

**CROSSING LINES: HOW TRANSNATIONAL ADVOCACY AND REFUGEE
MIGRATION SHAPED THE UNHCR IN TURKEY, 1960-1988**

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This dissertation utilizes a world-historical systems perspective to investigate how international organizations expand their influence and how the subjects of those organizations play a role in that expansion. This investigation takes as its case study the transformation of the United Nations High Commissioner for Refugees (UNHCR) office in Ankara, Turkey, as it grew from a three-person operation in 1960 into the world's largest UNHCR program by the late 1980s. For over twenty years, the UNHCR branch office in Turkey tried and failed to expand cooperation with the Turkish authorities and formalize the country's informal refugee policies. Then, in the mid-1980s, the office established cooperation agreements with the Turkish government, gained authority over part of Turkey's refugee process, and dramatically expanded in size. Based in research at international, national, and NGO archives in Switzerland, Turkey, and the United States, this dissertation traces a global network of Iranian refugees and argues that, through their irregular migration and human rights advocacy, they enabled and compelled the UNHCR's expansion in Turkey. Indeed, their migrations and advocacy affected change in the global refugee system itself.

This dissertation engages with emerging historiographies of international organizations, human rights, and forced migration. Organized around a global story of networks and linkages emanating and unfolding from Turkey, "Crossing Lines" also contributes to broader world-historical literature and methodologies. The first chapter argues for a world-historical systems approach as a method for emphasizing the historical agency of non-state and refugee actors. The next four chapters treat the period from 1960 to 1988 chronologically, revealing the persistent

centrality of NGOs, Iranian refugees, and associated advocacy groups to the UNHCR's operations in Turkey. Ultimately, this dissertation presents a world-historical story of global change that highlights the agency of marginalized individuals. By including NGO, refugee, and black-market influences on the global system of refugee protection, assistance, and movement, this dissertation complicates the relationships linking international organizations like the UNHCR to the states that they aim to influence and to the refugees they seek to govern.

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1.0 CROSSROADS: THE GLOBAL REFUGEE SYSTEM AND CONVERGENCES IN TURKEY

1.1 INTRODUCTION

Heinrich Böll's oft-repeated assertion that the twentieth century will be remembered as the century of the refugee now seems overly optimistic.¹ The world of the twenty-first century appears intent on displacing the legacy of the former century: in 2018, the world has more refugees—22.5 million of them—than at any point since the Second World War. The United Nations High Commissioner for Refugees (UNHCR) estimates that if we include forced migrant categories, such as asylum-seekers and internally-displaced persons, in addition to refugees, that number would reach 65.6 million, the largest number of displaced persons at any point in history.²

Human beings have fled conflict, persecution, and natural disasters for millennia; the infamous displacements of the twentieth century were not novel in their nature—but they were novel in their magnitude.³ Yet now, in 2018, seven years into the worst refugee crisis since the

¹ Böll has called the twentieth century “the century of refugees and prisoners.” Peter I. Rose, “Some Thoughts about Refugees and the Descendants of Theseus,” *The International Migration Review*, Vol. 15, No. 1/2 (Spring-Summer, 1981), 10; and W. Stanley Mooneyham, *Sea of Heartbreak* (Plainfield, NJ: Logos International, 1980), 207.

² UNHCR, “Global Trends, Forced Displacement in 2016,” <http://www.unhcr.org/globaltrends2016/> [accessed May 8, 2018].

³ Richard Bessel and Claudia B. Haake, eds., *Removing Peoples: Forced Removal in the Modern World* (Oxford: Oxford University Press, 2009); Michael Marrus, *The Unwanted: European Refugees in the Twentieth Century* (Oxford: Oxford University Press, 1985).

Second World War, it appears that even the twentieth century's massive refugee migrations will not remain unique in history.⁴ We might remember the twentieth century, then, not as the bygone century of the refugee, but as the century of the creation of the modern global refugee system. For as long as humans have fled conflict, states, organizations, and Good Samaritans have attempted in various ways to control and alleviate forced migration, but in the twentieth century, for the first time in human history, state and non-state actors engaged in concerted, international and transnational efforts to systemically solve the "problem of the refugee."

This study examines a part of this world-historical process as it converged in Turkey between 1960 and 1988. In the past five decades, Turkey, which has a long history of both producing and accepting refugees, has become both hub and crossroads for refugee transit migration—and in 2018, with nearly four million refugees within its borders, Turkey is the largest refugee-hosting country in the world.⁵ As such, it is a crucial location and actor in the global refugee system. This dissertation posits a "global refugee system" of multi-level interactions among actors at various scales of analysis as they attempt to address forced migration. How did this system evolve over time? As an alternative to broad geographical studies that examine the top levels of systems across the world, I offer a vertical, multi-level analysis of the global refugee system as it manifested in Turkey. The difference might best be understood as the difference

⁴ "Taking Action on Europe's Worst Refugee Crisis Since World War II," U.S. House of Representatives 114th Congress, First Session, Congressional Record, Vol. 161, No. 154, October 21, 2015, <https://www.csce.gov/international-impact/press-and-media/statements/taking-action-europe-s-worst-refugee-crisis-world> [accessed May 8, 2018].

⁵ The next-largest refugee-hosting countries are Pakistan, Lebanon, Iran, Uganda, and Ethiopia. In 2016, just ten countries hosted half of the world's refugees. Those ten countries were among some of the world's poorest, accounting for only 2.5 percent of the global economy. UNHCR, *Global Appeal, 2018–2019* <https://reliefweb.int/sites/reliefweb.int/files/resources/5a0c05027.pdf> [accessed May 8, 2018]; "Ten Countries Host Half of the World's Refugees: Report," *Al Jazeera*, October 4, 2016, <https://www.aljazeera.com/news/2016/10/ten-countries-host-world-refugees-report-161004042014076.html> [accessed May 8, 2018]; and UNHCR, "Fact Sheet, Turkey," October 2017, <https://reliefweb.int/sites/reliefweb.int/files/resources/UNHCRTurkeyFactSheet-October2017.pdf> [accessed May 8, 2018].

between examining geological shifts using satellite imagery of the earth's surface and examining the geological record using a core sample. Both methods tell us very important and very different things. While a satellite view, so to speak, of the global refugee system in the twentieth century might show successive High Commissioners balancing the competing interests of states to advance the interests of the UNHCR, the analysis of a core sample from Turkey during the years 1960 to 1988, can highlight mechanics of historical change that developed as actors in an evolving system addressed very specific challenges as they arose. However, this dissertation is also a global story, and it makes a world-historical argument. The Turkish core sample reveals a global web of interactions converging in Turkey: problems in Turkish refugee policy drew in non-governmental organizations based in London, Washington, and New York; refugee advocacy groups in Vienna, Paris, New Delhi, and Los Angeles; and representatives from UNHCR offices in Geneva, Ankara, and other cities across the world. These international and transnational actors engaged with one another and with the representatives of national governments across the globe to address problems in Turkey and the consequences of those problems as they spread out across the world.

* * *

This introductory chapter is intended to give the reader conceptual language for the global refugee system and to introduce a global history of that system and how Turkey fits within it. The chapter gives a historiographical overview of history in refugee studies before turning to an argument in support of the analytical framework of the global refugee system; it concludes with an overview of the long-term development of that system and its manifestations in twentieth-century Turkey. First, I'd like to briefly review the history of Turkey's relationship to the UNHCR before moving on to a summary of the main arguments of the dissertation.

For much of the sixty-eight years since the creation of the UNHCR, Turkey has stubbornly refused to formalize Turkish asylum policies as they relate to the UNHCR and the 1951 Convention Relating to the Status of Refugees (hereafter, the 1951 Convention). Turkey was an original signatory to the 1951 Convention, and Turkey's national representative, Talat Miras, served as a vice president on the Convention's drafting committee.⁶ Yet despite this early involvement and continuous encounters with refugees and asylum seekers, Turkey has maintained *ad hoc* asylum policies for most of the last half century. To this day, the Turkish government maintains an anachronistic "geographic limitation" on the 1951 Convention, which obligates Turkey to accept as refugees only those people fleeing events in Europe; all but a handful of nations have abrogated this restriction on their obligations under the 1951 Convention.⁷ Furthermore, Turkey had no official policy or institution dealing directly with the status of non-European asylum seekers until 1994—and after the passage of Turkey's 1994 Regulation on Asylum, the country's asylum policies continued to remain decentralized and contrary to UNHCR recommendations.⁸ Not until 2013 did Turkey's asylum system take a huge step forward with the establishment of the Directorate General for Migration Management.⁹ This government office centralized the Turkish authorities responsible for the country's refugee and asylum policies (hereafter, "Turkish

⁶ Turkey was the last original signatory to the Convention to ratify it. The Turkish parliament ratified the treaty in 1962, two years after the UNHCR established its first office in Turkey. Başak Kale, "The Impact of Europeanization on Domestic Policy Structures: Asylum and Refugee Policies in Turkey's Accession Process to the European Union" (PhD diss., Middle Eastern Technical University, 2005).

⁷ Congo, Madagascar, and Monaco. UNHCR, "States Parties to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol," <http://www.unhcr.org/en-my/3b73b0d63.pdf> [accessed May 8, 2018].

⁸ The UNHCR repeatedly encouraged the Turkish government to "regularize" its asylum policies with those adopted by most Western European countries. See Chapters 2 and 3 for specifics.

⁹ Göç İdaresi Genel Müdürlüğü. Established by Article 103 of Law No. 6458 on Foreigners and International Protection, the Directorate General of Migration Management is housed within the Ministry of the Interior. *T.C. Resmi Gazete (Official Gazette of the Turkish Republic)*, No. 6458, April 4, 2013.

authorities”) who, through the second half of the twentieth century, had been housed in various directorates in the Ministry of Foreign Affairs, Ministry of the Interior, local police, and the gendarmerie, an arrangement that had complicated the work of UNHCR bureaucrats in Ankara and Istanbul.¹⁰ Finally, in 2016, Turkey’s Foreign Minister, Mevlüt Çavuşoğlu, signed a UNHCR Host Country Agreement that formally established cooperation with the UNHCR and authorized the agency to operate in the country—though the UNHCR had maintained an office in Turkey since 1960.¹¹ These recent improvements in Turkish asylum policy are a result of the country’s struggle to manage the massive displacement of those fleeing from the Syrian Civil War. In 2018, Turkey is the world’s largest refugee-hosting nation, sheltering over 3.7 million refugees, most of them Syrians.¹²

However, Turkey’s experience with mass refugee displacement did not begin with the Syrian Civil War. In the same vein, the hundreds of thousands of Kurds and other refugees fleeing Saddam Hussein’s regime and the Persian Gulf War in the early 1990s were not the first non-European refugees to flood across its borders. Earlier, in the 1980s, over 1.5 million Iranian asylum-seekers transited through Turkey, along with thousands of other refugees from Asia and Africa; and in the 1960s and 1970s, during the UNHCR’s first days in Turkey, tens of thousands of Eastern European Cold War refugees also claimed asylum in Turkey. Turkey’s experience with refugee movements predates the establishment of a UNHCR branch office, however, with Turkey’s long history of both receiving and causing refugee migrations. As a link between Asia

¹⁰ The Turkish Jandarma are military police, responsible for law enforcement and border control.

¹¹ Until 2016, UNHCR’s presence in Turkey was established and authorized by a set of official correspondence and informal understandings. Still, the UNHCR’s presence in the country remained technically unauthorized.

¹² European Civil Protection and Humanitarian Aid Operations, European Commission, “Fact Sheet, Turkey,” June 4, 2018, http://ec.europa.eu/echo/files/aid/countries/factsheets/turkey_syrian_crisis_en.pdf [accessed May 8, 2018].

and Europe, proximal to the (formerly) communist countries in Eastern Europe and to displacements in the Middle East, Anatolia and Thrace are important routes for refugee transit from Eastern Europe, Asia, Africa, and the Middle East to Western Europe and North America. With its rough, mountainous borders to the east and a jagged, extensive Mediterranean and Aegean coastline to the West—borders impossible to comprehensively secure—Turkey is a prominent transit country for irregular migration.

In the 1970s and 1980s, as Turkey faced growing pressure from human rights groups, Turkish diplomats and officials frequently wielded Turkey’s long history of humanitarian goodwill toward refugees as a diplomatic tool.¹³ A visit in 2018 to the website for the Directorate General of Migration includes a history of migration, featuring a long list of asylum-seekers accepted by the Ottoman and Republican governments.¹⁴ As with most scholarly and governmental histories about Turkish refugee history, the website begins with the Ottoman Empire’s 1492 acceptance of thousands of Iberian Jewish refugees, then goes on to list several members of the European (mostly Hungarian) aristocracy who were sheltered by the Sublime Porte.¹⁵ For the nineteenth and early twentieth centuries, the list includes 1.5 million Caucasian refugees fleeing the Russian army and 135,000 fleeing the 1917 Russian Revolution. During the Republican Period, over a million people came to Turkey from Greece and “the Balkans” as part of population transfers between 1922 and 1945. The ministry history then references 800 refugees from Nazi Germany who sought refuge

¹³ The government is far less willing to recognize the refugee movements that Turkey has caused, which often involved non-Turkish minorities fleeing Turkey, including Greeks, Armenians, and Kurds. Leftist political refugees have also fled the country as military coups seized control in 1960, 1971, 1980, and 1997.

¹⁴ Republic of Turkey, Ministry of Interior, Directorate General of Migration Management, “History of Migration,” http://www.goc.gov.tr/icerik/history-of-migration_915_1026 [accessed May 8, 2018].

¹⁵ Including King Charles of Sweden and about 2,000 of his subjects.

in Turkey, though this would seem to be an underestimate.¹⁶ From the period surrounding the Second World War, the history leaps forward to 1988, when over 50,000 Iraqi refugees fled to Turkey. It concludes by referencing the more recent displacements of 345,000 refugees from Bulgaria; over 467,489 fleeing the Gulf War; 20,000 from Bosnia; 17,746 from Kosovo; 10,500 from Macedonia; and the initial waves of refugees fleeing the Syrian Civil War. Notably absent is any mention of asylum-seekers or refugees from 1945 to 1988.¹⁷ Instead, the Directorate's list of historical refugee migration to Turkey seems to imply that from 1945 to 1988 no refugees came to Turkey, omitting the tens of thousands of Eastern European and Soviet refugees who sought asylum in Turkey, an estimated 1.5 million Iranian refugees who transited through Turkey, and, finally, thousands of refugees from Iraq, Afghanistan, and a variety of other countries in Africa, Asia, and the Middle East.¹⁸

My point in referencing the Directorate's website here is a historiographical one, meant to raise the problem of historical context in refugee studies, as well as draw attention to the problems posed by state-centered histories of refugee movements. This dissertation covers the years from 1960 to 1988, detailing the various reasons why Turkey has downplayed refugee transit migration in general and Iranian refugees in particular. As Philip Marfleet warns, "the circumstances of most

¹⁶ Estimates vary, though the U.S. Department of State in 1944 estimated that the Government of Turkey had "granted entry and transit to thousands of Jewish refugees, many of whom arrived without documents of any kind. Telegram from Steinhardt, Ankara, to the Secretary of State, Washington, DC, July 3, 1944; Evacuation of Refugees to and Through Turkey, Box 78, Series 5: Records Formerly Classified "Secret": June 1944-August 1945, Records of the War Refugee Board, 1944-1945, Franklin D. Roosevelt Presidential Library & Museum.

¹⁷ The website also fails to mention forced migrations triggered by the Turkish government, such as Armenians, Kurds, and Turkish leftists.

¹⁸ Detailed monthly and yearly statistical data on the demographics of migrants seeking refugee status from UNHCR in Turkey can be found in the UNHCR Headquarters archives. Statistics prior to 1971 are available but with some months or years missing. UNHCR's statistical records gradually improve from the 1970s on, with some data digitized and searchable, especially post 1999. UNHCR, "Population Statistics," <http://popstats.unhcr.org/en/overview> [accessed May 8, 2018].

refugees are determined by politicians and state officials, who rarely show interest in migrations of the past—indeed, denial of refugee histories is part of the process of denying refugee realities today.”¹⁹ We must examine, therefore, how historians approach refugee studies, as well as how scholars in refugee and forced migration studies attend to history and interrogate the ways in which both fields default to state-centered thinking.²⁰

1.2 HISTORY IN REFUGEE STUDIES & REFUGEES IN HISTORY

Refugee and forced migration studies emerged as a “globally salient issue” in the mid-1980s.²¹ The 1980s also saw the creation of the first academic programs in forced migration studies. New centers and organizations for the study of refugees emerged and existing ones, such as the U.S. Committee for Refugees and the European Council on Refugees and Exiles, expanded their work.²² Historians, however, have been slow to produce work on the study of refugees.²³ This is particularly true regarding scholarship on the UNHCR. The monographs that provide a historical

¹⁹ Philip Marfleet, “Refugees and History: Why We Must Address the Past,” *Refugee Survey Quarterly*, vol. 26, Issue 3 (2007), 137.

²⁰ Jérôme Elie, “Histories of Refugee and Forced Migration Studies,” in Elena Fiddian-Qasmiyeh, Gil Loescher, Katy Long, Nando Sigona, eds., *The Oxford Handbook of Refugee and Forced Migration Studies* (Oxford: Oxford University Press, 2014).

²¹ Elie, *Oxford Handbook*, 1-3.

²² “Introduction: Refugee and Forced Migration Studies in Transition,” in Fiddian-Qasmiyeh et al, *The Oxford Handbook of Refugee and Forced Migration Studies*.

²³ Notable exceptions, who themselves reference the paucity of historical literature on refugees, include: Peter Gatrell, Tony Kushner, and Jérôme Elie. In truth, Elie notes, historians have been working on refugee issues for some time. Their absence in broader debates within refugee and forced migration studies is a result of those historians’ situating their work within their regional or thematic historical fields. Jérôme Elie, “Histories of Refugee and Forced Migration Studies,” in Fiddian-Qasmiyeh, et al eds., *The Oxford Handbook of Refugee and Forced Migration Studies*, 23.

treatment of the UNHCR's genesis and evolution have been written by scholars in political science, international relations, and forced migration studies.²⁴ Perhaps the most robust body of literature engaging with the UNHCR comes from legal scholars examining the burgeoning set of international laws and treaties that have guided the work of the agency.²⁵ However, too often in Refugee and Forced Migration Studies, historical context falls to the wayside. In "The UNHCR and World Politics: State Interests vs. Institutional Autonomy," Gil Loescher criticizes analyses of the UNHCR, which tend toward presentism, homing in on only the most recent crises to explain current affairs, often discarding or not delving deeply enough into previous instances.²⁶

The trouble is not that historians ignore refugees. On the contrary, several excellent works by historians have examined refugee migrations.²⁷ Philp Marfleet argues that the trouble is a lack of communication between historians and scholars in forced migration studies. In particular, researchers in forced migration studies "seem to be averse to history."²⁸ There seems to be a

²⁴ Gil Loescher, *The UNHCR and World Politics: A Perilous Path* (Oxford: Oxford University Press, 2001); Louise Holborn, *Refugees, a Problem of Our Time: The Work of the United Nations High Commissioner for Refugees, 1951-1972* (Metuchen, NJ: Scarecrow Press, 1975); Jérôme Elie, "The Historical Roots of Cooperation Between the UN High Commissioner for Refugees and the International Organization for Migration", *Global Governance: A Review of Multilateralism and International Organizations*, Vol. 16, No 3, (2010):.345-360; Jussi M. Hanhimäki, "Introduction: UNHCR and the Global Cold War," *Refugee Survey Quarterly*, Vol. 27, No 1 (2008): 3-71; Anne Hammerstad, *The Rise and Decline of a Global Security Actor: UNHCR, Refugee Protection, and Security* (Oxford: Oxford University Press, 2014); and Alexander Betts, *Protection by Persuasion: International Cooperation in the Refugee Regime* (Ithaca: Cornell University Press, 2009).

²⁵ See: Guy S. Goodwin-Gill, "The International Law of Refugee Protection," in Fiddian-Qasmiyeh, et al eds., *The Oxford Handbook of Refugee and Forced Migration Studies*.

²⁶ Gil Loescher, "The UNHCR and World Politics: State Interests vs. Institutional Autonomy," *The International Migration Review*, vol. 35, no. 1, Special Issue: UNHCR at 50: Past, Present and Future of Refugee Assistance.

²⁷ See: Peter Gatrell, *The Making of the Modern Refugee* (Oxford: Oxford University Press, 2013); Peter Gatrell, *Free World? : The Campaign to Save the World's Refugees, 1956-63* (Cambridge: Cambridge University Press, 2011); Peter Gatrell, *A Whole Empire Walking: Refugees in Russia During World War I* (Bloomington: Indiana University Press, 2005); Tony Kushner, *Remembering Refugees: Then and Now* (Manchester: Manchester University Press, 2006); Louise Holborn, *Refugees, a Problem of our Time: The Work of the United Nations High Commissioner for Refugees, 1951-1972* (Metuchen, NJ: Scarecrow Press, 1975);

²⁸ Marfleet, "Refugees and History," 136.

general disinterest within refugee and forced migration studies in examining the historical contexts of the current crises they write about. But the blame does not rest wholly on forced migration studies. Historians have been slow to engage with this new field, positioning their work on refugee migration in their own regional subfields. Tony Kushner, in a 2006 article, suggests that there is “on the one hand actual resistance rather than simple apathy from the history profession to refugee studies and, on the other, from non-historians, the inability to see history and refugees as linked or relevant.”²⁹ Marfleet, in a 2013 article, continues his critique of historical context in refugee studies, noting that, “Refugee Studies continues to suffer from a poverty of historical perspective.”³⁰ The presence of refugees, he points out, is a hallmark of contemporary society, but “historians have hardly noticed it.”³¹ The historical context of past displacements is critical to understanding today’s migrations.³² How institutions responded to forced migration, how states and NGOs represented those people, and how refugees chose to migrate all continue to shape the refugee system today. It is this sort of historical depth that history can contribute to refugee studies. Moreover, a world-historical approach is necessary to understand the global entanglements of the refugee system.

Refugee movements cannot be fully understood in isolation, whether that isolation is temporal, geographic, or scalar. Marfleet argues that historians’ “disinterest in migrants and the

²⁹ Kushner, *Remembering Refugees*, 40

³⁰ Two recent examples of refugee studies literature that do incorporate historical context include Dawn Chatty, *Displacement and Dispossession in the Modern Middle East* (Cambridge, Cambridge University Press, 2010); and P. Panayi & P. Virdee, *Refugees and the End of Empire: Imperial Collapse and Forced Migration in the Twentieth Century*, Basingstoke, Palgrave Macmillan, 2011); and Philip Marfleet, “Explorations in a Foreign Land: States, Refugees, and the Problem of History,” *Refugee Survey Quarterly*, vol. 32, issue 2 (June 2013), 15.

³¹ Marfleet, “Explorations in a Foreign Land,” 16.

³² Marfleet, “Refugees and History,” 137.

migratory experience is a corollary of the national character of most modern historical writing. Since the emergence of the nation-state and of institutions of learning associated with national/nationalist agendas, history has been primarily nation-centred.”³³ However, as the power of nation-states has been eroded by international and non-governmental organizations and transnational groups and corporations, we can see, “looking backward, what shape modernity has taken during the last 200 years. It was cast in the iron cage of nationalized states that confined and limited our own analytical capacities.”³⁴ Refugees are not simply passive victims; they have affected in important and transformative ways the development of not only the refugee system but the broader inter-state system as well. Marfleet suggests that “displacement has been a key aspect of processes that shaped (and continue to shape) the modern world.”³⁵ Refugee movements at the end of the nineteenth and early twentieth centuries were important factors in the formation of national states in the Middle East, Europe, and South Asia and in shaping inter-state cooperation.³⁶

In this study, I offer a vertical, multi-layered (core sample) approach to addressing the above problems in the Refugee Studies and historical literatures. There are no historical studies of Turkish refugee policy in the second half of the twentieth century. Some prominent Turkish scholars have written prolifically on the issue of Turkey’s asylum policy and its relationship with the UNHCR. But since these scholars come from Political Science or International Relations, the

³³ Marfleet, “Explorations in a Foreign Land,” 16.

³⁴ A. Wimmer & N. Glick Schiller, “Methodological Nationalism and the Study of Migration”, *Archives of European Sociology*, 72(2), (2002), 218.

³⁵ Marfleet, “Explorations in a Foreign Land,” 15.

³⁶ Panikos Panayi and Pippa Virdee, eds., *Refugees and the End of Empire: Imperial Collapse and Forced Migration in the Twentieth Century* (New York: Palgrave Macmillan, 2011); and Dawn Chatty, *Displacement and Dispossession in the Modern Middle East* (Cambridge: Cambridge University Press, 2010).

questions they ask are concerned with contemporary issues, focusing on the 1990s and after.³⁷ The decades between the establishment of a UNHCR branch office in 1960 and the massive displacements in the 1990s are generally relegated to a historical footnote or summary. Beyond an attempt to remedy this lacuna, I seek to provide a model of this sort of vertical analysis of the global refugee system. This analysis can provide the detail necessary to explain the nuances of the Turkish case while still offering insights that are global in scope at several scales of analysis. In adopting the global refugee system as a framework through which I analyze events surrounding the UNHCR's work in Turkey, I have found a complex set of factors and actors that played crucial roles in the evolution and expansion of the UNHCR in Turkey. The absence of any study focusing on these years in Turkish refugee history has left out important changes in the functioning of the global refugee system and caused misunderstandings of how patterns that manifested in the 1990s had developed. My findings have convinced me that change in the global refugee system is not simply the work of states or of bilateral relationships between the UNHCR and the governments for which it works. Rather, NGOs and refugees themselves have played key roles in the changing nature of the UNHCR and the global refugee system.

The UNHCR has expanded as a global actor since its creation in 1950 and has positioned itself at the center of an increasingly large and increasingly complex global refugee system. At its

³⁷ Kemal Kirişçi, "Refugees of Turkish Origin: 'Coerced Immigrants' to Turkey since 1945," in *International Migration* Vol. 34 Issue 3 (1996); Juliette Tolay, "Deconstructing Turkish Public Attitudes Towards Refugees: Empowering Rights Over Politicization and Self-Gratification," in İhsan Bal and M. Turgut Demirtepe (eds.), *USAK Yearbook of Politics and International Relations* vol. 6 (2014); Ahmet İçduygu and Deniz Sert, "Migrants' Uncertainties versus the State's Insecurities: Transit Migration in Turkey," in Duvell, Frank, Collyer, Michael, and Molodikova, Irina, eds. *IMISCOE Research: Transit Migration in Europe* (Amsterdam: Amsterdam University Press, 2014); Kemal Kirişçi, "'To Lift or Not to Lift' the Geographical Limitation to the 1951 Geneva Convention Relating to the Status of Refugees: Turkey's Pre-accession to the EU and Asylum," Draft paper prepared for the 4th METU International Relations, Ankara, 30-June-2 July, 2005; Dilek Latif, "Refugee Policy of the Turkish Republic," *The Turkish Yearbook of International Relations* Vol. 33 (2002): 1-29. For the relationship between Turkey's refugee policies and its foreign policy, see: Kale, "The Impact of Europeanization on Domestic Policy Structures."

founding, states took steps to make the UNHCR a limited organization.³⁸ Its functions were initially restricted by the Convention to refugees from Europe produced by events before 1951. The agency was to be temporary, with a limited budget, and an “exclusively legal advisory role rather than engaging in the provision of material assistance.”³⁹ In 1950 the UNHCR had 34 staffers and a budget of \$300,000.⁴⁰ By 2017, its annual budget reached \$7.7 billion, and the agency employed nearly 11,000 staffers working in 130 countries.⁴¹ This expansion has been gradual, filled with setbacks and sustained by strategic maneuvering by High Commissioners and their staff.⁴² In the 1960s the agency stepped away from Europe, expanding its mandate through Africa and the rest of the decolonizing world, requiring a stronger role in providing material assistance.⁴³ Successive crises in the 1970s further expanded the agency’s reach. In the 1980s the agency broadened its efforts from legal protection to providing humanitarian assistance to millions in protracted refugee situations. The UNHCR has selectively expanded the interpretation of its mandate; its operations today are far beyond the role imagined by the 1951 Convention or its 1967 Protocol. As the agency changed and grew it relied on an increasingly diverse set of partners.

³⁸ The agency’s original mandate expired after three years. The United States, suspicious of ceding control to an international organization, created its own parallel organization, the Intergovernmental Committee for European Migration (ICEM), which was intended to compete with the UNHCR. The ICEM later the Intergovernmental Committee for Migration (1980) and then the International Organization for Migration (1989). The IOM today works closely with UNHCR in managing forced migration.

