the sex sector, Erder and Kaska cites one official putting the number with confidence at around 5,000 and another official putting the estimated proportion of female migrants from ex-socialist countries entering Turkey for prostitution as high as 98 per cent.[132] This is due to image of the women from these countries and cannot be regarded as a reliable figure.

Other Sectors

Irregular migrants are employed in many other sectors. The geographical place where they are employed has an impact on the sector (see the map above). Although it is not possible to give a number, it is claimed that foreign illegal workers are mainly employed in the Marmara and Black Sea region. It can be said that almost every type of work, including some illegal

[129] Danış, supra, p. 102.
[130] Erder S. Kaşka S. (2003), *Irregular Migration and Trafficking in Women: The Case of Turkey*. Geneva: International Organization for Migration, p. 19.
[131] General Directorate for Security.
[132] Erder and Kaşka, supra, 48.

activities such as drug dealing and smuggling, is done in Marmara region, and its biggest city in Istanbul. In the Eastern black sea region irregular workers engage activities in the construction and agricultural sector. In the Aegean and Mediterranean sea costs they are employed primarily in tourism sector.[133]

2.5 Former Asylum Seekers

The current number of asylum applications in Turkey is nearly 14.000. As explained previously most of the applicants are settled independently, meaning not detained. Yet, asylum seekers are not free to choose their town of residence. Ministry of Interior assigns them to a number of towns to reside. They are free to choose their residence only in assigned towns. Mainly due to lack of employment opportunities, limited social life and personal reasons some applicants leave their assigned city without permission or some who left with permission never come back. They are called escapee. In Turkey almost half of the asylum seekers are escapees who moved from regularity to irregularity. The breach of law by leaving the assigned city may result in deportation if caught. However, in practice deportation is very difficult to achieve, since the status determination is incomplete and a deportation order may be challenged in courts of law on the ground of the breach of *non-refoulement* principle. Furthermore, the authority which is mostly the police catching the escapee more than often lacks capabilities such as transportation and accommodation facilities to deport the escapee. Where to deport is another problem since Turkey does not have readmission agreements with most of its eastern and southern neighboring countries. As a result it is safe to point out that escapees are tolerated. If the applicant was interviewed before escape he is still in the system and may be given the status (refugee/asylum seeker status). Table below shows national breakdown of regular and irregular asylum seekers.

[133] Radikal, 15.12.2007.

Table 18: Present and Escaped Asylum Seekers-Top Five

Country	Present	Escapee	Total
Iraq	2,455	3,345	5,800
Iran	2,862	2,377	5,239
Afghanistan	565	345	910
Somalia	745	358	1103
Sudan	63	46	109
Others	360	262	622
Total	7,050	6,733	13,783

Source: Ministry of Interior. Correct as of 25.01.2008.

Another group of asylum seekers who later become irregular migrants is former asylum seekers whose application was turned down and those who are not granted residence permit on a different ground such as marriage. There is no forced expulsion of persons who finally have been refused asylum seeker status. Many go underground and try to find ways to leave Turkey illegally. As mentioned above there are currently nearly 14,000 asylum applications under review. The status determination process takes several months and sometimes years. The total number of asylum applications since 1995 when Turkey started to implement an asylum regulation is around 50,000 half of which accepted. Nearly one fifth is turned down since 1995.

Table 19: Asylum Seeker Applications (1995-2008)

Under review	Accepted	Refused	Withdrawn	Total applications
13,393	25,027	9,285	2,659	50,364

Source: Ministry of Interior. Correct as of 10.01.2008.

There is a dual application process. Asylum seekers who applied to Turkish authorities are also required to apply to the UNHCR. Those who pass the UNHCR test wait in Turkey for eventual resettlement to a third country since, due to geographical limitation, Turkey does not accept refugees from non-European countries. Those who are granted refugee status by the UNHCR go through an application process with the embassy of the resettlement country in

accordance with the criteria set forth by the resettlement country. Final resettlement could take several months even years in some cases. In fact recognition of refugee status by the UNHCR does not guarantee final resettlement in a third country and Turkey. Nearly all the persons who are granted asylum seeker status have been resettled in third countries.

