The ambiguous architecture of precarity: temporary protection, everyday living and migrant journeys of Syrian refugees

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Abstract: Millions of Syrians are currently displaced, living without adequate protection and struggling to access residency, rights and citizenship in the broader context of migration governance. Our understanding of migration governance through a focus on Syrian refugees in urban Turkey is telling for what it reveals about international and national commitments to refugee protection and the relations among precarity, refugee everyday living and migrant journeys. Drawing on and contributing to the critical migration and precarity scholarship, we focus on what we call the ambiguous architecture of precarity, where the objectives of providing protection to refugees simultaneously produce forms of precarity and ambiguities for them. We argue that three forms of precarity underscore the experiences of Syrian refugees in Turkey: precarity of status as revealed through the granting of temporary protection rather than legal refugee status; precarity of space as demonstrated through the challenges refugees experience in accessing services and with restricted mobility and; precarity of movement as developed through new border cooperation arrangements and through migrant journeys that are undertaken in search of greater protection and security.
Keywords: precarity; temporary protection; migrant journeys; Syrian refugees; ambiguity; Turkey.


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1 Introduction

As Arendt (1951) clearly projected in her study on imperialism, refugees have become a key concern of our time, a matter for nation states and for human rights. The world is experiencing the highest levels of displacement since the close of World War 2. There are more than 60 million people displaced today, with over 45 million asylum seekers and stateless people (see UNHCR, 2015). Key initiatives to control the mobility of displaced peoples include temporary protection (e.g., Baban et al., 2017; Yıldız and Uzgören, 2016) and transit visa arrangements (e.g., Fullerton, 2015); the criminalisation of migrants (e.g., Scheel and Squire, 2014); border control and policing (e.g., Gerard and Pickering, 2012) and the establishment of refugee camps, ‘safe’ and ‘offshore processing’ zones and
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reception spaces (e.g., Agier, 2011; Ilcan, 2013). Other related provisions include new asylum, refugee and citizenship policies and the processing of asylum claims under certain regimes, such as the Dublin regime and now the EU-Turkey ‘deal’ (see Crépeau and Purkey, 2016; Rygiel et al., 2016).

Contributing to these high levels of displaced people is the Syrian conflict, now in its sixth year, which has displaced more than 12 million people, with over five million refugees in neighbouring countries, including Turkey, Lebanon, Jordan and Iraq, with Turkey hosting the largest refugee population in the world [European Commission (EC), 2017]. Understanding migration governance through a focus on Syrian refugees is telling for what it reveals about international commitments to refugee rights. Lui (2002, p.4) reminds us that it is erroneous to assume that the key task of the international refugee regime is simply humanitarian assistance. For her, the regime is “an example of the policing of non-citizens”. It forms part of a larger mobility project that is aimed at the international government of populations, which in turn works to restore “the state-citizen order of things” (11). Understanding migration governance through a focus on Syrian refugees living in Turkey is also noteworthy for what it exposes about the relations between precarity and refugees. As we argue, precarity is not a one-dimensional category of analysis but rather comprises diverse and often complementary and challenging forms of precarity, which we more broadly refer to as the ambiguous architecture of precarity.

The analysis below reveals that the precarity of status, space and movement form part of this architecture, where the objectives of providing protection to Syrian refugees in Turkey simultaneously produce ambiguities for them.

Our study encompasses qualitative research that includes in-depth interviews, informal conversations and field observations and critical discourse and policy analysis. The field research informing this paper was carried out in select cities in Turkey (Ankara, Gaziantep, Istanbul and Kilis) during the summers of 2015 and 2016 and in Stockholm, Sweden during the summer of 2016. The latter involved in-depth interviews with Syrian refugees on their migrant journeys from Syria to Turkey and elsewhere. The overwhelming majority of interview participants were accessed through the use of snowball sampling, with a small number accessed through our contacts with aid organisations. With the aim of getting at grounded processes of precarity, we conducted 30 interviews with representatives of international, non-governmental and community organisations in urban Turkey that aid Syrians. These interviews concentrated on the types of services offered and the extent to which these services change the everyday lives of refugees. In addition to informal meetings with Syrian refugees, we conducted 40 interviews with refugees, 25 in their homes or in public spaces in Turkey and 15 in their homes or in a welcoming house designed to temporarily accommodate refugees in Stockholm, Sweden. The ethnographic skills of interviewing and probing, as well as being attentive to cultural sensitivities and power dynamics in the refugee context, were imperative to our engagement with refugees. Like other studies that reveal refugees as meaningful and engaged subjects rather than victims (e.g., Biehl, 2015; Oliveri, 2012), our study emphasises Syrian refugees’ views on their precarity of status and living conditions in Turkey and their migrant journeys from Syria to Turkey and elsewhere to access greater protection and security. These journeys convey the complexities of their border crossings and their decision to move. Bearing similarity to other migrant journeys, they reveal the border as involving more than the materialities of checkpoints, fences or walls (see Mezzadra and Neilson, 2013); they also involve registering at different scales,
the agency of refugees (Johnson, 2014; Mainwaring and Brigden, 2016; Montforte, 2016) and recognising the forms of precarity that shape their lives. In the analysis that follows, we draw on our field research and relevant documents, including civil society and media reports and government and policy materials.

