



## Border Security and Border Management of Turkey in the Fight Against Illegal Migration

### Bezpečnosť hraníc a správa hraníc Turecka v boji proti nelegálnej migrácii

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#### Abstract:

*This paper discusses border security and border management within the Turkey border. It provides an overview of Turkey's transformation due to the EU's relations regarding border management and the launching of membership talks. Turkey was able to satisfy the Copenhagen political requirements because of the EU's legitimacy and the efficacy of conditionality. These two reasons were important in assisting in the dramatic change of Turkish internal politics and foreign policy during the past several years. It further addresses the different aspects of border management in more depth. The methodology applied provides the data that was analysed to provide the research information. This article will conclude about today's uncertainty and mistrust surrounding Turkey's eventual EU membership will keep public policymakers' calculations of governmental adoption costs prohibitively high while supporting modest reform in the above areas, even if the pace and scope of these reforms differ from one issue area to the next, will benefit both Turkey and the EU.*

**Keywords:** Border Management, Border Security, Turkey, the EU, Illegal Migration

#### Abstrakt:

*Tento dokument sa zaoberá bezpečnosťou hraníc a riadením hraníc v rámci hraníc s Tureckom. Poskytuje prehľad o transformácii Turecka v dôsledku vzťahov EÚ v oblasti riadenia hraníc a začatia rozhovorov o členstve. Turecko bolo schopné splniť kodanské politické požiadavky vďaka legitimiti EÚ a účinnosti podmienenosti. Tieto dva dôvody boli dôležité pri dramatickej zmene tureckej vnútornej politiky a zahraničnej politiky počas posledných niekoľkých rokov. Ďalej sa podrobnejšie zaoberá rôznymi aspektmi riadenia hraníc. Použitá metodológia poskytuje údaje, ktoré boli analyzované, aby poskytli informácie o výskume. V závere tohto článku sa uvádza, že*



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*dnešná neistota a nedôvera okolo prípadného členstva Turecka v EÚ udrží výpočty verejných politikov o nákladoch na prijatie vlády neúmerne vysoké a zároveň podporí skromné reformy vo vyššie uvedených oblastiach, aj keď sa tempo a rozsah týchto reforiem v jednotlivých oblastiach líšia, ďalší bude prínosom pre Turecko aj EÚ.*

**Kľúčové slová:** *Správa hraníc, bezpečnosť hraníc, Turecko, EÚ, nelegálna migrácia*

## **Introduction**

Turkey, which had previously been a transit and source nation for migration, has turned out a destination due to its economic growth. Irregular migration is a worldwide issue with global consequences, especially the recent clashes experienced in Afghanistan. The remedies are beyond a single country's capabilities, necessitating worldwide burden-sharing. All nations should work together to avoid and solve the difficulties caused by irregular migration. Turkey's migration strategy is complicated by economic and political instability in its surrounding areas. While Turkey focuses on effective migration management, it also takes every measure to avoid irregular migration.

Turkey believes that preventing "push causes" like conflicts and wars, human rights abuses, and economic hardship in many origin countries is the only way to provide a long-term solution to irregular migration. Destination nations must embrace peace processes, encourage the peaceful resolution of conflicts in regions affected by conflict, and increase humanitarian assistance and investments supporting development in transit and origin nations. Turkey thinks that comprehensive, consistent, and human rights-based migration policies are essential, as are legal pathways for migrants and asylum seekers to enter and remain in destination countries and integrate initiatives [1]. There is also a need for regulations in border management in Turkey. It's also critical to enhance border security within the country. Thus, this paper aims to analyze border security and border management to fight illegal migrations in Turkey.

## **1. Terminology of Border Management and Border Security in Turkey**

A nation must comprehend its border management operations as a system to successfully manage its borders' security or control. The phrase "border management system" is a new word that refers to all procedures related to border enforcement, border control, and border security. Borders are drawn to demarcate a region that is bound together by a shared political and legal system. Its borders define a country's citizenship and sovereignty [2]. They establish the boundaries of economic control, such as currency, tariffs, and taxes. Although large-scale geopolitical maps seem to show clear political borders between nations, it is essential to remember that borders are primarily virtual in most cases.

Controlling and managing Turkey's borders is a tough job for many reasons. First, the country's hilly terrain and severe winter environment make practical control activities difficult, particularly along its eastern and southeastern borders. Second, these boundaries retain historical and economic cross-border family connections, which need distinct management approaches [3]. Third, security personnel stationed at these borders are responsible for several duties at once, including fighting smuggling

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and irregular migration and combating terrorism and stopping terrorist groups from entering the country [4]. Furthermore, due to internal instability, limited resources, and geographical obstacles, Turkey's non-European neighbors cannot give border security significant priority, increasing Turkey's duty and burden in this regard. Turkey's boundaries are different from those of the EU in all of these ways.