³⁹ Gil Loescher, “UNHCR and Forced Migration,” in Fiddian-Qasmiyeh, et al eds., *The Oxford Handbook of Refugee and Forced Migration Studies* (Oxford: Oxford University Press, 2014), 216.

⁴⁰ Gil Loescher, Alexander Betts, and James Miller, *The United Nations High Commissioner for Refugees (UNHCR): The Politics and Practice of Refugee Protection Into the Twenty-First Century* (London: Routledge, 2008), 79.

⁴¹ UNHCR, “Figures at a Glance,” <http://www.unhcr.org/en-us/figures-at-a-glance.html> [accessed May 8, 2018].

⁴² Michael Barnett and Martha Finnemore, *Rules for the World: International Organizations in Global Politics* (Ithaca: Cornell University Press, 2004).

⁴³ Gil Loescher, *UNHCR in World Politics*; and Cecilia Ruthström-Ruin, *Beyond Europe: The Globalization of Refugee Aid* (Lund, Lund University Press, 1993).

NGOs, other international organizations, individuals, and refugees themselves came to play important roles in the functioning of the system that UNHCR positioned itself to administer. This dissertation traces the global growth and evolution of the UNHCR, but it does so by examining the manifestations of the global refugee regime in Turkey.

1.3 ROADMAP OF THE DISSERTATION

The unifying argument of this dissertation is that the expansion of the UNHCR in Turkey was a result of non-state actors, whose efforts enabled and compelled the UNHCR to strengthen its office in Turkey and pressure the Turkish government to increase cooperation. In this dissertation, I examine the evolution of the UNHCR in Turkey. In doing so, I tell a world-historical story. The story of the UNHCR in Turkey draws in a diverse group of actors at multiple levels of analysis. These people, states, and organizations in Turkey and in cities across the globe were entangled in a web of transnational connections. Their interests and interactions revolved around the issue of refugees in Turkey. The interactions linking these various actors formed what I call the “global refugee system.” Scholars working on Turkish asylum policy, in neglecting the period before the late 1980s, have overlooked the role of NGOs and refugees themselves in shaping the system in Turkey and how the system in Turkey influenced the global system. The dramatic expansions and evolutions experienced by the UNHCR branch office in Turkey are too often treated as the result of bilateral negotiations between Turkey and the UNHCR or Turkey and Western states beginning in the late 1980s.

The remainder of this introductory chapter will argue that the development and expansion of the UNHCR in Turkey is best understood in the context of a multi-level “global refugee system,”

as opposed to a top-down, legal-based “global refugee regime.” I will elaborate the characteristics of this system, paying particular attention to the complexity and diversity of actors within the system and the role that norms (such as those propagated by the international human rights movement) played in changing relationships within the system. I will conclude this first chapter with an overview of long-term change in the global refugee system and how the changes in Turkey during the period I discuss were affected by and in turn influenced the broader historical system. Chapters Two through Five will then turn to dealing chronologically with events in Turkey from 1960 to 1988. Each chapter tells the local story of the UNHCR office in Turkey but also links those local events back to crises at the global level and to changes in Geneva. Each chapter is progressively broader in its geographic reach; as events surrounding Turkey brought increased attention to refugee issues there, the branch office’s work took on increasingly global implications. Chapters Two and Three feature a branch office struggling to define its role during the 1960s and 1970s, with only marginal influence. Chapters Four and Five, however, feature a resurgent branch office, empowered and pressured by a growing movement of human rights NGOs and transnational refugee advocacy groups. In these chapters, as a result of these transnational actors, the UNHCR’s actions in Turkey began to have dramatic global reverberations.

Chapter Two recounts the early days of the UNHCR branch office in Turkey, first established in Istanbul in 1960 before its later move to Ankara. I argue that the branch office struggled to define its role in Turkey and its relationship to the Turkish government in the face of the government’s idiosyncratic refugee and asylum policies. Moving on from the office’s early growing pains, Chapter Three takes us into the 1970s, as two UNHCR representatives in Turkey struggled to reconcile local and regional challenges with the shifting and often contradictory prerogatives of the High Commissioner and his executive staff in Geneva. As the UNHCR

expanded its global reach in response to an upsurge in refugee movements in the 1970s, the Ankara office became an afterthought. This institutional confusion left the High Commissioner and his branch office in Ankara unprepared for the changes in Turkish asylum policy and refugee demographics during the 1980s. As a result, the branch office began to rely more than ever on NGOs, particularly the International Catholic Migration Commission (ICMC).

Chapter Four finds a branch office in crisis, attempting to deal with a sudden influx of Iranian asylum-seekers to Turkey in the early 1980s. Most of the 1.5 million Iranians who transited through Turkey did so outside regular UNHCR or Turkish migration channels, carving what the UNHCR called “the Iranian filière.”⁴⁴ Though the UNHCR was officially only responsible for Iranians formally seeking refugee status, the agency remained committed to protecting irregular asylum-seekers moving outside the UNHCR’s authority. In particular, the UNHCR sought to protect those irregular asylum-seekers from *refoulement*—the forcible return of a refugee to their country of origin—to Iran. In Chapter Four, I argue that a global network of Iranian advocacy groups, diaspora media outlets, human rights NGOs, and black-market operators enabled and compelled the UNHCR to strengthen its presence in Turkey and prompted unprecedented levels of cooperation between the UNHCR and the Turkish government. In a single incident in 1983, 63 Iranians were forcibly returned from Turkey to Iran. This episode set off a global campaign by the Iranian network that pulled the High Commissioner, Western European governments, and the Turkish authorities into debates they did not want to have. The result of these debates was an “informal arrangement” between Turkey and the UNHCR. Under this arrangement, the UNHCR

⁴⁴ The French word *filière*—or channel—was used by the UNHCR to refer to the varied and shifting pathways of black market migration and human smuggling utilized by Iranian asylum-seekers as they attempted to flee Iran, transit through countries like Turkey, and claim asylum in Western Europe or North America.

was granted the authority to determine the refugee status of all Iranians entering Turkey and the Turkish authorities agreed to expand their cooperation with the UNHCR branch office.

Chapter Five analyzes the fallout from the informal arrangement and large-scale irregular migration through Turkey and moves the narrative forward into the late-1980s and early 1990s. In the mid-1980s, the branch office swelled in size, expanding from the second-smallest UNHCR office in Europe to the largest. To achieve this expansion, the UNHCR, Amnesty International, and refugee advocacy groups utilized the linguistic tools of the international human rights movement. This final chapter argues that this human rights pressure backfired when Western European states—largely in response to the irregular movement of Iranian asylum-seekers through the Iranian *filière*—enacted anti-migrant policies and closed the Berlin-based “backdoor to the West” in 1987. The Turkish authorities, who had been subjected to sustained human rights critiques on their asylum policies for over five years, reacted by flipping the script, turning human rights critiques back on Western Europe. The result was increased precarity for refugees in Turkey. The chapter concludes with a look toward the early 1990s, when sudden and massive influxes of refugees from Iraq and Bulgaria further strained Turkey’s goodwill toward refugees. The narrative concludes with the passage of a Turkish Regulation on Asylum in 1994, which the Turkish government adopted in response to several mass migrations and what it saw as European hypocrisy. The restrictive regulation consolidated control of Turkey’s refugee decision-making in the hands of the Turkish authorities, overturning more than a decade of close collaboration and cooperation with the UNHCR.

The titles in this dissertation use the metaphor of roadways. To extend the metaphor of roadways to the idea of a global refugee system, consider: even in a country, like the United States, which has constructed a remarkable network of highways and byways and grids of city streets at

the behest of federal, state, and local authorities, the movement of a car in many places relies on unmaintained roads, on shortcuts and derelict paths. Police and municipal vehicles seek to impose order, but many drivers sit behind the wheel without licenses or with expired licenses. Legislation, street signage, and norms of behavior (see: the Pittsburgh left) attempt to regulate everything from how fast people drive to how they sit in their cars. Nonetheless, selective disregard for these rules—driving slightly faster than the posted limit—is tolerated and acknowledged to allow the system to function. Plenty of drivers forgo seatbelts while they text on mobile phones. The point is: posted signage, road laws, and official road maps do not accurately describe the myriad paths and choices a person takes to get from their home to their workplace, let alone the palimpsest of past behavior, rules, and path-making that has shaped our road system. Like a road system, the refugee system is prone to traffic jams, often slowed by traffic stops and police, and to successfully function it requires certain informal safety valves to relieve stresses on its main thoroughfares. While the concept of a “refugee regime” based on documents and norms provides a useful roadmap for how states should cooperate to address refugee issues, the reality of how states and non-state actors converge on the ground gets much more complicated. A systems approach takes our focus away from the rules of the road and encourages attention on the ways in which people actually moved.

1.4 A GLOBAL REFUGEE SYSTEM

This dissertation makes several arguments specific to the changing nature of the UNHCR in Turkey. More broadly though, this project is meant to advocate for a more inclusive study of refugees and the organizations that work with them. I examine the UNHCR, but rather than tracing

historical change in the agency at the top administrative levels, which has been undertaken by prominent scholars in international relations and forced migration studies, I focus on the manifestations of the UNHCR in Turkey.⁴⁵ Top-down, “satellite image” overviews of the UNHCR generally examine the High Commissioners and their staff at Headquarters. Though this study converges on Turkey, I examine interactions within and linking actors at different levels. I trace the evolution and expansion of the UNHCR branch office in Turkey over the course of 28 years, examining the specific local dynamics and interactions which shaped the work of the UNHCR in that country. Shifts in and surrounding Turkey produced significant change in the UNHCR and in the global refugee system.

Adopting a “core sample” approach has led me to four conclusions: 1) The UNHCR’s office and operations in Turkey changed as a result of internal institutional dynamics and inter-state politics; however, significant changes were instigated by the efforts of transnational non-governmental organizations and by groups formed by refugees themselves. 2) These changes in the UNHCR’s work in Turkey had significant reverberations in the UNHCR’s global work. 3) The UNHCR’s global agenda was shaped in part by broader normative shifts, notably the increasing salience of the international human rights movement. 4) These three conclusions have led me to a broader argument: that “global refugee regime” is an insufficient framework to understand long-term historical change in international organizations because it subordinates the impact of key actors and processes. Rather, I argue that “global refugee system” is a more appropriate framework for incorporating the impacts of a multitude of actors, regimes, and movements on the lives of

⁴⁵ Very little historical work has been undertaken at the branch office level about the UNHCR, two exceptions include Cecilia Ruthström-Ruin, *Beyond Europe* and the UNHCR and the Global Cold War Project at the Global Migration Center at The Graduate Institute Geneva. See: Jussi M. Hanhimäki, “Introduction: UNHCR and the Global Cold War,” *Refugee Survey Quarterly*, vol. 27, Issue 1 (January 2008): 3-7.

refugees. Scholars in international relations and refugee and forced migration studies have adopted the concept of a “global refugee regime” to great effect. The concept of a global refugee regime provides a useful framework for understanding inter-state cooperation surrounding the issue of refugees. In particular, refugee studies scholars have used the concept of regime to effectively highlight power dynamics and disparities between states and how this has influenced legal protections for refugees.⁴⁶ It is not my intention here to argue against the validity or academic utility of the concept of a global refugee regime. To the contrary, the concept is usefully employed to understand the politics surrounding contemporary issues. I offer the concept and framework of a global refugee system as an additional perspective that is better suited to explaining historical context and change. A systems framework reveals factors that regimes thinking might miss or occlude. The global refugee system framework highlights historical context and the prominence and importance of non-state actors in influencing change. Moreover, refugees themselves are generally not included as a part of the regime that is charged with their welfare. This dissertation will demonstrate that refugees as individuals and groups not only had agency in their own journey but were also able to affect change on the larger system.

First, I will turn to the definitions of regimes and systems used in this dissertation. Alexander Betts provides the most widely cited definition of the refugee regime: “The global refugee regime encompasses the rules, norms, principles, and decision-making procedures that govern states’ responses to refugees.”⁴⁷ The global refugee regime has two central components:

⁴⁶ Alexander Betts in particular has developed the concepts of a global refugee regime. He argues that the regime is fundamentally organized around North-South power dynamics. Alexander Betts, “International Cooperation in the Refugee Regime,” in Alexander Betts and Gil Loescher, eds., *Refugees in International Relations* (Oxford: Oxford University Press, 2010), 52.

⁴⁷ Stephen Krasner defines regimes more generally as “sets of implicit or explicit principles, norms, rules, and decision-making procedures around which actors’ expectations converge in a given area of international relations” Stephen D. Krasner, *International Regimes* (Ithaca, NY: Cornell University Press, 1983), 2; Alexander Betts, “The

the 1951 Convention and the UNHCR, the agency tasked with ensuring states' compliance with the Convention.⁴⁸ The word "regime," however, conveys a sense of legality and even regularity that is not necessarily borne out by events on the ground. The regime, in all its normative and institutional complexity was and is often supported and driven by an assortment of transnational non-governmental organizations. These groups are essential to understanding the functioning and proliferation of the global refugee regime, but in understanding these groups, it is essential that they did not always act within the legal or normative constraints of the regime or the laws of states. To encompass both the official regime and actors working outside—or, at least with one foot outside—the rules and structures of the regime, a global refugee system is a more appropriate framework.

There is no consensus definition of system.⁴⁹ I provide a definition of a "global refugee system" below, but this is an intervention in a literature of systems-thinking that dates to at least the 1950s and spans disciplines from the natural and social sciences to the humanities. In the social sciences, "system" is often used as a loose metaphor to describe how some aspect of society or international relations functions.⁵⁰ Broadly, systems theory is a multidisciplinary theory that encourages a holistic approach, a "shift in attention from the part to the whole."⁵¹ In particular, the

Normative Terrain of the Global Refugee Regime," <https://www.ethicsandinternationalaffairs.org/2015/the-normative-terrain-of-the-global-refugee-regime/>.

⁴⁸ Loescher, "UNHCR and Forced Migration," 216; and Betts, "The Normative Terrain of the Global Refugee Regime."

⁴⁹ Kevin MacGregor Adams, Patrick T. Hester, Joseph M. Bradley, "A Historical Perspective of Systems Theory," A. Krishnamurthy and W.K.V. Chan, eds., *Proceedings of the 2013 Industrial and Systems Engineering Research Conference*, January 2013.

⁵⁰ See: "asylum system," "healthcare system," the "international system" of the English School. Barry Buzan, *An Introduction to the English School of International Relations* (Cambridge: Polity Press, 2014).

⁵¹ Cristina Mele, Jacqueline Pels, and Francesco Polese, "A Brief Review of Systems Theories and Their Managerial Applications Service Science" 2(1/2) (2010): 126-135.

focus is on interactions between different parts of a system in order to understand the whole. Systems theorists have developed theories for systems in ecology, information systems, management, and society, among others. Ludwig von Bertalanffy is credited as the creator of general systems theory.⁵² Von Bertalanffy provides a basic definition for system as, “a complex of interacting elements.”⁵³ From Von Bertalanffy’s general systems theory emerged a variety of systems theories during the twentieth century. Though systems theory has been influential in the natural sciences, most theories have yet to receive a broad following in the social sciences and humanities. A notable exception is Immanuel Wallerstein’s work on world-systems analysis.⁵⁴

Talcott Parsons, one of the most influential twentieth-century sociologists and advocates of systems theory in the social sciences, provides an elegant definition of systems: “A ‘system’ is a stable set of interdependent phenomena, provided with analytically-established boundaries, which relates to an ever-changing external environment.”⁵⁵ Some of Parsons’s most important work centered on social systems. According to Parsons, a “social system” is,

a system of social interactions between reciprocally oriented actors. It consists of roles, collectives, norms and values...In a social system, actors relate to one another by jointly orienting themselves to a situation through a language or other shared symbols. A social system comprises several subsystems or collectivities, all of which are functionally differentiated, interdependent and intertwined.⁵⁶

⁵² Adams et. al., “A Historical Perspective of Systems Theory.”

⁵³ Mele et. al., “A Brief Review of Systems Theories.”

⁵⁴ Immanuel Wallerstein, *World-Systems Analysis: An Introduction* (Durham: Duke University Press, 2004).

⁵⁵ Sandro Segre, *Talcott Parsons: An Introduction* (Lanham, MD: University Press of America, 2012).

⁵⁶ Segre, *Talcott Parsons*.

Parsons's broader work is the subject of much debate, and social systems theorists have diverged from his work in a variety of directions, but his basic definitions are useful as a starting point.

The "global refugee system" is a social system. At its most basic, a social system is a network of interactive relationships among individual actors coalescing around an issue.⁵⁷ The global refugee system is here defined as: the system of interactions between actors oriented toward the protection, welfare, and movement of displaced persons. Actors within this system operate within the normative terrain of the global refugee regime and adopt its language and symbols, most notably, the 1951 Convention. An important distinction: I do not limit the system to internationally recognized "refugees." This is a term for regimes. Legal definitions are important, but they do not constrain interactions within the system. The UNHCR, as it expanded, developed a set of linguistic tools to encompass irregular migration, internally displaced persons (IDPs), and a host of other "persons of concern" who are not an official part of the refugee regime as limited by the definitions found in the 1951 Convention and 1967 Protocol.

There is a trap in which we assume that international organizations are the papers on which their mandates are printed. Regimes are an important piece of how international organizations change, but they are not the whole story. Changes in a regime are often the results of systemic change rather than the cause of it. Regimes are entities bound by paper. To be sure, the norms embraced by regimes are messy, but regimes only codify those norms. In practice, the interpretation and evolution of norms takes place in a complex system of interrelations linking individuals, organizations, and governments. To understand the evolution of international organizations, it is to this system of interrelations and interactions we should look. International

⁵⁷ Talcott Parsons, *The Social System*, (New York: Free Press of Glencoe, 1964), 25, 51.

organizations like the UNHCR are large, ponderous bureaucracies, and though they might at times be subject to the whims of a single figure like the High Commissioner, they are more commonly forged by pressures far more diverse. I am less interested in how international rules change than in how the structures and processes around them change, structures and processes that depend on human implementation and which are shaped by human choice—and human error.

A systems framework can also help alleviate critiques of eurocentrism, state-centrism, and presentism which have been leveled at refugee studies. The UNHCR and the 1951 Convention were created to address events occurring in Europe before 1951. Nonetheless, millions of other peoples across the globe were displaced during the same period. The UNHCR, as it grew, was forced to adapt and adopt *ad hoc* interpretations of its mandate to react to crises outside of Europe. Refugee movements were already global in the post-war world, despite the eurocentric nature of the early regime.⁵⁸ Historians Anna Holian and G. Daniel Cohen warn that refugee studies as a field has over-emphasized the refugee regime that developed in post-WWII Europe. Scholars who examine the inception of the refugee regime often leave out developments outside of Europe, which, because the 1951 Convention included a geographic limitation, were outside the regime. The “uneven development of the international refugee regime” has meant that many places were left out of the story.⁵⁹ Holian and Cohen conclude that “since the majority of refugees and displaced persons continue to exist outside the ambit of the international refugee regime, a decentered perspective on the formulation and application of refugee policy continues to be vitally

⁵⁸ Pamela Ballinger, “Entangled or ‘Extruded’ Histories?: Displacement, National Refugees, and Repatriation after the Second World War” *Journal of Refugee Studies*, vol. 25, issue 3 (September 2012): 366-386. Gatrell, *Free World?*

⁵⁹ Displacements in Bangladesh, Palestine, and Southeast Asia are commonly left out of accounts of the postwar regime, despite comparable numbers to European refugees. Anna Holian, G. Daniel Cohen, “Introduction,” *Journal of Refugee Studies*, Volume 25, Issue 3, (September 2012): 313–325.

important.”⁶⁰ A global refugee system framework shifts the emphasis from states to a variety of actors at different levels of analysis who often appear peripheral to the regime. Definitions of the global refugee regime prioritize the actions of states, which adopt the documents that create organizations like the UNHCR and which provide the funding to allow the UNHCR to carry out its mandate. The refugee system, as defined above, is concentrated on the actual movement of people, rather than the legal and normative principles that background this movement. By way of example, Turkey’s maintenance of the geographic limitation is a constraint on the refugee regime; however, the ways refugees move through Turkey often ignores this constraint. Though Turkey does not officially recognize Iranians as refugees—they are merely “transiting” through Turkey as visitors or tourists—the Turkish authorities permitted Iranians to seek refugee status from the UNHCR. Moreover, the vast majority of the millions of Iranian and other non-European asylum-seekers who transited through Turkey did so through irregular channels, ignoring both the rules of the refugee regime and the Turkish government’s geographical limitation.

Alexander Betts, who has done prolific work on the refugee regime and refugees in international relations, provides one of the best analyses of the global refugee regime, accounting for levels of complexity. Betts has elaborated a “refugee regime complex,” which he uses to describe the contemporary situation in which multiple regimes “overlap, exist in parallel to one another and are nested within one another in ways that shape States’ responses toward refugees.”⁶¹ Institutional proliferation within and around the United Nations has caused regimes in travel, labor, human rights, and humanitarian aid to overlap, complement, and even contradict the mandate of

⁶⁰ Holian and Cohen, “Introduction.”

⁶¹ Though he notes several regimes which overlap with the refugee regime, Betts plays particular attention to the refugee-travel regime complex. Alexander Betts, “The Refugee Regime Complex,” *Refugee Survey Quarterly*, vol. 29, issue 1 (January 2010), 13.

the UNHCR. Betts draws on emerging international relations scholarship on regime complexity—“the way in which two or more institutions intersect in terms of their scope and purpose.”⁶² Betts argues that complexity is a “fundamental challenge” for the UNHCR; as other regimes breach the arena of refugee work, the UNHCR must maneuver to remain relevant. While I acknowledge that complexity certainly complicates the UNHCR’s work in a variety of ways, the complexity of the global refugee system has allowed the UNHCR and the system to remain adaptable, finding the flexibility to fill roles and protect refugees in circumstances that seem prohibitive. In the case of Turkey, the entrance of human rights actors that might otherwise seem part of the human rights regime created new challenges but also new opportunities for UNHCR staffers operating on the ground in Turkey.

Despite the analytical merits of regime complexity, a refugee system framework allows for historical contextualization far better and can help avoid the ahistorical charges that have dogged refugee and forced migration studies for decades.⁶³ Too often, those speaking of the refugee regime and complexity within regimes note that this complexity came into being sometime between the 1980s and 1990s. This might make sense from a regimes perspective, which emphasizes institutional proliferation, but complexity and actors at multiple levels of analysis have been a part of the system of refugee movement and protection for centuries. Regime-based narratives of institutional change often lack historical context because they are paper-centric rather than people-centric. For example, the Kurdish peoples living along the borders separating Turkey, Iraq, and Iran, have established familial, commercial, and travel networks that weave across these international borders. These are personal and historical patterns that bear no relation to the

⁶² Betts, “The Refugee Regime Complex,” 14.

⁶³ Elie, “Histories of Refugee and Forced Migration Studies,” 23.

international agreements of the refugee regime. When Iranians, Iraqis, other refugees from Africa and Asia—not to mention Kurds themselves—sought refuge across an international border in Turkey or Iran, it was often the personal and historical ties of Kurdish middlemen and smugglers that made the journey possible. In focusing on the paper and principles of the regime, it is easy to overlook the people and historical patterns that enable the physical movement of refugees.

Regimes refer to the institutions and rules created by states to address a problem—a problem that, by definition, was already extant. The 1951 Convention was written to address a problem that states have struggled with for centuries. The Convention was an attempt to protect refugees, but it also sought to impose states' wills onto a system, however broken, that was already functioning. Even before the establishment of the International Refugee Organization or the League of Nations, refugees were moving across borders; they were fed, fed themselves, and they died from starvation. Regimes seek to define and codify, to place institutional borders around a problem so that states can address it.

Power dynamics (and power disparities) shape both regimes and social systems. States create regimes to serve their own interests, but the international organizations at the heart of those regimes often act contrary to the founding intentions of those states. Regimes allow states to make the most of international cooperation by “reducing contracting costs, providing focal points, enhancing information and therefore credibility, monitoring compliance, and assisting in sanctioning deviant behavior.”⁶⁴ International regimes, codified through international law and treaties, are built by “elites who represent state interests as they conceive them.”⁶⁵ Nonetheless,

⁶⁴ Keohane and Victor, “The Regime Complex for Climate Change,” *Perspectives on Politics*, vol. 9, no. 1 (March 2011), 8.

⁶⁵ Keohane and Victor, “The Regime Complex for Climate Change,” 8.

non-state actors play important roles in determining how various actors respond to the regime. In regime-thinking, states create the regime. In a system framework, states are but one type of actor in a system partially governed by state-sanctioned regimes. Barnett and Finnemore have argued that international organizations “exercise power autonomously in ways unintended and unanticipated by states at their creation.”⁶⁶ International organizations, like the UNHCR, often act outside the parameters of the regimes they oversee. The UNHCR has reinterpreted its mandate and had its mandate expanded several times. The 1967 Protocol officially expanded the UNHCR’s work from Europe to the entire globe. And since the 1990s, the UNHCR has taken an increased role in long-term humanitarian relief, particularly for Internally Displaced Persons (IDPs).⁶⁷ The agency now operates huge, city-sized refugee camps across the Global South, acting as a surrogate state for millions of displaced persons who are still living within the borders of their home country.⁶⁸ This shift, since the 1990s, has marked a significant departure from the UNHCR’s mandate, which relates to the protection of refugees—defined as persons who cross an international border fleeing persecution.

It is an assertion of this dissertation that the UNHCR has been able to exercise power beyond what was intended by the states that created it because of the work among a constellation of actors coalescing around UNHCR’s mandate. Barnett and Finnemore focus on how the bureaucratic structures of international organizations have given international organizations power (and a good deal of dysfunction). They also point to the importance of reciprocal influence among

⁶⁶ Michael Barnett and Martha Finnemore, “The Politics, Power, and Pathologies of International Organizations”, *International Organization*, (1999), 699; and Barnett and Finnemore, *Rules for the World*.

⁶⁷ Betts, “Refugee Regime Complex.”

⁶⁸ Amy Slaughter and Jeff Crisp, “A Surrogate State? The Role of UNHCR in Protracted Refugee Situations,” in UNHCR, *NEW Issues in Refugee Research*, no. 168, (January 2009).

states, international organizations, and non-governmental organizations. Strong states certainly can drive the behavior of international organizations, but international organizations and non-governmental organizations can produce effects that “eclipse or significantly dampen” the influence of states.⁶⁹ These transnational actors bolstered UNHCR’s capacity in any given crisis, and, particularly since the late 1970s, they have pushed the UNHCR to expand its operations beyond its original mandate.

Regimes are not an accurate reflection of how people move and the multiplicity of ways in which they are protected and protect themselves. Forty-seven states have declined to accede to either the 1951 Convention or its 1967 Protocol, including Pakistan, India, Iraq, Saudi Arabia, Indonesia, and most states in Southeast Asia.⁷⁰ And yet, in all these countries, the UNHCR has maintained offices or operations.⁷¹ A state’s accession to treaties is not reflective of its place in the functioning of the global refugee system. Historically, the UNHCR and its partner organizations have often been most active in countries not party to some aspect of the refugee regime.⁷² Turkey, which by the late 1980s hosted UNHCR’s largest country program, to this day maintains a

⁶⁹ Barnett and Finnemore, “The Politics, Power, and Pathologies of International Organizations” 715; see also: Margaret Keck and Kathryn Sikkink, *Activists beyond Borders: Advocacy Networks in International Politics* (Ithaca: Cornell University Press, 1998).

⁷⁰ Out of 195 states (193 UN member states, and two non-member observers, the State of Palestine and the Holy See), 148 are party to either the 1951 Convention or its 1967 Protocol. As a non-member state, Taiwan is unable to ratify the Convention. The Holy See is a party to the Convention, while the State of Palestine is not. UNHCR, “States Parties to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol,” <http://www.unhcr.org/en-my/3b73b0d63.pdf> [accessed May 8, 2018]; Asia Pacific Refugee Rights Network, “Press release: Human rights advocates from across Asia urge the Taiwanese Government to swiftly pass Refugee Act,” April 26, 2017, <https://reliefweb.int/report/china-taiwan-province/press-release-human-rights-advocates-across-asia-urge-taiwanese> [accessed May 8, 2018].

⁷¹ Currently, the UNHCR operates in 130 countries. 87 percent of UNHCR staffers are posted in the field, outside Geneva and the Global Service Centers in Budapest, Copenhagen, and Amman. UNHCR, “Where We Work,” <http://www.unhcr.org/en-us/where-we-work.html> [accessed May 8, 2018]; UNHCR Maps Portal, “Security Phases in UNHCR offices worldwide - February 2009,” <http://maps.unhcr.org/en/view?id=1704>.

