Chapter 2
Looking at the EU-Turkey Deal: The Implications for Migrants in Greece and Turkey

Elif Demirbaş and Christina Miliou

2.1 Introduction[1]

> The deal on refugees between the EU and Turkey, announced at the end of November 2015 – Turkey will curb the flow of refugees into Europe in exchange for generous financial help, initially of 3 billion Euro – is a shamelessly disgusting act, a proper ethico-political catastrophe... The opportunistic-pragmatic justification of this deal is clear (bribing Turkey is the most obvious way to limit the flow of refugees), but the long-term consequences will be catastrophic. Slavoj Žižek (2017)

The year 2015, known as the year of the global[2] reception crisis[3] (Amnesty International, 2016), has been marked by countless deaths in the Mediterranean as refugees attempted to pass the borders of the EU. The leading cause of this crisis was the Syrian civil war and the ensuing exodus of millions of refugees toward Western Europe. Due to the unwillingness of EU governments to accept refugees and their lack of preparedness for integration and protection, the magnitude of the Syrian refugee population sent alarm bells all over the region. Due to their

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[2] The use of the word 'global' here actually shows how Eurocentric the literature on migration is. In actuality, the effects of the reception crisis have been mainly felt in the Mediterranean region.

[3] The authors prefer the expression 'the reception crisis' instead of 'refugee crisis' to place the responsibility on the receiving countries and not on the migrants themselves. See Christopoulos (2016).

E. Demirbaş (✉)
Sociology Department, University of Sussex, Brighton, UK
e-mail: e.demirbas@sussex.ac.uk

C. Miliou
Law Department, University of Sussex, Brighton, UK
e-mail: c.miliou-theocharaki@sussex.ac.uk

geographical locations, Turkey and Greece assumed their roles as transit countries. While Turkey initially opened its borders to Syrian refugees, certain European countries in the EU, like Hungary, built barbed wires across their borders to stem the flow of people crossing (Thorpe, 2019).

Regarding immigration policies, the focus of the EU member states shifted from countries of origin, like Syria, Afghanistan, and Sudan, to transit countries bordering the EU, like Libya and Turkey (Strik, 2019). The EU aims to create a 'buffer zone' around its territory by signing readmission agreements with transit countries. The EU-Turkey deal (or the EU-Turkey Statement) is the product of such intentions (Strik, 2019). Even though EU Member State leaders and their Turkish counterpart signed the statement on 18 March 2016, it has generally been regarded as an EU tactic to slow migration flows.[4] With this deal, Greece and Turkey were suddenly positioned as the internal and external buffer zones. As a result, they were placed in the epicentre of managing millions of asylum-seekers and displaced populations, shaping European migration policies, and protecting Fortress Europe.

Readmission agreements have significant consequences for refugees. According to Amnesty International, 'the demands being placed on third countries to prevent irregular departures to Europe put refugees, asylum-seekers and migrants in those countries at risk of prolonged and arbitrary detention, refoulement, and ill-treatment' (2014, p. 13). Upon the sixth anniversary of the EU-Turkey deal, this chapter explores its effects and consequences on the subjects it aims to govern. By problematising it, the chapter demonstrates that the EU-Turkey deal has deep-rooted Eurocentric characteristics that perpetuate precarity. More specifically, through semi-structured interviews conducted in distinct fieldwork in Greece and Turkey, the chapter will scrutinise the deal's implications on migrants' right to seek asylum in Europe in the context of Greece; and, with a focus on migrants' integration into the labour market, their right (or the lack thereof) to integrate within the host country, in the context of Turkey. Through a Foucauldian lens, it will adopt a macro perspective focusing on states' policies towards migrants and a micro perspective, analysing migrants' everyday lives and the precarities therein, exposing the current politico-legal structures that force migrants in both countries to live in a prolonged condition of precariousness. When analysing this topic, we understand the Greek and Turkish narrative as complementary to each other – and, hence, they are not presented as comparisons in this chapter – as the former uses biopolitical strategies to alleviate responsibility and deter future migrants, and the latter governs refugees via precarity to keep them within its borders as cheap labour.[5]

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[4]The General Court of the European Union (2017) declared that the EU-Turkey Statement does not fall under the jurisdiction of the European Council nor any other institution of the EU, under the assumption that the agreement was between Member State leaders and not by the European Union. See NF, NG and NM v European Council (2017) and Gkliati (2017).

[5]It is noteworthy to add that similar financial benefits of precarious governance have been observed in Greece (see Manolada (Amnesty International, 2014), yet in the past years Greece is more prominent in externalising its migration than focusing on exploiting new cheap labour.

The EU-Turkey Statement is, first and foremost, a migration management technique. By identifying other countries as 'safe third countries', it aims to stem the flow of refugees into Europe and transfer the burden of protection to them, in this case, Turkey. Whether Turkey is a safe third country or not attracts a great deal of attention in the literature on migration within the Mediterranean region (see Kaya, 2020). However, like many legal terms, the classification of 'safe third country' hides as much as it explains. We argue that the question is not simply if Turkey is a safe third country or not. Instead, from a Foucauldian perspective, we believe that the crucial question is what the effects of considering Turkey a safe third country are, and, as an adjacent to this question, why the EU is so adamant in 'solving' the 'global refugee crisis' with readmission agreements – such as the EU-Turkey deal – which are nothing but techniques of migration externalisation. This chapter problematises the implications of this deal by observing both sides of the Aegean Sea – Greece and Turkey. Firstly, it will explore the EU-Turkey Statement, elaborate on key concepts like 'safe third country' and 'country of first asylum', and then explore Turkey and Greece separately and in detail.

The two authors of this chapter have conducted fieldwork in Greece and Turkey – by Miliou and Demirbaş, respectively – as a part of their PhD research. Demirbaş looks at the effects of the EU-Turkey deal on refugees in Turkey and shows how refugees experience many forms of precarity, mainly in legal and economic insecurities. This precarity is a form of governmentality that creates and maintains insecurities within a seemingly secure system (Lorey, 2015). Governing through precarity creates a cheap labour force and a reserve army of labour out of refugees, which benefits the government and the capital owners by providing cheap workers and disciplining the native labour force by using migrants as leverage.