2 Managing refugees and the ambiguous architecture of precarity

In response to the Syrian War and the growing number of Syrians displaced and seeking refugee status, Antonio Guterres, UN High Commissioner for Refugees (UNHCR) (2015), stated in September 2015: “When in 1956, 200,000 Hungarians fled to Austria and Yugoslavia, not only were people properly received, but a relocation program was quickly put into place and 140,000 people were relocated to other countries. What was possible then should be possible now”. However, the past few years reveal not only the unsustainability of short-term programs for Syrian refugees rather than long-term ones that provide a pathway to permanent residency or citizenship, but also the widespread concerns over human, political and social rights for Syrian refugees within and beyond Syria. Millions of Syrians are currently displaced, with many living without adequate protection, social assistance and legal forms of work and struggling to access residency, social rights and citizenship as outlined in international, national and European law. Hundreds of Syrians and other migrant groups are arriving daily on European shores after undertaking precarious journeys across the Aegean and Mediterranean Seas in search of greater protection and security. The governing responses to such migrant displacement and movements are profuse and include the: creation of barriers along borders to prevent migrants and refugees from entering the EU (e.g., Austria, Bulgaria and Hungary); granting of temporary protection status to refugees by states (e.g., Germany, Sweden and Turkey) rather than providing them with full protection under the 1951 Refugee Convention; and establishment of the 2016 EU-Turkey ‘deal’ that aims to create stronger border control of coastal waters and curb refugee movements into the EU. There is also the proliferation of national discourses linking Syrian refugees and other migrants to security threats, such as in xenophobic and anti-immigrant discourses entrenched in far-right parties like France’s National Front party and Sweden’s Democrat party (Crépeau and Purkey, 2016), which, together with other governing initiatives such as temporary protection regimes, are resulting in multiple forms of precarity for refugees.

The vulnerabilities and insecurities facing refugees and migrants, including Syrian refugees, highlight some of the crucial insights of the precarity literature. Precarity is commonly understood in reference to marginal and casualised or contingent work in branch plant industrialisation or post-Fordist capitalism and in association with post-welfare states, especially in Western Europe and North America (Ettlinger, 2007; Waite, 2009). The term is often viewed as a condition generated within specific labour markets and resulting in insecure and unstable work experiences (Arnold and Bongiovi, 2013; Fantone, 2007). Branch and Hanley (2011, p.569) describe such work as “uncertain, unpredictable, and risky from the point of view of the worker”. Specifically, some researchers view precarity as stemming from experiences of exploitation that primarily occur through the medium of time (period in a job, length of working day and shift patterns) (Anderson, 2007) in labour market economies, processes that Tsianos and Papadopoulos (2006) emphasise as “exploiting the continuum of everyday life”. Such labour markets, mainly in advanced capitalist economies, are said to be producing ever
more precarious work (casual, short-term and illegal) that is characterised by instability, lack of protection and social or economic vulnerability [see Waite, (2009), p.416]. While this understanding of precarity emphasises a generalised condition of vulnerable employment rendered by labour regimes that often permeate the lives of many workers, including refugees, our purpose is to extend accounts of precarity beyond specific understandings of labour regimes and to recognise both the conditions and ambiguities of precarity in the migration context.

A growing literature is expanding on the term precarity in the migration field to reveal the conditions of vulnerability and insecurity that refugees and migrants confront, including their differing ability to access legal documentation (Goldring and Landolt, 2011), social rights (Gavanas and Calzada, 2016), humanitarian assistance and protection (Baban et al., 2017) and stable and legal employment. Moreover, sometimes they are compelled to inhabit certain spaces and dwellings, reconstituted as a security threat (Hodge, 2015) and targeted through forms of punishment that exhibit processes of illegalisation (see also Bauder, 2014). Yet, some refugees and migrants have been known to challenge their conditions of precarity, such as their places of living and social status (Banki, 2013; Doerr, 2010) and engage in political mobilisations (De Genova, 2010; Paret and Gleeson, 2016). While the condition of precarity may not be fundamentally distinct from other kinds of conditions, such as those of risk and ‘risk communities’ (see Waite, 2009), we argue that the uniqueness of precarity encapsulates both a condition of vulnerability and an element of ambiguity, the latter of which we conceive as simultaneous inclusion and exclusion. Precarity is continually open to transformation and is thus unstable. Diverse actors, policies and practices produce and govern precarity and these interventions foster further complexities and ambiguities, which in turn influence the condition of precarity. This changing notion of precarity occurs through different domains (cultural, political and social), within and across scales (international, regional, national and local), in distinct spaces and living conditions (neighbourhoods, cities and territories) and is animated by diverse actors.

Precarity is comprised of diverse and often complementary and challenging forms, which we call ‘the ambiguous architecture of precarity’. This umbrella term underlines that our ontologies of precarity must be expanded to include various relations, settings and movements that shape the lives of refugees and migrants. Accordingly, we identify three forms of precarity that encapsulate both a condition of vulnerability and an element of ambiguity that shapes that condition: precarity of status; precarity of space and; precarity of movement. Precarity of status refers to vulnerable and insecure conditions that derive from refugees being assigned a certain socio-legal status by governing authorities such as states. On the one hand, this status can reveal the specific rights to residence, healthcare, welfare or work that accrue to refugees, which may be limited for some and result in what Standing (2011) might call a ‘shadow-economy precariat’. On the other hand, this status can reveal the ‘gradations’ of precariousness that exist between status and lack thereof (Baban et al., 2017; Goldring and Landolt, 2011; see also Bauder, 2014). Accordingly, a refugee’s legal status can move between diverse statuses, with varying degrees of agency and experience (Sigona, 2012) and for indeterminate periods (Goldring and Landolt, 2013) and be underscored by ambiguous relations. For example, the granting of temporary protection to Syrian refugees in Turkey can place them in different precarious relationships depending on how they access or negotiate, for example, paid employment, housing or citizenship rights. Their precarious socio-legal
status not only reflects their state of ‘permanent temporariness’ (Coutin, 2000) but also intersects with other forms of precarity, such as precarity of space and movement.