⁷² Pakistan, Vietnam, Thailand, Iraq, Syria, Jordan, South Sudan, Bangladesh, Myanmar, India, Nepal, among others.

geographic limitation on the 1951 Convention that all but a handful of states have discarded.⁷³ Turkey did not even formally recognize UNHCR's authority to be present in the country until 2016, when it finally signed a UNHCR host country agreement.⁷⁴ The UNHCR had been present in Turkey for fifty-six years by 2016. In New Delhi and Islamabad, Bangkok and Tripoli, the UNHCR maintains branch and field offices despite the reticence of the governments in those cities to ratify the 1951 Convention. In these and many other places, the UNHCR has acted as a focal point organization for the administration of refugee aid, protection, and resettlement during some of the world's largest refugee migrations.

⁷³ Only Congo, Madagascar, Monaco, and Turkey maintain this limitation. Turkey is the only one of the four to expressly maintain the limitation upon acceding to the 1967 Protocol. Madagascar is not party to the 1967 Protocol. <http://www.unhcr.org/en-us/protection/basic/3b73b0d63/states-parties-1951-convention-its-1967-protocol.html> [accessed May 8, 2018].

⁷⁴ Melissa Fleming, "UNHCR chief pledges more support for Turkey refugee response," September 1, 2016, <http://www.unhcr.org/en-us/news/latest/2016/9/57c856484/unhcr-chief-pledges-support-turkey-refugee-response.html> [accessed May 8, 2018].

Table 1: Who is in the System?*

THE GLOBAL REFUGEE SYSTEM IN TURKEY		
ARENA**	TYPE OF ACTOR	EXAMPLES OF SPECIFIC ACTORS OPERATING IN TURKEY
Administrative	UNHCR	High Commissioner, Executive Committee, Headquarters staffers, Representative in Turkey, Ankara branch office staff, other branch offices/field offices
International	States (specifically, the state organs relating to foreign policy, including embassies and relevant executive offices	Turkey, Iran, U.S., Western Europe, etc...
Intrastate	Government actors within the country of asylum	(until 2013): Ministry of the Interior, General Directorate of Security, Ministry of Foreign Affairs (UN Desk), Gendarme, Military, Judiciary, Police
Municipalities and Localities	Municipal, provincial, and other local governments, local civil society	Marmara Municipalities Union, Istanbul Metropolitan Municipality, provincial governors, Association for Solidarity with Asylum Seekers and Migrants (ASAM), Research Center on Asylum and Migration (IGAM)
International Organizations	UN, UN-related, & parallel organizations whose mandates overlap with refugee issues	United Nations (UN General Assembly, UN Security Council, OHCHR, WFP, UNDP, ILO, OCHA, IASC, etc...) IOM, EU, Council of Europe, etc...
NGOs	Non-governmental organizations whose work touches on some aspect of refugee/asylee protection, assistance, or movement	Religious and Humanitarian NGOs: ICMC, WCC, CRS, Caritas, Red Cross/Crescent, USCR Human Rights NGOs: Amnesty International, Human Rights Watch, Helsinki Citizens' Assembly, etc...
Transnational Advocates/Social Movement	Individuals and Groups advocating for refugee rights or facilitating refugee movement. Some overlap with NGOs.	Individuals, Iranian Organizations (Austrian Committee for Defence of Human Rights in Iran, Iranian Bar Association, Iranian media outlets, etc...), outside concerned groups
News Media	National, local, and international media outlets	Hürriyet, Milliyet, Cumhuriyet, Daily Sabah, New York Times, Los Angeles Times, etc...

Black Market	Informal, irregular, and illegal networks that facilitate the movement of refugees, asylum-seekers, and many others	Iranian filière, Middlemen, and Smugglers, etc...
Migrants	The people themselves as they move through migrant channels or seek formal recognition	Refugees, Asylum-seekers, IDPs, Irregular Migrants

*Note that this chart does not include the 1951 Refugee Convention, the 1948 Universal Declaration of Human Rights, or national legislation like the 1994 Turkish Asylum Regulation. These are pieces of paper enshrining norms. In promoting a systems approach, I am more concerned with the interactions between actors that produce the norms those papers codify. The refugee system is influenced by the refugee regime complex and by the normative terrain (i.e. the increasing salience of international human rights movement in the 1980s), but it is not itself comprised of such ephemeral concepts.⁷⁵

**This chart is organized with the largest, most institutionalized actors at the top for legibility. This is not to suggest a hierarchy of interactions. As the last two chapters of this dissertation will argue, the groups and individuals at the bottom of this chart took actions that directly affected states and IGOs at the top of the chart. There is, however, a power disparity between actors at the top of the chart—states and IGOs carry more weight than NGOs and refugee groups in their interactions with the UNHCR. The UNHCR relies on state consent and funding to function and on the cooperation of IGOs to remain relevant.

1.5 DIVERSITY OF ACTORS IN THE SYSTEM

The complexity of actors, rules, and politics surrounding the global refugee system necessitates a multilevel approach. Refugee protection is “governed by a mix of international law, human rights, regional agreements, and national rules... Individuals, states, international organizations, nongovernmental organizations (NGOs), companies, smugglers and traffickers, and non-state

⁷⁵ Betts, “Normative Terrain of the Global Refugee Regime.”

groups,” all influence “the movement and protection of those seeking refuge.”⁷⁶ Each of these actors engages with the complex set of international and national rules and laws while also navigating the intricacies of local, regional, and international politics that causes and is caused by forced migration.

The global refugee system’s functionality relies on the interactions of actors at various levels of analysis, from the individual to the international. Authors seem to struggle to integrate state and non-state actors into their analysis, struggling especially to situate the refugee as an active participant in their own journey. It is tempting to slip into a state-centered analysis; however, states are not the arbiters of a refugee’s journey. Far from it. Refugees write to embassies and governments, to the United Nations and to NGOs. They advocate for themselves and create organizations to advocate for other refugees. Refugees who elect to move outside of state or international migration regimes carve out channels and build global networks of smugglers, advocates, and facilitators. Human rights, humanitarian, and religious NGOs advocate on behalf of refugees to states and international organizations. The UNHCR itself operates at multiple levels and never as a single monolith. The UNHCR branch office in Ankara often found itself at odds with the High Commissioner, who was in turn frequently in disputes with his executive staff at headquarters.⁷⁷ Refugees and NGOs were cognizant of the multi-level nature of the UNHCR, sending letters to the High Commissioner, the branch office in Ankara, to branch offices in the U.S. and to other offices within the broader United Nations.

⁷⁶ Juan Amaya-Castro and Jessica C. Lawrence, “Refugees,” *Oxford Bibliographies*, <http://www.oxfordbibliographies.com/view/document/obo-9780199796953/obo-9780199796953-0134.xml?rskey=d0qN8W&result=1&q=Refugees#firstMatch> [accessed May 8, 2018].

⁷⁷ For evidence of this, see Chapter 3.

Recent work by historians demonstrates the potential of historical approaches to the study of refugees and forced migration. Peter Gatrell and Jérôme Elie, among others, have proven adept at weaving complex narratives of refugees and refugee aid that incorporate a complex set of actors operating at different scales.⁷⁸ Gatrell's *Free World?* is about "the entanglement of institutional networks and campaigns on behalf of displaced persons in the modern world."⁷⁹ Gatrell engages with the growing literature surrounding the United Nations and the UNHCR, but points out that "little attention has been paid to national and transnational networks that were created to meet the perceived needs of refugees, and how refugees in turn engaged with external agencies." *Free World?* also pays attention to entanglements between local and global scales. Referencing the fact that grassroots efforts are often overshadowed by headquarters in Geneva, London, and New York, Gatrell observes that, what might "at first sight seem to be parochial initiatives turn out on closer inspection to be part of a dynamic interplay with national and transnational visions and practices."⁸⁰ Gatrell's book is an exploration of the events surrounding World Refugee Year (1959-1960). He uses this event as a lens through which to observe the complex interactions linking NGOs, states, the UNHCR, intergovernmental organizations, and refugees themselves.

A more inclusive systems framework, which expands the set of actors, can help correct some of the presentism and eurocentrism in the historiography mentioned earlier in this chapter. Jérôme Elie and Peter Marfleet go so far as to argue that an overreliance on "nation-states and relations within and among them" has produced a false narrative that "refugees did not appear as

⁷⁸ Gatrell, *Free World?*; and Jérôme Elie, "The Historical Roots of Cooperation Between the UN High Commissioner for Refugees and the International Organization for Migration," *Global Governance: A Review of Multilateralism and International Organizations*, vol. 16, no. 3 (July-September 2010): 345-360.

⁷⁹ Gatrell, *Free World?*, 1.

⁸⁰ *Ibid.*, 2.

a meaningful category” until after the First World War.⁸¹ Refugee histories, which are often situated in national historiographies, are biased toward the history of states and international organizations, privileging state perspectives over non-state and refugee actors.⁸² States build regimes. Systems, on the other hand, can come into being without state intervention. Increasingly in the nineteenth and early twentieth century, humanitarian (mostly religious) NGOs began addressing the issue of refugees.⁸³ During the second half of the twentieth century, and particularly beginning in the late 1970s, new human rights NGOs entered the scene. This was an important transformation. Until the 1970s, the international human rights network was disconnected and weak. Amnesty International was founded in 1961, but at the time, it was “practically the only major international human rights NGO.”⁸⁴ The transformation of the international human rights movement in the 1970s had significant implications for the global refugee system and the work of the UNHCR. With this change, NGOs became critics of state human rights records rather than partners in solving far-flung humanitarian crises.⁸⁵ New NGO voices added themselves to those of humanitarian and religious NGOs, but these new voices—most notably, Amnesty International—sang the hymn of human rights.⁸⁶ Amnesty International connected activists across national borders and brought sharp critiques against national governments across the world. Transnational

⁸¹ Elie, “Histories of Refugee and Forced Migration Studies,” (quoting Marfleet).

⁸² Elie, “Histories of Refugee and Forced Migration Studies,” 30.

⁸³ Elizabeth Ferris, “Faith-based and secular humanitarian organizations,” *International Review of the Red Cross*, 87 no. 858 (2005); Leis M. Hoskins, “Voluntary agencies and foundations in international aid,” *Annals AAPSS*, 329 (May 1960); Akire Iriye, “A Century of NGOs,” *Diplomatic History*, 23, no. 3, (1999).

⁸⁴ Loescher, *UNHCR and World Politics*, 145.

⁸⁵ Samuel Moyn, *The Last Utopia: Human Rights in History* (Cambridge, MA: Harvard University Press, 2010).

⁸⁶ For how human rights has acted as a religion or ideology, see: Stephen Hopgood, *Keepers of the Flame: Understanding Amnesty International* (Ithaca: Cornell University Press, 2006); and Samuel Moyn, *Last Utopia*.

advocacy networks created by NGOs played a crucial role in shaping the global refugee system.⁸⁷ NGOs often constitute or are themselves part of transnational advocacy networks, “in which ideas and information are exchanged in order to influence government policy.”⁸⁸ The new salience of human rights language in the 1970s allowed these networks to mobilize and build political and moral capital, giving their messages more power.

Beyond NGO and other transnational voices, a historical systems framework also offers an avenue for the inclusion of refugee agency. Scholars of refugees and forced migration have often struggled to incorporate refugee agency and refugees’ voices. Gatrell’s *Free World?* demonstrates how the well-meaning organizers of World Refugee Year made refugees into passive victims in the public imagination to garner international aid and support. Marfleet ventures that the absence of refugee agency from most historical writing is “so marked that it constitutes a systematic exclusion,” which has “silenced” the refugee.⁸⁹ By including refugee voices, historians can challenge established national narratives by revealing the ways in which refugees avoided and subverted the strictures of states.⁹⁰ In the twentieth century, national governments introduced new migration controls, which culminated in the various documents and institutions of the global refugee regime.⁹¹ But refugees had more agency than simply as victims or threats to state security:

⁸⁷ Keck and Sikkink examine several transnational advocacy networks at the end of the nineteenth century: The 1833-1865 Anglo-American campaign to end slavery in the U.S., the 1888-1928 international campaign for women’s suffrage, the 1874-1911 campaign to end footbinding in China, among others. Margaret Keck and Kathryn Sikkink, *Activists beyond Borders: Advocacy Networks in International Politics* (Ithaca: Cornell University Press, 1998).

⁸⁸ Gatrell, *Free World?*, 122.

⁸⁹ Elie, “Histories of Refugee and Forced Migration Studies;” and Marfleet, “Refugees and History.”

⁹⁰ Marfleet, “Refugees and History,” 144.

⁹¹ John Torpey, *The Invention of the Passport: Surveillance, Citizenship, and the State* (Cambridge: Cambridge University Press, 2000).

they shaped their own journeys; they created transnational networks and engaged in diasporic political agendas; and they advocated for themselves and for others like themselves to national governments, NGOs, and international organizations. In so doing, refugees shaped their own lives, but they also shaped the nature of the global refugee system itself.

1.6 TRANSNATIONAL ACTIVISM AND HUMAN RIGHTS NORMS

A multi-level systems approach reveals power and political influence in unforeseen places and from ignored actors. States have the most power in the global refugee system. But NGOs, transnational activists, and refugees have been able to exert surprising force on the system in the second half of the twentieth century. Transnational activists have been responsible for important shifts in international relations. The Swiss Banker, Henry Dunant, helped found the International Committee of the Red Cross and produce the first Geneva Convention.⁹² Suffragettes in the late-nineteenth and early-twentieth centuries—Elizabeth Cady Stanton and Susan B. Anthony in the United States, and Millicent Garrett Fawcett and Emmeline Pankhurst in England—worked across borders to galvanize support in Western countries for women’s right to vote. After 1930, however, overlapping suffrage campaigns in Latin America and elsewhere extended women the right to

⁹² Martha Finnemore and Kathryn Sikkink, in their pioneering work on the norm “life cycle,” describe how state and non-state behavior is altered by “norm entrepreneurs.” Norm entrepreneurs are actors (individuals, NGOs, state, and international actors) who want to change a norm (domestic or international) and who use an organizational platform to promote their agenda. Finnemore and Sikkink point to the power of individuals to create, define, and advocate for these norms. Martha Finnemore and Kathryn Sikkink, “International Norm Dynamics and Political Change,” *International Organization*, 52 (autumn 1998), 907; and Margaret E. Keck and Kathryn Sikkink, *Activists Beyond Borders*.

vote.⁹³ Effective domestic and transnational activists, like Dunant and the suffragettes, are a critical factor in framing new norms and creating the language to forward an international agenda.

As important as the activists, though, are the norms they propagate. Margaret Keck and Kathryn Sikkink, in their book on transnational activists, argue that certain norms have more salience than others. In particular, they point to norms involving “bodily integrity and prevention of bodily harm for vulnerable or “innocent” groups, especially when a short causal chain exists between cause and effect,” and norms involving “legal equality of opportunity.”⁹⁴ These sorts of norms are “particularly effective transnationally and cross-culturally.”⁹⁵ The salience of norms is dependent on the historical context of the moment in which they are forwarded.⁹⁶ The following four chapters of this dissertation touch on norms surrounding refugee rights as they relate to human rights. Debates surrounding these ideas and norms took place both in international arenas as well as more specifically in Turkey (in some cases, in both). They included several High Commissioners, UNHCR Headquarters staffers, UNHCR representatives in Turkey, the Turkish authorities, NGOs, and indeed, refugees themselves.

Norms and ideological concepts like human rights are one of the ways that actors at different levels in a system influence one another, and they provide a mechanism by which to explain systemic change. The late 1970s was a transformative “takeoff” period for human rights.⁹⁷

⁹³ Finnemore and Sikkink, “International Norm Dynamics and Political Change,” 900-901.

⁹⁴ Martha Finnemore and Kathryn Sikkink, “International Norm Dynamics and Political Change,” *International Organization*, 52 (autumn 1998), 907; and Margaret E. Keck and Kathryn Sikkink, *Activists Beyond Borders : Advocacy Networks in International Politics*.

⁹⁵ Ibid.

⁹⁶ Martha Finnemore and Kathryn Sikkink, “International Norm Dynamics and Political Change,” *International Organization*, 52 (autumn 1998), 907.

⁹⁷ Particularly, the Helsinki Accords, Amnesty International’s Nobel Peace Prize, and shifts in American foreign policy are cited as evidence of this transformation. Tim Dunne and Marianne Hanson, “Human Rights in International Relations,” in *Human Rights: Politics and Practice*, 2nd ed. Michael Goodhart (Oxford: Oxford

This transformation deeply affected the work of the UNHCR, which from the High Commissioner's office down, incorporated human rights language into its discourse and into its operations.⁹⁸ Nevertheless, as Chapter Three discusses, this shift started in fits and bursts and the UNHCR was far from speaking with one voice on the issue. Most High Commissioners and the UNHCR's staff understood that they relied on states for funding and permission to operate within their borders. But they also understood that they could influence state behavior by "exerting their moral authority." The UNHCR used "the power of their expertise, ideas, strategies, and legitimacy to alter the information and value contexts in which states made policy."⁹⁹

In the seven decades since its creation, the UNHCR has worked to propagate norms of refugee protection. At times, these norms clash with the geopolitical, security, or domestic political concerns of states. When this happens, the UNHCR attempts to convince states that "they can reap the benefits of international cooperation by defining their national interests in ways compatible with protection norms and refugee needs."¹⁰⁰ In support of these efforts, NGOs have increasingly taken part in developing and disseminating norms within their issue area through political advocacy and persuasion. UNHCR's relationship with states is not simply bilateral. Non-state actors like human rights NGOs and the normative terrain of the historical moment in which they operate has defined UNHCR's relationship to the international system. Organizations like Amnesty International might seem ancillary to refugee issues and fit instead within the human

University Press, 2013); Samuel Moyn, "Substance, Scale, and Salience: The Recent Historiography of Human Rights," *Annual Review of Law and Social Science* 8 (2012); J.G. Ikenberry, *Liberal Leviathan: The Origins, Crisis, and Transformation of the American World Order* (Princeton, NJ: Princeton University Press, 2011).

⁹⁸ Hammerstad, *The Rise and Decline of a Global Security Actor*.

⁹⁹ Loescher, "UNHCR and Forced Migration," 217.

¹⁰⁰ Ibid.

rights regime, but as Chapters Four and Five will detail, they very much acted as agents of refugee protection, drawing from and contributing to the protection and advocacy work of the UNHCR and of refugee advocacy organizations. The advocacy efforts by NGOs and refugee groups has compelled and permitted the expansion of the UNHCR around the world.

1.7 EVOLUTION OF THE GLOBAL REFUGEE SYSTEM AND THE LONG TWENTIETH CENTURY

As the UNHCR expanded over the past seven decades, it has attempted (and often succeeded) to formalize and centralize the interactions within the global refugee system; however, the UNHCR did not create a new system; it built on the systemic foundations laid by predecessor organizations. Refugees have fled conflict and disaster for all human history, but most scholars date the precedents for our contemporary thinking on refugees to the early or mid-twentieth century, and the emergence of “an awareness of the responsibility of the international community to provide protection and find solutions for refugees.”¹⁰¹ This is a product of state-centered thinking. At least since the fifteenth century, private charities and religious organizations provided relief to refugees.¹⁰² The Ottoman Empire, in 1492, provided refugee to thousands of Iberian Jews fleeing the Inquisition. And in 1598, 200,000 Huguenots sought refuge in France, Switzerland, England, Prussia, Denmark, Sweden, the Netherlands as well as Dutch colonies in South Africa, the

¹⁰¹ Erika Feller, “The Evolution of the International Refugee Protection Regime,” *Journal of Law & Policy* Vol. 5:129, 130; Marrus, *The Unwanted*, 3-4; Ruthström-Ruin, *Beyond Europe*, 15.

¹⁰² Elie, “Histories of Refugee and Forced Migration Studies,” 28.

Caribbean, North America, and the East Indies, among others.¹⁰³ During the revolutionary period in France, aristocrats sought political asylum all over Europe. In the nineteenth century, “the Balkans and the Ottoman Empire became genuine laboratories of humanitarian experiences.”¹⁰⁴ Since the emergence of the Westphalian state system and especially beginning with nineteenth century nationalism and state building, refugees have gone hand-in-hand with the modern state.¹⁰⁵

The refugee system and the modern state have evolved side-by-side.¹⁰⁶ But not until the late 19th century did states take much interest in distinguishing between refugee and immigrant.¹⁰⁷ In the twentieth century, states first took steps toward international cooperation to address the problem of the refugee after the First World War. However, treating the 1920s as a moment of genesis for the refugee system is misleading in its exclusion of non-state actors. The 1920s and the creation of the League of Nations High Commissioner for refugees (and the later creation of the UNHCR) ought instead to be considered “crystallization moments,” when states began imposing their will on a decentered, non-state system. Non-state actors were cognizant of a moral obligation to refugees that transcended national borders. Non-state groups pioneered refugee relief, and they continued to exert their influence over the lives of refugees after states started to assert control over the system.

¹⁰³ Laura Barnett, “Global Governance and the Evolution of the International Refugee Regime,” UNHCR New Issues in Refugee Research, no. 54 (February 2002).

¹⁰⁴ Davide Rodogno, *Against Massacre: Humanitarian Interventions in the Ottoman Empire 1815-1914* (Princeton: Princeton University Press, 2011); Elie, “Histories of Refugee and Forced Migration Studies,”

¹⁰⁵ Marfleet, “Explorations in a Foreign Land,” 18-19. See: population transfers in Greece, Turkey, Bulgaria. Russian refugees. Decolonization.

¹⁰⁶ Marfleet, *Refugees in History*; and Barnett, “Global Governance.”

¹⁰⁷ Barnett, “Global Governance.”

The informal, non-state system of the nineteenth century took its first steps toward a formalized, inter-state system soon after World War I. During the war, European nations took steps to restrict immigration for wartime security reasons. But after the war, these newly restrictive laws remained in place, which made it difficult for the millions of refugees displaced by the war to find countries of refuge and to find a way to support themselves. They were forced to rely on charity from religious and humanitarian organizations, but those organizations found it difficult to accommodate the needs of so many. Especially with the exodus of refugees fleeing the Russian Revolution, it soon became clear that private charity was insufficient to meet the unprecedented challenge of refugees created by an unprecedented war.¹⁰⁸ In 1921, the League of Nations created the office of the High Commissioner for Refugees and appointed Fridtjof Nansen to serve at its helm. Nansen's office issued international "passports" to refugees and was assigned to specific refugee groups. No internationally accepted definition of refugee was adopted, and much of the agency's operations remained *ad hoc* as it struggled to resettle Russians, Greeks, Turks, Armenians, and later, in the 1930s, refugees from Nazism. The League of Nations avoided permanent, legal definitions of refugees perhaps because they never considered the system they constructed as permanent. The League's office of the High Commissioner for Refugees was to be dissolved once the refugees had been resettled and the problem solved.¹⁰⁹

The end of the Second World War marked the beginning of a fundamentally new era in the global refugee system. The institutions built during the interwar period had proved ineffective at confronting Europe's dictators and solving the continent's refugee problem; however, those twenty

¹⁰⁸ Peter Gatrell, *A Whole Empire Walking: Refugees in Russia During World War I* (Bloomington: Indiana University Press, 2005); and Ruthström-Ruin, *Beyond Europe*, 15-16.

¹⁰⁹ Ruthström-Ruin, *Beyond Europe*, 15-16.

years of international cooperation and organizational proliferation did have a legacy: “the idea that refugees were victims of human rights abuses for whom the world had a special responsibility.”¹¹⁰ This idea and the institutions that helped create it laid the foundations for future organizations. The victorious allied powers, as part of their efforts to build the United Nations, created international organizations that gradually brought refugee issues under inter-state control and formalized and documented international agreements related to refugees. During the war, the United Nations Relief and Rehabilitation Agency (UNRRA) and the Intergovernmental Committee on Refugees (IGCR) attempted to provide aid to refugees in territories under allied control and took steps toward formalizing a system for refugee status determination.¹¹¹ After the war, the United States was instrumental in ending UNRRA and replacing it with the Western-aligned International Refugee Organization (IRO) in 1947.¹¹² The IRO was exclusively focused on European refugees and provided relief and resettlement to a minority of the millions of refugees around the world.

Like the IRO, the UNHCR was created as a temporary agency focused on Europe, and yet, through the adept ministrations of its leaders and staff, the agency gradually overcame both these limitations. In 1950, the United Nations *ad hoc* Committee on Refugees and Stateless Persons submitted to the Economic and Social Council a draft of what would become the 1951 Convention *Relating to the Status of Refugees*.¹¹³ This convention continued the work begun by the victors of the Second World War, recognizing that the problem of refugees was an international issue

¹¹⁰ Loescher, *UNHCR and World Politics*, 34.

¹¹¹ Ruthström-Ruin, *Beyond Europe*, 16; Loescher, *The UNHCR and World Politics*, 32-34.

¹¹² Loescher, *The UNHCR and World Politics*, 38; Ruthström-Ruin, *Beyond Europe*, 17.

¹¹³ It was on the initiative of the 1947 Commission on Human Rights—the same commission which drafted the Universal Declaration of Human Rights—that the Economic and Social Council of the UN took up the issue of refugees. Article 14 of the Universal Declaration of Human Rights elaborates the right to asylum.

requiring international solutions. In creating the office of the UNHCR, the signatory nations birthed the institution which would become the centerpiece of the global refugee regime. Turkey was one of the 26 nations who took part in the drafting of the convention, and its representative, Talat Miras, was chosen to serve as vice president of the drafting committee.¹¹⁴ The UNHCR was not conceived as a permanent agency, nor was the existence of millions of refugees imagined a permanent problem. Regardless, within forty years the growth of the organization's budget, staff, mandate, and operations on the ground made it one of the most important humanitarian actors in the world.¹¹⁵

The story of the global refugee system after 1950 is one of consolidation. In the second half of the twentieth century, the UNHCR positioned itself as the administrator of a centralized system. This sort of centralized administration was absent even under the system of the League of Nations' High Commissioner for Refugees, which lacked the support of two of the world's most powerful actors in the U.S. and the Soviet Union.¹¹⁶ The refugee systems of earlier decades and centuries were typified by a decentralized system, with little internal organization, a lack of shared language and symbols, and a scale that was not global. The global refugee system of the early twentieth century lacked the robust legal framework that laid the groundwork for the UNHCR. The shared language and symbols provided by documents like the 1948 Universal Declaration of Human Rights and the 1951 Convention Relating to the Status of Refugees provided internationally agreed upon concepts that organizations like the UNHCR, Amnesty International,

¹¹⁴ Karar 3/13350; Cumhuriyet Başbakanlık Arşivi, Ankara, 30.18 126.53.20.

¹¹⁵ Louise Holborn, *Refugees, a Problem of Our Time: The Work of the United Nations High Commissioner for Refugees, 1951-1972* (Metuchen, NJ: Scarecrow Press, 1975).

¹¹⁶ Though the USSR was a drafting member and original signatory to the 1951 Convention, the Eastern Bloc countries were far less supportive financially and practically of the UNHCR than was the United States and its allies. This led to allegations in the 1950s and 1960, that the UNHCR had become a tool of the U.S. government.

and Human Rights Watch could use to pressure states. The more robust legal and normative framework, along with the financial commitment by powerful states, helped contribute to the centralization of the global refugee system. Though it was not the obvious outcome in the 1950s, the UNHCR had, by the end of the twentieth century, consolidated most aspects of the global refugee system—if not under its control—at least under its administration and leadership.

In its early years, the UNHCR was also far from a global organization. Its operations in the early 1950s were constrained by Cold War politics.¹¹⁷ The UNHCR and the 1951 Convention at first suffered from one of the same problems faced by the League Nations: the Soviet Union and the U.S. were both skeptical of the organization and sought to undermine it.¹¹⁸ The Soviets—though they helped draft and were an original signatory to the 1951 Convention—saw the agency as a tool of the Western powers to undermine communism in Eastern Europe.¹¹⁹ The American government created a rival organization to compete with the UNHCR.¹²⁰ The UNHCR's initial mandate required renewal every three years. In the mid-1950s, the UNHCR saw a turn of

¹¹⁷ Loescher, *UNHCR and World Politics*, 50-53.

¹¹⁸ For histories of the refugee system in the United States, see: Gil Loescher and Andrew Scanlan, *Calculated Kindness: Refugees and America's Half-Open Door, 1945 to the Present* (New York: Free Press, 1986); and Carl Bon Tempo, *Americans at the Gate: The United States and Refugees during the Cold War* (Princeton: Princeton University Press, 2008).