By far Iran is the most important country of origin whose nationals are resettled in third countries through Turkey. It is followed by Iraq and Afghanistan and most recently by Somalia. The US (9541 people), Canada (5381 people) and Australia (3712 people) are the most popular destination countries where most of the applicants are resettled.[134] The total number of asylum seekers settled in the EU through Turkey since 1995 is around 4,000 of which nearly three-fourths is settled in Finland (1494 people) and Sweden (1437 people).[135]

Only 285 people are given right to remain in Turkey on several grounds. Only 25 of them are recognized refugees. With regard to the refused, whose number is 9,285 since 1995, only 370 people have been refused on the ground of escape. The figures reveal a certain imbalance: Currently Turkey has nearly 7,000 escapee asylum applicants, who became irregular since they left their places of residence, and on the other hand only a few hundred have been refused asylum seeker or refuge status over the time since they have been absent or the state authorities could not find them. Apparently as confirmed by official figures there are thousands of asylum seekers who became irregular migrants by breaching the law. Many of them try to leave Turkey illegally and until they manage to do so they work in bigger cities.

[134] Ibid.
[135] Ibid.

3. Estimates, data and expert assessments on Flows

3.1. Demographic Flows

Turkey is a *jus sanguinis* country, not *jus soli*. To be born in Turkey does not confer Turkish citizenship and to get Turkish citizenship by birth at least one of the parents must be a Turkish citizen. Therefore, children born to irregular migrants in Turkey get neither citizenship nor a residence status, resulting in irregularity by birth. It is not possible to find any data on the number of birth and death in illegality in the statistics provided and also in academic studies. Irregular migrants are not covered by the social security system in Turkey and they have to pay when they go to hospital. In practice giving birth at a hospital is possible for irregular migrants. The children born can be issued with a birth certificate at the hospital which only proves the date of the birth and the name of the parents. The certificate issued by the hospital has nothing to do with citizenship or with residence permission. As mentioned above an irregular worker with a dependent is much less likely to find a job, the number of births, therefore, is expected to be very low.

3.2 Border-Related Flows

The official number of legal entry and exits is shown in the table below:

Table 20: Entry and Exit of Foreigners

Year	Entry	Exit	Net Inflow
2000	9,748,327	9,393,355	354,972
2001	10,912,771	10,530,600	382,171
2002	12,906,274	12,606,264	300,010
2003	13,461,420	13,180,903	280,517
2004	16,854,377	16,503,781	350,596
2005	28,327,924	27,921,338	406,586

Source: General Directorate of Security

The table does not allow us to make a reasonable estimation on the number of irregular migrants in Turkey. However, it is interesting to note that there is an average of around 350,000 net inflow between 2000-2005. The difference may be taken as a reflection of

irregularity. There is another table below which may be of a little helpful to give an indication of the number of irregular migrants:

Table 21: Foreigners who are denied entry and deported foreigners.

Year	Denied Entry	Deported
2000	24504	31399
2001	15208	42043
2002	11084	42232
2003	9362	23947
2004	11093	38040
2005	8008	30789

Source: General Directorate of Security

As stated earlier an important number of irregular migrants are labour migrants who enter Turkey legally and leave Turkey legally but work illegally while they are in Turkey. Therefore, they are neither apprehended by the police nor deported. Taking into account the fact that nearly half of the employees in Turkey work unregistered, it is easy for an irregular employee to work even in medium and small scale enterprises without being detected, let alone in private houses as domestic workers.[136] A statistic by the Ministry of Labour indicates that in the period of twelve months between October 2006 and September 2007 nearly 40,000 were detected as being working unregistered by social security inspectors , of whom only 276 were foreign irregular workers.[137]

With regard to readmission from the EU, as stated earlier Turkey signed readmission agreements with Greece and Romania. No data is available with regard to the number of the readmitted by Turkey from Romania or the number of persons demanded by Romania to be readmitted to Turkey. With regard to Greek-Turkey readmission agreement, Baldwin-Edwards cites the following numbers:[138]

[136] A Turkish daily quoted the Minister of Social Security and Labour saying in the Parliament that the unregistered (irregular) employment rate dropped from 52,1'% to 48,9% in 2007. Zaman 13.11.2007. It is safe to conclude that irregular employment is widespread, common practice and commonly accepted in Turkey

[137] Cited by Radikal, 15.12.2007.