Miliou explores how Greece has used biopolitical tactics of selective migration to alleviate the responsibility of protecting refugees and as a deterrence mechanism for future arrivals. Foucault perceives biopolitics as the process of 'making live' or 'letting die' (Foucault, 2003, pp. 62, 241). Jasbir Puar's (2017) understanding of biopolitics suggests that biopolitics is not about 'life' versus 'death' but the debilitation of life. Similarly, while documenting the reception crisis, Pallister-Wilkins, observes that 'human life [is] not considered equal but at the same time not allowed to die' (Minca et al., 2021). Through such a biopolitical lens, it becomes evident that Greece uses the concept of the 'safe third country' as a mechanism of externalising migration by rejecting refugee statuses and avoiding to 'make live' and simultaneously avoiding to 'let die' through simply shifting the responsibility of protection to its neighbouring countries.

2.2 The EU-Turkey Statement

The sudden rise in the arrival of border crossers in Europe via Greece in the summer of 2015 was a significant moment for Europe to expedite and solidify its mechanisms for externalising migration control. With the Syrian war showing no signs of

de-escalation, European Union leaders feared that the arrival of asylum seekers would continue at similar rates to those of the summer of 2015. Therefore, under the auspices of protecting the 'disorganised, chaotic, irregular, and dangerous migratory flows', the EU-Turkey Statement was put into effect to have better control and power over who has the right to enter and seek asylum (European Commission, 2016).

As most of the border crossers at the time were Syrian nationals fleeing internal conflicts, the EU-Turkey Statement specifically targeted those individuals. The statement focused on the sea borders between Greece and Turkey and indicated that Turkey would be responsible for taking back every Syrian who crossed the countries' sea borders. Furthermore, the EU offered to accept one Syrian for every returned Syrian by offering regular pathways into Europe, prioritising those who had never tried to cross before (European Commission, 2016; International Rescue Committee, 2022; Smeets & Beach, 2020, p. 147). Additionally, the EU offered Turkey the opportunity of concession talks about a visa-free travel into Europe and an initial monetary aid of 3 billion euros to cover the costs of protection and support of all migrants within Turkey's borders. Since then, though the concession talks have been stagnant, the monetary aid has been renewed for another 3 billion euros in 2018. Finally, an additional 3 billion has been promised to Turkey for 2021–2023 (European Commission, 2021b).

The legality of this statement was based on the concepts of 'safe-third country' and 'country of first asylum', which were grounded on the need for international cooperation to share the burden of responsibility and the protection of people in need (Kaya, 2020). The reasoning behind 'the country of first asylum' is to stop a continuous movement of refugees after having received refugee status or having been given a chance to claim asylum (European Council on Refugees and Exiles & Asylum Information Database, 2021; Strik, 2019). The concept of a 'safe third country' assumes that if a refugee can be granted asylum in a third country, the country initially responsible for them could transfer the responsibility of asylum to a third country. According to Ovacik, the concept did not arise until the 1980s; only when Western countries started worrying about the number of asylum seekers arriving in their territory was the concept first discussed (2020, p. 67; Executive Committee of the High Commissioner's Programme, 1990). For the EU, the notion of the 'safe third country' is stated in Article 38 Directive 2013/32/EU. The Directive states that the sending country needs to ensure the following: (a) the receiving country will protect the life and liberty of the person seeking protection, (b) there is no risk of serious harm to the refugee if transferred to that country, (c) the receiving country follows the principles of non-refoulement, (d) the receiving country protects the right to freedom from torture and against the inhuman or degrading treatment, (e) there is the possibility to seek refuge and, if provided, the same protections are granted as those stated in the Geneva Convention, and (f) there are reasonable enough connections between the applicant and the country to justify their movement to that country. Finally, (g) each applicant needs to be considered case-by-case to evaluate whether that country would be safe for them, and they have the right to appeal against any such decision (Directive 2013/32/EU, 2013).

2.3   The Precarious Lives of Refugees in Turkey

The primary aim of the EU-Turkey Statement is to keep refugees in Turkey. As the most populous refugee group in Turkey by far, Syrians are protected under temporary protection and have rights akin to refugees'. Comparatively, migrants coming from other countries, such as Iraq, Iran, and Afghanistan, are not protected under any legal status nor can seek asylum in Turkey. Even with legal status, however, Syrians' de facto existence demonstrates that their everyday lives are dominated by precarity, as they are often curtailed from enjoying their rights. Their legal status cannot prevent this precarity; rather, the temporality of their legal status contributes to their insecurity (Ilcan et al., 2018). This temporality can be understood as a tool to govern and control refugees. By aiming to keep the refugees in Turkey, the EU-Turkey deal is helping to create and preserve a system within which refugees suffer from poverty and uncertainty. Precarity in this context becomes a form of governmentality (Lorey, 2015) and governing through precarity creates a cheap labour force and a reserve army of labour out of refugees, benefitting the government and the capital owners by disciplining the native labour force while using migrants as leverage.

Until recently, Turkey has been a country of emigration rather than immigration. Its migration policy was based on nationalistic premises that paved the way for full integration of ethnically Turkish people from various countries while declining to recognise non-Turkish people coming from war-torn countries as refugees (Müftüler-Baç, 2021). Turkey is a signatory state to the 1951 Geneva Convention, but its acceptance of refugees is limited by a geographical condition so that only people coming from Europe can be granted asylum in Turkey (Müftüler-Baç, 2021; İçduygu & Keyman, 2000).