Precarity of space is a multi-layered notion that refers to those spaces that are given meaning through the precarious experiences and everyday living of marginal groups, such as refugees. These socio-spatial domains, including squalid accommodations and marginalised neighbourhoods are not discrete and self-enclosed but are, as Massey (2005) claims of spaces more generally, spheres of coexistence comprising diverse trajectories and involving subjects and objects and people and things encountering each other. We would add that these spaces are also sites of struggles and negotiations in everyday living and they bring greater attention to people’s conditions of precarity and the interplay between the personal and the political. Precarity of space bears similarity to Banki’s (2013, p.453) ‘precarity of place’, which refers to physical locations where vulnerable peoples can be subject to removal or deportation. As Banki (2013, p.454) says, it is a condition of “not quite, not yet”, as in “not quite homeless, not yet deported or detained”, which often affect the choices people make and foster responses to their precarity of place. In this regard, the living conditions of Syrian refugees in Turkey are shaped by state policies that produce their socio-legal status, by encounters with governing actors and authorities that influence their accommodations, neighbourhoods and working environments and by their relations with certain local NGOs that provide them with assistance, rights education or legal advice. While Syrian refugees may be vulnerable to governing authorities in their spaces of living, they are not passive spectators in these spaces; they engage in negotiations to access housing or work and can gain support for their rights through some community organisations working on their behalf. In this regard, Trimikliniotis et al. (2015, p.7) emphasise a similar point when they state that “precarious spaces are substantial parts of the struggles for survival, resistance and moving on”.

Precarity of movement is multifaceted and encompasses controlling the movement of marginal groups, such as refugees, through governing practices and responding to this control through organising or campaigning for the rights of refugees in light of their conditions of precarity. When migrant subjects are deprived of rights in transit, forced into detention or compelled to relocate by governing actors, they will experience precarity of movement, which in turn can shape their social status and their ability to physically move. Such changes in status through human mobility bear similarity to other studies, such as the research by Lloyd et al. (2016, p.68) that demonstrates how territorial control can intersect to rework the status of both people and place. With respect to the international movement of Syrian and other refugees, EU Member States are promoting both the confinement of thousands of refugees and migrants in Greece and the large-scale containment of refugees in Turkey. Such border and movement controls often foster precarity of movement for refugees, which can stem from factors such as the politics of Greek-Turkey borderzones [see Topak, (2014), p.820] and various securitisation efforts [see Huysmans, 2000; McNevin, (2014), p.298]. Yet, border and movement controls are by no means predictable as they can be challenged in diverse ways. Some Syrian refugees in Turkey and elsewhere are responding to their precarity of movement and socio-legal status by engaging in collective forms of action. For example, some Syrian refugees (and other people on the move) are making the decision to undertake precarious journeys through Aegean and Mediterranean Seas with the aim of accessing international protection from EU countries. For Stierl (2016, p.566), these refugees are “subjects who enact the right to leave, move, survive and arrive” through their use of migrant vessels,
and who may gain greater access to protection and lessen their current conditions of precarity.

The ambiguous architecture of precarity, which underscores refugees’ everyday living experiences, are crucial for understanding the relations between refugees, states and other actors. The section below emphasises the relationship between temporary protection and the production of precarity of status for Syrian refugees in Turkey.

3 Producing precarity of status: temporary protection in Turkey

Temporary protection has been practiced for more than 20 years and was envisioned by and for states bound by the 1951 Convention. The convention set in place a growing system of international and domestic law that aimed to offer increased protection and legal rights for refugees and to ensure resources and protection for them via existing state institutions through access to education, labour markets, social services and police and courts. Today, governments use temporary protection as one of the measures to respond to refugees because it enables them to avoid their obligations under the international refugee regime. It is typically designed to deter local integration, provide limited protection and facilitate repatriation (Durieux, 2015). Recipients holding temporary protection are granted protection for a limited time, lack the same rights and access to services as permanent residents and citizens and can be barred from making a separate ‘international protection’ application. Temporary protection status is commonly given to many protection seekers in a situation where there is a mass influx of refugees and where individual processing and assessment of international protection needs are viewed as unfeasible. Such precarity of status often contributes to high levels of uncertainty and vulnerability for displaced and forced migrants.