[138] Baldwin-Edwards, supra.

Table 22: Requests for readmission to Turkey

Year	No requested	No. readmitted	%
2004	4,006	119	3.0
2005	1,992	152	7.6
2006	2,055	73	3.6

Source: Greek Ministry of Public Order data. (Cited by Baldwin-Edwards).

As can be seen there is a huge gap between the requests made to readmission to Turkey and the number of the actually readmitted. It is probably due to the fact that it is very difficult for the Greek authorities to prove that those who have been apprehended in Greece come from Turkey. It is also known that refugees who are already in Greek territorial waters or even at the Greek coast are being driven back into Turkish waters.[139] Also true that refugees who managed to get to the Greek territory by crossing the river Evros are forced to go back to Turkish territory by Greek authorities.[140] Even if the number of the requests is considered true, a few thousands irregular migrants to Greece through Turkey cannot be reflecting the actual number of transit migrants. Although there are other routes to the EU via Turkey such as Italy and Bulgaria, the Greek route is the easiest, more convenient and cheapest for the migrants. It can be assumed that there should be a huge number of irregular migrants to Greece through Turkey who are not apprehended by the Greek authorities. They probably manage to enter Greece illegally and undetected and leave for further west. The quite low number of the readmitted to Turkey may be a reason for Greek authorities not to apprehend an irregular migrant who will head to the West any way. If apprehended and not readmitted by Turkey, the illegal entrant is highly likely to remain in Greece, although the number and percentage of the recognized refugees in Greece is extremely low.[141]

Icduygu & Yukseker cites a newly emerged data source: the Turkish General Staff. According to this data set, there were approximately 48,000 foreign citizens apprehended in the period of September 2006 - February 2008 as they violated the rules of border-crossings in Turkey. They find out that more than one-fifth were from Palestine, less than one-fifth from Iraq, more

[139] See PRO ASYL Report, The Truth Might Be Bitter But It Must Be Told, Frankfurt, 2007, p. 6.
[140] Ibid, p. 17.
[141] For statistics on asylum see ibid.

than 10 per cent from Afghanistan, another 10 per cent from Mauritania, nine per cent from Pakistan, and seven per cent from Somalia.[142]

Table 23: Irregular Migration in Turkey: "Illegal Border-Crossings", September 2006- February 2008

Country	Total
Afghanistan	5396
Algeria	63
Azerbaijan	97
Bangladesh	434
Burma	2592
China	468
Egypt	30
Eretria	751
Georgia	936
India	54
Iran	1056
Iraq	8981
Lebanon	21
Mauritania	5044
Moldova	57
Morocco	71
Pakistan	4703
Palestine	10200
Rwanda	91
Somali	3690
Sri Lanka	111
Sudan	46
Syria	1099
Tunisia	56
Turkish	1510
Turkmenistan	33
Unknown	712
Total	48302

Source: General Command of Gendarmerie and the Coast Guard Command (cited by Icduygu & Yukseker 2008)

As already mentioned annual illegal border crossings for 2007 is around 40,000.[143] The figure may seem high. Under the Passport Law illegal border crossers faces deportation. However, it

[142] Icduygu & Yukseker , supra, p. 4.

is possible that the same person may be counted repeatedly for illegal border crossing until he succeed.

3.3. Status-Related flows

In Turkey it is not possible to know the exact number of persons changing their status from irregular to regular since no amnesty has been declared by the state like many other countries. The term 'amnesty' always attracts public reaction in Turkey since many equate it with freeing criminals from jail. It is interesting that irregular migration keeps an important section in public debates, but no one talks about amnesty. With regard to status change from regular to irregular the table below may be helpful.

Table 24: Breakdown of irregular migrants by entry/exit and overstay status.