Initially reluctant to make dramatic changes in its policy and hopeful for a swift end to the Syrian civil war, the Turkish government referred to Syrians as 'guests' and accepted them with an open-door policy. However, the sheer volume of people crossing the border every day soon proved that Turkey needed a migration policy targeting Syrians, as their 'guest' status, without any legal rights, would not suffice when dealing with millions of stateless individuals. Consequently, Law 6458, the Law on Foreigners and International Protection (Yabancılar ve Uluslararası Koruma Kanunu), was adopted by the Turkish parliament in April 2013 and went into force in April 2014 (Müftüler-Baç, 2021). Simultaneously, a new governmental agency, the Directorate General for Migration Management (DGMM), was created to deal with migration in a centralised fashion. With the formation of the DGMM and coming into force of Law 6458, Syrian refugees acquired certain rights, but their temporary status did not alter. While they have many rights akin to refugees', the whole migration regime is enacted to ensure their temporality as it lacks any clear pathway towards citizenship and, thus, integration. As Rygiel et al. (2016, pp. 316–317) aver, 'temporary protection regimes have been and are typically designed to deter local integration, provide limited protection, and facilitate repatriation.' While their temporary protection status grants them more rights and stability

compared to their previous 'guest' status, Syrian refugees are still living in limbo, 'a permanent grey zone,' within which they need to negotiate their access to healthcare, employment, and education (Rygiel et al., 2016).

In addition to the temporality, another contributing factor to the precarity of Syrians is the limitations on their rights. Syrians must register in one of the eighty-one cities in Turkey to get an ID card, and can only access work permits, free healthcare, and public education in the cities where they are registered. This rule forces Syrian refugees to live in cities with only few employment opportunities or to travel outside their city of registry to find employment. This often means living without access to hospitals or schools because a lack of access to *free* healthcare and education means refugees must live without these vital services if they cannot afford to pay for them. Due to the nature of their occupation, this limitation has especially dire consequences for Syrian farmworkers, who lead nomadic lifestyles as they pursue new harvests during warmer months. The interviews done by Demirbaş with farm workers in Eskişehir showed that their access to healthcare is greatly hindered during harvest times and that they must rely on the goodwill of healthcare workers rather than being able to access a right that is due to them without hindrance.

This limitation also inhibits refugees from being legally employed and withholds all the benefits associated with legal employment from them. Even within one's city of registry, obtaining a work permit is a rare occasion for Syrian refugees since the application for work permits are done by employers, not the employees, and the former are usually not inclined to employ refugees legally due to the additional costs it incurs. Thus, informality becomes a defining feature of refugees' labour market experiences (Bélanger & Saracoglu, 2020). Cheap labour is essential in increasing the competitiveness of Turkish employers, both nationally and internationally, and in mitigating the effects of the economic crises that Turkey has been experiencing for years (Abbasoğlu Özgören & Arslan, 2021). When one looks at the number of work permits issued by the Ministry of Labour to Syrian refugees[6] and compares them to the number of Syrian refugees that are estimated to be in employment,[7] it becomes evident that the supposed desires and actions of the Turkish government to promote and facilitate the formal employment of Syrian refugees are not substantiated by the actual labour market experiences of refugees (Abbasoğlu Özgören & Arslan, 2021). None of the participants in Demirbaş's fieldwork had work permits at the time of the interviews, and very few had ever worked with a permit. Additionally, migrants do not need work permits to work as farm workers, proving that this sector is 'exempted from basic labour standards and rights' (Fudge, 2012, p. 121). There are no legal regulations to ensure that working conditions for migrants are safe in agriculture, and it therefore looks like migrant workers are experiencing socioeconomic exclusion. In fact, this is anything but an exclusion. According to Kavak (2016), the legal and

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[6] In 2020 it was 62.369. Work permits have to be renewed every year so this number shows the total number of Syrian refugees who were working with a permit that year.

[7] The number of Syrians working in the informal sector is estimated to be anywhere between half a million and a million (İçduygu & Diker, 2017).

socioeconomic exclusion of migrant workers is an 'adverse incorporation' where refugees 'are not excluded from, but rather integrated into markets in a way that perpetuates their chronic poverty' (Kavak, 2016, pp. 38–39).

Adverse incorporation is evident in general for Turkey's sizable informal sector. Long hours, low pay, unpaid wages, and unhealthy and unsafe working conditions are common difficulties faced by migrant workers (İçduygu & Diker, 2017, p. 24). Demirbaş's research has also witnessed the prevalence of long and unsociable hours without any compensation for overtime in the labour market experiences of refugees. Twelve-hour or even fourteen-hour working days were mentioned during the interviews, and Syrian workers almost always received less than Turkish citizens doing the same job. This fosters 'a sense of loss', first due to the active pauperisation of both migrant and native labour forces, and, second, because workers lose whatever collective bargaining power they have fought for and won (Saraçoğlu & Bélanger, 2019). Against their wishes, Syrians are manipulated as disciplinary mechanisms to govern the native labour forces. Precarity becomes a form of governmentality not just for migrants but for the informal labour force in general. In the agricultural sector, the refugees' 'adverse incorporation. . . have deteriorated the working conditions and the bargaining power of all the workers in this specific segment of the labour market, one where exploitation was already deep and multifaceted' (Kavak, 2016, p. 51). This is also true for other parts of the informal economy. While no significant negative changes have been observed in the overall levels of poverty, wages, and unemployment in the host society due to the arrival of Syrian refugees, in the informal sectors where precarity abounds, the inclusion of Syrian refugees into the local labour market has the potential to have a significant impact on wage, unemployment and poverty levels of the host community (Saraçoğlu & Bélanger, 2019).

The EU-Turkey deal endorses such precarious living conditions refugees endure by designating Turkey a 'safe third country' to keep refugees out of Europe. In some ways, Turkey is a safe country, especially for people fleeing civil war. Most parts of Turkey have been relatively peaceful for decades, and when compared to some European countries, where draconian measures have been taken to stem the migration flow at the cost of human rights abuses, Turkey stands out as welcoming to Syrian refugees.[8] Yet, Turkey is a developing country with a struggling economy and a political scene that is becoming increasingly authoritarian every year. The refugees are governed in Turkey through their precarity and used as cheap labour to bolster the competitiveness of Turkish producers. In addition to such difficulties, refugees face other levels of insecurity such as the increasing anti-immigrant racism among the native population and the human rights abuses done by Turkey's authoritarian state apparatuses. Amnesty International (AI) (2015, 2016, 2017) and Human Rights Watch (2019) have reported the abuses that have taken place against refugees, especially in the border regions of Turkey. Arbitrary and unlawful detention,

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[8] Although, not so much to other immigrants coming from Iraq, Iran, Afghanistan or other parts of the Global South.

refoulement, and violation of bodily integrity happen in addition to the everyday precarities that refugees face in Turkey. And there are indications reported by the AI (2015) that the EU-Turkey deal has led to a deterioration in the treatment of asylum seekers and refugees by the Turkish border control. It is no surprise that the de facto end of Turkey's open-door policy, with the increasing militarisation of the Turkey-Syria border, coincides with the negotiations around the EU-Turkey deal.