Despite its serious limitations for refugee protection, many countries use temporary protection to address and manage the arrival of groups of refugees. For example, the conflict in former Yugoslavia (1991–2000) generated large movements of refugees into Central and Western Europe. With over 3.2 million people displaced, many refugees at the time met the criteria for refugee status under the 1951 Convention, but most European countries only granted them the precarious status of temporary protection (see Orchard and Miller 2014: 29) and supported the creation of precarious spaces, such as the ‘safe zones’ in Bosnia during 1992–1995, with the UNHCR granting support to IDPs through its ‘good offices’ [Biondi, (2016), p.210]. When the 1999 NATO campaign began in Serbia and Kosovo, temporary protection was also granted to over 900,000 Kosovar refugees who moved across the borders to the former Yugoslav Republic of Macedonia, Albania, Montenegro and elsewhere [Durieux, (2015), p.241]. Shortly thereafter, it became more broadly institutionalised. In 2001, the EU issued a temporary protection directive (TPD) which was designed to manage a mass influx of displaced persons [see Karageorgiou, (2016), p.11]. The TPD established a framework and minimum standards for participating states to follow when implementing a temporary protection regime. Its framework stipulated that in the event of a “mass influx or imminent mass influx of displaced persons from third countries who are unable to return to their country of origin”, these persons would be granted temporary protection [TPD in Orchard and Miller, (2014), p.30]. In aiming to share the burden of protection among EU countries, the TPD is extensive enough to include refugees who have made dangerous journeys to
the external borders of the EU and forced migrants within their own country who may be spared a dangerous irregular journey to the borders of the EU by being provided with humanitarian visas and transport. More recently, in 2014, the UNHCR’s guidelines on temporary protection or stay arrangements (UNHCR, 2014), which is in configuration with the EU’s TPD, views temporary protection as a ‘pragmatic tool’ for “offering sanctuary to those fleeing humanitarian crises” without acknowledging how the status places refugees in precarious and ambiguous living conditions.

Countries instituting temporary protection regimes, such as Australia, Denmark, Germany, Israel, Sweden and Turkey are placing refugees in precarious conditions with respect to their access to rights, residence, legal employment and citizenship. In the case of Turkey, for example, it is a signatory to the 1951 Convention and the 1967 Protocol relating to the status of refugees, the latter of which is noted for expanding the notion of refugee from mainly Europeans who were displaced due to World War 2 to include displaced people in the rest of the world following war and persecution. At this time, a new understanding of refugee emerged that was based on the view that those from the global South were poor and helpless, which in turn contributed to the perception of their lack of political agency (Nyers, 2006; Scheel and Squire, 2014). As such, many refugees came to be understood as a ‘humanitarian emergency’ which, for Nyers (2006, p.17), adds to the denial of their political agency and positions them as “a threat to world order and therefore of immediate political concern”. Furthermore, the protocol officially removed the language pertaining to temporal and geographic limits, which in turn enabled refugees from the global South to seek protection in the global North.

In the case of Turkey, it is a signatory to the Protocol but maintains a geographical limitation following Article 1b of the Convention (Zeldin, 2016). This limitation restricts refugee status to “persons who have become refugees as a result of events occurring in Europe” (UNHCR ‘Convention and Protocol’), which means that Turkey will only accept legal responsibility to protect refugees coming from Europe. As non-European refugees, Syrians in Turkey receive temporary protection status, which places restrictions on their ability to access citizenship rights, regular employment and permanent residency status. Turkey’s temporary protection regime contributes to Syrian refugees’ precarity of status and precarity of space and movement in the country.

3.1 Temporary protection for Syrians in Turkey

The ‘Law of Foreigners and International Protection Act’ (LFIP), which was passed in 2013 and the ‘Directive of Regulation on Temporary Protection’ provide the legal framework within which the Turkish Government grants residency status and regulates the rights of Syrian refugees in Turkey. The temporary protection status granted to Syrian refugees under this legislation and the subsequent directive constitute the principal source of precarity of status for Syrian refugees, eliminating the possibility of claiming refugee status or defining a pathway that would lead to permanent residency. The 2013 Law states that temporary protection will not lead to permanent residency [Kutlu, (2015), p.4]. The fact that there is no possibility for gaining permanent legal status after a certain period of time remains one of the key sources of precarity of status for Syrians in Turkey, as their presence is contingent upon the goodwill of the Turkish Government which can change at any time. Syrians explain that this lack of permanent legal status makes them hesitant to seek out their rights or to report abuses against them for fear of deportation [Amnesty International (AI), (2014), pp.20–23].
The temporary protection regime contributes greatly to the arbitrariness of Syrians’ existence in Turkey at several levels, including with respect to citizenship rights. The temporary protection status provides more stability compared to the earlier status of ‘guest’, which the Turkish Government initially granted to Syrian refugees. However, the absence of any clear legal pathway to permanent residency and changing regulations still fall short of giving Syrian refugees proper protection and long-term stability in Turkey. As one Syrian business owner in Istanbul explained: “I prefer first for Syrians to have legal situation [status] … A lot of them run to Europe because there is no legal situation” (Interview, Istanbul, 14 July 2016). This situation leads Syrians to feel as if they are living in a permanent grey zone in which they must negotiate daily their rights, including residency, social welfare and employment. In addition, the government’s changing directives create confusion about what rights Syrians have, what services they can claim and how they can access those services. Since the arrival of Syrians in Turkey in 2012, the Turkish Government passed two directives and two laws creating new agencies and assigning duties to respective ministries responsible for regulating the status and everyday living of Syrians. The first circular, issued in March 2012, was neither published nor communicated to Syrians, making it impossible for Syrians to learn about the rules governing their status in Turkey [AI, (2014), p.20]. The Directorate of Security handled all matters related to refugees until the passing of the LFIP in 2013. The LFIP created a new agency called the ‘Directorate General of Migration Management’ which took over the responsibility of immigration matters from the Directorate of Security but the new law still failed to specify which rights were granted to Syrians as part of the temporary protection regime. Finally, in 2014, the government passed the ‘regulation on temporary protection’, which established certain rights such as the right to remain in Turkey and to access social services and employment permits. It also established a framework to keep state officials accountable in applying the directive and specified under what conditions ‘temporary protection’ might end. While the government established Syrian’s status in Turkey with these legislations, it was confusing and at times impossible for Syrians to claim their rights as, sometimes, even government officials were unclear about which rules and regulations applied to Syrians. Part of this rapid legal change was due to the absence of a refugee and immigration regulatory regime and institutional framework in Turkey.