	1996	***1997***	***1998***	***1999***	***2000***	***2001***	***2002***	***2003***	***2004***	***2005***	***2006***
Irregular Migration	**18800**	**28400**	**29400**	**31600**	**94600**	**92400**	**82800**	**56200**	**61200**	**43841**	**51983**
Illegal entries/departures					51400	57300	44200	303	34745	19920	18876
Overstays					43200	35100	38600	25852	26455	23921	33107

Source: Icduygu & Yukseker 2008

By definition Turkish citizens cannot be overstayers as opposed to illegal entry and exits. Therefore, the minimum number of the persons whose status become irregular from regular is equivalent to the number of persons who are apprehended for overstaying. In fact the real number must be much higher, when considering at least some overstayers leave Turkey illegally before apprehended by the police.

[143] See Part I.

PART III: DISCUSSION AND POLICY IMPLICATIONS

Turkey's policy towards irregular migrants has to be analyzed with reference to the categorization of irregular migrants. Icduygu and Yukseker points out that there are three types of irregular migration flows into Turkey: i. transit migrants, ii. shuttle, or circular, migration, and iii. asylum seeker and refugee movements.[144] With regard to transit migrants, they may or may not enter Turkey legally. What Turkey tries to achieve with this category is strengthen border controls which has to be proved an effective tool. However, in the column of circular migrants protecting borders is deemed to be less useful. It is due to several reasons. Main reasons may include that: Migrants enter Turkey legally, corruption plays a role in migrants' prolonged stay in Turkey if the visa is overstayed, labour migrants are less visible in the public and therefore less likely to be caught.[145] With regard to asylum seekers, as mentioned earlier although Turkey is party to the 1951 Convention, it maintains a geographical limitation, recognizing only the Europeans as refugees. But in practice non-Europeans are given the status of asylum seekers (not refugees) but they have right to remain in Turkey until their status is determined. When they are accepted as asylum seekers they apply for resettlement in a third country (not in Turkey) if a third country accepts them. Until that, they have again right to remain in Turkey. The process of status determination takes several years and during this period it is very well known that most of the asylum applicants work illegally. On the one hand they are legal migrants since they have right to remain in Turkey until their status is determined but on the other they are illegal migrants if they work without proper permits. In practice asylum seekers become labour migrants. This categorization points out the fluidity and elusiveness between categories.

Although some migrants, such as those from Iraq and Afghanistan who speak Turkish, see Turkey as their final destination, Turkey is a transit country *en route* to Europe for the most. In order to reduce the number of irregular immigrants to Europe, it is known that the EU has pressurized neighboring countries to strengthen their border controls against undocumented crossings.[146] Turkey was not an exception. As a result many irregular migrants got stuck in Turkey. They want to get to the EU but this gets harder and harder each day. They cannot go back either since the push factors are still there. It is generally believed in Turkey that the EU

[144] Icduygu and Yukseker 2008.
[145] Ibid.
[146] Ibid.

wants Turkey to accept more migrants while it seriously limits the number of immigrants accepted by the EU member states.[147] It is the migrants who suffer at the end of the day. They stay in Turkey as long as they are not caught which is a pretty small possibility if they do not get involved in a crime. But they have no social rights in Turkey and always live on alert.

With regard to estimating the size of the irregular migration, it can be said that an urgent need to estimate the number and composition of irregular migrants is needed. Otherwise fabricated figures may be produced to serve for various causes. This is especially true when there is an interest at stake and the number produced is not based on scientific explanations. This may be the case especially with regard to reforming the asylum system in Turkey.

It is also possible to understate the number to avoid criticism for doing nothing. In any case, it must be repeated that since there is no scientifically based estimates, we cannot know whether the number over or under stated.

One thing that attracts the attention of the present author is that state authorities are always hesitant to make 'official' estimations in Turkey. They are even reluctant to cite estimates appeared in the literature. However, when they talk privately, it becomes clear that most of them have a figure in their mind.

The Ministry of Labour has stated that the arrival of irregular migrants has started in the early 1990s and underlined that there is no precise and enough data available.[148] The early 1990s witnessed the collapse of socialist system in Europe and many flowed to Turkey. In Istanbul even markets with the name of ex-socialist countries were tolerated such as Polish Bazaar. For the citizens of these countries Turkey was their first meeting with a market economy. Due to easy visa regulations and enforcement tolerations many stayed in Turkey and worked illegally to support their families back home.