The deal has been successful in stemming the migration flows from Turkey; but in transferring responsibility to Turkey, EU states shirk away from their obligations toward refugees as signatories to the 1951 Geneva Convention (Rygiel et al., 2016). As a result, those who choose to face dangerous journeys toward Europe join millions who stay in Turkey, and

> it is unclear: what they will do in Turkey after having made the dangerous and often expensive journey from Turkey to Greece; what their future holds [upon their return] in a country that provides them with limited citizenship rights and limited opportunities for legal employment, and; how they will confront their subsequent ambiguous status, unpredictable conditions of living, and differential inclusion. (Baban et al., 2017, p. 43)

2.4 The EU-Turkey Deal as a Eurocentric Tool of Biopolitical Control and Externalisation of Migration in Greece

The EU-Turkey deal brought a new mechanism to process asylum applications in Greece. Aiming to control the unchecked population crossing into Western Europe via Greece, the EU-Turkey deal birthed the concept of the 'fast-track' process. Syrians who entered Greece via the sea borders with Turkey would be questioned about Turkey being a safe third country and not about the essence of their need for international protection. To better control the returns to Turkey and follow the conditions of the EU-Turkey statement, the Greek government placed all asylum seekers on the islands under geographical restriction. This geographic restriction led to an overpopulation of the island camps that lasted until the end of 2020, with the island accommodations centres reaching 213% over their capacity in 2017, 198% in 2018, 615% in 2019, and 547% in mid-2020 (General Secretariat for Information and Communication, 2017, 2018, 2019, 2020). With the scarcity of resources as an excuse, the Greek government followed patterns of expediting decision processes based on perceived vulnerabilities, with those deemed 'vulnerable' being the only ones who were exempt from the 'fast-track' procedure. Iliadou, while conducting her fieldwork on the island of Lesvos, observed that even within those placed under the vulnerability categories, there was further subcategorisation of higher vulnerability which directly corresponded to their treatment and access to goods and services (2019b, p. 74). Even though relocation schemes were also in place, other characteristics, like age group, gender, or nationalities, were often in place, exposing the neoliberal Eurocentric agendas behind the EU's selectivity of migration (Mavelli, 2017; Mouzourakis et al., 2017; Zablotsky, 2020).

With the governmental directions promoting returns to Turkey, the case handlers became more inclined to deny international protection and declare cases inadmissible. Since the concept of the 'safe third country' had never been used before within the Greek migration system, once the initial decisions of inadmissibility were given to the asylum seekers, many concerns and disagreements arose concerning the legality of those returns (Action for Education et al., 2021; Amnesty International, 2020; Danish Refugee Council et al., 2022). Activists and scholars have tried to highlight how the 'safe third country' concept has been a Eurocentric tactic to externalise the responsibility of asylum at the expense of people's rights and dignity, leaving many without the possibility of seeking refuge (Gkliati, 2017; Iliadou, 2019a, b; Rozakou, 2020). Some of the main arguments focused on rights violations and violence inflicted on Syrian nationals during their transit to Europe, on Turkey's lack of a legal framework for providing refuge to non-Europeans, and, lastly, on what constitutes 'significant connection with the third country' (Action for Education et al., 2021; Greek Council for Refugees et al., 2021; Refugee Legal Support (RLS) & Stiftung Pro Asyl, 2022).

The structural divides concerning the implementation of the EU-Turkey deal did not only emerge within the civil society rhetoric but also appeared within the deciding bodies. Initially, the independent appeal committees shared similar concerns, approving claimants' appeals against their negative decisions under the presumption that Turkey did not have a legal framework for Syrian asylum seekers. Such deviation from governmental policymaking did not last long, resulting in the government's strategic steps toward enhancing its biopolitical control. As positive appeals decisions were becoming the norm, the government decided to change the composition of these independent appeal committees to better align them with its ultimate goal of sending Syrian nationals back to Turkey (Gkliati, 2017, pp. 215–216; Ovacik, 2020, p. 75). Legal changes to the asylum processes are not unusual; the composition of the appeals committee has experienced at least four amendments concerning its operations from 2016 to 2018 (Asylum Information Database (AIDA) et al., 2020, p. 65). During discussions with a lawyer concerning the legal and bureaucratic structures around the asylum processes, they explained to Miliou that the legal structures are changing so fast that even the experts struggle to keep up with the latest regulations. The constant changes can be understood as an effort by the government to find its desirable legal structures to define who is deemed acceptable and who is unwanted. This fluctuating phenomenon creates and sustains misinformation and confusion concerning the bureaucratic mechanisms, not only for the lawyers but also for actors employed by the Greek government.

Until March 2020, 2100 people have returned to Turkey from Greece, but due to escalated disputes between the EU and Turkey, no returns have taken place after Turkey stalled them all (Danish Refugee Council et al., 2022; UNHCR, 2020). These disputes occurred after Turkey expressed disappointment with the benefits it was supposed to receive through the EU-Turkey statement (Terry, 2021). During that time, Turkey opened its borders and did not prevent people from crossing to Greece via the Pazarkule / Kastanies border, after which Greece violently closed the passage to all border crossers (Aljazeera, 2020). Even though the Turkish side

decided to close the returning pathways for those the Greek asylum service deemed 'inadmissible', the negative decisions continued to be produced, both in the first and second instance. This exacerbated the legal limbo in which asylum claimants lived. As a result, rejected claimants have their right to cash assistance, medical care, and work permits immediately stripped away, causing indisputable life debilitation. Simultaneously, as the Turkish government refuses their return to Turkey and thus denounces responsibility for securing those retracted rights, claimants have been left in a buffer zone of complete abandonment and neglect for over two years (Danish Refugee Council et al., 2022). Such debilitating conditions can be understood as deterrence tactics of the Greek government to discourage more claimants from entering its territory, assuming that those suffering within Greece will inform and prevent those aiming to travel to Greece (Refugees International & Panayotatos, 2022).