¹¹⁹ The only communist country to participate in World Refugee Year (1959-1960) was Yugoslavia. Gatrell, *Free World?*

¹²⁰ The U.S. created the Provisional Intergovernmental Committee for the Movement of Migrants from Europe (PICME) in 1951. The organization was later renamed the Intergovernmental Committee for European Migration (ICEM) and eventually became the International Organization for Migration (IOM). The IOM eventually came to work closely with the UNHCR and today the two agencies work in a semi-symbiotic relationship, with the UNHCR the lead organization. Jérôme Elie argues that cooperation, and not just conflict have typified the relationship between the two organizations. He argues that cooperation between the UNHCR and the ICEM began almost immediately, in 1952, with the exchange of liaison staffers. By 1965, High Commissioner Felix Schnyder called the ICEM a “vital element of the international cooperation mechanism on behalf of refugees.” Elie, “The Historical Roots of Cooperation,” 346.

fortune.¹²¹ It won the Nobel Peace Prize in 1955 and gradually saw more support from Washington, especially after the mass displacement of Hungarians fleeing a Soviet invasion in 1956. Under the leadership of August Lindt (1956-1960) and Félix Schnyder (1960-1965), the agency became decidedly pro-American.¹²² Under the tenure of these two men, the UNHCR took its first steps toward becoming a global organization, intervening on behalf of Chinese refugees in Hong Kong and Tibetans in India. In the 1960s, the UNHCR inserted itself into decolonization conflicts in Africa and Southeast Asia.¹²³ From 1965 to 1977 (the longest term of any High Commissioner), Saddruddin Aga Khan served as High Commissioner, and under his leadership, the UNHCR experienced an era of unprecedented expansion and success. During his time, the global refugee system truly became a centralized global system, deeply interconnected and centered on the “focal point” of the UNHCR. Aga Khan brought UNHCR operations and offices to every region of the world. The Soviet Union remained skeptical of the UNHCR, and documents on UNHCR-USSR relations are “virtually absent” from the UNHCR archives.¹²⁴ Nevertheless, Aga Khan did cooperate with other communist countries on a limited basis, which the USSR allowed. He exponentially increased the UNHCR’s prestige and legitimacy by shedding the image that it was a “tool” of the U.S.¹²⁵ Aga Khan made liberal use of human rights language in his international speeches, though the UNHCR as an organization remained reluctant to criticize states’ human

¹²¹ Glen Peterson, “The Uneven Development of the International Refugee Regime in Postwar Asia: Evidence from China, Hong Kong and Indonesia,” *Journal of Refugee Studies*, vol. 25, issue 3 (September 2012): 326-343.

¹²² Loecher, *UNHCR and World Politics*, 81.

¹²³ The Algerian war for independence (1954-1962) was a particularly important conflict for the development of UNHCR and played a critical role in the agency’s expansion out of Europe. Ruthstrom-Ruin, *Beyond Europe*.

¹²⁴ Jérôme Elie, “The UNHCR and the Cold War: a Documented Reflection on the UN Refugee Agency’s Activities in the Bipolar Context,” A working-paper of “The UNHCR and the Global Cold War, 1971-1984,” (June 2007), 16.

¹²⁵ Loescher, *UNHCR and World Politics*, 141.

rights records. Perhaps most importantly, the agency positioned itself as a “focal point” and started to rely on a host of international and non-governmental organizations to fulfil its expanding mandate in new parts of the world. The golden age of Ağa Khan’s UNHCR declined quickly under the stewardship of the next three high commissioners. Poul Hartling (1977-1985) traded UNHCR’s independence from Western governments for a four-fold increasing in UNHCR’s budget. Under Jean-Pierre Hocké (1986-1989) and Thorvald Stoltenberg (1990), the agency faced harsh criticism from NGOs and many within the organization for stepping back from the High Commissioner’s role as an international advocate for refugee protection and resettlement. The loss of legitimacy led to a budget crisis for the office at the end of the 1980s. Finally, from 1991 to 2000, Sadako Ogata—the first woman elected to serve as High Commissioner—guided the UNHCR through several crises following the end of the Cold War, and the further expansion of the UNHCR and the refugee system into Russia and the former Eastern Bloc.¹²⁶ She oversaw a tripling of the UNHCR’s budget and her agency engaged with a broader set of actors and initiatives than ever before.

Over the course of the second half of the twentieth century, the UNHCR sought to consolidate the global refugee system, with the UNHCR positioned as its administrative center. This global expansion peaked in Ağa Khan’s term and was resurgent under Ogata. However, it was during the 1980s that the global refugee system exploded. The international human rights movement played an important role in this explosion, as did the proliferation of international NGOs. The UNHCR adopted human rights languages in its publications, and agencies like

¹²⁶ UNHCR, *The State of the World’s Refugees: Fifty Years of Humanitarian Action* (Oxford: Oxford University Press, 2000); Gil Loescher, *Beyond Charity: International Cooperation and the Global Refugee Crisis* (Oxford: Oxford University, 1993); E.G. Ferris, *Beyond Borders: Refugees, Migrants and Human Rights in the Post-Cold War Era* (Geneva: WCC Publications, 1993).

Amnesty International explicitly tied human rights to refugee rights. The net result of these changes was that countless NGOs (which proliferated in the 1980s and 1990s) and other actors were drawn into the global refugee system, increasing its complexity in important ways. These non-state actors connected refugee rights to human rights, labor rights, and humanitarian aid, among other issues.¹²⁷ As happened in Turkey, this expansion in the actors taking part in the refugee system created new opportunities for refugees and refugee advocates, who used new strategies to bring pressure on states. Agencies acting as refugee advocates have proliferated. The International Rescue Committee, Refugees International, the Hebrew Immigrant Aide Society, Save the Children, CARE, UNICEF, Lutheran World Services, Catholic Charities, Amnesty International, Human Rights Watch, the World Food Program, Helsinki Citizens Assembly, the International Committee of the Red Cross, and hundreds of other domestic and international NGOs have become vital partners in the functioning of the global refugee system. This proliferation of actors has deeply affected the nature of the UNHCR's work in Turkey and around the world.

1.8 CONCLUSION: TURKEY IN THE SYSTEM AND THE SYSTEM IN TURKEY

The type and number of actors participating in the global refugee system has proliferated over the last seventy years. It would be mistaken, however, to assume that this diversity of actors is new. From June 1959 to June 1960, ninety-seven national governments, eighty non-governmental organizations (NGOs) and the United Nations observed World Refugee Year.¹²⁸ The World Refugee Year campaign brought together a diverse set of stakeholders (almost entirely from the

¹²⁷ Amnesty International, "Refugees: Human Rights Have No Borders," (London: Amnesty International, 1997).

¹²⁸ Gatrell, *Free World*.²

non-communist world) to bring public attention to and attempt to solve ongoing refugee displacements in Europe, the Middle East, and Asia. Less than a month after the conclusion of this campaign, the first United Nations High Commissioner for Refugees (UNHCR) Representative in Turkey arrived in Istanbul. With his arrival, the UNHCR officially established its first office in Turkey and embarked on a tumultuous road of relations with the government of Turkey, various groups of refugees who would travel through the country, and a changing set of NGOs, intergovernmental organizations (IGOs), and individuals who shaped UNHCR's work in the Turkey. But just as World Refugee Year did not mark the beginning of refugee displacements, the establishment of a UNHCR branch office in Turkey did not mark Turkey's first engagement with the UNHCR or with the "problem" of refugees.

The evolution and expansion of the UNHCR in Turkey relied on transnational movements and a host of non-state actors operating outside the official refugee regime. The work of these informal actors in Turkey affected change within the UNHCR as a whole and the functioning of the global refugee system. Elements of the refugee system were present in Turkey before the UNHCR arrived in 1960. Catholic Relief Services (which was replaced by the International Catholic Migration Commission in 1969) and the World Council of Churches had been working in the country for years. NGOs have proliferated in Turkey since the 1980s, but there have been private and religious organizations providing relief to refugees since at least the turn of the century.¹²⁹

The diversity of refugee groups and types of migration makes Turkey a useful case study for examining the global refugee system. Turkey—and the UNHCR in Turkey—engaged with nearly every type of forced migration in the twentieth century, and refugees from every major

¹²⁹ Such as the International Committee of the Red Cross and the Near East Foundation, among others.

refugee-producing region on earth have traveled to or through Turkey in the last fifty years. Refugees have sought asylum in Turkey, sought to travel through Turkey to reach Western Europe, and have fled from Turkey. This diversity makes Turkey a useful lens through which to examine the variety of entanglements and convergences of the global refugee regime through a single “core sample” case study.

In addition to the diversity of refugee movements through Turkey, the Turkish state maintains a unique position in the global refugee system. Its physical location places it at the center of East-West and South-North migration routes. Its cultural and economic position—as a country on the periphery of Europe, at once part of the Middle East while at times attempting to become European—complicates Turkish refugee policies. Turkey’s maintenance of its geographic limitation on the 1951 Convention and its stubborn refusal to formalize its asylum policies until recent years has made irregular routes and unofficial actors especially prominent in the global refugee system as manifested there. This dissertation, therefore, will not spend a great deal of time considering the evolution of the documents and international rules governing the work of the UNHCR. Instead, because of the unique conditions in the Turkish case, it will explore the multiple ways that UNHCR staffers, their partners at NGOs, and refugees themselves, maneuvered within the constraints of operating in Turkey to forward their agendas.

During the Cold War, the UNHCR gradually expanded its mandate and broadened the scope of its cooperation with states and NGOs across the globe. In Turkey, the vast majority of refugees recognized by the Turkish government during the first half of the Cold War fled communist countries. Primarily from Hungary, Poland, Yugoslavia, Bulgaria, Romania, and the Soviet Union, Turkey could be relatively certain that these refugees would be resettled to Western

states soon after they were granted asylum. They were also relatively few.¹³⁰ Beginning in the late 1970s, Turkey began to see increased numbers of asylum seekers. These refugees were distinct from those in earlier periods in that they were not “ethnically Turkish,” nor were they refugees from communism. These refugees were primarily fleeing the Iranian Revolution, the Iran-Iraq War, and the Soviet-Afghan war.¹³¹ Some estimates put the number of Iranians transiting through Turkey during this period at 1.5 million.¹³² A Bulgarian expulsion in 1989 sent over 300,000 ethnically Turkish Bulgarians into Turkey, though over 100,000 of them soon returned with the end of communist rule in 1990.¹³³ Many Bulgarian asylum seekers to Turkey were refouled—forced to return to their country of origin—after this period, on the grounds that they no longer faced persecution.¹³⁴

In Turkey, the single largest refugee movement of this period was that of the hundreds of thousands of (primarily Kurdish) refugees that fled from Iraq who sought but were denied asylum in Turkey. They were placed in refugee camps erected by the UNHCR in the “safe zone” created by the allied forces in northern Iraq.¹³⁵ The Iraq crisis was one of several mass migrations at the

¹³⁰ Ahmet İçduygu, “Rethinking Transit Migration in Turkey: Reality and Representation in the Creation of a Migratory Phenomenon,” *Population, Space and Place*, vol. 18, issue 4 (July/August 2012), 448.

¹³¹ Juliette Tolay, “Deconstructing Turkish Public Attitudes Towards Refugees: Empowering Rights Over Politicization and Self-Gratification,” in İhsan Bal and M. Turgut Demirtepe (eds.), *USAK Yearbook of Politics and International Relations* vol. 6 (2014), 3.

¹³² The Iranians were not recognized as refugees by the Turkish government but were granted tourist visas and were allowed to remain in Turkey provided they could support themselves. Kemal Kirişçi, “Refugees of Turkish Origin: ‘Coerced Immigrants’ to Turkey since 1945,” in *International Migration* Vol. 34 Issue 3 1996, 387.

¹³³ Kemal Kirişçi, “Turkey: A Transformation from Emigration to Immigration,” *Migration Information Source*, November, 2003, <http://www.migrationpolicy.org/article/turkey-transformation-emigration-immigration> [accessed May 8, 2018].

¹³⁴ Kirişçi, “Refugees of Turkish Origin,” 389.

¹³⁵ Tolay, “Deconstructing,” 3; and Sadako Ogata, *The Turbulent Decade: Confronting the Refugee Crises of the 1990s* (New York, Norton, 2005).

end of the Cold War that served to transform UNHCR's mandate from protection to protracted humanitarian aid. Likewise, the nature of forced migrations through Turkey also experienced a transformation. In addition to the persistence of flows from Iran, Iraq, and Afghanistan, Turkey accepted tens of thousands of refugees from the conflicts in Bosnia and Kosovo, and also began seeing more "irregular" migrants from Africa, particularly the Maghreb and Somalia.¹³⁶ Finally, the numbers of ethnically Turkish "national refugees" to Turkey from former Soviet territories in Central Asia and the Caucasus also increased as the Cold War ended.¹³⁷

The fundamental problem UNHCR faced in Turkey was that the UNHCR was the center of the global refugee regime, and Turkey had little interest in being part of that regime. Turkish authorities were willing to work with UNHCR to improve Turkey's international standing and ease the burden of refugees. But the Turkish government preferred to negotiate refugee issues on a bilateral basis, rather than submit to a regime. Turkey may not have wanted to be part of the regime; however, the refugee system was very much present in Turkey. Indeed, by the late-1980s, Turkey emerged as a lynchpin of the global system despite its extra-regime attitude. Refugee protection (enumerated in the documents of the refugee regime) and the physical movement and actual protection of refugees (through the global refugee system) are deeply intertwined. For example, as Chapters Four and Five will discuss, in Turkey, irregular migration has served as a "safety valve" for decades, relieving pressure on the UNHCR and the government by preventing a build-up of refugees in Turkey.

¹³⁶ Kirişçi, "Turkey: A Transformation;" Tolay, "Deconstructing," 3-5; and İçduygu, "Rethinking Transit Migration in Turkey," 442.

¹³⁷ Kirişçi, "Refugees of Turkish Origin."

Perhaps the most important lesson that this study draws from the case of Turkey is the centrality of non-state actors to the functioning of a global system administered by an international organization. In the course of just one year, from 1986 to 1987, the UNHCR's office in Turkey went from the second smallest office in Europe to its largest. The office grew from a small, three-person operation (a representative, a secretary, and a driver) in the 1970s to overseeing some of the largest refugee crises in the world in the early 1990s. This expansion was launched in the mid-1980s, when the UNHCR's global operations were being severely curtailed by plummeting financial contributions from Western nations and a drop in the agency's international legitimacy and prestige. The expansion of UNHCR's office and operations in Turkey was a direct result of the expansion of non-state actors involved in the global refugee system.

2.0 INTERSECTIONS: NAVIGATING AN IRREGULAR SYSTEM IN THE 1960S

Attila Farkas was one of the lucky ones. A Hungarian refugee who fled from his country to Turkey in 1972, his stay in Istanbul lasted only four months before he emigrated to the United States. A four-month transit through Turkey was considered, by Mr. Farkas and his compatriots at the Acıbadem Refugee Center in Istanbul, “extraordinarily lucky.”¹ In December of 1972, he wrote to the United Nations High Commissioner for Refugees (UNHCR), Sadruddin Aga Khan (1965-1977), as well as to the International Catholic Migration Commission (ICMC), the World Council of Churches (WCC), the United States Immigration and Naturalization Services in Rome, and the American diplomatic mission in Geneva. His report highlighted the “unbearably long time” that Eastern European refugees had to spend in Turkey, awaiting their emigration to a third country. He spoke of the inefficiencies in the refugee system in Turkey and pled for the sake of those he left behind, the unlucky ones.

Mr. Farkas, in his letter, wrote that the story of refugees in Turkey more often follows that of Mehmet Mustafa Tukov, Peter Kostadinov Matev, Ivan Novakov, Hilmi Serifov, and their wives and children, who arrived in Istanbul in December, 1971. All Bulgarians, they applied together for refugee status and resettlement to the United States. None of them were members of

¹ “Notes on Refugee Affairs in Istanbul,” letter from Attila Farkas to UNHCR Geneva, ICMC, WCC, USINS, US Mission, Geneva, December 1972; Commission of Inter-Church Aid, Refugee and World Service (CICARWS), Refugees, WCC Correspondence Turkey 1973 – 1974, Archives of the World Council of Churches.

a communist party. Their application submitted, they waited in Istanbul for five months before they were told by an ICMC official that their application had been denied. When they asked to see the refusal letter and the reason for their refusal, they were told, “it is not your business.” By December 1972—a full year after their arrival—all four families remained in Turkey and had yet to find acceptance to a resettlement country. Farkas wrote a detailed report, with stories learned during his nights spent listening to other refugees in Acıbadem and research on Turkey’s complicated refugee administrative procedures completed with the help of Farkas’s “German and American friends” living in Istanbul.² He wrote his report and sent it to offices in New York, Geneva, Rome, and Istanbul because he felt the need to advocate on behalf of those he met in the center and those who would come later. His aim was to alert the organizations of the factors that caused the unusual waiting times experienced by the Bulgarian families mentioned above. In particular, he blamed the complicated stages a refugee had to navigate through three Turkish governmental offices, the immigration offices of receiving countries, and NGOs like the ICMC, who through incompetence or bureaucratic delays could impede a refugee’s transit. Atilla Farkas evaded these bureaucratic traps; he had American and German advocates, and he had the language tools and savvy to navigate a complicated and inefficient system.

Mr. Farkas’s letter is instructive for two reasons. First, it demonstrates that in 1971—more than a decade after the establishment of a UNHCR branch office in Turkey—the refugee system in Turkey remained a complex morass of intersecting agencies and organizations. The inefficiency meant that many refugees found themselves in limbo, stuck in Turkey with few prospects. Second, the letter from Mr. Farkas is a clear indication that refugees themselves were cognizant of the

² “Notes on Refugee Affairs in Istanbul,” letter from Atilla Farkas to UNHCR Geneva, ICMC, WCC, USINS, US Mission, Geneva, December 1972; Commission of Inter-Church Aid, Refugee and World Service (CICARWS), Refugees, WCC Correspondence Turkey 1973 – 1974, Archives of the World Council of Churches.

complexity of actors in the refugee system in Turkey and used this information to advocate for an improved system. Atilla Farkas understood that, in addition to the UNHCR and many offices within the Turkish government, refugee welfare was also determined by a global set of NGOs, the governments of resettlement countries, and the diplomats of Western embassies. Though the system encountered by Mr. Farkas and his refugee acquaintances in the 1970s remained decentralized, the UNHCR branch office in Turkey had improved matters significantly since its establishment in 1960. Over the course of the 1960s, successive UNHCR representatives in Turkey struggled to centralize and exert international control over an informal, decentralized system that threatened the welfare of refugees.

For refugees transiting through Turkey via official channels, the waiting time between arrival and emigration to a resettlement country like the United States, Canada, or Australia averaged between five and eighteen months. This was no vacation. The refugees lived in Acıbadem Refugee Center or Dostluk Evi (Mansion of Friendship) in Istanbul, where they were not allowed to work, given a monthly stipend of 95 Turkish lira (around \$7), and subsisted on facility food, which was, by all accounts, substandard.³ This meant that many refugees lost an entire year of income, of career advancement—a full year of waiting for their lives to start again. For refugees fleeing political persecution with their families, this was a full year spent in limbo, unsure of their international status and future. In many cases, this led to physical and mental deterioration.⁴

³ “Notes on Refugee Affairs in Istanbul,” letter from Atilla Farkas to UNHCR Geneva, ICMC, WCC, USINS, US Mission, Geneva, December 1972; Commission of Inter-Church Aid, Refugee and World Service (CICARWS), Refugees, WCC Correspondence Turkey 1973 – 1974, Archives of the World Council of Churches.

⁴ Several suicides and organized hunger strikes were reported at the Eitler Refugee Center, *Dostluk Evi* (Friendship Mansion) administered by the World Council of Churches, and later, by the Turkish Red Crescent. “Report on USEP Hostel in Istanbul,” April 12, 1962; 6.1.TUR – Protection – Turkey vol. 2, Series 1, Classified Subject Files; Fonds 11, Records of the Central Registry; Archives of the United Nations High Commissioner for Refugees (hereafter Series 1, Fonds UNHCR 11).

The interminable waiting documented by Attila Farkas and experienced by Mehmet Mustafa Tukov, Ivan Novakov, and thousands of others in the 1960s and 70s was the product of a refugee eligibility determination and resettlement process which might charitably be described as “informal.” Uncharitably, it was a hopelessly complex, decentralized bureaucratic nightmare cobbled together between several ministries of the Turkish Republic, the embassies of Western nations, international religious and humanitarian non-governmental organizations (NGOs), and, attempting to be the center of it all, the United Nations High Commissioner for Refugees and its branch office in Turkey.

2.1 ONRAMPS: A BRANCH OFFICE COMES TO TURKEY

While the UNHCR was formed in 1950, the agency maintained no formal presence in Turkey until 1960. With the establishment of a UNHCR presence in Turkey in 1960, a succession of UNHCR representatives at the Ankara branch office began their attempts to bring this labyrinthine process under control and normalize Turkish asylum policies with international standards. For the UNHCR in Turkey, the 1960s was the decade in which the office sought to establish its presence and define the roles that the UNHCR should and could play in Turkey. The few historical accounts of Turkey’s refugee policy neglect the twenty years following the establishment of a UNCHR office in Ankara. They tend to focus on the 1990s and, in some cases, the late 1980s; however, the massive expansion of the UNHCR in Turkey in the 1980s and 1990s was foregrounded by over two decades of careful maneuvering by the UNHCR Headquarters and the Ankara branch office. As the agency expanded its role across the world, its branch offices struggled to determine how to expand at the local and regional levels, often in the face of governmental resistance. In the case of

the Ankara office, this involved nearly two decades of trial and error. This chapter tells the story of the branch office's growing pains during its first ten years in Turkey. It argues that, in its infancy, the office struggled to define its role in Turkey's idiosyncratic refugee procedures and asylum policies and to centralize an inefficient and decentralized system linking several state and non-state entities with thousands of refugees transiting through Turkey. In addition to the complexity of Turkish asylum policy, the branch office struggled with intransigence from the Turkish authorities, whose refusal to cede authority to an international office hindered the efforts of the UNHCR. These efforts were informed by the top-down initiatives of two successive commissioners, Félix Schnyder and Sadruddin Aga Khan; however, these efforts were defined by four representatives and the staff of the branch office.

The branch office and its representatives through the 1960s and 70s struggled to define a role for the new office, first under the new "good offices" initiatives of High Commissioner Félix Schnyder, and later, under the massive global expansions of Aga Khan's twelve years in office. I will explain the factors that caused the interminably long waiting periods for refugees seeking to emigrate from Turkey and how the branch office sought to improve affairs. To do this I will lay out the initiatives undertaken, especially by the two longest-serving UNHCR representatives in Turkey during the 1960s, Prince Alfred zur Lippe and Henri (H.H.) Schindler. These two men, who served from 1960 to 1964 and 1966 to 1969, respectively, were responsible for establishing a basis for cooperation with the Turkish government and standardizing procedures among the government ministries, non-governmental agencies, Western embassies, UNHCR Headquarters, and their own branch office. As they did this, both men and their staffs began to define the roles that the branch office would play in the coming decades.

Turkey has been part of the UNHCR since its genesis.⁵ It was one of 26 nations that took part in the drafting of the 1951 Convention *Relating to the Status of Refugees*, and its representative, Talat Miras, was chosen to serve as vice president of the drafting committee.⁶ Turkey signed the document in 1951, but it would be another nine years before a permanent UNHCR presence was established in Istanbul. The refugee crisis following the 1956 Hungarian uprising was a watershed moment for UNHCR as an international organization.⁷ UNHCR's role as lead agency in resettling the hundreds of thousands of refugees that fled Hungary in the aftermath of the Soviet invasion solidified its place in the international refugee regime. The presence of a UNHCR office in Turkey can also be traced to this same incident, which had such an important influence on the young organization. This was Europe's first refugee crisis not directly caused by World War II.⁸ Like much of Western and Central Europe, Turkey saw its share of Hungarian refugees following the 1956 uprising.⁹ As a member of NATO and ally of the United

⁵ The first official visit to Turkey by a UNHCR official was by Mr. James Morgan Read in the 1950s. Read served as Deputy High Commissioner from 1951 to 1960 and as Acting High Commissioner briefly in 1956.

⁶ Though it signed the Convention in 1951, the Turkish Parliament did not ratify the convention until March 1962. Talat Miras is likely to have been one of the proponents of a geographic restriction in the 1951 Convention. ⁶ Başak Kale, "The Impact of Europeanization on Domestic Policy Structures: Asylum and Refugee Policies in Turkey's Accession Process to the European Union" (PhD diss., Middle Eastern Technical University, 2005), 206; and Ivor C. Jackson, *The Refugee Concept in Group Situations* (The Hague: Kluwer Law International, 1999).

⁷ Cecilia Ruthström-Ruin, *Beyond Europe: The Globalization of Refugee Aid* (Lund, Sweden: Lund University Press, 1993); and Gil Loescher, *The UNHCR and World Politics: A Perilous Path* (Oxford: Oxford University Press, 2001).

⁸ Though they are not typically included in the narrative of the growth of the Post-WWII refugee regime, there were also large forced migrations in Pakistan, India, Palestine, Hong Kong, and Korea in the 1940s and 1950s. Anna Holian and G. Daniel Cohen, "Introduction," *Journal of Refugee Studies* 25, Issue 3, (September 2012): 313-325; Gyanendra Pandey, *Remembering Partition: Violence, Nationalism, and History in India* (Cambridge: Cambridge University Press, 2001); Jérôme Elie, "Histories of Refugee and Forced Migration Studies," in Fiddian-Qasmiyeh, et al eds., *The Oxford Handbook of Refugee and Forced Migration Studies* (Oxford: Oxford University Press, 2014).

⁹ Turkey's share of the 200,000 Hungarian refugees was relatively small, though it made up the bulk of Turkey's refugee population in the 1950s. Turkey maintained a caseload of around 2,000 Hungarian refugees through most of the 1960s. Many were difficult to resettle to a third country, owing to advanced age and disabilities. Turkey initially received 505 Hungarians and, as a part of the Parliamentary Assembly of the Council of Europe, was involved in diplomatic negotiations advocating for international resettlement and fundraising for Hungarian refugees. Gusztáv D. Kecskés, "Collecting Money at a Global Level: The UN Fundraising Campaign for the 1956 Hungarian

States, Turkey accepted refugees from communism willingly; however, by 1957, Turkish diplomats soon reported to the UNHCR that their government was having “great troubles” dealing with Hungarian refugees.¹⁰

The establishment of a UNHCR office in Turkey was a result—as was so much of the refugee system in Turkey—of an informal conversation and agreement. In the summer of 1957, Mr. A. Sadry, a UNHCR Headquarters officer, met repeatedly with the Turkish delegate to the United Nations, Mr. Cuhruk. Mr. Sadry’s objective was to encourage the Turkish government to expand UNHCR’s presence in Turkey by first accrediting the UNHCR representative in Greece to serve simultaneously in Turkey. The Turkish delegate was skeptical: the Turkish government was reluctant to welcome in an international authority to Turkey’s sovereign affairs. However, Mr. Cuhruk was also reluctant to share a representative. The presence of a full UNHCR office did carry some prestige. The thought that Turkey merited only a part time representative who would be based in Greece, Turkey’s geopolitical rival, was intolerable. Mr. Sadry, faced by the Turkish diplomat’s skepticism, worked hard to convince his counterpart of the advantages, both to the Turkish government and to refugees, of having the High Commissioner’s office represented in Turkey.¹¹ Mr. Cuhruk was at first reticent, interested only in immediate measures to solve the Hungarian refugee problem in Turkey. Mr. Sadry, sensing an opportunity, raised again the issue

Refugees, *Eastern Journal of European Studies* 5, Issue 2 (December 2014): 33-60; Committee of Ministers, “Aid to Hungarian Refugees,” Communication, Doc. 711, October 11, 1957, Parliamentary Assembly, Council of Europe, (accessed 4/30/2018), <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=1031&lang=en>; and Letter from James M. Read, Deputy High Commissioner, to Dr. Fahreddin K Gökay, Governor and Mayor of Istanbul, March 8, 1957; Cumhuriyet Başbakanlık Arşivi, Ankara, 30.01 116.734.26.

¹⁰ “UNHCR Representative in Greece to be accredited in Turkey,” interoffice memorandum from A. Sadry to The High Commissioner, August 30, 1957; 2/5/1/1/ACC.TUR – 1960s, Series 1, Fonds UNHCR 11.