A rise in 'irregular' migration is an issue of concern in Europe as well as in Turkey. Even Turkish National Security Council (NSC), which is a body consisting of the highest ranking

[147] This view is expressed by several officials, both police and military, who were interviewed by the present author. Furthermore, many of these officials underlined the point that although the EU pressurizes Turkey it does not criticize Greece for 'inhuman' treatment of refugees. For details of the treatment of refugees by Greek authorities see PRO ASYL Report, The Truth Might Be Bitter But It Must Be Told, Frankfurt, 2007

[148] Kayıtdışı İstihdam ve Yabancı Kaçak İşçi İstihdamı Raporu, 2004. Cited by Radikal 15.12.2007.

military officers, president, prime minister and the most important ministers in the cabinet, dealt with the issue of 'illegal' migration and adopted a resolution in 2002.[149] In the immediate aftermath of the NSC resolution several measures were taken to combat this type of migration in 2003 and aftermath. 2003 is a milestone in coping with irregular migration since most of the legislation was adopted in 2003.

Irregular immigration is deemed a threat in Turkey; not only for security reasons but also for economical and social reasons and not only to the country and population but also to the migrant himself or herself as it may be the case in human trafficking. Therefore, restrictive legislation and reinforced control mechanisms have been introduced over the years.

Turkey is party to the United Nations Convention against Transnational Organized Crime. Its additional protocols against the migrant smuggling and human trafficking were also be ratified by Turkey in 2003. The articles 79 and 80 of the new TCC[150] were put into force on 1 June 2005, criminalizing migrant smuggling and trafficking, respectively.

The Law on Work Permits for Aliens was adopted in 2003. The Ministry of Labour and Social Security is authorized to issue all types of work permits for foreigners as explained above. Employment in domestic services is also made possible by this law.

The Turkish Citizenship Law was amended, again, in 2003.[151] With this amendment, a probation period of three years is required for acquiring Turkish citizenship through marriage. This is a step taken against marriages of convenience. Before this law spouse of a Turkish citizen was given right to choose Turkish nationality in addition to her nationality and she had right to become Turkish citizen immediately upon her choice.

The Road Transportation Law came into force on 19 July 2003 and the Road Transportation Regulation became effective in 2004. The regulation states that transportation permit shall not be renewed for three years and the vehicle used will be seized if the owner or user is sentenced for migrant smuggling.

[149] Radikal, 29.06.2002
[150] Law No:5237
[151] Law No: 4866 Article 1. 4.6. 2003.

Turkey became a member of International Organization for Migration (IOM) on 30 November 2004. In addition to migration issues, Turkey is also cooperating with IOM in combating human trafficking.[152]

In 2006, the Ministry of Labour adopted a plan called 'Fighting Unregistered Employment' (KADIM in short). The KADIM project aimed at reducing the number of workers employed unregistered through enforcement of penalties and public awareness of the disadvantages of unregistered employment.[153] There are two target groups of the project: unregistered Turkish workers and irregular foreign workers. The KADIM project noted the negative implications of the irregular workers in Turkey and underlined that the quite high number of irregular migrants is one of the causes of unemployment in Turkey, although no figure is given on the number of irregular workers in Turkey by the project.[154] Although the project has avoided making any estimates about the number of irregular migrants, one of the goals of the project was stated as the prevention of the employment of at least 100,000 irregular labour migrants and employing the local people in the half of the jobs taken up by irregular migrants.[155] 100,000 is the official figure given by the report. However, there is no explanation about the filling of the remaining positions.