The Greek Minister of Migration declared that Turkey must adhere to its responsibilities under the EU-Turkey statement and receive the 1450 people waiting for deportation (Ministry of Migration and Asylum, 2021a). Additionally, in another statement given on June 1st 2021, the EU Commissioner of Home Affairs, Ylva Johansson, commented on the suspension of returns and responded that the EU remained confident about the future of the statement between the EU and Turkey and that through mutual trust and collaborative efforts, the statement could continue to benefit both countries (European Commission, 2021a). It should not have come as a surprise that Ursula von der Leyen, the President of the European Commission, announced a couple of weeks later an additional three billion euros aid to Turkey (European Commission, 2021b). Interestingly, the initial response of Johansson stated that according to the concept of the 'safe third country',

> Greece will need to take into account the circumstances at the time of the (re-) examination of the individual applications, including with regard to the prospect of return in line with the EU-Turkey Statement. In the meantime, applicants shall have access to material reception conditions under the conditions set out under the EU Charter of Fundamental Rights, EU and national law. (European Commission, 2021a)

Despite the two-year blockage from Turkey's side to receive any claimants and the international pressures to respect their life and dignity, the Greek government not only continued to provide negative decisions to those under the EU-Turkey deal, but it took the drastic decision to expand the 'Turkey is a safe third country' idea to other nationalities as well, thus exacerbating the biopolitical control it had over its border crossers. On June 7th 2021, Greece announced through a Joint Ministerial Decision (JMD) that it would be using the EU-Turkey deal as a blueprint and include other nationals coming from Afghanistan, Bangladesh, Pakistan and Somalia as 'inadmissible' applications retroactively, meaning that this procedure would not only apply to those entering after the enacted date, but for those who had already applied before the implementation of the law as well (Law 42799/2021, 2021; Ministry of Migration and Asylum, 2021b).

In 2021, 60% of the claimants came from those nationalities; thus, it is fair to assume that the decision to apply the 'safe third country' concept to claims of

nationals from those countries was not because Turkey was safe for them, but because the Greek government was specifically targeting the nationalities which constituted the majority of asylum applications (Danish Refugee Council et al., 2022). From June 7th to December 2021, 12,570 claims were judged on their admissibility. Nearly half of those were deemed inadmissible, were rejected, and deportation mandates for their (unfeasible) return to Turkey were issued (International Rescue Committee, 2022). Overall, there has been an increase of 126% in inadmissible applications from 2020 to 2021 (International Rescue Committee, 2022). As the admissibility interviews are shorter than the substantive asylum interviews, and due to their retroactive application, there has been an expedited process for judging thousands of claimants, with interviews scheduled for 2023 decreasing from 6156 to 4022 (Refugee Support Aegean, 2022). According to statements from the field, there have been occasions where interviews were advanced under short notice, leaving the claimants without enough time to get adequate legal counsel or information concerning the bureaucratic changes caused by the 'safe third country' concept.

It is worth reiterating what was mentioned earlier. Turkey does not have legal frameworks to provide refugee status to claimants who do not arrive from European countries. Turkey allows claimants from non-EU countries to place asylum applications, yet they will be relocated to another country if their claims are deemed positive. Consequently, the Greek policy of considering inadmissible claims from a further four nationalities and deciding to return them to Turkey, implies that, even if Turkey opens its borders to receive them from Greece, the claimants will embark on a long trip from Greece to Turkey, only to do this again later from Turkey to another country. This externalisation of migration control produces something close to *a never-ending transportation* of asylum claimants from Europe to Turkey and then other countries, legitimising one of the most severe Eurocentric biopolitical controls.

To no one's surprise, despite the European Commission's warnings about Greece not protecting claimants' rights given that Turkey had halted the returns, no sanctions have been enforced against the Greek government (European Commission, 2021a). It is not far-fetched to assume that this is because such tactics benefit the Eurocentric agenda of keeping asylum claimants away from Europe's responsibility. Finally, to place the biopolitical control into a greater perspective, Greece's selective asylum policies became even more striking by the different treatment that nationals of Afghanistan, Bangladesh, Pakistan, Somalia, and Syria experienced versus the treatment offered to nationals of Ukraine following the Russian invasion. In this regard, the then Minister of Migration, Notis Mitarakis, announced that the latter were 'real refugees' in need of immediate hosting and protection (Human Rights Watch & Eva Cossé, 2022). This selective asylum ignores the concept of a 'safe third country' regarding Ukrainian refugees, amplifying the Eurocentric and racist residues behind the Greek biopolitics of asylum.

2.5   Conclusion

The EU-Turkey agreement is not the sole effort from the EU to prioritise the securitisation and externalisation of migration, with humanitarian assistance and rights protection schemes being institutionally suppressed, as observed in the proposed New Pact of Migration and Asylum (Ferreira et al., 2022). Externalisation concepts have dire implications for those whose asylum applications are refused and those forcibly kept within 'safe third countries'. The EU, aware of the conditions under which the refugees live, continues to endorse the concentration of asylum claimants in Turkey, a country with the highest refugee population in the world, through money and political promises, thereby creating and perpetuating a state of precarity. Turkey's role in this externalisation of migration governance reflects its advantageous position. It holds Europe on a tight leash under threats of opening its borders and creates a cheap labour force to provide for Turkey's economy with minimal workers' rights. Governing through precarity has exacerbated the inequality and dangers under which the Syrian population lives, with Europe promoting such precarity ideologically and financially.