Improving border management is critical for any nation, but Turkey needs to join the European Union. Candidate nations are required to have the ability to apply the Schengen Agreement before becoming a member of the EU to be able to carry out the Agreement's requirements following a potential membership, according to Article 8 of the Additional Protocol to the Amsterdam Agreement. As a result, Turkey must implement the Schengen Agreement's requirements throughout its membership process and take the appropriate measures to defend and secure its borders. Turkey is establishing an integrated border management system that incorporates intra-institutional, inter-institutional, and international changes to ease commerce and travel.

Currently, the Ministry of Interior is in charge of border management in Turkey, which governors and district governors carry out. However, none of these agencies has direct control over the army's or the coast guard's border security troops. Several distinct domestic entities are in charge of various aspects of border control. To begin with, while the Turkish National Police, and thus the Ministry of Interior, are responsible for the entry and exit of individuals at border gates, the Ministry of Customs and Trade has been in charge of the control and management of the entry and exit of goods and vehicles at border gates since its establishment in 2011 [5]. Turkish nationals and foreign subjects must show valid passports or a passport replacement document to enter and leave Turkey, according to Article 2 of the 5682 Passport Law. Police officers must perform individuals' entry and departure processes to comply with customs and other activities.

## **2. Security Measures on Borders of Turkey to Stop Illegal Migration**

The EU's border management strategy calls for specialized and professional personnel to handle borders within integrated border management (IBM) system, among other things. IBM is critical for border efficiency in easing the movement of goods, including the people, while maintaining security. IBM emphasizes intra-agency and inter-agency cooperation. Nearly 20 authorities and institutions in Turkey are currently in charge of lots of areas in management issues (primarily the DG for Migration Management, the Coast Guard for sea borders, Police and Land Forces Command for land borders, and Customs Enforcement for border crossing points,), causing challenging coordination and cooperation [6].

Since 2002, Turkey has been dedicated to a comprehensive reform effort in this sector, which has received significant assistance from the EU. As per the EU Schengen Borders, guidelines, and Code specified in the Schengen Catalogue of Recommendations, the IBM strategy and subsequent action plan established in 2003 and 2006 aim to create a single, non-military border security body. Border management is an essential component of EU-Turkey migratory cooperation as well. The EU has been assisting Turkey in improving its ability to control migrant flows and create a functional border management system. Border management is a high-cost

sector in financial support, requiring expenditures in excellent infrastructure and advanced high-tech equipment [7]. The EU has been assisting with the capacity development of existing institutions while also creating the future structure. The Turkish government is upgrading the border control infrastructure by executing numerous significant projects — both in terms of scale and money – with EU co-funding.

EU initiatives promote humanitarian and contemporary border management measures, as well as border personnel capacity development. For example, the EU assists Turkey in demining its eastern borders and strengthening mobile and fixed monitoring capability at all land crossings by providing training and cutting-edge equipment [8]. Furthermore, the EU finances the Turkish Coast Guard's equipment to improve maritime surveillance and promote border management cooperation between Turkey, Greece, and Bulgaria. The EU has also aided in the development of police and customs capabilities to fight illicit border crossings. Another critical area is inter-agency collaboration to establish organized coordination and cooperation procedures among the border agencies [9]. Furthermore, the EU collaborates with Turkey on the development of a new generation of electronic passports.

Again, according to the EU, Turkey is expected to take some steps to improve border control and administration. Both the 2001 and 2003 Accession Partnerships emphasized the need to improve border control and prepare for full implementation of the Schengen Convention. The EU, above all, wants to see the existing border control and administration system replaced with an integrated civilian-professional unit [10]. This has been emphasized in particular by the most current AP from January 2006, which stresses the necessity to create a "professional non-military border guard" shortly. The first NPAA, published in 2002, did not provide a comprehensive plan. The NPAA made no specific promises, just that border management would be improved, and those preparations would be undertaken to implement the Schengen acquis [11]. The NPAA of 2020 was much more ambitious, promising to "fulfil the legislative, administrative, and infrastructural requirements for creating a non-military and professional border guard institution," with a 2017-2020 implementation timeframe. This is similar to the Task Force on Asylum, Immigration, and External Borders, established in 2020 [12]. The Task Force, which was in charge of preparing the overall strategy for border management alignment with the EU acquis, completed its work in April 2003.