As an overall policy implementation; Turkey readmits her own nationals in accordance with the Passport Law No: 5682. If it is proved that illegal third country nationals have departed from Turkey, they will be readmitted if returned by the same or a subsequent flight in the light of the ICAO rules and practices. Moreover, aliens having valid Turkish residence permits are readmitted to Turkey. Turkey signed readmission agreements with Greece (2002), Syria (2003), Romania (2004), Kyrgyzstan (2004) and Ukraine (2005). Romania and Greece are the EU member states which have readmission agreements with Turkey. As mentioned by Baldvin-Edwards only 344 have been readmitted to Turkey from Greece.[156] In 2008 Turkey proposed a readmission agreement to Afghanistan. A first round of negotiations on a readmission agreement with Pakistan was held. However, Turkey has not pursued the negotiations on a readmission agreement with the European Community since December

[152] Ministry of Foreign Affairs.
[153] Nearly 50% of the employees work unregistered in Turkey.
[154] The unemployment rate in Turkey is around 10%.
[155] Sıvacı, C**,** *Kayıt Dışı Ekonomi Ve Kadim Projesi,* Bütçe Dünyası, Cilt 3 Sayı 27 Güz 2007 sf. 57.
[156] Baldwin-Edwards, M. (2006) "'Migration between Greece and Turkey: from the "Exchange of Populations" to Non-recognition of Borders" South East Europe Review No: 3

2006. The unwillingness of Turkey can be explained by the fact that if turkey concludes such an agreement with the EC it will be treated as a safe third country and irregular migrant got to the EU through Turkey will have to be readmitted by Turkey. As long as Turkey does not have readmission agreements with its eastern neighbours it seems very difficult for Turkey to conclude such agreement with the EC.

Turkey, as a candidate state for membership, is closely monitored by the EU. For example the latest Progress Report states that only limited progress can be reported on management of irregular migrants in Turkey.[157] The detention and deportation procedures as well as the material conditions of detention of apprehended irregular migrants during detention are matters of criticism.[158]

Turkey's visa policy, especially the sticker-type visas and no visa countries, is another issue of concern by the EU. EU is concerned with that some irregular migrants to the EU uses Turkey as a transit country. They arrive in Turkey easily and legally and cross the border into the EU illegally. The EU report maintains that "No development can be reported on alignment with EU visa lists. There are several countries on the EU's negative list whose citizens can enter into Turkey without a visa."[159] On the other hand, if Turkey tightens its visa regime, tourism potential of the country may suffer. The EU is also aware of the fact that "closer cross-border cooperation with neighbouring countries is a key component ofwell-functioning border management" and recommends "efforts need to be stepped up to implement the national action plan on integrated border management."[160] However, Turkish borders with Iran and Iraq are extremely difficult to control and political instability in Iraq might be preventive of cooperation. There is some cooperation between Greece and Turkey.

The 2008 Progress Report also notes that "here is no compatible data system on migration."[161] This is crucial. Without an adequate data system and scientifically based estimates it is very difficult to have efficient policy measures. In the absence of this, Turkey will not be able to pursue a policy which will differ from that of today. Therefore, it is understandable that

[157] Turkey 2008 Progress Report Brussels, 05.11.2008, SEC(2008) 2699 final.
[158] Ibid, p. 73.
[159]
[160] Ibid.
[161] Ibid, p. 73.

Turkey will be reluctant to adopt new policy measures that will be challenging. But on the other hand, it has become obvious that the traditional Turkish policy of doing nothing new cannot cope with challenges posed by the changes occurring.

One of the important decisions to be made by Turkey is lifting the geographical limitation. The reason for maintaining the geographical limitation may mostly be economical. As witnessed by the present author, many officials, both police and military, dealing with asylum system believe that if the geographical limitation was abolished a vast number of refugees will flow to Turkey, creating a huge financial burden for the country.[162] This point can also be supported by the fact that whenever the EU and Turkish officials talk about the asylum system reform, 'burden sharing' is at the top of the agenda. According to the NAP Turkey "should not be expected to handle issues of asylum…and…irregular migration on its own".[163] The NAP always makes reference to the notion of burden sharing which "should both include the financial burden and refugees/asylum seekers according to parameters such as national income and population density of the countries."[164] Although no one speaks of a certain figure, at least almost all the apprehended may apply for asylum theoretically speaking. Kirisci points out that Turkish government fear that the EU might defect from its commitments to Turkey and leave it outside.[165] Turkey tries to keep and play the geographical limitation card until it becomes a member state.