4 Producing precarity of space: the vulnerabilities of everyday living

The introduction of the legal framework defining the scope and implementation of temporary protection did not end Syrian refugees’ confusion and the difficulties they experienced. According to the regulations, all Syrian refugees were required to register to claim temporary protection status and to receive an identity card (kimlik) displaying their status. They were unable to access the social services, which temporary protection granted to them, without first registering. The registration process, however, was not easy as it changed frequently over the past three years. The government changed the agencies responsible for registration, introduced new identity cards, which required replacing previously issued cards and halted all registration when it was transitioning from one type of identity card to another. A Syrian refugee who owns a bookstore in Istanbul explains the frustrating experience of registration and receiving identity cards: “Everything started
to change. Before, with kimlik, you can go get care, you can have rights, everything is clear. Then [after] 2015, everything [is] not clear. Nobody knows exactly. When they changed it, we asked ‘what is this?’ They told us, it is ‘the same’” (Interview with a Syrian refugee, 14 July 2016). In 2015, the government stopped registering Syrians for temporary protection altogether, making it impossible for them to receive social services. As one member of a humanitarian relief agency explains it:

“There is a problem where they [the government] cannot register anyone anymore due to a software problem. AFAD stopped registering people like 5 months [or] 6 months ago. They cannot basically register [them] unless it’s an emergency medical case or if it’s a newborn child. They register only those people. Otherwise, people are just waiting.” (Interview with Malumat, 23 June 2015)

The registration process for temporary protection requires Syrian refugees to register in local AFAD offices and to reregister upon changing their living locations. For instance, upon moving to another city, a Syrian refugee, who initially registered in Gaziantep, would now have to reregister in the new city of residence. Given how difficult it is to register (and at times how long it takes), this requirement creates serious problems for Syrians as it limits their choice of where they might wish to live. In 2016, the government changed the rules to require Syrians to re-register to receive new identity cards similar to those normally provided to other foreigners. Furthermore, the government started to require that Syrian refugees obtain a permit from local authorities to travel from one city to another. While refugee claimants, who were placed in 51 designated satellite cities around Turkey are required to get permits from local authorities to travel outside their locations, Syrians were exempt from this regulation as they have been living all over Turkey including in metropolitan centres such as Ankara, Istanbul and Izmir, which are not satellite cities. With the new requirement, the government effectively extended satellite city regulations to Syrians living under temporary protection. This situation makes it very difficult for Syrians to make even short journeys within Turkey. A Syrian business owner in Istanbul explains how this new regulation created additional hardship: “I had a workshop in Izmir last month. I needed to go there but I had to get permission to go first and they refused me. They told us, ‘you cannot travel and we cannot give you any permission to go there’” (Interview, Istanbul, 17 July 2016). These regulations severely hamper mobility and are examples of where precarity of status intersects with precarity of space and mobility.

Another seemingly minor change, but one which poses enormous difficulties for Syrians, is the government’s recent decision to alter one of the digits of the registration number on Syrian identity cards. All Syrians are required to change their identity card numbers to include this updated number and are required to make this change on a computer. While this appears to be a minor change and a simple one with which to comply, many Syrians, who do not speak Turkish and do not have access to a computer, find this an almost impossible task. As a result, many Syrians are denied healthcare at hospitals because their identity cards do not contain the correct digit and find themselves at the mercy of the hospital personnel who, if they are lucky, may choose to make the change on their behalf. In this case, precarity of status has a direct impact on Syrians’ ability to access the limited rights to health care they are supposed to receive under temporary protection, forcing them to negotiate their rights to health care services with hospital officials each and every time they need health care. Moreover, these restrictions
create significant difficulties for Syrian refugees to be in control of their long-term plans in Turkey.

While the temporary protection legislation is short of providing long-term stability to Syrian refugees to establish their lives in Turkey, it provides a limited framework within which Syrians can claim certain rights and receive social services. However, how these rights and social services, such as housing, health, employment and education, are to be administered is not clarified in the new legislation and the directorate. As a result, government agencies in diverse cities and towns interpret these rights differently, which introduces a great deal of ambiguity as to how these rights and services are accessed by Syrians (see also Ineli-Ciger, 2015). For example, Syrians are entitled to receive free public health care similar to that provided for Turkish citizens. However, it has been reported that in some towns and cities they were asked to pay social safety premiums [TTB, (2014), p.48]. During our interviews, several Syrian refugees indicated that many government employees were unaware of what rights the government granted to them and often had conflicting interpretations of the directive, such that some refugees received certain services while others were denied these same services.