¹¹ UNHCR country representatives were assigned on a rotating basis to various branch and field offices, where they served as the head of UNHCR country programs.

of UNHCR representation. He argued that, had a UNHCR Representative, fully recognized by the Turkish government, been in position at the time, the UNHCR could have helped Turkey remedy the issue, as it had in several other countries, where the UNHCR presence had “proved invaluable.”¹² Sadry was referencing the international prestige and authority the agency had gained from its efficient handling of Hungarian refugees in Europe.¹³ This approach convinced the Turkish diplomat of the “usefulness” of an accredited UNHCR Representative, and Sadry provided copies of agreements with the governments of Belgium, Egypt, and Greece. Sadry soon left Geneva to take up the issue with the Turkish authorities in Ankara “unofficially through personal channels.”¹⁴

In his conversations with high-ranking officials in the Turkish Ministry of Foreign Affairs (MFA), Sadry found a favorable climate for his arguments.¹⁵ The authority for different aspects of Turkey’s asylum policies was spread across several different offices in the government until 2013. The Directorate General for Security within the Ministry of the Interior (MOI), the International Organizations department within the Ministry of Foreign Affairs, the local police, and the gendarmerie comprised what will hereafter be referred to as “the Turkish authorities.” On his arrival in the MFA offices, Mr. Sadry discovered that the Turkish authorities held the religious NGOs operating in Istanbul—particularly the World Council of Churches (WCC)—in contempt.

¹² “UNHCR Representative in Greece to be accredited in Turkey,” interoffice memorandum from A. Sadry to The High Commissioner, August 30, 1957; 2/5/1/1/ACC.TUR – 1960s, Series 1, Fonds UNHCR 11.

¹³ See: Gil Loescher, *The UNHCR and World Politics: A Perilous Path* (Oxford: Oxford University Press, 2001), 81-89; and Peter Gatrell, *Free World?: The Campaign to Save the World’s Refugees, 1956-63* (Cambridge: Cambridge University Press, 2011).

¹⁴ “UNHCR Representative in Greece to be accredited in Turkey,” interoffice memorandum from A. Sadry to The High Commissioner, August 30, 1957; 2/5/1/1/ACC.TUR – 1960s, Series 1, Fonds UNHCR 11.

¹⁵ Mr. Tuncel and Mr. Kunleralp.

The Turkish authorities felt that the NGOs were poorly regulated, inefficient, and prone to interference in Turkey's affairs. Sadry argued that UNHCR oversight of the NGOs was yet another benefit of an accredited UNHCR representative in Turkey. The UNHCR's mandate and the precedents set by the High Commissioner had made the UNHCR a natural centralizing force in international refugee affairs. Sadry argued that his agency could rein in the NGOs.

Mr. Sadry's efforts to convince the Turkish authorities of the benefits of a UNHCR office were maybe too successful. The MFA officials dismissed out of hand the idea of sharing a representative with Egypt, and though they would consider the possibility of sharing a representative with Greece or Italy, they much preferred the appointment of an independent representative in Turkey. Turkey was important enough to have its own representative, they argued. They requested that the High Commissioner either set up an office in Turkey or send a representative from Headquarters whenever a need arose.¹⁶ It would be another three years until a branch office was established in Turkey, and the office was not officially sanctioned by a Host Country Agreement until 56 years later, in September of 2016. However, the Turkish authorities informally granted the authority of the UNHCR to establish an office through tacit agreements and correspondence between the Turkish MFA, MOI, and the High Commissioner.¹⁷ In a letter from the Director General of the Turkish MFA's Third Department (United Nations affairs), the Turkish government informed High Commissioner Auguste R. Lindt (1956-1960) that his proposal to appoint a representative had been approved by the competent Turkish authorities, and that they

¹⁶ "Extract from Mr. Sadry's report on trip to Turkey," September 25, 1957; 2/5/1/1/ACC.TUR – 1960s, Series 1, Fonds UNHCR 11.

¹⁷ T.C. Başvekalet Kanunlar ve Kararlar, Tetkık Dairesi, Dosya No. 112-29, July 22, 1960; National Legislative Bodies / National Authorities, Turkey: Prime Minister letter of 22-07-60 authorizing UNHCR to name a Representation in Turkey, 22 July 1960, available at: <http://www.refworld.org/docid/3f4df3e24.html> [accessed 30 April 2018]; Metin Çorabatır, "Welcome to UNHCR in Turkey" İltica ve Göç Araştırmaları Merkezi (İGAM), <http://www.igamder.org/stories/welcome-to-unhcr-in-turkey/> [accessed 6 September 2016].

had no objection to the Austrian-born Prince Alfred zur Lippe-Weissenfeld serving as the office's first representative.¹⁸

2.2 TRAVEL CONDITIONS: DYNAMICS ON THE GROUND IN TURKEY

The geopolitical context of the Cold War influenced much of UNHCR's global strategy as well as Turkey's approach to asylum matters. Turkey was a clearinghouse for refugees from Eastern Europe and the Soviet Union seeking to emigrate to the United States. For its part, Turkey, as a NATO member, was willing to accept these refugees from Europe with the reasonable assumption that they would be accepted for resettlement in the West. Throughout the 1960s, a caseload of around 2,000 Convention refugees remained in Turkey, waiting their turn for resettlement. The caseload of new arrivals from Eastern Europe in Turkey generally consisted of young, single men with a generally high level of academic or technical qualifications. Several hundred departed and several hundred arrived each year, with the summer months seeing the most volume. Tourism from Eastern Europe to Turkey increased in the summer, and the number of busses, ships, and charter planes arriving in Turkey rose while passport controls relaxed.¹⁹ Citizens from Poland, the Czechoslovak Socialist Republic (CSSR), and Hungary could travel within Eastern Bloc countries

¹⁸ Letter from C.S. Hayta, Director General of the Third Department, Turkish Ministry of Foreign Affairs to A.R. Lindt, United Nations High Commissioner for Refugees, August 3, 1960; 2.5.1.1.ACC – TUR 1960s, Series 1, Fonds UNHCR 11.

¹⁹ "New Arrivals in 1969," Memorandum from H.H. Schindler, Representative in Turkey to UNHCR Headquarters, Attention Mr. R. Potter, July 25, 1969; 201.TUR – Statistics – Turkey, Series 1, Fonds UNHCR 11.

without a visa. As such, asylum-seekers first traveled to Yugoslavia, from where they hoped to obtain a visa for Italy. When this failed, they turned to Turkey as a “last resort.”²⁰

There was a certain prestige for Turkey that went along with being a destination for refugees from communism. The Turkish government, which was overthrown in the 1960s, 1970s, and 1980s by military coups, was often the target of international criticism for authoritarian measures during these coup-fallout periods. Acting as a clearinghouse for refugees from communism afforded some cover for the government. As early as the 1960s some Turkish sources put this in the language of rights. Reporting on a Swedish refugee resettlement mission, one Turkish newspaper commented that, “these refugees for the first time enjoyed liberty in Turkey which is one of the most important doors opened to the free world from Iron-Curtain countries...those to be resettled in Sweden will enjoy all the social, health and economic rights that Swedish citizens are enjoying.”²¹ Offering a place to refugees from communism had the double benefit of appeasing Turkey’s NATO allies while also raising the country’s prestige.²² Turkey was willing to accept an international presence in its refugee procedures, as long as it did not mean an undo burden on Turkey’s economy or security.

This prestige did not come without a price. In the 1950s, the Turkish government was already having financial and administrative difficulty maintaining a caseload of several thousand

²⁰ “New Arrivals in 1969,” Memorandum from H.H. Schindler, Representative in Turkey to UNHCR Headquarters, Attention Mr. R. Potter, July 25, 1969; 201.TUR – Statistics – Turkey, Series 1, Fonds UNHCR 11.

²¹ Alaeddin Bilgi, “İsveçe Götürülecek 200 Demirperde Mültecisinin Seçimine Başlandı,” “The Selection of 200 Refugees from Iron-Curtain Countries Started,” *Cumhuriyet*, April 1963, 6.1.TUR – Protection – Turkey vol. 2, Series 1, Fonds UNHCR 11.

²² From 1959 to 1963 over 13,000 refugees from “Iron-Curtain countries” were resettled in Sweden. Other than the U.S. refugee program, Sweden one of the most significant resettlement destinations for “Iron Curtain refugees.” Sweden was one of the few Western governments to send selection missions directly to Turkey. “İsveçe Götürülecek 200 Demirperde Mültecisinin Seçimine Başlandı,” “The Selection of 200 Refugees from Iron-Curtain Countries Started,” *Cumhuriyet*, April 1963, 6.1.TUR – Protection – Turkey vol. 2, Series 1, Fonds UNHCR 11.

Hungarians and other Eastern Europeans without a UNHCR presence. The 1960 military coup did not make matters any better, and the new government looked to the new UNHCR branch office to provide administrative and financial support for refugee programs. Nearly all the refugees who came to Turkey had the intention of emigrating to Europe or North America because the economic climate in Turkey was terrible and they lacked prospects for meaningful employment. Most of these refugees were highly skilled, and many belonged to minority ethnic groups. The facilities in Turkey were often insufficient to house these people during their transit stage. Overflow populations were housed in nearby hotels. To facilitate the resettlement of these refugees and provide sufficient assistance while they waited in Turkey, the government relied on the UNHCR.

Beyond Cold War geopolitics and Turkey's financial difficulties, the most enduring reason that Turkish authorities cited for wanting the UNHCR to establish and maintain a UNHCR office in Turkey during the 1960s was something they called the "U.N. shield." MFA officials saw a distinct diplomatic opportunity in UNHCR's presence. The Turkish MFA valued the cooperation of the UNHCR in cases of new arrivals from Eastern Europe, "not only in connection with the preparation of migration and the providing of assistance through voluntary agencies, but apparently also for political reasons."²³ When diplomats from Eastern Bloc countries complained that Turkey was accepting their citizens as refugees, Turkish diplomats were able to defer responsibility to the UNHCR and international law.

Turkey might have been content to reference international law when it suited their purposes, but they did resist ceding actual authority to the UNHCR and NGOs. The UNHCR branch office was an important advocate and facilitator for the work of NGOs working in Turkey.

²³ "For Inclusion in Brief for HC Mission Turkey," from E. Jahn to Dr. J Kadosa, June 5, 1967; 6.1.TUR – Protection – Turkey vol. 3, 1963 – 1970, Series 1, Fonds UNHCR 11.

In the decade preceding the opening of the branch office, UNHCR Headquarters leaned heavily on the work of the WCC and Catholic Relief Services (CRS). CRS withdrew from Turkey in 1969, and was replaced by the International Catholic Migration Commission (ICMC), which played a crucial role in enabling the expansion of UNHCR in Turkey during the coming decades.²⁴

In the first years of the UNHCR's existence, NGOs played a crucial role across the world in filling the gaps where the new UNHCR lacked the funds, manpower, or authority to operate effectively. During the 1950s and 1960s, the UNHCR relied on the staff and local knowledge of NGOs for many routine functions, including the determination of refugee status and the recording of refugee statistical data. In Turkey, the IRO established a Refugee Service Committee to aid refugees under its mandate. The Turkish Red Crescent, Catholic Relief Services, and the World Council of Churches (WCC) made possible this continued assistance.

The opening of a UNHCR branch office helped legitimize the work of these NGOs in Turkey. For example, in 1969, when Catholic Relief Services decided to close their office in Istanbul, ICMC was in position to succeed them as the main refugee resettlement assistance organization in the country. However, the ICMC was "far from being recognized as successor or otherwise authorized" by the Turkish government. The UNHCR representative in Turkey spent several months engaged in "delicate negotiations" with the authorities to obtain permission for ICMC operations in Turkey. Nevertheless, the ICMC became a critically important partner for the branch office from the late 1960s on. By the end of the 1960s, ICMC cases outnumbered those

²⁴ Catholic Relief Services (CRS), founded in 1943 and the International Catholic Migration Commission (ICMC), founded 1951, are administratively separate units that nonetheless cooperate closely. CRS was founded by the U.S. Conference of Catholic Bishops, and the ICMC was founded by German, Italian, and American clergy and laity, including Archbishop Montini (future Pope Paul VI). In Turkey, exhibiting the close cooperation between the two Catholic organizations, ICMC was first established under CRS's auspices in the 1960s. ICMC formally took over programs formerly run by CRS when CRS withdrew from Turkey in 1969. ICMC, "ICMC Introduction," International Catholic Migration Commission, January 2007, provided to the author by Metin Çorabatır, President of the Research Center on Asylum and Migration (İGAM), April 20, 2015.

handled by WCC.²⁵ The small staff of the branch office meant that the continued services of ICMC and other NGOs were indispensable. UNHCR could provide the funding, but it relied on the voluntary organizations to carry out projects, gather information, and navigate politically sensitive situations. The UNHCR's reliance on NGOs to navigate refugee affairs in Turkey was true before and after the branch office opened in 1960, and it would only become truer as Turkey emerged as a major theatre of refugee migration.

2.3 TRAFFIC CONDUCTOR: LIPPE COMES TO ISTANBUL

When Prince Alfred zur Lippe arrived in Istanbul in the summer of 1960, he was confronted by a difficult situation.²⁶ The Turkish authorities had approved the presence of a UNHCR office but had yet to ratify the 1951 Convention *Relating to the Status of Refugees*, which the country had signed nine years earlier. When they did eventually ratify the treaty, they would be the last of the original signatories to do so. After the Convention entered into force in Turkey on September 5, 1961, the UNHCR representative was faced with a hopelessly *ad hoc* asylum system.²⁷ Furthermore, the branch office was on the front lines of the UNHCR's expansion into new arenas of refugee protection, a fact that is often overlooked by scholars of Turkish asylum policy, who

²⁵ "Closure of Catholic Relief Services," memorandum from H.H. Schindler to UNHCR Headquarters, July 25, 1969; 4.45 – Voluntary Agencies – International Catholic Migration Commission – 1967 – 1971 [7], Series 1, Fonds UNHCR 11.

²⁶ The early representatives in Turkey lived in Istanbul and operated out of the sub-branch office in that city. In the mid-1960s, H.H. Schindler made the decision to move the residence of the representative and centralize UNHCR operations in Ankara.

²⁷ *T.C. Resmi Gazete (Official Gazette of the Turkish Republic)*, No. 10898, 5 September, 1961. The 1967 Protocol on the 1951 Convention entered into force in Turkey on July 1, 1968. Decree 6/10733; Cumhuriyet Başbakanlık Arşivi, Ankara, 30.18 225.71.6.

characterize this period simply in terms of Cold War geopolitics.²⁸ Following its establishment and the subsequent ratification of the Convention by the Turkish Parliament in March 1962, the branch office in Ankara enjoyed collaborative relationships with the Turkish authorities. Indeed, in the aftermath of the 1960 coup and the 1962 establishment of İnönü's government, the branch office seems to have gotten its way on most issues. From work permits, length of refugee travel documents, to information sharing on eligibility determination procedures, the Turkish authorities acquiesced to the branch office positions. This early success would be short lived.

Across the world, the UNHCR struggled to craft persuasive messages that could convince governments that refugee issues should be taken as seriously as matters of national security. In Turkey, in the wake of a military coup and surrounded by neighbors who were either facing instability, Kurdish insurrection, or were run by communist regimes, refugee protection almost always took a backseat to national security. This, combined with the inefficiencies of a decentralized system made Turkey's asylum system one of the most irregular in Europe. Even after the establishment of an independent branch office in Turkey and the appointment of Prince Alfred zur Lippe as its representative, the UNHCR was still mostly toothless in Turkey until the Convention came into force in 1961. When Turkey's parliament finally ratified the document, it was the last of the original 27 signatories to ratify. During the nearly two years between the establishment of a branch office and the ratification of the Convention, UNHCR Representative Lippe and his partners at Catholic Relief Services often lamented the lack of a legal basis on which to base their advocacy on behalf of refugees. By way of example, in 1961 the cost of residence

²⁸ Kemal Kirişçi, "Refugees of Turkish Origin: 'Coerced Immigrants' to Turkey since 1945," in *International Migration* Vol. 34 Issue 3 1996; Ahmet İçduygu, "Rethinking Transit Migration in Turkey: Reality and Representation in the Creation of a Migratory Phenomenon," *Population, Space and Place*, vol. 18, issue 4 (July/August 2012); and Dilek Latif, "Refugee Policy of the Turkish Republic," *The Turkish Yearbook of International Relations* Vol. 33 (2002): 1-29.

permits jumped from 5 lira to 48 lira. These permits were required for foreign visitors and for refugees living in Turkey. The fines for invalid residence permits could reach 100 lira, an unrealistic amount for destitute refugees. Many refugees, thus unable to pay the fee, were “forced into illegality,” living in Turkey with invalid papers. There was little that Lippe could do given that, until the Convention came into force in Turkey, refugees there had “exactly the same status as all other foreigners residing in the country,” and a distinction was “administratively impossible.”²⁹ The ratification of the Convention brought Turkish asylum policy closer to standardization with international norms; however, for the next decades, much of the branch office’s efforts would continue to be dedicated to normalizing Turkey’s refugee policy and asylum system.

After the Convention entered into force in Turkey, the branch office took on the task of bringing a complex and unwieldy system into order.³⁰ Take, for example, the issue of Convention Travel Documents (CTD). Article 28 of the 1951 Convention states that, “Contracting States shall issue to refugees lawfully staying in their territory travel documents for the purpose of travel outside their territory.”³¹ For Prince zur Lippe, the Turkish authorities’ procedures for issuing these documents was a constant source of contention. He reported to Headquarters that the issuance of travel documents was done in an “absolutely arbitrary” manner which was “certainly not in conformity with the spirit of the Convention.” He went on to complain that “any intervention on

²⁹ “Cost of residence permit for foreigners in Turkey,” memorandum from UNHCR Representative in Turkey to Dr. P. Weis, Head of Legal Division, UNHCR Headquarters, to,” May 9, 1961; 6.5.TUR – Protection Residence – Turkey 1961, Series 1, Fonds UNHCR 11.

³⁰ The Turkish Parliament ratified the Convention on September 5, 1961, and it entered into force on March 30, 1962. Başak Kale, “The Impact of Europeanization on Domestic Policy Structures: Asylum and Refugee Policies in Turkey’s Accession Process to the European Union” (PhD diss., Middle Eastern Technical University, 2005), 207.

³¹ UNHCR, 1951 Convention *and Protocol Relating to the Status of Refugees*, <http://www.unhcr.org/en-us/3b66c2aa10> [accessed May 1, 2018].

our part or even our attempts to receive some intelligible explanations in respect of the criteria applied have been in vain.”³² When the Turkish authorities did issue CTDs, the price they charged was “far higher” than in the majority of other countries.³³ Lippe’s tenure as representative was publicly typified by cordial relations with Turkish officials, but in private correspondence with his superiors in Geneva, he revealed his frustrations with a decentralized and inconsistent Turkish system.

The list of factors that produced the unusually long waiting period for refugees transiting through Turkey was impressively long. Some refugees, especially from Bulgaria, had family in Turkey, might belong to outlawed communist groups, and often moved back and forth between Turkey and their home country several times before seeking asylum. This created serious problems for the Turkish authorities responsible for security screening. They were forced to cross check with military, special branch, criminal police, and the narcotics department to clear every asylum seeker for entry and status determination. Refugees themselves delayed their security screenings by giving incomplete or conflicting information or by retaining communications with their home or meeting with officials or citizens of their home country once in Turkey. Some reclaimed their national passports and disclaimed asylum, only to change their minds later, forcing them to restart their eligibility and CTD procedures yet again.³⁴ NGO reporting was often piecemeal and slow, especially from the WCC, and further delays often resulted from detention by the Turkish security

³² “Issuance of Travel Documents,” memorandum from UNHCR Representative in Turkey to Dr. Eberhard Jahn, Acting Chief, Legal Division, UNHCR Geneva, July 20, 1962; 6.2.TUR – Protection – Travel Documents – Turkey, Series 1, Fonds UNHCR 11.

³³ “Fees for Convention Travel Documents,” From I.C. Jackson to The Representative, UNHCR Branch Office for Turkey, June 11, 1969; 6.2.TUR – Protection – Travel Documents – Turkey, Series 1, Fonds UNHCR 11.

³⁴ “Turkey: Convention Travel Documents,” memorandum from H.H. Schindler to UNHCR Headquarters, March 10, 1969; 6.2.TUR – Protection – Travel Documents – Turkey, Series 1, Fonds UNHCR 11.

services for security screening. Detention could last from 48 hours to three months.³⁵ Finally, a shortage of trained staff at the branch office, NGOs, and Turkish ministries caused administrative issues which further amplified the decentralized nature of Turkish asylum policy.³⁶

Security was the first concern of the Turkish authorities when welcoming asylum seekers into their borders. In cases where asylum applicants were unable to produce “concrete information” about their past, the Turkish police confined them to a hostel on the Anatolian side of Istanbul until their case could be clarified. Absent such clarification, the onus was on the UNHCR to achieve emigration solutions to a third country.³⁷ If a refugee passed security screening, the Istanbul police then informed an NGO in Istanbul, which would take custody of the asylum seeker and house them at a hostel owned by the United States Escapee Program (USEP).³⁸ The WCC then contacted the UNHCR branch office to arrange an interview with the asylum seeker. The information gathered at this interview was compared with that gathered by the police, and, if the asylum seeker was deemed eligible by both parties, they were declared “a refugee under the Convention” and issued a Resident Permit (*İkamet*) by the police. A statement of UNHCR’s declaration was sent to the refugees themselves and to the WCC, which then prepared a card with the refugee’s relevant data. The WCC completed the applications for the USEP to have the refugee

³⁵ “New Arrivals in 1969,” memorandum from H.H. Schindler, Representative in Turkey to UNHCR Headquarters, August 5, 1969; 201.TUR – Statistics – Turkey, Series 1, Fonds UNHCR 11.

³⁶ Turkey: Convention Travel Documents,” memorandum from H.H. Schindler to UNHCR Headquarters, March 10, 1969; 6.2.TUR – Protection – Travel Documents – Turkey, Series 1, Fonds UNHCR 11.

³⁷ “Report on My Mission to Istanbul,” I. Brown to Mr. O. Haselman, October 15, 1963; 201.TUR – Statistics – Turkey, Series 1, Fonds UNHCR 11.

³⁸ By 1963-64 the USEP was renamed the United States Refugee Program (USRP). The USRP served refugees from communist countries in Eastern Europe and China. It was “a people-to-people program with the objective of insuring adequate reception, care, and maintenance and prompt resettlement” of refugees and asylum seekers. The USRP operated “through a network of voluntary agencies, including the WCC, ICMC, among several others. James L. Carlin, *The Refugee Connection: A Lifetime of Running a Lifeline* (London: MacMillan Press, 1989), 99.

recognized as eligible for resettlement in the US. In the early 1960s, the overwhelming majority of refugees referred to USEP were recognized, and in the few cases where recognition was denied, the NGO was obliged to pay for their upkeep while seeking another solution, such as repatriation, settlement in Turkey, or resettlement to another third country, often Sweden. In 99 percent of cases, the agency recommended emigration as the solution.³⁹

The branch office under Representative Lippe experienced early cooperation from the Turkish authorities in the realm of eligibility determination procedures. The Turkish government lacked the resources to effectively conduct many functions performed by the NGOs and branch office. As the 1960s progressed and the Turkish government still had not established a formal process for status determination, the branch office grew increasingly concerned with this issue. The Ankara branch office began conducting its own separate refugee eligibility determination procedure alongside the Turkish procedure on December 31, 1961. Before this date, the World Council of Churches (WCC) and Catholic Relief Services (CRS) were the sole authorities beyond the Turkish government to register refugee cases.⁴⁰ A person crossing the border into Turkey from Eastern Europe and claiming asylum was subject to interrogation by Turkish security agents before they were handed over to the Chief of Police in Istanbul.

Upon the ratification of the Convention by Turkey on September 5, 1961, UNHCR staff from both Headquarters and the branch office were optimistic.⁴¹ Meetings between Lippe and Dr.

³⁹ "Report on My Mission to Istanbul," I. Brown to Mr. O. Haselman, October 15, 1963; 201.TUR – Statistics – Turkey, Series 1, Fonds UNHCR 11.

⁴⁰ In the summer of 1963, Mr. Brown, an official from Headquarters, conducted a two-day mission to the new branch office in Ankara to discuss their method of data collection and recording and program documentation. "Report on My Mission to Istanbul," I. Brown to Mr. O. Haselman, October 15, 1963; 201.TUR – Statistics – Turkey, Series 1, Fonds UNHCR 11.

⁴¹ "Report on Mission to Turkey," letter from P. Weis to The High Commissioner, March 28, 1962; 6.1.TUR – Protection – Turkey [2], Series 1, Fonds UNHCR 11.

Weis and Mr. Akcer, the Director of the United Nations Department of the MFA suggested that the Turks were considering an amendment to the declaration made by Turkey concerning Article 1B of the Convention as to “events occurring in Europe before 1 January 1951” to be replaced by “events occurring in Europe or elsewhere.”⁴² Further, during Dr. Weis’s (UNHCR legal expert) mission to Turkey, he and Lippe met with Turkish authorities to establish a working relationship for determining refugee status. The Turks ensured Weis and Lippe that they had the intention of being “very liberal” as to the procedure for recognition of refugees. They agreed that the branch office and the Turkish authorities would maintain separate lists of applicants and compare the lists at regular intervals. Persons appearing on both lists would be recognized, and those whose names only appeared on one would be reexamined by the UNHCR representative, who would propose recognition for cases he considered eligible. Refugees would be issued work permits.⁴³ Regarding eligibility decisions, the Turkish authorities “generally accepted the opinion of the branch office. The only exceptions were cases where security considerations were brought forward.”⁴⁴ Dr. Weis summarized this early environment of cooperation:

I had the impression that the relations of Prince zur Lippe with the Turkish authorities are excellent and that the prestige of the Office stands very high. The higher authorities obviously want to show their goodwill and appear to be ready to implement the Convention speedily and liberally in close cooperation with our Office.⁴⁵

⁴² Paul Weis was the main author of the 1951 Convention and 1967 Protocol. He was the main legal expert for the IRO and the UNHCR. “Report on Mission to Turkey,” letter from P. Weis to The High Commissioner, March 28, 1962; 6.1.TUR – Protection – Turkey [2], Series 1, Fonds UNHCR 11; and UNHCR, “The Refugee Convention, 1951: The Travaux Préparatoires Analyzed with a Commentary by Dr. Paul Weis, <http://www.unhcr.org/en-us/protection/travaux/4ca34be29/refugee-convention-1951-travaux-preparatoires-analysed-commentary-dr-paul.html> [accessed May 5, 2018].

⁴³ “Report on Mission to Turkey,” letter from P. Weis to The High Commissioner, March 28, 1962; 6.1.TUR – Protection – Turkey [2], Series 1, Fonds UNHCR 11.

⁴⁴ “Meeting of Mr. Höst with Dr. Schlatter, Mr. Moussalli and Miss Jacobs,” note for file, August 11, 1964; 6.1.TUR – Protection – Turkey – 1963 – 1970 [3], Series 1, Fonds UNHCR 11.

⁴⁵ “Report on Mission to Turkey,” letter from P. Weis to The High Commissioner, March 28, 1962; 6.1.TUR – Protection – Turkey [2], Series 1, Fonds UNHCR 11.

Headquarters staff maintained what ultimately turned out to be overly optimistic expectations of Turkish refugee policies. In April 1964, Headquarters staffer Dr. Eberhard Jahn wrote to the branch office expressing his hope that “as a certain pattern is established [for eligibility procedure], the Turkish authorities would recognize most cases spontaneously and would request certificates of Mandate status only in doubtful cases.”⁴⁶ No such pattern was ever formally established until 1994, and an informal procedure was only set up in the 1980s. Through the rest of the 1960s and 70s, there existed “no eligibility procedure, and all attempts...to introduce one have failed.”⁴⁷ In 1965, the branch office first began informing Headquarters of this issue when it was discovered that “a number of refugees recognized by UNHCR had not received a complementary recognition by the Turkish authorities.”⁴⁸ In 1966, in meetings between Headquarters staff and MFA diplomats, an interim understanding was reached to establish an informal procedure. The Turkish authorities agreed that the branch office would be provided a list from the regional authorities on refugee application cases submitted to the MOI. The MOI would inform the regional authorities and the MFA on its eligibility decision, and the MFA would in turn inform the branch office, at which point the branch office could raise any concerns regarding individual cases or general problems.⁴⁹

This labyrinthine process presented ample opportunity for failure, and over the course of the 1960s, impediments from the Turkish authorities and incompetence at the NGOs further

⁴⁶ Letter from P.M. Moussalli to Dr. E. Jahn, marked confidential, December 7, 1965; 6.1.TUR – Protection – Turkey – 1963-1970 [3], Series 1, Fonds UNHCR 11.