The discussions and figures in the present report demonstrate that estimates, official and unofficial, based on scientific techniques are urgently needed in Turkey. The policy of strengthening border controls with the EU, especially with Greece, does not solve the 'problem' of irregular migration. As the economy and the relations with the EU improve; Turkey attracts more immigrants. Only scientifically based estimations can be used in policy making and in measuring the effectiveness of policies.

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[162] This view is expressed by several officials, who were interviewed by the present author.
[163] NAP, p 49.
[164] NAP, pp. 49-50. The Plan states that the following people will be "shared" between Turkey and the EU country: i. Some of the asylum seekers admitted to the procedure in Turkey, ii.Some of the refugees, iii. Some of the aliens arriving in Turkey during mass population movements and receiving temporary protection.
[165] *Kirisci, K,* "To Lift or Not to Lift' the Geographical Limitation to the 1951 Geneva Convention Relating to the Status of Refugees: Turkey's Pre-accession to the EU and Asylum"Draft paper prepared for the 4th METU International Relations, Ankara, 30 June – 2 July 2005. Available at www.edam.org

It should also be noted that contrary to the restrictionist stance of Turkey, an intensification of global and regional disparities has brought about pressures for irregular migration and, given the magnitude of the problem, the solutions are beyond the means of a single country, requiring international cooperation and coordination. Providing shelter, food, medical treatment as well as bearing the return costs of such high number of irregular migrants puts heavy financial burden on Turkish budget.

ANNEX:

Table 25: Visa Regime by Turkey

States (Passport Holders)	No Visa	Visa Needed (Months/Fees)		
	Days	Months	Euros	US$
Albania (S)		2	€10	$15
Armenia (S)		1	€10	$15
Australia (S)		3	€15	$20
Austria (S)		3	€15	$20
Azerbaijan	30			
Belarus (S)		2	€15	$20
Belgium (S)		3	€10	$15
Bosnia-Herzegovina	60			
Brazil	90			
Bulgaria	90			
Canada (S)		3	€45	$60
Chile	90			
Cyprus (TRNC)				
Cyprus (Greek) (S)		1	€10	$15
Croatia	90			
Czech Republic	90			
Denmark	90			
Estonia	90			
Finland	90			
France	90			
Georgia	90			
Germany	90			
Greece	90			
Haiti (S)		3	€15	$20
Hong Kong (S)		3	€15	$20
Hungary (S)		1	€20	$30
Iceland	90			
Iran	90			
Ireland (S)		3	€10	$15
Israel	90			
Italy	90			
Jamaica (S)		3	€15	$20
Japan	90			
Jordan (S)		1	€20	$30
Kazakhstan	30			
Kosovo (S)		3	€15	$20
Korea (South)	90			
Kuwait (S)		3	€15	$20
Kyrgyzstan	30			
Latvia	30			
Lithuania (S)		1	€10	$15

Luxemburg	90			
Macedonia	60			
Malaysia	90			
Malta (S)		3	Gratis	Gratis
Moldova (S)		1	€20	$30
Monaco	90			
Mongolia	30			
Montenegro	90			
Morocco	90			
Netherlands (S)		3	€10	$15
New Zealand	90			
Norway (S)		1	€20	$30
Poland (S)		1	€10	$15
Portugal (S)		3	€10	$15
Qatar (S)		3	€15	$20
Romania (S)		1	€10	$12
Russian Federation (S)		2	€15	$20
Saudi Arabia (S)		3	€15	$20
Serbia (S)		1	€10	$15
Singapore	90			
Slovakia (S)		1	€10	$15
Slovenia (S)		3	€15	$20
South Africa (S)		1	€10	$15
Spain (S)		3	€10	$15
Sweden	90			
Switzerland	90			
Tajikistan	30			
Tunisia	90			
Turkmenistan	30			
Ukraine (S)		3	€20	$30
UAE (S)		3	€15	$20
UK (S)		3	£10 €15 $20	
USA (S)		3	€15	$20
Uruguay	90			
Uzbekistan	30			
Venezuela	90			