Access to social services can change depending on the current political climate. For example, a certain group of Syrian refugees might find that they are no longer able to access the same social services previously available to other Syrians. In this regard, during our field research some Syrian refugees stated that it was difficult for them to receive the identity card required for accessing health and food assistance. In some cases, Syrian refugees who arrived in Turkey within the last year were forced to wait 6–8 months before receiving an identity card, during which time they were left without access to social services. The government does not provide a clear answer as to why there is such a long wait time, creating speculation among Syrian refugees that after signing the EU-Turkey deal the Turkish Government curtailed the number of Syrians admitted into Turkey.

Another significant change impacting the ability of Syrians to go about their daily living emerged with the new visa requirements implemented in January 2016. Prior to January, Turkey had arranged a six-year agreement allowing for visa-free entry to Syrians into Turkey. In January, the Turkish Government reversed this policy, mandating visas from all Syrians arriving by air or by sea via a third country. This situation does not affect Syrians fleeing the conflict directly and crossing the land borders into Turkey. The main aim of the new policy is to stop Syrians travelling from other countries in the region via Turkey to Greece and into other European countries (Hurriyet Daily News, 2016). However, some NGO representatives believe that this policy is also designed to limit access to the already overburdened system of providing social assistance. One NGO executive stated: “basically the idea is that there’s obviously ... a limit to the Turkish kind of welfare and social systems that they can manage [...] if you’re Syrian with a Syrian kimlik [identity card] then you have free access to medical treatment and these kinds of things”. But she also noted that there are also many families and professionals with money who “don’t really need to be on this system” and thus the visa for some Syrians “effectively will create another class system within the Syrians to encourage the Syrian families who can afford it basically to apply as a tourist and do the [same] [...] process that the rest of us expats have to do”. Moreover, this means that these Syrians may “have the rights that we [expats] have ... but then they’re not like refugees ... so that’s partly I think to save the Turkish system from overload” (Interview, Istanbul,
18 July 2016). These examples of difficulties with accessing the kimlik and thus medical care and housing reveal the ways in which precarity of status and movement are also deeply intertwined with precarity of space. Temporary protection status leads to restrictions on mobility as well as access to services. This situation often forces refugees into marginalised living spaces where they are often compelled to live in squatter-like housing, characterised by unsafe conditions or over-priced accommodation. Many Syrians complained about the housing situation as they believed landlords significantly raised rental prices as soon as they saw that there were Syrians looking for accommodation. Furthermore, Syrians are usually at the mercy of landlords in terms of negotiating their needs such as access to clean water and heating.

Finally, the lack of clearly defined employment rights under the temporary protection regime is one of the most important sources of precarity for Syrian refugees, as many of them work illegally which makes them vulnerable to abuse and exploitation. While this regime specifies that Syrian refugees are entitled to receive employment permits in specific locations and sectors, as designated by the Council of Ministers, only a very limited number of work permits have been issued, indicating that access to employment is still very restricted. The circular issued in February 2016 by the Ministry of Labour and Social Services stipulates that persons who are under temporary protection can apply for a work permit six months after they receive their identity card. Despite this new rule, many Syrians choose to work illegally, as the language barrier places them at a great disadvantage, leaving them to work in either seasonal employment or low paying precarious jobs such as low skilled factory work. Some Syrians indicated that they did not see it as advantageous to receive an official employment permit as they would then be required to pay social security premiums and most employers prefer to hire them illegally to take advantage of paying lower wages and to avoid paying these premiums. A male member of a Palestinian family in Kilis explains precarity of employment as follows:

“There are big challenges… First, there is the language barrier and they exploit us. They pay minimum wages or they do not pay at all. For example, the daily wage of a Turkish construction worker is 100 Lira, whereas they pay the refugee or the displaced worker 50–40 Lira for the same kind of job and sometimes they do not pay him at all, which caused a negative reaction between the families here. Some of the young guys were reluctant to look for work since they might not receive any money at the end of the day. In addition, job opportunities are so limited here.” (Interview, Kilis, 24 June 2015)

A Syrian lawyer who was living in Gaziantep at the time of our interview further explains the difficulties faced by Syrian refugees in the job market:

“Turkish work permits are granted within very limited fields and conditions. Many Syrians are not able to obtain legal work permits and they receive lower wages. This is because Syrian workers compete with Turkish workers and that creates a crisis at the national level and real social tensions. Also, there are high numbers of Syrians with disabilities because of the war. Some have lost arms, legs, are fully burned or half burned. They are not able to work, so who will take care of them and their families? Many of them end up either selling tissue packs or begging for money in the streets of Turkish cities. This is not a way to live or survive.” (Interview, Gaziantep, 23 June 2015)

Temporary protection thus provides Syrians with an ambiguous status of neither being refugees with rights nor on a pathway to citizenship and long-term settlement and
integration. Instead this ambiguous temporary status enables other forms of precarity, like precarity of space, to define the lives of Syrians. This form of precarity makes it more difficult for Syrians to access social services, find adequate and affordable housing and paid employment, all conditions that are necessary if Syrians are to settle successfully within communities in Turkey.