### **3. Methodology**

The suitable methodology was qualitative as it involved close examination of the sociopolitical issue; thus, thorough research without drawing great attention was mandatory. Therefore, the applied data collection methods were secondary research whereby the information was retrieved from existing sources like journals, publications, etc., and overt observations from the involved authorities. Therefore, the collected data provided deep insights after analysis that were used to draw the research conclusion. All the secondary data used from other articles have been applied to understand better the issue being addressed. After analysis, new ideas for the issue have been identified [13].

## **4. Border Statistics Concerning Security Policies**

### ***4.1. Statistical Data on Irregular Migration***

Turkey is adamant about keeping up its efforts to stop irregular migration. Approximately 900.000 irregular migrants were arrested while trying to enter our country between 2005 and 2016. Turkish police arrested almost 175.000 illegal migrants in 2016. The Turkish Coast Guard Command saved over 37.000 people at sea. In Turkey, 175.752 undocumented migrants were arrested in 2017. Concerning emigration, the number of unlawful border crossings in Turkey decreased significantly in 2020, due primarily to the pandemic's impact. The number of irregular migrants apprehended by Turkish authorities was 122,302 as of December 2020. It is a 73 % decrease from 2019 (Kirişçi, 2017). And according to the Turkish Coast Guard (TCG), 20,380 unlawful migrants were apprehended at sea in 2020, down from 61,028 in 2019. In comparison, the Turkish Armed Forces (TAF) reported 104,359 illegal attempts to enter and 5,970 unlawful measures to depart Turkey during 2020, contrasted with 216,760 illegal migration in 2019 [14].

Syrians, Afghans, and Pakistanis were among the unlawful migrants arrested in Turkey in 2020. The following ones were the Palestinians, Georgians, and Iranian Iraqis. Afghan people were responsible for the decrease in the overall number of undocumented migrants apprehended in Turkey in 2020, with the frequency of detections dropping by 82 %. Even though the number of irregular Afghan migrants arrested in Turkey rose by more than 200,000 in 2019, Afghans seeking international protection in Turkey did not increase [15]. That may imply a problem with registration, but it could also show that many Afghans see Turkey as a stopover on their route to Europe.

### ***4.2. Legal Measures***

In December 2000, Turkey ratified the United Nations Convention against Transnational Organized Crime and its Additional Protocol against Migrant Smuggling by Land, Sea, and Air [16]. The Turkish Grand National Assembly approved the Agreement and its Protocols in March 2003. Migrant smuggling is a felony in Turkey, according to the Turkish Penal Code. Migrant smugglers face penalties ranging from 3 to 8 years in jail and a court punishment of 10.000 days under the Penal Code [17]. If the offense is committed by a group of people operating as an organization, the penalty will be raised by half. Coercive sanctions against legal entities engaged in migrant smuggling are also included in the Code [18].

The execution of the 2016 EU-Turkey Statement heightened tensions along the Turkish-Greek border in 2020. Turkey declared the suspension of the Statement in late February/early March 2020, enabling illegal migrants to leave Turkey to cross to Greece or Bulgaria while maintaining that the EU is failing to meet its obligations under the 2016 Statement [19]. As a result, Greece and Bulgaria blocked their borders, trapping migrants attempting to cross. During the crisis, both Turkey and Greece alleged that the other side of the wall was violating basic human rights and refugee rights. Tensions were eventually dissipated. The European Council held a strategic discussion on Turkey on October 1, 2020. It adopted conclusions reaffirming the EU's strategic interest in a stable and secure environment in the Eastern Mediterranean and

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developing a cooperative and mutually beneficial relationship with Turkey [20]. Following the March 2016 EU-Turkey Statement, this was intended to include ongoing collaboration on migratory problems.

Despite political difficulties, the resettlement of Syrian refugees under temporary protection under the EU-Turkey Statement from 2016 was maintained in 2020. By 2020, 27,579 Syrians had been relocated from Turkey to an EU Member State under the One-to-One Mechanism [21]. Due to measures against the pandemic, Turkey implemented a de facto halt of readmission operations from Greece after the outbreak of Covid-19. Turkey's total number of irregular migrants readmitted by Greece under the One-to-One Mechanism amounted to 2,139 by 2020 [22]. Pakistanis and Syrians make up the majority of the readmitted people's nationalities.