⁴⁷ Action Sheet from Robert Muller, 26 March 1974; 110.TUR – Programing – Turkey vol. 1, 1973-1975; Series 1, Fonds UNHCR 11.

⁴⁸ “Eligibility – Turkey,” memorandum from The Representative in Turkey to The United Nations High Commissioner for Refugees, March 11, 1965; 6.1.TUR – Protection – Turkey – 1963-1970 [3], Series 1, Fonds UNHCR 11.

⁴⁹ “Note on discussions with Mr. Idiz, Ankara, and Mr. Sirman of the Turkish Delegation in Geneva on 17 May 1966,” note for the file, June 7, 1966; 6.1.TUR – Protection – Turkey – 1963-1970 [3], Series 1, Fonds UNHCR 11.

complicated the process. There were very real consequences riding on the determination of a refugee's Convention status. All recognized convention refugees were automatically granted the right to work on their residence permit. Non-convention refugees were not afforded this right. The provision of benefits, such as free medical care from the UNHCR, NGOs, or Turkish government also often depended on a refugee's recognition under the 1951 Convention. Through prolonged negotiations with several relevant Turkish governmental departments, the branch office also achieved the recognition of Convention refugees' right to purchase real estate in Turkey.⁵⁰ Many refugees fell through the cracks, their emigration from Turkey delayed by months, and in many cases, years. In 1963 the waiting period for refugees from Eastern Europe for emigration from Turkey to the United States was six to nine months, and in several cases, over two years.⁵¹ In exceptional cases this waiting time was less, but that essentially required the arrival of the refugee to coincide perfectly with the annual arrival of the U.S. Escapees Program (USEP) selection missions.⁵² Delays were typically the result of entry visa waiting periods or security vetting by the Turkish authorities.

The inordinately long refugee transit times in Turkey drove many migrants recognized as refugees under the 1951 Convention to take drastic action and enter illegal, irregular migration channels. These "Convention refugees" had initially decided to take the official route and apply to the UNHCR and Turkish authorities for asylum and refugee status, but the excessive waiting times for emigration and resettlement often made asylum-seekers desperate to find an alternative route.

⁵⁰ "1951 Convention, Art. 13 – Purchase of Real Estate," memorandum from H.H. Schindler to UNHCR Headquarters, May 8, 1968; 6.1.TUR – Protection – Turkey – 1963-1970 [3], Series 1, Fonds UNHCR 11.

⁵¹ Refugees were permitted to designate a preference for their resettlement destination, but their fate was ultimately in the hands of the resettlement missions from countries like the U.S., Sweden, Canada, and the Netherlands.

⁵² "Report on My Mission to Istanbul," I. Brown to Mr. O. Haselman, October 15, 1963; 201.TUR – Statistics – Turkey, Series 1, Fonds UNHCR 11.

One such route was to Beirut, Lebanon. Rumors of speedy resettlement rates out of Beirut caused some refugees to make the illegal and dangerous journey around Turkish border checkpoints, into Syria, and from there to Beirut. These movements were nearly impossible to track, even for the few refugees on whom the UNHCR held reliable records.⁵³

2.4 TRAFFIC COP OR METER MAID?: DISAGREEMENTS ON THE ROLE OF THE UNHCR IN TURKEY

Though the branch office and Headquarters were parts of the same organization, it is important to remember that the UNHCR was a growing but still chronically understaffed international bureaucracy operating in dozens of countries across the world. UNHCR officials were attempting to facilitate cooperation among its own regional offices, host country governments, the governments of resettlement countries thousands of miles away, and nongovernmental organizations operating in places like Turkey with their own headquarters spread across the globe. Channels of communication were by no means direct and, to say the least, prone to inefficiencies.

For much of the 1960s, it was the principal aim of the UNHCR in Geneva to make its branch office in Turkey unnecessary. The UNHCR in this decade was still a limited agency, just beginning to test its mandate and expand its reach. Moreover, many still believed that the world could “solve the problem of the refugee.” UNHCR Headquarters felt that, if the branch office could clear the caseload of old refugees and bring Turkish asylum policies into line with international

⁵³ “Individual Cases of Refugees of African Origin in European Countries,” letter from H.H. Schindler, Representative in Turkey to The High Commissioner, Attention Dr. P. Weis, November 21, 1966; 6.1.TUR – Protection – Turkey – 1963-1970 [3], Series 1, Fonds UNHCR 11.

standards, there would be no need for a permanent UNHCR presence. Much of the daily work of refugee assistance was handled by the NGOs, and there was some discussion of transferring more field operations to the Turkish Red Crescent. By the end of 1964, the High Commissioner was considering a downgrade for the branch office. “If it was felt that the main work of UNHCR had been accomplished,” Jan Höst, the UNHCR Representative in Turkey at the time, informed Mr. Vecdi Türel, Director of the MFA’s Third Section, the High Commissioner would appoint only an Honorary Representative for Turkey.⁵⁴

The Turkish authorities rejected the notion of closing the branch office. Director Türel’s response to Representative Höst’s suggestion of closing the office was “quite strong.” The Turkish government, even though it was “trying its best to speed up the implementation of [the] Geneva Convention,” still felt there was a need for a “proper Office and Representative” beyond 1964. Later that same day, the Representative received an urgent phone call from Mr. Dokuzoğlu, the Turkish Minister of the Interior, who had the same reaction as Mr. Türel.⁵⁵ Over the course of the next ten years, Turkish officials continued to demand coverage from “the United Nations shield” in view of the delicate nature of refugee problems in Turkey and their proximity to powerful neighbors.⁵⁶ The relevant Turkish ministries were in agreement; the UNHCR office must stay.

Despite resistance to the idea in Turkey, UNHCR Headquarters revisited the idea of downgrading the branch office through the 1960s. As a limited organization, the UNHCR had

⁵⁴ Note for the File, The Representative in Turkey, May 26, 1964; 6.1.TUR – Protection – Turkey – 1963-1970 [3], Series 1, Fonds UNHCR 11.

⁵⁵ Note for the File, The Representative in Turkey, May 26, 1964; 6.1.TUR – Protection – Turkey – 1963-1970 [3], Series 1, Fonds UNHCR 11.

⁵⁶ To further distance Turkey from the work of the UNHCR, the Turkish officials expressed their desire for UNHCR to not hire Turkish citizen as a UNHCR correspondent in Turkey. Letter from P.M. Moussalli to Dr. E. Jahn, marked confidential, December 7, 1965; 6.1.TUR – Protection – Turkey – 1963-1970 [3], Series 1, Fonds UNHCR 11.

limited resources to spread around the globe. And in the 1960s, UNHCR's growing global footprint was forcing the agency to open new offices in Africa and Asia, further stretching its resources. However, neither the UNHCR's representatives in Turkey nor the Turkish authorities wanted the office closed. The Turkish government valued the UNHCR for the political cover it gave them from countries of origin. The UNHCR's representatives in Turkey felt that the UNHCR's function of ensuring the legal protection of refugees in Turkey continued to be "most vital."⁵⁷ Any mention of closing the office was met with dismay by the Turkish authorities. To them, the UNHCR was a "shield" and a source of funding for emergency situations.

One such emergency situation arose during Representative Lippe's first year in Turkey (1961) and demonstrates the important role the branch office played in organizing and coordinating a diverse set of actors, even at this early stage. Studies of refugee movement through Turkey in the 1960s and 1970s generally portray the period as one of low-level movement from Eastern Europe, through Turkey, to the West. According to this narrative, refugee transit migration through Turkey from Asia, Africa, and the Middle East did not start until the 1980s. But this is due to the acceptance of a limited definition of refugee. While not included within the legal definition of refugees, other forced migrations proceeded to and through Turkey in the 1960s. These forced migrants, though not recognized as refugees under the documents of the global refugee regime, were nonetheless part of and addressed by elements of the global refugee system. Refugee migration from Turkey's non-European frontiers did not start in the 1980s. Within a year of its establishment, the branch office was faced with an influx of Kurdish refugees from Iraq, displaced

⁵⁷ Letter from E. Jahn to Representative, UNHCR Branch Office for Turkey, referencing attached memo, August 1, 1967; 6.1.TUR – Protection – Turkey – 1963-1970 [3], Series 1, Fonds UNHCR 11.

by fighting among Mustafa Barzani's Kurdistan Democratic Party (KDP), rival Kurdish factions, and the government of the newly established Iraqi Republic.

This one early example of the branch office's encounter with non-European refugees contains many of the same problems that the branch office would continue to deal with in later decades as more non-European refugees sought refuge in Turkey.⁵⁸ In particular, the correspondence between the Representative in Turkey and UNHCR Headquarters illustrates the unfolding of a relief operation in the early days of the UNHCR's operations in Turkey. In the summer of 1961, 850 members of the Brodost Kurdish tribe—an anti-communist group opposed to Mustafa Barzani—fled into Turkey from Iraq. The UNHCR branch office and the Turkish government at first considered this movement to be temporary; when the Iraqi government forces defeated the KDP, the Brodost tribe could return home. The Turkish government decided at first to not request aid from the UNHCR as they wanted to “avoid public attention as far as possible.” For its part, the branch office agreed to remain in contact on the subject in an informal advisory capacity. This was despite the fact that, as a people fleeing across an international border with a well-founded fear of persecution, the Kurds would “prima facie [sic] qualify” for refugee status under the Convention, which Turkey at the time still had not ratified.⁵⁹ The episode that followed is illustrative of the complexities and ambiguities of Turkish asylum policy.

The agency's engagement with this Kurdish displacement shows a UNHCR branch office and its new representative struggling to come to terms with their role in Turkey. In October 1961,

⁵⁸ This is one of several possible examples of the branch office's encounters with non-European refugees, but it is illustrative. Several Kurdish tribes sought temporary refuge in Turkey over the course of the 1960s and 1970s, but increasingly, other groups and individuals from Africa and Asia sought temporary refuge in Turkey. In addition, Kurdish political refugees and members of leftist groups sought asylum from Turkey in Europe.

⁵⁹ “Kurdish Refugees from Iraq in Turkey,” memorandum from UNHCR Representative in Turkey to The United Nations High Commissioner for Refugees, September 25, 1961; 6.1.TUR – Protection – Turkey vol. 2, Series 1, Fonds UNHCR 11.

three months after the Brodost tribe arrived, the problem proved to be less temporary than hoped, the Turkish MFA officially requested the cooperation of the High Commissioner “in their attempt to alleviate the desolate and soon precarious situation of about 1,000 Iraqi refugees during the winter months.”⁶⁰ In the fall of 1961, the Turkish economic situation and the administrative structure of the post-coup government meant that the relevant Turkish authorities were “hardly in a position to give even minimum assistance” to the Kurdish refugees.⁶¹ For the three months of the Kurds’ asylum in Turkey, the Turkish Red Crescent had born the entirety of the burden of caring for their welfare, the total cost for which was over 500,000 lira. The Red Crescent Society had by this point reached the end of its financial resources for the project. The refugees were housed in tents in the mountainous region around Yüksekova, located at around 2000m altitude. With the winter months approaching, proper food, shelter, and clothing were desperately needed. Representative Lippe, though he still considered the situation to be temporary, nonetheless recommended that the High Commissioner comply with Turkish MFA’s request. “This is a new emergency situation concerning a genuine refugee group,” he wrote, “bearing all criteria of a mandate refugee.”⁶² His actions in this crisis parallel how the UNHCR was inserting itself in refugee crises across the world through the concept of the High Commissioner’s “good offices.”⁶³

⁶⁰ “Refugees from Iraq in Turkey,” memorandum from UNHCR Representative in Turkey to The United Nations High Commissioner for Refugees, October 3, 1961; 6.1.TUR – Protection – Turkey vol. 2, Series 1, Fonds UNHCR 11.

⁶¹ Ibid.

⁶² Ibid.

⁶³ The concept of the High Commissioner’s good offices was first employed in the 1950s. It was used most prominently in the refugee crises in Morocco and Tunisia as a result of the Algerian War of Independence. More recently, it has been used to extend the High Commissioner’s authority to Internally Displaced Persons (IDPs). Gil Loescher, “UNHCR at Fifty: Refugee Protection and World Politics,” in Niklaus Steiner, Mark Gibney, and Gil Loescher, eds., *Problems of Protection: The UNHCR, Refugees, and Human Rights* (New York: Routledge, 2003), 28-29.

Representative Lippe responded to the plight of the Kurds and the requests of the Turkish government, but to do so, he was required to coordinate the operations of several NGOs, the Turkish government, and his own office, while also responding to the instructions he received from UNHCR Headquarters in Geneva. The problem of the Brodost Kurds was of limited size and temporary, and Lippe believed he could obtain the cooperation of the local National Catholic Welfare Council for the provision of surplus food. In addition, the Red Crescent, having already set up operations, could continue to carry out relief on the ground with proper financial backing from the UNHCR.⁶⁴ But in late October, the situation got worse with the arrival of 500 more refugees, bringing the total to around 1500.⁶⁵ Soon after, heavy snow falls started earlier than usual. Tents were inadequate in a region that saw winter temperatures as low as -40 degrees Celsius. Prince zur Lippe argued forcefully and repeatedly to the High Commissioner's office that aid should be delivered swiftly, warning that, in the absence of swift aid, the refugee group "will not survive the winter." The Red Crescent would stop operations by November 1 unless it received external funding.

Prince zur Lippe had significant disagreements with UNHCR Headquarters regarding the eligibility of the Kurds for refugee status. In Lippe's opinion, the Kurdish refugees

qualify *prima facie* under the Mandate; although it must be difficult to tell to what extent the conflict is one of the political opinions or of tribal rivalry they must be genuine afraid of persecution for the whole group to have sought asylum in such an inhospitable district.⁶⁶

⁶⁴ "Refugees from Iraq in Turkey," memorandum from UNHCR Representative in Turkey to The United Nations High Commissioner for Refugees, October 3, 1961; 6.1.TUR – Protection – Turkey vol. 2, Series 1, Fonds UNHCR 11.

⁶⁵ "Kurdish Refugees from Iraq," from UNHCR Representative in Turkey to The United Nations High Commissioner for Refugees, October 16, 1961; 6.1.TUR – Protection – Turkey vol. 2, Series 1, Fonds UNHCR 11.

⁶⁶ "Kurdish Refugees from Iraq – Summary and Suggestions," letter from Pierre Coat to Mr. J. Cuenod, October 23, 1961; 6.1.TUR – Protection – Turkey vol. 2, Series 1, Fonds UNHCR 11.

A few points warrant elaborating here. In particular, the concepts of “*prima facie* refugee status determination” and “mandate refugees” are indicative of issues in the UNHCR’s global expansion. *Prima facie* status determination is a concept and practice that has developed over the past 60 years and which is implemented by both states that are party to the 1951 Convention and its 1967 *Protocol* and states who have not signed these agreements. Yet, the term itself is not codified in any international legal instrument on refugees.⁶⁷ Generally, the determination of a person’s eligibility for refugee status is conducted on a case-by-case, individual basis; however, in some cases of mass migration, where it is not feasible to conduct individual interviews and refugee status can be recognized “on the basis of readily apparent, objective circumstances in the country of origin,” a *prima facie* approach may be used.⁶⁸ In these cases, entire groups of refugees are granted status under the Convention or under UNHCR’s mandate without having to conduct individual refugee status determination procedures. This concept of *Prima facie* refugee status determination is rooted in the concept of the High Commissioner’s “good offices.” This concept got its start under the High Commissionership of Auguste R. Lindt (1956-1960).⁶⁹ However, it was utilized more aggressively by his successor, Félix Schnyder (1960-1965), whose term was characterized by his use of the UNHCR’s “good offices” to expand the organization’s operations into Africa.⁷⁰

⁶⁷ Matthew Albert, “Pima Facie Determination of Refugee Status: An Overview and its Legal Foundation,” *Refugee Studies Centre Working Paper Series*, No. 55, January 2010. <https://www.rsc.ox.ac.uk/files/publications/working-paper-series/wp55-prima-facie-determination-refugee-status-2010.pdf> [accessed May 1, 2018].

⁶⁸ UNHCR, “Guidelines on International Protection No. 11: Prima Facie Recognition of Refugee Status,” HCR/GIP/15/11, June 2015, <http://www.unhcr.org/558a62299.html> [accessed May 1, 2018].

⁶⁹ General Assembly resolution 1388 (XIV), November 20, 1959 called on the High Commissioner to use his good offices to assist refugees in Hong Kong. Division of International Protection, UNHCR, “Note on the Mandate of the High Commissioner for Refugees and His Office,” October 2013, <http://www.unhcr.org/en-us/protection/basic/526a22cb6/mandate-high-commissioner-refugees-office.html> [accessed May 1, 2018].

⁷⁰ Loescher, *UNHCR and World Politics*, 109-110; Cecilia Ruthström-Ruin, *Beyond Europe: The Globalization of Refugee Aid* (Lund, Lund University Press, 1993).

The second issue here is that of a “mandate refugee” as opposed to a “convention refugee.” The office of the High Commissioner for Refugees was established by UN General Assembly resolution 319 (IV) on December 3, 1949. It was provided its Statute by the General Assembly’s resolution 428 (V) on December 14, 1950 and became operational on January 1, 1951. The mandate of the UNHCR was established through these documents and has expanded significantly since, notably, to include refugees outside of Europe.⁷¹ The mandate is separate from the 1951 Convention, though the UNHCR is the implementing organization of the Convention. In 1961 in Turkey, refugees of non-European origin were not recognized by the Convention; however, the UNHCR’s mandate was to provide international protection to refugees and to seek “permanent solutions for the problem of refugees by assisting Governments and, subject to the approval of the Governments concerned, private organizations to facilitate the voluntary repatriation of such refugees, or their assimilation within new national communities.”⁷² The UNHCR office in Turkey was one of several UNHCR offices involved in broadening the interpretation of this mandate.

Representative Lippe outlined his reasoning for extending refugee recognition under the High Commissioner’s “good offices”:

The fact that they are not persecuted by the authorities of their country does not seem to disqualify them, since they seem to be unable at the moment to avail themselves of the latter’s protection. Whatever the outcome ...the emergency seems to justify immediate action by resorting to the Emergency Fund, on the assumption that these refugees are *prima facie* refugees, we could reimburse the Emergency Fund from contributions collected under the good offices resolution.⁷³

⁷¹ Division of International Protection, UNHCR, “Note on the Mandate of the High Commissioner for Refugees and His Office,” October 2013, <http://www.unhcr.org/en-us/protection/basic/526a22cb6/mandate-high-commissioner-refugees-office.html> [accessed May 1, 2018].

⁷² UNHCR, “Statute of the Office of the United Nations High Commissioner for Refugees,” <http://www.unhcr.org/en-us/protection/basic/3b66c39e1/statute-office-united-nations-high-commissioner-refugees.html> [accessed May 1, 2018].

⁷³ “Kurdish Refugees from Iraq – Summary and Suggestions,” letter from Pierre Coat to Mr. J. Cuenod, October 23, 1961; 6.1.TUR – Protection – Turkey vol. 2, Series 1, Fonds UNHCR 11.

Despite Prinz zur Lippe's recommendation and easy assumption that the Bradost Kurds should be considered *prima facie* refugees, within Headquarters there was a heated debate on the subject.⁷⁴ Dr. Paul Weis, a long-serving and prolific UNHCR legal advisor, wrote to Thomas Jamieson, the Deputy High Commissioner, expressing Weis's belief that there was no "reason to consider these persons to be refugees within the mandate of the Office." He argued that, while the group was outside their country of nationality and were persecuted on political grounds, there was "nothing to suggest" that they were unable or unwilling to avail themselves of the protection of the Iraqi government. Weis recommended instead that the UNHCR act by giving its "good offices" to enable the Iraqi Government to provide assistance. Mr. Jamieson's response to Dr. Weis revealed the frustration of a humanitarian bureaucrat confronted by the constraints of international law. He remarked that Weis's legal interpretation was "very interesting," but "in the meantime the people may well die. However, thank God we have \$10,000 from OXFAM which we should make available to the Turkish authorities to help the 'refugees.'"⁷⁵ His point is clear: the legal minutiae were not of primary importance here; UNHCR had the mandate to protect these people. Nevertheless, the UNHCR decided against recognizing the Kurds as refugees. As High Commissioner, Felix Schnyder's policy was to deal, whenever possible, directly with governments, forcing them to "face their own responsibilities."⁷⁶ As such, Mr. Jamieson recommended that the \$10,000 donated by OXFAM be delivered directly to the Turkish

⁷⁴ "National asylum systems are in place to determine who qualifies for international protection. However, during mass movements of refugees, usually as a result of conflict or violence, it is not always possible or necessary to conduct individual interviews with every asylum seeker who crosses a border. These groups are often called 'prima facie' refugees." UNHCR, "Asylum-Seekers," <http://www.unhcr.org/en-us/asylum-seekers.html> [accessed May 1, 2018].

⁷⁵ "Eligibility – Kurds from Iraq," interoffice memorandum from P. Weis to Mr. T. Jamieson, October 25, 1961; 6.1.TUR – Protection – Turkey vol. 2, Series 1, Fonds UNHCR 11

⁷⁶ Loescher, *UNHCR and World Politics*, 105-109.

government with the caveat that it be earmarked for the provision of shelter, food, clothing and other essentials for the refugees but not for government or Red Crescent salaries.⁷⁷

This early incident involving thousands of non-European, unrecognized refugees, was the first of several such movements and it reveals the branch office's early role in coordinating among various stakeholders in Turkey. The High Commissioner's office and its branch office in Ankara acted together (and at times, disagreed) as the coordinators of a relief operation, linking several NGOs with two national governments and international funding and resources. The UNHCR provided almost no physical presence on the ground, little to no direct funding from UNHCR funds, and the High Commissioner decided not to recognize the Kurds as bonafide refugees under the mandate or Convention. Still, despite the High Commissioner's desire to remain aloof, the UNHCR branch office in Turkey emerged as the keystone of the operations to keep these people alive and protected. Prince zur Lippe and his office were the facilitating agent between UNHCR Headquarters, the stumbling Turkish government, the Kurds themselves, and at least three nongovernmental humanitarian organizations. In these early days of UNHCR, this coordinating effort was perhaps its most important function beyond its efforts to ensure legal protection to refugees. Moreover, such incidents helped convince the Turkish authorities of UNHCR's value.

⁷⁷ "Refugees from Iraq in Turkey," interoffice memorandum from T. Jamieson to The High Commissioner, October 27, 1961; 6.1.TUR – Protection – Turkey vol. 2, Series 1, Fonds UNHCR 11.

2.5 SHIFTING GEARS: H.H. SCHINDLER AND STANDARDIZATION

Henri (H.H.) Schindler, an Austrian national, was arguably the most successful Representative in Turkey during the 1960s and 70s.⁷⁸ When he took office in May of 1966 he immediately set out to impose some order and formality on a system that was starting to buckle under its own weight. His determination to bring UNHCR's organizational capacity to bear on the mess that was Turkey's asylum system set the foundations of inter-agency policy that guided relationships among the UNHCR, the NGOs, and the Turkish authorities into the 1980s. His time in office did not solve all the branch office's problems in Turkey; however, his work to regularize statistical collection and documentation and to clear a backlog of refugee cases remaining in Turkey from as early as the 1950s brought Turkish asylum policy closer to international standards.

In its early years, the daily work of the branch office mainly revolved around the provision of accurate data and information from the NGOs to the Turkish authorities. Such facilitation was necessary to keep up with the resettlement schedules of countries like the US and Sweden.⁷⁹ Until 1967, the representative in Turkey operated most often out of an Istanbul sub-office.⁸⁰ In the fall of 1967 Mr. Schindler moved to Ankara and the sub-office in Istanbul was liquidated.⁸¹ This move to the Ankara office is indicative of a more general change in focus on the part of the branch office.

⁷⁸ Two other representatives, Jan Höst (January 1964 – September 1964) and Dr. Moravek (September 1964 – April 1966) served in the years between Prince zur Lippe and H.H. Schindler.

⁷⁹ "Turkey: Convention Travel Documents," memorandum from H.H. Schindler to UNHCR Headquarters, March 10, 1969; 6.2.TUR – Protection – Travel Documents – Turkey, Series 1, Fonds UNHCR 11.

⁸⁰ UNHCR in 1965 had offices in Ankara (Atatürk Bulvarı 231) and Istanbul (Mezarlık Sokak 3, Derya Han 601-603, Kabatas, Istanbul).

⁸¹ "Discussions with the UNHCR Representative for Turkey," November 17, 1967; 6.1.TUR – Protection – Turkey – 1963-1970 [3], Series 1, Fonds UNHCR 11.

In a somewhat orientalist fashion, Schindler commented on the importance of centralizing asylum decisions in Ankara:

“To delegate the power of conferring Convention status...to the Istanbul authorities would be definitely against UNHCR protection policy. I have to ensure the legitimate interests of 1,800 resident caseload as well as a couple of hundred new arrivals. Headquarters always was well advised to insist on entrusting eligibility decisions to the more objective Ankara authorities, and to remove them from the more passionate climate of Istanbul.”⁸²

This move demonstrates a shift in the branch office’s thinking, from refugee-centered to state-centered. In Istanbul, the Representative was closest to the majority of refugees living in Turkey and to the voluntary agencies that served them. In Ankara, the representatives were closer to the central Turkish government. In Istanbul, the branch office could be more effective in its roles as observer and advocate; in Ankara, the Office would be better positioned to facilitate and coordinate international efforts at refugee protection, assistance, and resettlement and to pursue its goals to bring the Turkish policies in line with international standards.

By moving the office to Ankara, UNHCR was making it clear that the UNHCR was the leading agency in Turkey, and that it, not the WCC, ICMC, the American embassy, or the local police, should be the primary contact for the Turkish authorities on refugee issues. UNHCR Headquarters staff noted “a certain rivalry of the Istanbul authorities [NGOs and Istanbul police] to play the main role in the implementation of the Convention.” However, these agencies should not take such a role, especially because only the UNHCR representative (Lippe) was “accredited to the Turkish Government.”⁸³ UNHCR fought “a long battle” to centralize Turkish asylum policy

⁸² “Turkey: Convention Travel Documents,” memorandum from H.H. Schindler to UNHCR Headquarters, March 10, 1969; 6.2.TUR – Protection – Travel Documents – Turkey, Series 1, Fonds UNHCR 11.

⁸³ “Report on Mission to Turkey”, letter from P. Weis to The High Commissioner, March 28, 1962; 6.1.TUR – Protection – Turkey vol. 2, Series 1, Fonds UNHCR 11.

in Ankara by having refugee eligibility decided upon in Ankara “rather than leave it to the special atmosphere of Istanbul.”⁸⁴

Schindler’s term in office as Representative for Turkey was typified by efforts to streamline procedures in the UNHCR, the NGOs, the Turkish government, and the relevant interactions linking all of them. His office achieved several successes in the months following the relocation of the branch office to Ankara. The relocation of the office may have moved the UNHCR farther from the majority of refugees in Istanbul, but it placed them closer to the decision-making authorities in Ankara. This permitted closer cooperation by the simple fact of proximity; branch office staff could intervene quicker and in-person with the Turkish authorities at the MFA and MOI. The Turkish authorities recognized a significantly higher number of refugees as eligible for refugee status under the Convention. He also achieved an 85 percent decrease in the cost of Convention Travel Documents for refugees, from 342.50 TL to 55 TL.⁸⁵ One point of contention that had dogged the branch office’s relationship with the authorities was finally resolved and confirmed through several months of positive implementation: the Turkish authorities accepted refugees of Russian origin as falling under the terms of the 1951 Convention (from Europe) and put this policy into practice in the recognition of several Russians as Convention refugees.⁸⁶

Representative Schindler was instrumental in procuring authorization from the Turkish government for the ICMC’s operations in Turkey. Schindler negotiated with the Turkish authorities to allow ICMC representatives to continue and expand their resettlement work after

⁸⁴ “Turkey: Convention Travel Documents,” memorandum from H.H. Schindler to UNHCR Headquarters, March 10, 1969; 6.2.TUR – Protection – Travel Documents – Turkey, Series 1, Fonds UNHCR 11.

⁸⁵ “Fees for Convention Travel Documents,” memorandum from H.H. Schindler to UNHCR Hqs, attention Mr. I.C. Jackson, December 12, 1969; 6.2.TUR – Protection – Travel Documents – Turkey, Series 1, Fonds UNHCR 11.

⁸⁶ “1951 Convention: Refugees of Russian Origin,” memorandum from H.H. Schindler to UNHCR Headquarters, December 22, 1967; 6.1.TUR – Protection – Turkey vol. 3, 1963 – 1970, Series 1, Fonds UNHCR 11.