5 Producing precarity of movement: Europe’s broader migration crisis and the EU-Turkey deal

Our interviews with Syrian refugees in Ankara, Gaziantep, Istanbul and Killis and with NGO representatives reveal that many Syrians attribute their lack of long-term residency status and their inability to make long-term plans as being one of the most important reasons to consider travelling to Europe, despite the perilous nature of the journey. Believing that they can at least claim refugee status in Europe, a status which will afford them much needed stability in contrast to the lack of long-term stability in Turkey, Syrians are willing to risk their lives to reach Europe (see AI, 2014). The temporary protection regime, in fact, creates further complications for Syrians and their ability to claim international protection outside Turkey, as international agencies do not register them for international protection since they are not considered to be in immediate danger and are safe with temporary protection [Ineli-Ciger, (2015), p.29]. Even though temporary protection status has no bearing, technically, on the right to apply for international protection, most Syrians are confused about whether they still can apply for international protection or whether they would be deported back to Turkey if they claimed refugee status in Europe at a later time [Baban et al., 2017; Erdogan, (2015), p.69]. With many Syrians lacking protection and rights because of Turkey’s temporary protection regime, one Syrian lawyer explains that some decide to undertake perilous journeys to Europe to claim refugee status:

“The Syrian file is now used as an element in the political game in Turkey and within Turkish election campaigns. So, Syrians do not feel secure or safe here. They do not feel that they have a future here. This explains the huge numbers of desperate Syrian families, young men, young girls who are willing to get on those ‘death boats’ to leave despite the increased death toll. People were left with no other alternatives but to do this high-risk journey looking for secure places where they can have protection and a future. Every day, we see hundreds of young Syrians, with high academic credentials, willing to do this fatal trip. They receive aid and assistance here, they have access to medical care and maybe education, but in the end, this is not a sustainable way to live. They make this trip and many of them lost their life before reaching their destination…” (Interview, Gaziantep, 23 June 2015)

In contesting their precarious and vulnerable status in Turkey and elsewhere, Syrian refugees demonstrate their agency by engaging in migrant journeys. They reveal the crossing of borders as a complex set of journeys that consist of more than simply checkpoints or walls (see Mezzadra and Neilson, 2013). Many Syrians describe stories of their dangerous journeys in which they must take buses at night to forested areas where they wait for boats which are often much more overcrowded than promised. Many attempt the journey several times. As one Syrian man explained:
"The journey from Turkey to the Greek islands is organized by one smuggler and from Greece onwards is organized by another. So, you pay twice. […] I paid 2,000 Euros as I was promised to have the safest journey in a safe wooden boat not a rubber boat. But at the end, they are all liars. They trade with human lives. […] People complained when they saw the rubber boat, but the smuggler claimed that he was deceived by the big smuggler. […] After 50 meters in the water, the engine kept stopping and we had to go back to the shore. After three failed attempts, it was too late for us to leave and we had to stop because the sun rose. By the way, the balm is 15-person capacity while we were 35 people." (Interview, Stockholm, 6 July 2016)

One Syrian woman explained that after being put in the boat, the smugglers suddenly "brought 33 Afghans from the forest. This was against the plan but we accepted it because we spent a long time in the forest and were desperate to leave. The Afghans were families with kids. People felt sick and dizzy. They started vomiting. […] I took off my life jacket and covered my head with it because I was covered with water while the yacht was making its way through the sea. The waves were high and the water was coming inside. We spent five hours until we reached Rhodes Island" (Stockholm, 8 July 2016). These people are the fortunate people with whom we could speak. Many more Syrians are unable to share their journey stories as they never make it safely across to be able to claim asylum.

In the year 2015, it was estimated that "between 750,000 and 885,000 migrants irregularly entered Europe through Turkey, representing a 17-fold increase from 2014 (Dudden, 2017). With growing numbers of Syrians and other refugees, asylum seekers, and irregular migrants all trying to cross into Europe, the latest response in governing the Syrian refugee crisis (and what the EU now calls its own ‘migrant crisis’) is the ‘EU-Turkey deal’. The deal has made it much harder for refugees and irregular migrants to cross from Turkey via Greek islands like Lesvos. As noted by many of the Syrian refugees and NGOs working with Syrians in Turkey, the deal is one of the main reasons for the falling numbers of border crossers along this route and the increasing number of deaths this summer in the Central Mediterranean as refugees/migrants and smugglers have once again turned to this deadlier route (Kingsley, 2016). A report by the EC (2016c, p.2) notes the success of the deal in lowering the numbers of irregular arrivals to Greece from Turkey from "865,425 arrivals during the eight months before the EU Turkey Statement” to “22,838 arrivals during the eight months thereafter”. As the NGO WatchtheMed (2016) noted in May after witnessing the rise in deaths at sea:

"Nobody can still claim to be surprised, least of all those responsible for EU migration policies. But they refuse to abolish the deadly visa regime and to open up legal and safe routes. To the contrary: the Balkan route, which migration movements had struggled to open up last summer, was violently closed down. Among yesterday’s victims in the Central Mediterranean Sea are now again Syrian and Iraqi refugees. As a result of the closure of the Balkan route and the inhumane EU-Turkey deal, refugees who arrive in Greece are being imprisoned on the Greek islands with the threat of being deported back to Turkey, while those on the Greek mainland are left without any perspective of leaving the country soon. These political changes force refugees onto the much more dangerous route via Libya."