The Greek government has deliberately chosen to place under an inadmissibility condition the majority of the claimants arriving through the Turkish border, aware of two major facts: first, that Turkey has closed its borders, which renders the life conditions of those affected extremely precarious; second, that Turkey's legal framework only covers the Syrian population, thus leaving the other four nationalities affected without the possibility of enjoying refuge or any type of protection in Turkey. Considering this through a biopolitical lens, it becomes clear that Greece chooses to control its refugee population by creating a legal limbo zone for which the country declines any responsibility. Such conditions benefit the Greek government, freeing it from its responsibility to protect the 'unwanted' while blaming Turkey for not protecting the claimants' rights after accepting them back. These debilitating life conditions have an additional advantage from the perspective of the Greek government, as they serve as a deterrence mechanism for all those thinking of making the journey to Greece. It is noteworthy that Greece was not satisfied with only declaring Turkey a 'safe third country', so it further strengthened its externalisation of asylum by adding Albania and Northern Macedonia to the 'safe third country' list in December 2021 (Danish Refugee Council et al., 2022).

The decisions taken in the more powerful states in the Mediterranean have reverberating effects on three continents. The hostile environment directed against refugees within the EU and its bordering countries, has created conditions of precarity and hopelessness, especially for refugees fleeing war-torn countries. The consequence is the creation of 'unsafe countries' for refugees only differing in their level of unsafeness. One solution to this crisis of protection is to turn our gaze to countries of origin to eradicate the situations that lead to displacement in the first place, rather than treating refugees as objects of humanitarian aid (Betts & Collier, 2017; Žižek 2017). While doing that, the EU and other powerful countries must acknowledge their past and present involvement in those conflicts and ensure they

keep their doors open to protect and shelter those seeking asylum within their borders. Refugees should not be seen as a nuisance; the 'management' of refugee flow should serve all the people concerned and not depend on the political or economic interests of states.

References

Abbasoğlu Özgören, A., & Arslan, H. (2021). Syrians in labour: A matter of integration through informality. In A. Çavlin (Ed.), *Syrian refugees in Turkey: A demographic profile and linked social challenges*. Routledge.

Action for Education, ARSIS – Association for the Social Support of Youth Better Days, Centre Diotima, ECHO100PLUS, ELIX, Equal Rights Beyond Borders, Europe Must Act, European Lawyers in Lesvos (ELIL), Fenix - Humanitarian Legal Aid, Greek Council for Refugees (GCR), Greek Forum of Migrants, Greek Forum of Refugees (GFR), Greek Helsinki Monitor, Hellenic League for Human Rights (HLHR) HumanRights360, Human Rights Legal Project, Initiative for the Detainees' Rights, International Rescue Committee, INTERSOS, INTERSOS Hellas, . . . Terre des hommes Hellas. (2021, June 14). Joint NGO statement on Greek government's decision to deem Turkey a "safe" country. https://eu.rescue.org/press-release/joint-ngo-statement-greek-governments-decision-deem-turkey-safe-country

Aljazeera. (2020, March 7). *Greek police fire tear gas as migrants seek to enter from Turkey*. https://www.aljazeera.com/news/2020/3/7/greek-police-fire-tear-gas-as-migrants-seek-to-enter-from-turkey

Amnesty International. (2014) *The human cost of Fortress Europe: Human rights violations against migrants and refugees at Europe's borders*. https://doi.org/10.1163/2210-7975_HRD-9211-2014033.

Amnesty International. (2015). *Europe's Gatekeeper: Unlawful detention and deportation of refugees from Turkey*. https://www.amnesty.org/en/documents/eur44/3022/2015/en/

Amnesty International. (2016). *No safe refuge: Asylum-seekers and refugees denied effective protection in Turkey*. Amnesty. *International.*. https://www.amnesty.org/en/documents/eur44/3825/2016/en/

Amnesty International (2017). *A blueprint for despair: Human rights impact of the EU-Turkey deal*. https://www.amnesty.org/en/documents/eur25/5664/2017/en/

Amnesty International. (2020). *Turkey: Halt illegal deportation of people to Syria and ensure their safety*. https://www.amnesty.org/en/documents/eur44/2429/2020/en/

Asylum Information Database (AIDA), European Council on Refugees and Exiles (ECRE), & Greek Council for Refugees. (2020). *Country Report: Greece*. https://asylumineurope.org/wp-content/uploads/2021/06/AIDA-GR_2020update.pdf

Baban, F., Ilcan, S., & Rygiel, K. (2017). Syrian refugees in Turkey: Pathways to precarity, differential inclusion, and negotiated citizenship rights. *Journal of Ethnic and Migration Studies, 43*(1), 41–57. https://doi.org/10.1080/1369183X.2016.1192996

Bélanger, D., & Saracoglu, C. (2020). The governance of Syrian refugees in Turkey: The state-capital nexus and its discontents. *Mediterranean Politics, 25*(4), 413–432. https://doi.org/10.1080/13629395.2018.1549785

Betts, A., & Collier, P. (2017). *Refuge: Transforming a broken refugee system*. Allen Lane, an imprint of Penguin Books.

Christopoulos, D. (2016, March 3). A crisis within the crisis: Migration flows in Greece in the turmoil of the crisis. *South East European Studies at Oxford*. https://www.youtube.com/watch?time_continue=1520&v=fAj1vdeoEgg

Danish Refugee Council, International Rescue Committee, Refugees International, Save the Children, & Terre de hommes. (2022, March 17). *EU-Turkey Statement: Six years of undermining refugee protection*. https://reliefweb.int/report/greece/eu-turkey-statement-six-years-undermining-refu gee-protection-enel

Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection, (2013). https://eur-lex.europa.eu/legal-content/en/ALL/?uri=celex%3A32013L0032#d1e39-60-1

European Commission. (2016). *Implementing the EU-Turkey agreement – Questions and answers*. https://ec.europa.eu/commission/presscorner/detail/en/MEMO_16_1494

European Commission. (2021a, June 1). *Answer given by Ms Johansson on behalf of the European Commission*. https://www.europarl.europa.eu/doceo/document/P-9-2021-000604-ASW_EN.pdf