In 2020, there were still difficulties in developing long-term solutions for Turkey's massive refugee population. Turkey has maintained its backing for voluntary returns to the northern Syria safe zone now under development. The Turkish Minister of Interior stated in October 2020 that Turkey's cross-border operations have allowed more than 414,000 Syrians to return home, with officials estimating that around one million Syrians would return to northern Syria after a safe zone is created [23]. The issue of granting Syrians citizenship was also on the table. In December 2019, Turkey's president said that 110,000 Syrian refugees had been given Turkish citizenship, with the government planning to issue citizenship to many more [24].

### **5. EU and Turkey Cooperation to border security**

The policy examines the current migration situation in the region and the EU. It proposes five elements for higher cooperation levels: expanding the strategic partnership to include all aspects of border management, further reinforcing the adaptability of refugees and host communities in Turkey, focusing joint efforts on lengthy remedies, and improving regional cooperation. While collaboration between the EU and Turkey on migration issues began long before the Syrian refugee crisis, the EU-Turkey Statement of 2016 was a one-of-a-kind agreement for a combined response to a problem that neither the EU nor Turkey could manage alone. It decreased unauthorized entry into the EU, channelled aid to Syrians seeking temporary asylum in Turkey, and created a one-of-a-kind framework for regional cooperation on a difficult and sensitive issue for the EU and Turkey. The EU and Turkey have similar strategic objectives regarding the need for new collaboration in migration [25]. Following the most recent European Council meetings and encouraging signals from both sides' leaders, the groundwork for a constructive re-engagement between the EU and Turkey seems to have been laid.

When the decision to begin accession talks with the European Union (EU) was ultimately made in October 2005, relations between Turkey and the EU reached a new level. The declaration of Turkey as a candidate nation for membership by the European Council in Helsinki in December 1999 triggered a major political change in Turkey. In October 2004, the European Commission declared that Turkey had adequately fulfilled the Copenhagen political requirements [26]. The Commission advised the Council to begin talks with Turkey "as soon as possible." Following a heated discussion on Turkey in December, the European Council agreed with the Commission's conclusion and set October 2005 as the start date for talks. During the

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summer of 2005, a heated discussion erupted about Turkish membership in Europe [28]. Despite a poor public debate and significant popular opposition, the EU successfully established a Negotiation Framework for Turkey in October. Following the decision, a process of "screening" Turkish legislation in the 35 chapters discussed started. The EU approved a new Accession Partnership (AP) agreement in January 2006, outlining the objectives Turkey needed to accomplish for Turkish law to align with the EU acquis. In November 2006, the Commission concluded the screening process. However, just one chapter has been opened and closed thus far. Cyprus and Greece halted the start of the second chapter in October. The European Council decided on the 14th and 15th of December 2007 to suspend talks with Turkey on eight chapters due to Turkish refusal to open ports and airports to Cypriot boats. The Finnish Presidency hoped to open four chapters to interviews; however, when Germany assumed the EU presidency, this had not happened.

### **Conclusion**

The 2020 Covid-19 epidemic has had a significant impact on migration in the area around Turkey. The number of Syrians seeking temporary asylum in Turkey has continued to rise, although slowly. With an already deteriorating public health infrastructure and a worsening economy (culminating in the collapse of the Syrian pound in June 2020), the humanitarian situation in Syria's areas is in danger of deteriorating even worse. In 2021, this may result in new migration flows from Syria to Turkey.

Turkey has seen significant changes since the European Union declared Turkey a candidate nation for membership in December 1999. The EU-Turkey partnership has progressed significantly since then. However, there is a mixed record when it comes to harmonizing Turkish policy and practice in the areas of "justice, freedom, and security." It is conceivable to claim that different degrees of progress have been made in asylum, illegal migration, and human trafficking. Projects for twinning have been completed, and Action Plans have been approved. In fighting human trafficking, the European Commission believes Turkey must comply with the acquis, even though Turkey's prosecution record might improve. Similarly, much ground has been covered in the asylum, and the Turkish government has a long history of collaboration with the UNHCR and civil society.

This collaboration was crucial in Turkey's overhaul of its asylum program. Meanwhile, Turkish authorities seem eager to pass the required laws to seize complete control of the UNHCR's status decision. However, there is significant reluctance to take the next step, which would require Turkey to remove the "geographical restriction" and guarantee that the 1951 Geneva Convention is fully implemented [29]. This is due to Turkish authorities' profound scepticism about the EU's commitment to Turkish membership. The worry and fear that the EU isn't serious about Turkish membership significantly impact these officials' "cost-benefit" calculations and willingness to take reform risks. Similar observations may be made about the creation of a non-military professional border agency. This is the area of harmonization where the most progress has been made. Unsurprisingly, removing the geographical restriction and creating a border agency following EU acquis have been postponed until 2012 and 2014, respectively.

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