The EU-Turkey deal, signed on 20 March 2016, outlines several initiatives for jointly addressing the Syrian refugee ‘crisis’ and managing irregular and refugee migration into
Europe. These include visa liberalisation for Turkish citizens (a promise that has not materialised); an investment of some three billion Euros under the Facility for Refugees in Turkey; and the most controversial aspect, the so called ‘one to one initiative’. This latter initiative stipulates that for every Syrian who travels without authorisation to Greece and is returned to Turkey, EU Member States agree to resettle one Syrian from Turkey (European Council, 2016). The EC (2016a) justifies this mechanism as a way of halting irregular migration across deadly routes and replacing it with a more orderly resettlement process. However, this particular aspect of the deal has come under severe criticism for amounting to what is a shirking of international commitments to refugee protection by European Governments as signatories to the 1951 Geneva Convention relating to the status of refugees and its 1967 Protocol (AI, 2014). UNHCR, Filippo Grandi notes that return is only possible where “the asylum-seeker will be protected from refoulement; and if the individual will be able to seek and, if recognised, enjoy asylum in accordance with accepted international standards, and have full and effective access to education, work, health care and, as necessary, social assistance” (Spindler and Clayton, 2016). But as is evident from the discussion of the precarious conditions caused by Turkey’s temporary protection regime, this situation is far from certain for Syrians living in Turkey.

Moreover, as AI (2017) has documented in its recent report on the deal, A Blueprint for Despair, asylum-seekers have been unlawfully returned to Turkey, without being given the opportunity to make an asylum claim, in breach of their rights under international law. The deal stipulates that migrants and asylum seekers in need of protection can be returned to Turkey because it is considered a ‘safe country’ for refugees and asylum-seekers. AI’s (2017, p.6) report documents how overnight, from March 19–20, 2016, reception centres on the Greek islands were turned into detention centres, with the Greek Government introducing “changes to its asylum procedures” such that “asylum applications began to be rejected at first instance under a fast-track procedure; many of them were rejected without assessment of their merits on the assumption that Turkey is a safe country for asylum-seekers and refugees”. Many of the islands have reached their capacity to house asylum-seekers. The detention centre Moria on Lesvos, for example, was supposed to hold 3,000 maximum and at some point was holding double this many people in its facility. While the ability to keep people in detention has, as a result, effectively collapsed, refugees and asylum seekers nevertheless remain trapped on the islands, with returns to Turkey now blocked by a Greek Appeals Committees and currently delayed pending a decision by the Greek Council of State [AI, (2017), p.6]. The EU-Turkey deal increases precarity of movement for Syrians by making it much more difficult for them to leave Turkey irregularly in order to reach Greece with the hope of making an individual asylum claim. However, equally important is the fact that European Governments point to this deal as evidence of cooperative management of the refugee crisis. The EC (2016b), for example, claims the deal has “showed that international cooperation can succeed” and “its elements can inspire cooperation with other key third countries”. The idea that this failed deal would become a ‘blueprint’ for other deals with third countries at Europe’s borders is certainly an alarming one. As this article has demonstrated, the deal creates not only precarity of movement for Syrians but also forces them into precarious living conditions with precarious legal status.
6 Conclusions

In drawing on and contributing to critical migration scholarship and the precarity literature, we conceptualised precarity as encapsulating both a condition of vulnerability and an element of ambiguity that influences this condition. Diverse actors, policies and practices create and govern precarity and their interventions produce further complications and ambiguities. Under the umbrella term ‘the ambiguous architecture of precarity’, we have argued that three forms of precarity underscore the lives of Syrian refugees in Turkey: precarity of status, as revealed through the granting of temporary protection rather than legal refugee status; precarity of space, as demonstrated through the difficulty of accessing services and restrictive mobility, both of which force refugees to live in neighbourhoods beyond their choosing and often with either very expensive rents or squalid conditions; and precarity of movement, as developed through new border cooperation arrangements and through migrant journeys that aim to provide refugees with greater protection and security. Through a focus on the Turkish case, we emphasised that the granting of temporary protection status to Syrian refugees governs them in a way that neither conforms to the international framework of refugee rights nor the state system based on citizenship rights. Their precarity of status, alongside their connections to other forms of precarity, places them in positions of vulnerability and entrenches them in ambiguous situations with respect to protection and rights, everyday living and mobility in the country. On a wider scale, our study demonstrates that temporary protection regimes not only contribute to precarious living conditions for refugees, but they also symbolise the failure of policies to address the displacement of millions of refugees and migrants due to wars, conflicts and other atrocities. Indeed, such regimes may lessen the likelihood that states will uphold the legal agreements set forth in the 1951 Convention and continue to place refugees in dire situations where they are languishing in conditions of precarity and ‘permanent temporariness’.

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Notes
1 AFAD or the Disaster and Emergency Management Agency is the government agency
responsible for the administration of issues related to all refugees in Turkey.
2 While we follow the common practice used by many academics and NGOs of referring to this
as ‘the EU-Turkey deal’, it might more accurately be considered a ‘statement’. The status of
the ‘deal’ is a subject of debate. Some academic and legal scholars argue that the agreement is
legally non-binding while others argue that “the text and context of the EU-Turkey statement
support the view that it is a treaty” (Den Heijer and Spijkerboer, 2016). For more on the ‘deal’,
see EC (2016c).