European Commission. (2021b, July 7). *Mid-Term evaluation of the Facility for Refugees in Turkey: EU support made a significant contribution to the welfare of Syrians and others fleeing conflict in the region*. https://ec.europa.eu/commission/presscorner/detail/en/IP_21_3438

European Council on Refugees and Exiles (ECRE) & Asylum Information Database (AIDA). (2021, June 10). *Country Report: First country of asylum*. https://asylumineurope.org/reports/country/greece/asylum-procedure/the-safe-country-concepts/first-country-asylum/

Executive Committee of the High Commissioner's Programme. (1990). Conclusions on international protection adopted by the executive committee of the high commissioner's programme at its 49th session (1989). *International Journal of Refugee Law, 2*(1), 143–157. https://doi.org/10.1093/ijrl/2.1.143

Ferreira, N., Kea, P., Kraler, A., & Wagner, M. (2022). The EU and protracted displacement: Providing solutions or creating obstacles? *Journal of Ethnic and Migration Studies*, 1–20. https://doi.org/10.1080/1369183X.2022.2090161

Foucault, M. (2003). *Society must be defended: Lectures at the Collège de France, 1975–76* (M. Bertani, A. Fontana, & F. Ewald, Eds.; D. Macey, Trans.; 1st ed). Picador.

Fudge, J. (2012). Precarious migrant status and precarious employment: The paradox of international rights for migrant workers. *Comparative Labor Law and Policy Journal, 34*(95).

General Secretariat for Information and Communication. (2017). *National situational picture regarding the Islands at Eastern Aegean Sea* (11/12/2017). https://infocrisis.gov.gr/3855/national-situational-picture-regarding-the-islands-at-eastern-aegean-sea-11-12-2017/?lang=en

General Secretariat for Information and Communication. (2018). *National situational picture regarding the Islands at Eastern Aegean Sea* (02/12/2018). https://infocrisis.gov.gr/3495/national-situational-picture-regarding-the-islands-at-eastern-aegean-sea-02-12-2018/?lang=en

General Secretariat for Information and Communication. (2019). *National situational picture regarding the Islands at Eastern Aegean Sea* (16/12/2019). https://infocrisis.gov.gr/7154/apotyposi-tis-ethnikis-ikonas-katastasis-gia-to-prosfygiko-metanasteftiko-zitima-tin-16-12-2019/

General Secretariat for Information and Communication. (2020). *National Situational Picture Regarding the Islands at Eastern Aegean Sea* (14/05/2020). https://infocrisis.gov.gr/8923/national-situational-picture-regarding-the-islands-at-eastern-aegean-sea-14-5-2020/?lang=en

Gkliati, M. (2017). The EU-Turkey Deal and the safe third country concept before the Greek asylum appeals committees. *Movements, 3*(2). www.movements-journal.org

Greek Council for Refugees, Refugee Support Aegean (RSA), & HIAS Greece. (2021). *Greek Asylum Case Law Report*. https://www.gcr.gr/en/news/press-releases-announcements/item/1878-first-greek-asylum-case-law-report-published-by-legal-organisations

Human Rights Watch. (2019). *Turkey forcibly returning Syrians to danger*. https://www.hrw.org/news/2019/07/26/turkey-forcibly-returning-syrians-danger. Accessed 15 Sept 2022.

Human Rights Watch & Eva Cossé. (2022, March 3). *Greece should know that refugees can come from anywhere*. https://www.hrw.org/news/2022/03/03/greece-should-know-refugees-can-come-anywhere

İçduygu, A., & Diker, E. (2017). Labor market integration of Syrian refugees in Turkey: From refugees to settlers. *Göç Araştırmaları Dergisi, 3*(1), 12–35.

İçduygu, A., & Keyman, E. F. (2000). Globalization, security, and migration: The case of Turkey. *Global Governance: A Review of Multilateralism and International Organizations, 6*(3), 383–398. https://doi.org/10.1163/19426720-00603006

Ilcan, S., Rygiel, K., & Baban, F. (2018). The ambiguous architecture of precarity: Temporary protection, everyday living and migrant journeys of Syrian refugees. *International Journal of Migration and Border Studies, 4*(1/2).

Iliadou, E. (2019a). *Border harms and everyday violence. The lived experiences of border crossers in Lesvos Island, Greece.* https://doi.org/10.21954/OU.RO.0001077A

Iliadou, E. (2019b). Safe havens and Prison Islands: The politics of protection and deterrence of border crossers on Lesvos Island. *Graduate Journal of Social Science, 15*, 62–88.

International Rescue Committee. (2022, March 18). What is the EU-Turkey deal? https://eu.rescue.org/article/what-eu-turkey-deal#:~:text=The%20'EU%2DTurkey%20deal'%20is%20the%20term%20often%20used,Turkey%20to%20the%20Greek%20islands

Kavak, S. (2016). Syrian refugees in seasonal agricultural work: A case of adverse incorporation in Turkey. *New Perspectives on Turkey, 54*, 33–53. https://doi.org/10.1017/npt.2016.7

Kaya, H. (2020). *The EU–Turkey statement on refugees – Assessing its impact on fundamental rights*. Edward Elgar Publishing Ltd.

Law 42799/2021, Joint Ministerial Decision, Greek Parliament, (2021).

Lorey, I. (2015). *State of insecurity: Government of the precarious*. Verso.