Catholic Relief Services announced that they would close their office (Mr. and Mrs. Dumesic, who had been doing so since 1957, ran the organization). However, given the mixed reputation of the other refugee NGOs in Turkey, gaining this approval was a “thorny problem.” The work of the branch office as advocate for and facilitator of NGO operations was critical to the *ad hoc* operation of refugee affairs in Turkey. Like so much of Turkey’s refugee policy, the official recognition of ICMC took the form of an internal instruction from the Minister of Foreign Affairs. No official letter was given or offered. In fact, Mr. Schindler noted that, had there been a formal application from ICMC, it would certainly have been denied. Catholic Relief Services, ICMC, and the World Council of Churches were “legal ‘un-persons’” in Turkey. ICMC was the only agency officially accredited by the Turkish authorities, and even this was accomplished through back channels. CRS and WCC had “no legal basis for operating in Turkey.” In fact, the director of the CRS Turkey program had been previously refused a residence permit by the Turkish authorities.⁸⁷ Like the UNHCR, NGOs were forced to operate on an informal, irregular basis in Turkey. The task of providing some cohesion, some order to this tenuous relationship was the task that fell to UNHCR’s representatives at the Ankara branch office.

2.6 REGISTRATION: SCHINDLER ASKS, “WHO IS A REFUGEE IN TURKEY?”

In December 1969 H.H. Schindler wrote to UNHCR Headquarters in Geneva discussing a breakthrough in his ongoing efforts with the Turkish government to establish a process and

⁸⁷ “Representation of ICMC in Turkey,” memorandum from H.H. Schindler to UNHCR Headquarters, attention Mr. Warren A. Pinegar, August 26, 1969 4.45 – Voluntary Agencies – International Catholic Migration Commission – 1967 – 1971 [7], Series 1, Fonds UNHCR 11.

common vocabulary for determining refugee status. Mr. Schindler wrote that it had taken “ten years and five Representatives to find out who is a refugee in Turkey.”⁸⁸ He was referencing the pervasive ambiguities in Turkish asylum policy and the UNHCR operational mandate in Turkey. The breakthrough he referenced was the result of three years of hard work by his office to finally bring some clarity to UNHCR’s relationship to Turkish asylum policy and provide closure to a backlog of refugee cases dating back to the 1956 Hungarian Uprising. This progress was the result of three years of careful negotiation and the organizational capacities of UNHCR as Schindler worked to bring the Turkish authorities and the NGOs into line with international law and accepted norms regarding the protection of refugees. Schindler succeeded not only in clearing a backlog of refugee cases, he also systematized the collection of refugee statistical information. He centralized data collection and refugee resettlement procedures within the branch office, bringing the operations of the WCC, ICMC, and other partners under the administrative umbrella of the UNHCR.

One of the first steps toward establishing an effective refugee processing system in Turkey was accurate collection of data. The NGOs maintained their own statistics on caseloads, and the Turkish government’s records did not differentiate between a foreign alien and a refugee. The MOI in the 1960s did not keep separate records for refugees. Rather, if the representative wished to locate records on naturalization procedures for a refugee, he would find it among “tens of thousands of ethnic Turks from Bulgaria for one or the other Mandate refugee.”⁸⁹ It was not only the Turkish government that caused consternation for branch office staff. There was also

⁸⁸ Memorandum, H.H. Schindler to Headquarters, 12 December 1969; 201.TUR Box 319 – Statistics – Turkey; Series 1, Fonds UNHCR 11.

⁸⁹ “Acquisition by refugees of the nationality of their country of residence,” memorandum H.H. Schindler, Representative in Turkey to UNHCR Headquarters, April 10, 1968; 6.12.TUR – Protection and Naturalization – Turkey 1968-1969, Series 1, Fonds UNHCR 11.

considerable frustration with the NGOs. In particular, the WCC was almost universally critiqued by refugees, the Turkish government, and UNHCR officials for its sloppy record keeping, poor management, and inefficient processing of refugee cases. The WCC office in Istanbul had been ordered by its headquarters in Geneva to hand over case files on refugees to the UNHCR branch office, but Representative Lippe complained to UNHCR Headquarters that they were slow to do so. Indeed, the WCC's failure to provide accurate and requested information appears to have been chronic. They failed to produce complete refugee data until Representative Schindler initiated a campaign at normalizing refugee data collection in 1966.

With the 1966 arrival of Schindler in Turkey, UNHCR Headquarters increased their pressure on the branch office and on the Turkish authorities to clear the backlog of pre-1961 asylum seekers. The backlog cases were those refugees who had been in Turkey since before the ratification of the Convention but who had not yet been granted Convention status. Remedying this issue was supposed to have been a priority for the branch office since 1961; however, by 1967, of the 1,500 pre-1961 refugees living in Turkey, less than 500 had been processed and declared refugees under the Convention.⁹⁰ Long waiting times and inefficient procedures compounded Turkey's refugee backlog. Though the new branch office under Lippe and his short-tenured successors had helped regularize some aspects of asylum policy in Turkey, the decentralized system continued to complicate matters for Representative Schindler.

In his early reports to Headquarters, Schindler sounds like a man who is finding out just how deep the rabbit hole goes. He was dismayed to discover, upon taking up his post, that the

⁹⁰ "Individual Cases of Refugees of African Origin in European Countries," letter from H.H. Schindler, Representative in Turkey to The High Commissioner, Attention Dr. P. Weis, November 21, 1966; 6.1.TUR – Protection – Turkey vol. 3, 1963 – 1970, Series 1, Fonds UNHCR 11.

branch office held “no records of all refugees in Turkey.”⁹¹ The office maintained no comprehensive list of refugees, asylum seekers, or persons of concern. In other words, the UNHCR branch office, which was supposed to ensure—through observation and advising—the protection of refugees and asylum seekers, had no idea how many refugees lived in Turkey. “To chase up dossiers with the three departments in Ankara involved, and with the Governor’s Office, and the ‘Prefecture’ in Istanbul keeps this office pretty busy,” Schindler noted.⁹² Accurate data on refugee movements through Turkey was further complicated by the fact that the Turkish government made no distinction in its border entry statistics between ordinary travelers, Turkish ethnic immigrants, and refugees. On top of this, many tourists applied for asylum only after some time spent in the country.⁹³ The decentralized nature of Turkish refugee policy caused a series of headaches for the UNHCR branch office. The story of the late 1960s and early 1970s for the branch office was essentially one of attempting to regularize this system through cooperation among the UNHCR, Turkish ministries, and the NGOs. In the late 1960s, Schindler used the tools of international legal norms and the mandate of his office to gradually make the branch office a more central part of the refugee system in Turkey.

Schindler faced some significant challenges in this initiative. Certain factions in the Turkish Ministry of the Interior disagreed with their counterparts in the Ministry of Foreign Affairs and sought to withhold recognition of refugee status from as many cases as possible in order to increase revenue:

⁹¹ “Meeting with Mr. N. Kahraman on Feb. 1967 in Geneva: Eligibility of Old Case-load,” memorandum from H.H. Schindler to the High Commissioner, attention Dr. P. Weis, March 8, 1967; 6.1.TUR – Protection – Turkey vol. 3, 1963 – 1970, Series 1, Fonds UNHCR 11.

⁹² Ibid.

⁹³ “New Arrivals in 1969,” Memorandum from H.H. Schindler, Representative in Turkey to UNHCR Headquarters, August 5, 1969; 201.TUR – Statistics – Turkey, Series 1, Fonds UNHCR 11.

The extraordinary reluctance to grant 1951 Convention status to some 400 Mandate cases still pending ‘inter alia’ is linked to such trivial considerations on lower echelons of the Administration as the change from six-months residence permits to two years validity and the related ‘loss’ of fees and fiscal stamps for Convention refugees.⁹⁴

The MFA and MOI disagreed on key issues of Turkey’s refugee policy. Without even a basis of inter-ministerial understanding, let alone unambiguous governmental policy, Schindler lacked a clear set of procedures and expectations for negotiation with the Turkish authorities. There was no agreement on how to establish an official eligibility procedure; there did not even exist an agreement on how to count refugees. There were discrepancies among the statistical data of the MOI, MFA, local police, NGOs, and branch office regarding the number of Convention refugees in Turkey. In 1966, soon after Schindler’s arrival, the MOI put their number at 245, the MFA counted 1300, and the branch office claimed there were 2200 Convention refugees living in Turkey.⁹⁵ Before larger problems could be solved, Schindler first needed to determine who was a refugee in Turkey.

In its reporting work, the branch office was forced to rely on piecemeal statistics cobbled together from governmental and NGO sources. The branch office kept “careful track of all bits and scraps of information, on newspaper items, on copies of correspondence between Volags [NGOs] and USRP, ICEM and their respective Headquarters and sponsors.”⁹⁶ Further complicating matters, refugees themselves were often reluctant to surrender information. If they were granted naturalization by the Turkish authorities, refugees often did not report it to the

⁹⁴ “Fees for Convention Travel Documents,” memorandum from H.H. Schindler to UNHCR Hqs, May 7, 1969; 6.2.TUR – Protection – Travel Documents – Turkey, Series 1, Fonds UNHCR 11.

⁹⁵ “Note on discussions with Mr. Idiz, Ankara, and Mr. Sirman of the Turkish Delegation in Geneva on 17 May 1966,” note for the file, June 7, 1966. 6.1.TUR – Protection – Turkey vol. 3, 1963 – 1970, Series 1, Fonds UNHCR 11.

⁹⁶ “New Arrivals in 1969,” Memorandum from H.H. Schindler, Representative in Turkey to UNHCR Headquarters, August 5, 1969; 201.TUR – Statistics – Turkey, Series 1, Fonds UNHCR 11.

UNHCR, lest their material aid be curtailed or rescinded. CRS would check on identity cards and occasionally spot a naturalization; however, the WCC office did not have sufficient staff and resources to do this.⁹⁷ Many refugees also failed to report to the Turkish police to register as Convention refugees after Turkey ratified the Convention in 1961. They feared making themselves known to police, and in many cases, they had means of supporting themselves and did not require state or UNHCR material assistance.⁹⁸

To improve the refugee system in Turkey, Representative Schindler first sought to centralize some of the activities of the NGOs under the branch office's umbrella. Delays in refugee recognition and resettlement was often due to lack of follow-up by the NGOs, particularly the WCC. It was toward these agencies that Schindler first turned his attention. A source of persistent frustration for Mr. Schindler in his efforts to institute a new process and clear the refugee backlog in Turkey was inefficiency in the WCC's handling of their refugee caseload. Several representatives had commented on the WCC's poor performance in relation to the efficiency of the Catholic Relief Services (CRS). Mr. Schindler took steps to address the issue head on.

Schindler had long been a proponent of improved statistical recording. Since 1966, he had been pushing Headquarters for the staff and funding to develop a new data collection system. In 1969, he finally got his wish. The global expansion of the UNHCR, which was accelerating under the new High Commissioner, Aga Khan, required increased funding, and to receive more money from donor countries, the UNHCR needed to provide accurate data on the state of the world's

⁹⁷ "Acquisition by refugees of the nationality of their country of residence," H.H. Schindler to UNHCR Headquarters, April 10, 1968; 6.12.TUR – Protection and Naturalization – Turkey 1968-1969, Series 1, Fonds UNHCR 11.

⁹⁸ "Individual Cases of Refugees of African Origin in European Countries," letter from H.H. Schindler to The High Commissioner, Attention Dr. P. Weis, November 21, 1966; 6.1.TUR – Protection – Turkey vol. 3, 1963 – 1970, Series 1, Fonds UNHCR 11.

refugee populations. In early 1969 Schindler received approval from Headquarters to finally clear the backlog of refugee cases. Given the ambiguous and decentralized system in Turkey, this was no small task. To begin, he first needed to centralize the collection, recording, and storage of refugee statistical data. To this end, Schindler launched an aggressive campaign to finally complete eligibility interviews for the more than a thousand cases of refugees who had arrived in Turkey before 1961. These interviews were on the initiative of UNHCR Headquarters, hosted on the WCC's property, conducted by Turkish police officers, and organized by the branch office, which also provided a typist and funding.⁹⁹

UNHCR's effort to regularize refugee procedures in Turkey not only entailed normalizing relationships with the government and NGOs, refugees themselves had to consent to the effort. The invitations that the UNHCR and WCC sent to refugees for their refugee status determination interview contained warnings:

For years you have been included in the refugee programme of the WCC. You are under the protection of the UNHCR. However, your and your family's safety and future depends on the decision by the Turkish Government to declare you a 1951 Geneva Convention refugee. The Turkish Government offers you a last opportunity to apply for the 1951 Geneva Convention status. Your residence permit, protection from deportation, your job, your business, social security benefits, your and your family's property rights, a 2 years passport for travel abroad, all this and more essentials depend on your application... The WCC and the UNHCR will help you in this last opportunity to regularize your residence in Turkey.¹⁰⁰

The push for interviews to clear the backlog of cases revealed further failings of the WCC. Schindler noted that of almost 200 letters mailed to mandate refugees, 94 were returned by the

⁹⁹ Interviews were hosted at WCC's Dostluk Evi property. "1951 Convention Status of Resident Case-load," memorandum from H.H. Schindler to the High Commissioner, attention Mr. A. Rorholt, April 27, 1967; 6.1.TUR – Protection – Turkey vol. 3, 1963 – 1970, Series 1, Fonds UNHCR 11.

¹⁰⁰ Underlined emphasis in original. "Eligibility Screening of old case-load in Istanbul," memorandum from H.H. Schindler to UNHCR Headquarters (including sample letter and translation draft), May 25, 1967; 6.1.TUR – Protection – Turkey vol. 3, 1963 – 1970, Series 1, Fonds UNHCR 11.

post office “with various remarks such as ‘died’, ‘left the country’, ‘left address – no new address known.’” As these letters were sent out by the WCC, Mr. Schindler noted that this lack of effective tracking showed WCC’s “rather poor control” of its refugee caseload.¹⁰¹ The situation was doubly embarrassing, considering that these missing refugees supposedly received clothing and food parcels from the voluntary agency. Through his new interviewing process, Mr. Schindler revealed that several refugees were also found with expired identity papers, an offense which could result in heavy fines from the Turkish authorities. Schindler again blamed the WCC “who by this neglect make [the refugees’] integration precarious.” It was in part his frustration with the inefficacy of the WCC that Schindler pushed to expand the UNHCR role in Turkey and centralize procedures within his office.¹⁰²

Mr. Schindler’s “who is a refugee in Turkey?” initiative achieved some success.¹⁰³ He reported that even refugees who had not received this letter appeared at WCC offices for interviews. Even refugees from provincial regions had presented themselves, illustrating that the Istanbul-based initiative was having a broader effect.¹⁰⁴ Schindler reported that the interrogations conducted by the Istanbul police “were made in a very polite and patient manner. My own and the

¹⁰¹ “1951 Convention: Applications for Eligibility in Istanbul,” memorandum from H.H. Schindler to UNHCR Headquarters, May 22, 1967; 6.1.TUR – Protection – Turkey vol. 3, 1963 – 1970, Series 1, Fonds UNHCR 11.

¹⁰² “1951 Convention: Applications for Eligibility in Istanbul,” memorandum from H.H. Schindler to UNHCR Headquarters, May 22, 1967; “1951 Convention: Applications for Eligibility in Istanbul,” memorandum from H.H. Schindler to UNHCR Headquarters, May 22, 1967; 6.1.TUR – Protection – Turkey vol. 3, 1963 – 1970, Series 1, Fonds UNHCR 11.

¹⁰³ Schindler’s statistical and backlog initiatives were overwhelmingly focused on Eastern European refugees in Turkey. While a handful of UNHCR-recognized refugees from Asia, Africa, or the Middle East (most often Iraq) were resettled from Turkey, in general, most refugees were from Bulgaria, Romania, Poland, Hungary, Albania, the CSSR, and Yugoslavia.

¹⁰⁴ “Eligibility Screening of old case-load in Istanbul,” memorandum from H.H. Schindler to UNHCR Headquarters (including sample letter and translation draft), May 25, 1967; 6.1.TUR – Protection – Turkey vol. 3, 1963 – 1970, Series 1, Fonds UNHCR 11.

presence of the UNHCR staff was essential to clear up misunderstandings, to provide data from our records, and to assist inarticulate and apprehensive refugees.”¹⁰⁵ In its observational capacity, the mere presence of a UNHCR official could improve the screening process. Within a few months of the beginning of his initiative, Schindler reported to headquarters that the backlog of Convention cases was finally cleared. However, the underlying issue of Turkey’s ambiguous and informal asylum procedures remained.

Once H.H. Schindler had brought some measure of formality to the relationships between UNHCR, the NGOs, and the Turkish authorities in 1969, his successors in the 1970s would turn their attention toward establishing a formal eligibility determination procedure as their primary goal. Their failure to achieve this goal had far-reaching effects in the following decades. By the end of his time in Ankara, Schindler had achieved modest successes in formalizing the refugee system in Turkey. He had negotiated a streamlining of the cumbersome procedure for approval of refugee eligibility in the Turkish government by cutting out two steps within the State Security Directorate. Through his negotiations with MFA and MOI officials, Schindler eliminated redundant consultations between specialized divisions within the directorate. The Istanbul First Division was no longer re-consulted by the 4th Division before travel documents were delivered to the NGOs. More significantly, by 1969, the Ankara Seventh Division of the Directorate had sole authority for deciding on Convention status and the authorization of the CTD. This Seventh Division was the “immediate and daily partner” of the UNHCR branch office within the General

¹⁰⁵ “Eligibility Screening of Old Caseload,” memorandum from H.H. Schindler to UNHCR Headquarters, June 12, 1967; 6.1.TUR – Protection – Turkey vol. 3, 1963 – 1970, Series 1, Fonds UNHCR 11.

Directorate. The Fourth Division, which was in charge of passports for Turkish nationals and aliens, was removed from this process (though still notified of decisions).¹⁰⁶

Turkey's main concern, and the reason it has always maintained the geographic restriction was its fear of a sudden influx of refugees from the Middle East. The branch office employed several tactics in its efforts to introduce an eligibility determination procedure that met international standards. Perhaps the most important tactic utilized by the branch office was the circulation of informational material produced by Headquarters. Providing information that unfavorably compared Turkey's asylum system to those in Western Europe was a common tactic. One pamphlet that the branch office provided to the Turkish MFA on the refugee situations in Africa allowed the branch office to raise again the issues surrounding Turkey's geographic limitation. Schindler "made it a special point of entertaining the authorities on the new aspects of the more universal refugee problems," and Turkey's role in addressing these crises.¹⁰⁷ To this effect, the discussions between Schindler and MFA staff centered on Recommendation E of the 1951 Convention in the wake of more pointed inquiries made by Headquarters into Turkey's refugee policy. Recommendation E stated the hope of the conference that the 1951 Convention would "have value as an example exceeding its contractual scope and that all nations will be guided by it in granting so far as possible to persons in their territory as refugees and who would not be covered by the terms of the Convention, the treatment for which it provides."¹⁰⁸ Unsurprisingly,

¹⁰⁶ "Turkey: Convention Travel Documents," memorandum from H.H. Schindler to UNHCR Headquarters, March 10, 1969. 6.2.TUR – Protection – Travel Documents – Turkey, Series 1, Fonds UNHCR 11.

¹⁰⁷ "Individual Cases of Refugees of African Origin in European Countries," letter from H.H. Schindler, Representative in Turkey to The High Commissioner, Attention Dr. P. Weis, November 21, 1966; 6.1.TUR – Protection – Turkey vol. 3, 1963 – 1970, Series 1, Fonds UNHCR 11.

¹⁰⁸ UNHCR, 1951 Convention *and Protocol Relating to the Status of Refugees*, <http://www.unhcr.org/en-us/3b66c2aa10> [accessed May 1, 2018].

these early forays were unsuccessful. Schindler wrote that “no change may be reported in respect of the geographic limitation to events ‘in Europe.’ Government’s concern does not refer to Africa but to complications and/or unmanageable influx as a consequence of events in the Middle East.”

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Schindler worked at all levels of the Turkish government to provide education on the principles of refugee protection, asylum law, and non-refoulment. Kemal Kirişci has written on the success of UNHCR educational campaigns in Turkey in the 1990s and early 2000s.¹¹⁰ But these sorts of campaigns have predecessors in Turkey. In the first such effort, Necdet Kahraman, Director of General Directorate of Security, was invited to visit UNHCR Headquarters in Geneva for a “study tour” on the international protection of refugees, paid for by the High Commissioner’s office. These sorts of educational/informational exchanges later became an important aspect of UNHCR’s efforts. By the late 1990s, the UNHCR was providing widespread workshops at the central and provincial levels in Turkey. This tour by Kahraman was the first.¹¹¹

¹⁰⁹ “Individual Cases of Refugees of African Origin in European Countries,” letter from H.H. Schindler, Representative in Turkey to The High Commissioner, Attention Dr. P. Weis, November 21, 1966; 6.1.TUR – Protection – Turkey vol. 3, 1963 – 1970, Series 1, Fonds UNHCR 11.

¹¹⁰ Kemal Kirişci, “Is Turkey Lifting the Geographical Limitation?—The November 1994 Regulation on Asylum in Turkey,” *International Journal of Refugee Law*, vol. 8, no. 3 (1996): 293-318; and Kemal Kirişci, “Turkish Asylum Policy and Human Rights,” in *Human Rights in Turkey*, ed. Zehra F. Kabasakal Arat (Philadelphia: University of Pennsylvania Press, 2007).

¹¹¹ “Individual Cases of Refugees of African Origin in European Countries,” letter from H.H. Schindler, Representative in Turkey to The High Commissioner, Attention Dr. P. Weis, November 21, 1966; 6.1.TUR – Protection – Turkey vol. 3, 1963 – 1970, Series 1, Fonds UNHCR 11.

2.7 CONCLUSION

In December 1969 H.H. Schindler departed Turkey for a new post. His time in Ankara had achieved some remarkable advancements. The arrival of a branch office and the work of several representatives during the 1960s established UNHCR's authority and ability to act as a central organizing force for refugee issues. Schindler's incremental progress toward centralizing some administrative authority under the UNHCR was an important step. Accurate—or at least consistent—statistical data shared between the UNHCR, NGOs, and the Turkish authorities was critical to refugee protection. The UNHCR could not effectively advocate for refugees if it did not know who they were, where they were, or how many lived in Turkey. On a more personal level, at least one refugee wrote directly to Schindler to thank him for his efforts, which were “decisive” in his ability to purchase and own the house he lived in with his family. Schindler's breakthroughs included big-picture issues like statistical collection, but he also paid careful attention to issues affecting the lives and livelihoods of refugees.

Despite these successes, for the branch office in Ankara, the next decade would still be typified by marginalization by the Turkish authorities and frustration in its efforts to clarify perennially ambiguous Turkish asylum policies. An increased global population of asylum seekers during 1969 and 1970 drove intensified efforts to coordinate international cooperation between voluntary agencies, governments, resettlement missions, ICEM, USRP, and UNHCR to improve the promotion of resettlement. These efforts by Headquarters had been quite successful, “with the exception of Turkey, where a relatively high number of refugees have accumulated as of 31 December 1970.” This situation was due to “special circumstances,” including an increase in Bulgarian refugees of Turkish ethnic origin, poor employment conditions that hindered local integration, and the lack of a Swedish resettlement mission starting in 1969. As a result of these

factors, particularly the closing of the Swedish pipeline, the UNHCR, USRP, and ICMC coordinated to arrange a system whereby refugees from Turkey could be transferred to Italy for resettlement processing to the United States.¹¹² However, this additional stop in a refugee's journey toward resettlement often only increased anxiety.

Further examples given by Atila Farkas of the waiting periods experienced by refugees in Turkey in the early 1970s helps demonstrate the concrete impacts of Turkey's informal and decentralized refugee system: Eugene Szalontai, his wife, and daughter arrived in Istanbul in June 1971. Immediately upon their arrival, the Hungarian family applied for resettlement in Canada. They would remain in Istanbul for nearly twelve months as they awaited a "report of good character" from the Turkish police, which "disappeared" in the mail between Istanbul and Beirut, where the Canadian resettlement mission was located. The disappearance delayed their emigration by six months. Arpad Baba, a Hungarian, his wife, and their one-year-old child arrived in Istanbul on the 14th of October, 1971. Within three weeks they had completed their applications and received visas for Rome (from where they would be processed for emigration to the United States) by the 10th of January, 1972. Unfortunately for Mr. Baba, he was informed in June that his family's passports had also "disappeared" in the mail between Ankara and Istanbul. The Baba family would wait another four months until their passports arrived and they were sent to Rome on the 8th of September, 1972. After eleven months of waiting in Istanbul, the family would have to wait another six to eleven months in Rome for their American visas. Marton Dombi, another Hungarian, also arrived on October 14, 1971. To increase his chances and expedite his emigration, he applied

¹¹² Letter from Warren A. Pinegar, Director, Americas and Europe Division, UHCR to Dr. T. Stark, ICMC, April 2, 1971; 4.45 – Voluntary Agencies – International Catholic Migration Commission – 1967 – 1971 [7], Series 1, Fonds UNHCR 11; and "Greece, Turkey, Yugoslavia – ICVA Meeting, 14 May 1969," Memorandum from J.J. Kadosa to High Commissioner, May 12, 1969; 201.TUR – Statistics – Turkey, Series 1, Fonds UNHCR 11.

for resettlement in both Australia and Canada. For him, the process went smoothly, and he had met with and been approved by the Australian immigration office by February 1972. His emigration was repeatedly delayed, however, by the ICMC's insistence that the Istanbul-Athens-Melbourne line was filled due to the Olympic games, and they could not buy his plane ticket. He was forced to wait until the October 24th, 1972 to depart for his new home, spending over a year in the "camp."

Though the branch office had failed to fix all inefficiencies in Turkey by 1969, it had done much to insert itself as an organizing force on a convoluted system. Turkish asylum policies were cobbled together between the MOI's General Directorate of State Security, the MFA's third department, local police departments, the gendarmerie, governor's offices, and several other departments dealing with criminal and immigration controls, including the military. The UNHCR could do little to reform the inner workings of the Turkish government; however, the mere presence of a UNHCR office at least centralized correspondence coming out of the government. The UNHCR could act as intermediary and coordinator between the Turkish government and NGOs. Moreover, the UNHCR centralized many functions of those NGOs, helping to decrease inefficiencies in information sharing and increase their capacity to serve refugees. The 1960s and 70s may have seen few refugees transiting through Turkey relative to the decades which followed; however, the patterns and policies which caused so much frustration to refugees and those organizations charged with their protection were established during these early years. But the UNHCR also laid the foundations of a system which could respond to the inefficiencies and informality of the Turkish system. Indeed, it is thanks to the efforts by the UNHCR to establish cooperation among a variety of state and non-state stakeholders and work to streamline some of

the Turkish eligibility determination procedures in the 1960s and 1970s that the organization was not overwhelmed by the influxes of the 1980s.

3.0 DETOURS: INSTITUTIONAL CONFUSION IN THE 1970S

In 1971 Charles Mace, the United Nations Deputy High Commissioner for Refugees (UNHCR), spoke at the International Catholic Migration Commission's (ICMC) twentieth anniversary commemoration in Rome. He commented that the "chance of a new and happier life," through the refugee resettlement work of ICMC represented "fulfillment of countless peoples' human rights, and indeed, birth rights." He went on to describe the 1951 Convention *Relating to the Status of Refugees* as the "Magna Charta of refugees which codifies their rights...and has become the platform which enables the High Commissioner to extend protection to refugees." Mace argued that, while his office had, by necessity, to keep in mind large groups of refugees, the work of ICMC's "warm, individual, direct contact with refugees," was a vital part of the global regime.¹ Mace was presenting refugee rights as human rights and as individual rights, reflecting the rhetoric of High Commissioner Aga Khan (1965-1978) and of the international human rights movement. His speech was part of a larger turn in UNHCR's rhetoric toward framing refugee issues as human suffering rather than broad humanitarian obligations held by states.²

¹ "Migration Facts Figures: Statistical Supplement to the International Catholic Migration Commission's Magazine," No. 82, (November-December 1971); 410 – ICMC – Non-Governmental Organizations – International Catholic Migration Commission vol. 2 – 1971-1973; Series 2, Classified Subject Files; Fonds 11, Records of the Central Registry; Archives of the United Nations High Commissioner for Refugees (hereafter Series 2, Fonds UNHCR 11).

² Anne Hammerstad, *The Rise and Decline of a Global Security Actor: UNHCR, Refugee Protection, and Security* (Oxford: Oxford University Press, 2014), 100-101.