(S) Sticker visa at border gates issued, valid for the number of months shown.
No Visa: Just a valid passport enough to enter Turkey, no visa is needed for the number of days shown.
Iraq: Ordinary and official passport holders are required to have visa to enter Turkey.
-Official passport holders are obliged to get their visas from the Turkish diplomatic representations abroad.
- Ordinary passport holders, travelling to Turkey with the flights from Bagdad, Erbil, Suleymania or Amman Airports to Istanbul Atatürk Airport or Antalya Airport, could get their visas at the Turkish border gates upon their arrival, provided that they met certain conditions.
Other Countries: Other countries, such as Afghanistan, Bangledesh, Somalia, Syria, not in the list are required to have visa.
Source: Ministry of Foreign Affairs. Correct as of 28.10.2008

Table 26: Asylum Applications by Nationality (1995-2007)

Nationality	'95	'96	'97	'98	'99	'00	'01	'02	'03	'04	'05	'06	'07	Total
USA											1	1		**2**
Afghanistan	13		10	19	85	116	365	25	17	14	150	171	495	**1480**
Albania			3					1				2	1	**7**
Algeria			2	9	1	3		3	1	3	3	1	3	**29**
Azerbaijan		2	13			11	1	2	3		3	1		**36**
Belgium									1					**1**
Bengladesh			2	1				2	1					**6**
Birmania							1							**1**
Bosnia - Herzegovina		46			1		1					2		**50**
Bulgaria	5	2	4	3								1	1	**16**
Burma									1					**1**
Burundi									10		1	3	1	**15**
Cameroun												1	2	**3**
China	5	6		1	1		5	12	8	5	41	12	10	**106**
Congo				4	1	4	1	5	1		9	15	12	**52**
Egypt		1		1		1	1	2	1		2		1	**10**
Eritrea					2	1	2		7	8	14	7	31	**72**
Etiopia					9		1	1	1	1	6	7	30	**56**
Fas									2		3	3	9	**17**
Georgia					1				18			1	1	**21**
Germany										1			1	**2**
Ghana										3				**3**
Gine													7	**7**
Greece	2							1						**3**
India								4			1			**5**
Iran	710	1243	2298	1630	3126	3576	4271	2489	2258	1881	1605	2222	1654	**28963**
Iraq	1267	1296	1528	2796	2124	1246	976	892	181	1041	764	555	2306	**16972**
Israel							1							**1**
Italy							1							**1**
Ivory Coast												6	10	**16**
Jordan				1		5		1		2	2	2		**13**
Kazakhstan							3				2	1	3	**9**
Kenya											1			**1**
Kirgizstan			7							4				**11**
Kuwait				3										**3**
Lebanon									1		1	2	1	**5**
Liberia						1						2	4	**7**
Libya			1	1	2					1		7		**12**
Macedonia		4										1		**5**
Malaysia											1			**1**
Mauritania										2	2	8	6	**18**
Myanmar													1	**1**
Niger													3	**3**
Nigeria											4	1	4	**9**
Pakistan		1	6		6		2	6			2	3	8	**34**
Palestine		1		2	4		2	7	1	4	16	35	21	**93**
Philipinnes									2		3	1		**6**
Romania											1		1	**2**
Russia	2	6	16	11	12				7		15	10	1	**80**
Ruwanda						2	2	8	6	1			3	**22**
S. Arabia												1		**1**

Sierra Leone			1			1	6	2				1		**11**
Somali					3	9	10	4	2	25	187	378	876	**1494**
Sri Lanka		1					1	5				10	32	**49**
Sudan	2	1				2	2	1	9	10	19	19	75	**140**
Switzerland								1						**1**
Syria			3	1	3	1	3	6	3	4	15	17	12	**68**
Tajikistan												1		**1**
Tunis				1	1	1	6	1	1	15	3		7	**36**
Turkmenstan							1			1	8	7	2	**19**
Uganda												1		**1**
Ukraine		2						5				1		**8**
Uzbekistan	10	2	3	13	8	5	24	33	24	20	30	18	41	**231**
West Sahara													2	**2**
Yemen								1			1	1		**3**
Yugoslavia	3	1					4							**8**
Zaire		2												**2**
Total	**2019**	**2617**	**3897**	**4497**	**5390**	**4985**	**5693**	**3520**	**2567**	**3046**	**2916**	**3539**	**5678**	**50364**

Source: Ministry of Interior

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