Mavelli, L. (2017). Governing populations through the humanitarian government of refugees: Biopolitical care and racism in the European refugee crisis. *Review of International Studies, 43*(5), 809–832. Cambridge Core. https://doi.org/10.1017/S0260210517000110

Minca, C., Rijke, A., Pallister-Wilkins, P., Tazzioli, M., Vigneswaran, D., van Houtum, H., & van Uden, A. (2021). Rethinking the biopolitical: Borders, refugees, mobilities.... *Environment and Planning C: Politics and Space*, 239965442098138. https://doi.org/10.1177/2399654420981389

Ministry of Migration and Asylum. (2021a, January 14). *Greece's request to EU for immediate return of 1,450 foreigners under EU-Turkey Joint Declaration*. https://migration.gov.gr/aitima-gia-enarksi-epistrofon-se-toyrkia/

Ministry of Migration and Asylum. (2021b, June 7). *For the first time, Greek legislation characterises Turkey as a safe third country. Concerns asylum seekers from Syria, Afghanistan, Pakistan, Bangladesh and Somalia*. https://migration.gov.gr/asfali-triti-chora-charaktirizei-gia-proti-fora-i-elliniki-nomothesia-tin-toyrkia-afora-aitoyntes-asylo-apo-syria-afganistan-pakistan-mpagklantes-kai-somalia/?fbclid=IwAR3pGCSdnUBqkiFWAo8-2nQvp3MgleSIcKB_DSuqTiG3iaEL5eQpYapzoIQ

Mouzourakis, M., Pollet, K., & Fierens, R. (2017). *The concept of vulnerability in European asylum procedures*. http://www.asylumineurope.org/sites/default/files/shadow-reports/aida_vulnerability_in_asylum_procedures.pdf

Müftüler-Baç, M. (2021). Externalisation of migration governance, Turkey's migration regime, and the protection of the European Union's external borders. *Turkish Studies*, 1–27. https://doi.org/10.1080/14683849.2021.1943661

NF, NG and NM v European Council. (2017). *Court of Justice of the European Union (CJEU)*. https://curia.europa.eu/jcms/upload/docs/application/pdf/2017-02/cp170019en.pdf

Ovacik, G. (2020). Compatibility of the safe third country concept with international refugee law and its application to Turkey. *PERCEPTIONS: Journal of International Affairs, 25*(1), 61–80.

Puar, J. K. (2017). *The right to maim: Debility, capacity, disability*. Duke University Press.

Refugee Legal Support (RLS) & Stiftung Pro Asyl. (2022). *The blatant violation of rights is the sham and arbitrary invocation of Turkey as a 'safe third country' by the Greek authorities*. https://rsaegean.org/wp-content/uploads/2022/02/RSA_STC_LegalNote_GR.pdf

Refugee Support Aegean. (2022). *The Greek asylum procedure in figures: Most asylum seekers continue to qualify for international protection in 2021*. https://rsaegean.org/en/asylum-statistics-2021/

Refugees International, & Panayotatos, D. (2022). *The fallacy of control: Tightened Asylum and reception policies undermine protection in Greece*. https://reliefweb.int/sites/reliefweb.int/files/resources/Greece%2BReport%2B-%2BFeb%2B2022.pdf

Rozakou, K. (2020). The violence of accelerated time waiting and hasting during 'the long summer of migration' in Greece. In C. M. Jacobsen, M.-A. Karlsen, & S. Khosravi (Eds.), *Waiting and the temporalities of irregular migration*. Routledge.

Rygiel, K., Baban, F., & Ilcan, S. (2016). The Syrian refugee crisis: The EU-Turkey 'deal' and temporary protection. *Global Social Policy: An Interdisciplinary Journal of Public Policy and Social Development, 16*(3), 315–320. https://doi.org/10.1177/1468018116666153

Saraçoğlu, C., & Bélanger, D. (2019). Loss and xenophobia in the city: Contextualising anti-Syrian sentiments in Izmir, Turkey. *Patterns of Prejudice, 53*(4), 363–383. https://doi.org/10.1080/0031322X.2019.1615779

Smeets, S., & Beach, D. (2020). When success is an orphan: Informal institutional governance and the EU–Turkey deal. *West European Politics, 43*(1), 129–158. https://doi.org/10.1080/01402382.2019.1608495

Strik, T. (2019). Migration deals and responsibility sharing: Can the two go together? In S. Carrera, J. S. Vara, & T. Strik (Eds.), *Constitutionalising the external dimensions of EU migration policies in times of crisis: Legality, rule of law and fundamental rights reconsidered*. Edward Elgar Publishing.

Terry, K. (2021). *The EU-Turkey deal, five years on: A frayed and controversial but enduring blueprint.* https://www.migrationpolicy.org/article/eu-turkey-deal-five-years-on

Thorpe, N. (2019). *The road before me weeps: On the refugee route through Europe* (Illustrated edition). Yale University Press.

UNHCR. (2020). *Returns from Greece to Turkey (under EU-Turkey statement) as of 31 March 2020*. https://data2.unhcr.org/en/documents/details/75075

Zablotsky, V. (2020). Unsanctioned agency: Risk profiling, racialized masculinity, and the making of Europe's "refugee crisis". In K. Lynes, T. Morgenstern, & I. A. Paul (Eds.), *Moving images* (pp. 189–210). transcript Verlag. https://doi.org/10.14361/9783839448274-016

Žižek, S. (2017). *Against the double blackmail: Refugees, terror and other troubles with the neighbours*. Penguin.

Elif Demirbaş is a PhD candidate in the Sociology department at the University of Sussex. She holds a BS in economics from the Middle East Technical University in Ankara, Turkey and a master's degree from the same university in political science. Her current research is on Syrian refugees living in Turkey. She is investigating refugees' integration into the labour market and the ensuing precarity in their everyday lives and she is using the theoretical framework of Foucault and, specifically, his concept of governmentality to better understand the disposability of the refugees. She has completed her fieldwork in Turkey and is about to submit her thesis at the moment along with being a doctoral tutor at the department of Sociology.

Christina Miliou is a PhD candidate in the Law department at the University of Sussex. She holds a B.A. in Human Rights from Bard College, NY, US, an MSc in International Relations Theory from London School of Economics and Political Science and an MSc in Social Research Methods from University of Sussex. She conducts socio-legal research in Greece, and is currently focusing on asylum seekers' access to justice. Through a post-structural and feminist lens, she is investigating the consequences and benefits of rights being provided by a humanitarian versus a human rights discourse. She finished her ethnographic fieldwork in September 2022 after conducting non-participant observations and interviews with governmentally assigned lawyers and NGO lawyers in Athens, and non-participant observations in the Greek Appeals Courts.