Mace's speech was part of a more general transition within the leadership of the UNHCR toward embracing the language of human rights and relying more on their NGO partners. His speech was a sign of things to come. Over the next decades, the UNHCR would come to rely on its NGO partners to carry out many of its critical functions. Under High Commissioner Sadruddin Aga Khan (1965-1977), to whom Charles Mace served as deputy, the UNHCR also spread its reach across the globe, enjoying a golden age of international prestige. Yet, at the same time the High Commissioner presented himself as a global champion of human rights, the UNHCR as an institution clung to its apolitical mantle. These two factors—reliance on NGOs and conflicting messaging from Headquarters—hampered the UNHCR's branch office in Turkey as the staff there attempted to respond to rapidly changing circumstances in Turkey. Then, with a remarkable lack of foresight (and despite the repeated objections of his executive staff) the High Commissioner downgraded his office in Turkey. Aga Khan weakened his office in Ankara at the very moment that the UNHCR was expanding globally, emerging as a truly global force and one of the world's foremost humanitarian agencies. This chapter argues that institutional confusion and the downgrading of the Ankara branch office left the office unprepared for the changing nature of refugee migration through Turkey in the late 1970s and early 1980s. In response, the UNHCR was forced to develop new strategies that relied on the participation of NGOs, thereby drawing a more diverse set of actors into the global refugee system in Turkey.

3.1 INTERCHANGE: THE MANY FACES OF UNHCR

Aga Khan's UNHCR expanded its rhetoric to suit its expanding operations; however, the shifts in its rhetoric produced confusion on the ground. UNHCR's official discourse in the 1970s was based

on the “core concepts” that the agency was to remain “non-political” and “non-operational.”³ The non-political prescription of the UNHCR’s Statute remained “the chart and compass for its navigation toward becoming an agency with a truly global, rather than European, scope.”⁴ However, the agency’s non-political identity was increasingly at odds with Aga Khan’s aspirations for the UNHCR and with the rhetoric he espoused on the international stage. Aga Khan was a vocal proponent of human rights, and in his speeches as High Commissioner, the theme of individual human rights grew stronger and stronger over the course of the 1970s.⁵ But as early as 1968, the UN’s International Year for Human Rights and the year of the 1968 International Conference on Human Rights in Tehran, Aga Khan framed refugee issues in human rights language for audiences including the UN General Assembly, governmental representatives, and non-governmental organizations.⁶ As the international bureaucracy of the UNHCR charted a course that was non-operational and non-political, and which did not engage strongly in human rights discourse, its high commissioner and its partner organizations were beginning to emphasize

³ Hammerstad, *The Rise and Decline of a Global Security Actor*, 100-101.

⁴ Hammerstad, *The Rise and Decline of a Global Security Actor*, 101.

⁵ For examples, see: UNHCR, “Statement by Prince Sadruddin Aga Khan, United Nations High Commissioner for Refugees, to the Third Committee of the United Nations General Assembly,” 14 November 1977, <http://www.unhcr.org/en-us/admin/hcspeeches/3ae68fc90/statement-prince-sadruddin-aga-khan-united-nations-high-commissioner-refugees.html> [accessed May 8, 2018]; and UNHCR “Statement by Prince Sadruddin Aga Khan, United Nations High Commissioner for Refugees, to the Third Committee of the United Nations General Assembly,” 15 November 1976, <http://www.unhcr.org/en-us/admin/hcspeeches/3ae68fd10/statement-prince-sadruddin-aga-khan-united-nations-high-commissioner-refugees.html> [accessed May 8, 2018].

⁶ UNHCR, “Opening Statement by Prince Sadruddin Aga Khan, United Nations High Commissioner for Refugees, to the Conference of UNHCR Representatives held in Geneva from 14-17 May 1968,” May 14, 1968, <http://www.unhcr.org/en-us/admin/hcspeeches/3ae68fb524/opening-statement-prince-sadruddin-aga-khan-united-nations-high-commissioner.html> [accessed May 8, 2018]; and UNHCR, “Address by Prince Sadruddin Aga Khan, United Nations High Commissioner for Refugees, to the International Conference on Human Rights, Teheran,” 25 April 1968, <http://www.unhcr.org/en-us/admin/hcspeeches/3ae68fb210/address-prince-sadruddin-aga-khan-united-nations-high-commissioner-refugees.html> [accessed May 8, 2018]; and Sadruddin Aga Khan, “What Remains to be done to Further Refugees’ Human Rights?,” *Migration News*, Issue 5 (September-October 1968): 4-7.

refugee rights as human rights and highlight the human suffering caused by displacement.⁷ It was up to UNHCR country representatives at branch offices like the one in Ankara to unravel this discursive knot and chart a course in these countervailing currents without running aground on the idiosyncrasies of their local environments.

Aga Khan and his Headquarters staff struggled to define a consistent role for the UNHCR in the protection and assistance of refugees and for its role in the international system. The organization attempted to strike a balance between forceful humanitarian advocate and cautious, apolitical partner of national governments. As discussed in chapter one, Aga Khan's work as high commissioner was very much a product of and an influence on the transformation of the international human rights movement in the 1970s. His tenure saw a shift in UNHCR's rhetoric, from a language of norms based in international law and treaties toward the burgeoning of a new concern with human rights, based on the rights of refugees as individuals. At the level of the Ankara branch office, the representatives in Turkey during the 1970s struggled to reconcile these two prevailing discursive winds from Geneva—that of a cautious international organization

⁷ The UNHCR attempted to remain non-political—addressing the effects not the causes of refugee flight—because it desired to act as a mediator between states. It was a fine line to walk, as criticizing a state too strongly could backfire when, in a future refugee crisis, the UNHCR needed the cooperation of that state. The UNHCR had to repeatedly navigate such tricky situations in Eastern Europe, assuring a place for asylum-seekers and keeping open the chances for repatriation, even while the UNHCR resettled tens of thousands of refugees from those countries to the West. This was not unique to Eastern Europe; in Africa, the UNHCR repeatedly found itself assisting refugees fleeing a country while also having to cooperate with the government of that country to assist other refugees living in the country. Moreover, UNHCR cooperated with the Castro regime in Cuba to resettle refugees from South America. Such pragmatism has become a feature of the United Nations as a whole. While the General Assembly may release grand humanitarian proclamations, international politics and disagreements in the Security Council have often hamstrung the organization. However, like the UNHCR, which was at times able to shed its image as a foreign policy tool of the United States during the Cold War, the United Nations has adapted to changes in international power politics to carve out roles for its agencies to deliver humanitarian aid, intervene militarily in conflicts, and act as observer and critique of states' human rights violations. Jérôme Elie, "The UNHCR and the Cold War: a Documented Reflection on the UN Refugee Agency's Activities in the Bipolar Context," A working-paper of "The UNHCR and the Global Cold War, 1971-1984," June 2007; also see: Jussi M. Hanhimäki, *The United Nations: A Very Short Introduction* (Oxford: Oxford University Press, 2015); Paul Kennedy, *The Parliament of Man: The Past, Present, and Future of the United Nations* (New York: Random House, 2006); and Akira Iriye, *Global Community: The Role of International Organizations in the Making of the Contemporary World* (Berkeley: University of California Press, 2002).

focused on incremental progress and that of emotional, ambitious champion of the long-suffering refugee.

One indication of an institutional shift within the UNHCR was the increasing rate at which human rights language appeared in official UNHCR publications and public statements. At the start of the 1970s, the UNHCR remained mainly concerned with its traditional focus on international treaties throughout the 1970s. But as the decade progressed, the UNHCR made protecting refugees a moral, in addition to a legal, obligation “toward individual human beings.” The official publications of the agency became “increasingly emotive and personal, emphasizing the great suffering and tragedy caused when refugees do not receive adequate protection.”⁸ UNHCR was working to replace the idea that refugee protection was “only an abstract legal contract between states” with the understanding that governments were legally and morally bound to protect and assist displaced people. The UNHCR’s use of this language in its official publication was generally “cautious and usually limited to the right to seek asylum.”⁹ In Aga Khan’s public speeches, however, his use of human rights language was more ambitious. In particular, Aga Khan’s “What remains to be Done for Refugees’ Human Rights,” penned by the High Commissioner for ICMC’s *Migration News* in 1968, just three years into his twelve-year term, sets out ambitious goals for the 1970s. In the wake of the 1968 Tehran conference on human rights, Aga Khan emphasized the right to asylum and also argued for the “right to full status of refugees,” “right to naturalization,” “right to adequate material assistance,” “right to family reunion,” and “right to return freely to the country of origin.”¹⁰ Aga Khan had global ambitions for the UNHCR,

⁸ Hammerstad, *The Rise and Decline of a Global Security Actor*, 102.

⁹ Ibid.

¹⁰ Sadruddin Aga Khan, “What Remains to be done to Further Refugees’ Human Rights?,” *Migration News*, Issue 5 (September-October 1968): 4-7.

and his public statements and writing demonstrate that he held grand ambitions for expanding UNHCR's interests beyond simply guaranteeing the right to asylum; he was framing the argument for providing a broader range of protection and assistance to the world's displaced persons. Despite the ambitions of their high commissioner, the Headquarters staff of the UNHCR in Geneva clung to "the image of a cautious, timid and limited agency."¹¹ Their effort to retain this veneer perhaps helps to explain why in 1975—against the advice of successive representatives in Ankara, against the wishes of the Turkish government, and against the counsel of several long-serving Headquarters staff—High Commissioner Aga Khan decided to downgrade the Ankara branch office, removing a permanent UNHCR representative from Turkey.

In the 1970s, there was a persistent tension within Headquarters and between Headquarters and the branch office regarding the nature of UNHCR's work in Turkey. On the one hand, there were a relatively small number of refugees applying for official refugee recognition in Turkey. On the other hand, numerous Headquarters and branch office staffers recognized that Turkey was a crucial point in the global movement of people, which could very easily become a crisis point in the event of a massive exodus of refugees from the Middle East and Africa.¹² Since most refugees seeking asylum in Turkey during the 1960s and 1970s came from Europe, UNHCR officials did not frequently raise the issue of the geographic limitation. Instead, their efforts focused on establishing a "refugee eligibility determination" procedure and increasing cooperation between the Turkish Authorities and the branch office. At the end of the 1970s, a weakened Ankara branch office was faced with a diversifying caseload of refugees, some of whom were now coming from

¹¹ Hammerstad, *The Rise and Decline of a Global Security Actor*, 103.

¹² "Eligibility procedure in Turkey," memorandum from J.J. Kadosa to Mr. Warren A. Pinegar, April 12, 1972; 632.TUR – Protection – Eligibility Statistics – Turkey – 1965-1984; Series 2, Fonds UNHCR 11.

Asia, Africa, and the Middle East. In part because the UNHCR presence had decreased and the economic situation in Turkey had grown dire, refoulement—the forcible return of a refugee to their country of origin—emerged as an important issue in Turkey for the first time in the late 1970s.

Lacking a resident representative after 1975, the lines of communication between Geneva and Ankara were critically delayed. UNHCR’s observational function was essentially crippled. The High Commissioner and his representative in Ankara were forced to rely on the observational capacities of non-governmental organizations like the International Catholic Migration Commission (ICMC). The cautious incrementalism of the 1970s strengthened the UNHCR reliance on NGOs in a time of an increasingly diversified refugee caseload. This reliance would be extended to human rights organizations as, in later decades, the UNHCR increasingly relied on groups like Amnesty International for critical human rights reporting. For refugees transiting through Turkey, Turkey’s economic situation made many refugees reliant on governmental assistance. The poor economic situation in Turkey often made the Turkish government unable or unwilling to foot the bill for refugees. As a result, the welfare of refugees often depended almost entirely on non-governmental actors, particularly the International Catholic Migration Commission (ICMC).

3.2 PARALLEL LANES: THE UNHCR AND THE ICMC

The UNHCR has been collaborating with NGOs since the 1950s but, in the 1970s, the agency began relying on NGOs to carry out the expanding role and global reach of Aga Khan’s UNHCR. This was no less true in Turkey, where the International Catholic Migration Commission (ICMC), Catholic Relief Services (CRS), and the World Council of Churches (WCC) had all operated for

years before the UNHCR established its branch office in 1960s. The UNHCR, at least in its public discourse, seems to have treated its NGO partners as equals in its dealings with national governments. One UNHCR *Report* stated that NGO implementing agencies worked in a “*tripartite* relationship with UNHCR” and national governments.¹³ Despite these public statements, in practice, the branch office’s correspondence reveals that UNHCR officials coordinated the initiatives of their NGO partners in local contexts. In Turkey, NGOs were instrumental in UNHCR’s efforts, but they were also reliant on the branch office as a source of legitimacy and funding.

During the 1970s the UNHCR’s relationships with its main NGO partners changed, and the Ankara branch office prioritized the ICMC as its main partner. The ICMC is a large religious NGO that coordinates affiliated offices and staff in over fifty countries, committed to serving the needs of uprooted people of any creed.¹⁴ In 1969 Catholic Relief Services (CRS), which had—along with the World Council of Churches (WCC)—been acting as UNHCR’s operational partners in Turkey, withdrew its activities in Turkey. An ICMC office was subsequently established in Turkey under the auspices of CRS to administer an American governmental program to distribute food and clothing to refugees from communism; conduct resettlement programs on behalf of the American, Canadian, Australian, New Zealand, and Scandinavian governments; and to “assist the Turkish Government in identifying refugees from the Eastern bloc countries and facilitate the recognition of their refugee status in the country and the provision of temporary residence at a

¹³ UN General Assembly, “Report of the United Nations High Commissioner for Refugees, A/8412, January 1, 1972, <http://www.unhcr.org/en-us/excom/unhcrannual/3ae68c7e8/report-united-nations-high-commissioner-refugees.html> [accessed May 4, 2018].

¹⁴ “ICMC Introduction,” ICMC internal document, January 2007. Provided to author by Metin Çorabatır, President, İltica ve Göç Araştırma Merkezi (İGAM); and ICMC, “About Us,” International Catholic Migration Commission website, <https://www.icmc.net/about-us> [accessed May 3, 2018].

refugee center in the Istanbul area.”¹⁵ A globally active non-governmental organization, ICMC was founded in 1951 through the collaboration of German, Italian, and American laity and clergy. Its early work focused on the administration of travel loan funds for migrants and refugees. ICMC’s internal history cites the proliferation of forced migration events in Vietnam, Cambodia, Afghanistan, and Ethiopia for the organization’s evolution to assist, not only the resettlement of European refugees, but also refugee groups from Asia, the Middle East, Africa, and Latin America beginning in the 1970s. To achieve these ends, the “ICMC advocates on behalf of uprooted people at international and national levels...ICMC maintains contacts with UN agencies, other inter-governmental bodies and national governments in order to influence policy...decisions that affect uprooted people.”¹⁶

ICMC’s efforts were critical to UNHCR’s mission not only in Turkey, but around the globe. By 1971 the ICMC had a global network of Liaison Offices (of which there were only two, in Istanbul and Cairo), Affiliated Organizations, and Correspondents, stationed in 45 countries on every continent. ICMC guided refugees “from the time of his arrival in a country of first asylum to his country of ultimate resettlement.” UNHCR was in constant contact with ICMC’s global network. The Deputy High Commissioner, Charles Mace, commented that “hardly a day goes by without my Office and its representatives in Europe, in Africa, in Asia, in Australasia and...the Americas, being in touch with the representatives of the ICMC and its affiliates.”¹⁷ UNHCR

¹⁵ “ICMC Introduction,” ICMC internal document, January 2007. Provided to author by Metin Çorabatır, President, İltica ve Göç Araştırma Merkezi (İGAM).

¹⁶ “ICMC Introduction,” ICMC internal document, January 2007. Provided to author by Metin Çorabatır, President, İltica ve Göç Araştırma Merkezi (İGAM).

¹⁷ “Migration Facts Figures: Statistical Supplement to the International Catholic Migration Commission’s Magazine,” No. 82, (November-December 1971); 410 – ICMC – Non-Governmental Organizations – International Catholic Migration Commission vol. 2 – 1971-1973; Series 2, Fonds UNHCR 11.

considered the work of ICMC “indispensable” in its role facilitating resettlement solutions, especially in the United States, where the Catholic organization had a particularly successful record of establishing sponsorships for refugees.¹⁸

In Turkey, the UNHCR relied on the ICMC liaison office in Istanbul to fulfill its basic functions. ICMC Istanbul was a tiny operation, run by a married couple, Viviane and André Dumezic. They employed a clerk, Hasan Mazar, while Viviane served as refugee counsellor, and André as accountant.¹⁹ Soon after its establishment under the auspices of the Catholic Relief Services in 1969, this tiny ICMC office was asked to shoulder the burden of Turkey’s resettlement caseload. In 1971 and 1972, the WCC began scaling back its activities in Turkey and transferred its caseload of refugees and some of its property to ICMC.²⁰ The WCC closed its office effective January 1, 1972. “All activities for UNHCR refugees” were then handed over to the ICMC Istanbul office. From 1972 on, ICMC conducted all new refugee resettlement registrations. The office was now the point organization for resettlement of all refugees in the country “irrespective of religion, nationality, etc.”²¹ As the branch office was weakened over the 1970s and refugee demographics started to change, the ICMC was forced to take on more of the burden formerly shouldered by the UNHCR.

¹⁸ “Note on the migration activities of ICMC and its affiliated agencies,” note for the file, September 23, 1971; 410 – ICMC – Non-Governmental Organizations – International Catholic Migration Commission vol. 2 – 1971-1973; Series 2, Fonds UNHCR 11.

¹⁹ Letter from Dr. T. Stark, Secretary General, ICMC to Mr. Gilbert Jaeger, Director of Assistance, UNHCR, April 7, 1976; 410 – ICMC – Non-Governmental Organizations – International Catholic Migration Commission vol. 4 – 1975-1977; Series 2, Fonds UNHCR 11.

²⁰ “Visit to Ankara of Miss Winkler, ICMC,” memorandum from Representative in Turkey to UNHCR Headquarters, December 1, 1971. 410 – ICMC – Non-Governmental Organizations – International Catholic Migration Commission vol. 2 – 1971-1973; Series 2, Fonds UNHCR 11.

²¹ “Handover of UNHCR property between WCC and ICMC,” letter from J.J. Kadosa to Mr. J.R. Conway, June 27, 1972; 410 – ICMC – Non-Governmental Organizations – International Catholic Migration Commission vol. 2 – 1971-1973; Series 2, Fonds UNHCR 11.

The UNHCR and its NGO partners in Turkey were mutually dependent. As discussed in the previous chapter, ICMC, like the WCC, was not officially accredited in Turkey, and was “only tolerated” by the Turkish authorities because the UNHCR insisted on the importance of ICMC’s work. The informal nature of NGOs’ status in Turkey meant that the UNHCR representative in Turkey had to “intervene directly at all instances, even for purely routine matters, not only in the field of international protection but also in all other fields of activities related with the settlement of refugees’ problems.”²² UNHCR depended on NGOs like ICMC to facilitate resettlement, particularly to the United States. These agencies carried out a great deal of the day-to-day issues involved with protection, assistance, and resettlement, for which the branch office lacked sufficient staff. In their turn, NGOs relied on the branch office for official status in the country and for international funding of their assistance and resettlement projects.²³ The increasing weight placed on NGOs over the 1970s was exacerbated by the branch office’s evolving priorities in the early 1970s and then by the downgrading of the office in 1975.

3.3 REROUTING: INSTITUTIONAL CONFUSION AND ADAPTATION AT THE BRANCH OFFICE

High Commissioner Aga Khan’s global ambitions for the UNHCR affected how his appointees interpreted their roles in Turkey. At the close of 1969, Aga Khan wrote to the Turkish Minister of

²² Report on Activities of the UNHCR B.O. in Turkey for 1973, sent from Representative in Turkey to UNHCR Headquarters, January 25, 1974; 110-TUR Programing – Turkey vol. 1 – 1973-1975; Series 2, Fonds UNHCR 11.

²³ Note for the File, August 5, 1975. 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

Foreign Affairs to notify him that H.H. Schindler would be transferred from his post in Ankara to a new assignment in Austria. In his place, Klaus Feldmann would serve as Representative from January 1970 to March 1971. Mr. Feldmann had worked with UNHCR since 1964, serving in Bonn, Vienna, Geneva, and Zambia. His tenure as representative in Turkey was brief and somewhat uneventful. Far more influential was Roger Reynes, the longest-serving UNHCR Representative for Turkey. Reynes was appointed in March 1971, the same month as the second Turkish military coup.²⁴ His time as representative was typified by a cautious incrementalism as he sought to define UNHCR's role in Turkey and to address the problems he encountered. Reynes struggled for nearly five years to bring the Turkish refugee eligibility determination procedures in line with international norms. Despite his cordial relationship with and uncommon access to the Turkish Ministry of the Interior (MOI) and Ministry of Foreign Affairs (MFA), Representative Reynes's time in Ankara would also be marked by his ultimate failure to achieve lasting change.²⁵ As discussed in the previous chapter, in the first decade of its existence, the UNHCR branch office in Ankara was several steps removed from the Turkish refugee eligibility determination procedure. Despite the relative weakness of his office, in 1971 Representative Reynes sought to increase UNHCR's role in the Turkish "refugee eligibility determination procedure"—the process by which the Turkish government made the initial determination on whether to allow an asylum seeker to enter Turkey and apply for official refugee status from the UNHCR. He did not have much to

²⁴ Roger Reynes, who was 52 at the time of his appointment to the post in Ankara, had served under the High Commissioner since 1961. A French national, he spent five years as a prisoner of war during the Second World War. He served as Chief of the UNHCR sub-delegation in Nuremburg from 1961 to 1964; the Chief of the sub-delegation to Trieste from 1964 to 1969; and as Deputy Representative for the UNHCR office in Kinshasa from 1969 to 1971. Letter from Charles H. Mace, Deputy High Commissioner, to Turkish Minister of Foreign Affairs, March 10, 1971; 203.TUR – Privileges, Immunities and Accreditations – Turkey 1969-1981; Series 2, Fonds UNHCR 11.

²⁵ Letter from J. Heidler, Chief, Division of Administration and Finance, UNHCR, to Turkish Minister of Foreign Affairs, November 5, 1969; 203.TUR – Privileges, Immunities and Accreditations – Turkey 1969-1981; Series 2, Fonds UNHCR 11.

bargain with, but he did have access to two resources the Turkish government very much valued: international funding and access to the refugee resettlement pipeline of Western states. Representative Reynes used these resources as leverage in his dealings with the Turkish authorities. UNHCR held the purse strings and controlled the pipelines that enabled refugee assistance and resettlement from Turkey.²⁶

Reynes's early efforts at leveraging UNHCR's funding and international connections to insert his office into Turkish policy had some success. The Ministry of Foreign Affairs (MFA) advocated Reynes's case to the Ministry of the Interior (MOI), and there was some initial interest from the MOI in Reynes's suggestions for improving their eligibility determination process. The MFA showed a "vivid" interest in the role played by UNHCR branch offices in European countries. As a result of these positive signals, Headquarters granted Reynes permission to submit concrete proposals via an aide-memoire to the Turkish authorities. This step was one that Reynes had suggested months earlier, but which Headquarters recommended he delay and instead issue his suggestions face-to-face before putting them in writing.²⁷ The reluctance to put anything formal in writing is indicative of the cautious incrementalism advocated by Headquarters, overly concerned about alienating the Turkish government. The aide-memoire became the centerpiece of Reynes's push for improved cooperation between UNHCR and the Turkish authorities.

Reynes concluded that the branch office needed to work for closer cooperation with the Turkish authorities after the Turkish authorities began to restrict their formerly liberal acceptance

²⁶ Letter from Roger Reynes, Ankara BO Representative to Mr. A. Asım Akyamaç, Director General of the Department of United Nations, Turkish Ministry of Foreign Affairs, September 14, 1971; 600.TUR Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

²⁷ Memorandum from Representative in Turkey to UNHCR HQ, "Bulgarian refugees of Turkish ethnic origin in Turkey," September 17, 1971; 600.TUR Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

of Bulgarian refugees. Headquarters, however, felt the situation was less urgent. Citing the relatively small number of Bulgarians requesting official refugee status (around 200 in 1971) and due to the “special situation” of the branch office in Turkey, Headquarters instructed Representative Reynes to proceed with “the utmost caution” in addressing this issue with the Turkish authorities.²⁸ But as the Turkish authorities began to pressure Bulgarians stuck in Turkey to emigrate, Reynes observed that, “in the opinion of the public as well as the competent authorities, the terms refugee and emigrant are synonym.”²⁹ Reynes accused the Turkish authorities of changing immigrants’ status to refugees solely for the purpose of forcing them to leave Turkey.³⁰ The confluence of a worsening economy, a military coup, and a sharp increase in the number of Eastern Europeans traveling to Turkey complicated Reynes’s first year in office.

Representative Reynes found himself running an office in crisis. The Turkish economy was in shambles; the country had just suffered its second military coup in a decade; the goodwill of the new Turkish government toward refugees was strained by its lack of resources and a new migration of tens of thousands of Bulgarian Turks; and the Turkish authorities were beginning to take advantage of UNHCR’s goodwill, essentially creating refugees by force. It was clear to Reynes, and to some at Headquarters, that the branch office needed to find some way to increase their role in Turkey’s refugee eligibility determination process to prevent future abuses. Reynes’s initial

²⁸ “Note on the Situation of Various Groups of Refugees in Turkey,” Draft of Aide-Memoire from Representative in Turkey to UNHCR Headquarters, September 24, 1971; 600.TUR – Protection and General Legal Matters vol 1 – 1971-1981; Series 2, Fonds UNHCR 11.

²⁹ “Bulgarian refugees of Turkish ethnic origin (Moslems) in Turkey,” memorandum from Representative in Turkey to UNHCR Headquarters, February 2, 1971; TUR.BUL – Refugee Situations – Refugees from Bulgaria in Turkey – , Series 1, Fonds UNHCR 11.

³⁰ Representative in Turkey to UNHCR HQ, “Bulgarian refugees of Turkish ethnic origin (Moslems) in Turkey, February 2, 1971; 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

tactic was to confront the problem head-on, adopting a more aggressive tone with the Ministry of Foreign Affairs and pushing aggressively for formal cooperation. He advocated using examples of European eligibility determination processes and asylum policies in order to embarrass the Turkish government into bringing their cooperation with UNHCR in line with those in Western Europe. This aggressive approach, however, was blocked by Reynes's bosses at Headquarters, who urged him to take care, adopting a cautious approach of incremental change. The branch office did not have much access to the Ministry of the Interior (MOI) or, more specifically, the Directorate of Security, which was the key governmental office in the morass of Turkish asylum policy. The branch office was thus forced to lodge its complaints and recommendations with the MFA, Third Department, which in turn relayed them to the MOI.³¹ This inter-ministerial communication slowed the negotiations between the UNHCR and the Turkish government.³²

For the Turkish government, one of the most important roles played by the branch office was that of a political shield. Turkey desired to maintain amicable relations with both Western and Eastern European countries. Though Turkey was a NATO member, its position between the Eastern Bloc and the increasing instability of the Middle East made the country's position precarious. The Turkish government, as a member of NATO and American ally, was under pressure from the West to accept refugees from communism; however, Turkey was simultaneously under pressure by East European countries to not recognize asylum seekers from their countries.

³¹ The Third Department was the MFA department responsible for relations with international organizations. Memorandum from Representative in Turkey to UNHCR HQ, "Bulgarian refugees of Turkish ethnic origin in Turkey," August 6, 1971; 600.TUR – Protection and General Legal Matters vol.1 – 1971-1981; Series 2, Fonds UNHCR 11.

³² Note for the File "Visit to the Permanent Delegation of Turkey," J.J. Kadosa, September 24, 1971; 600.TUR – Protection and General Legal Matters vol.1 – 1971-1981; Series 2, Fonds UNHCR 11.

In 1972, the Polish embassy in Ankara expressed its consternation with Turkey's recognition of Polish refugees. The ambassador complained that this jeopardized the relations between the two countries, and that Poland had refused refugee status to Turkish nationals. Demonstrating UNHCR's role as a political shield, these complains were directed, not to the Turkish government, but to Representative Reynes and the UNHCR office in Ankara. The Polish ambassador first attempted to approach the Turkish MFA but was told that the issue was "within the competence of the UNHCR Representative in Turkey."³³ Because the UNHCR maintained a Representative in Turkey, the Turkish authorities could shift blame and attention onto the UNHCR. But the Turkish suggestion that UN demands trumped Turkey's national sovereignty was a façade. Representative Reynes informed the Polish ambassador that "the granting of refugee status is the prerogative of the Turkish authorities." He categorized UNHCR's role as humanitarian "and of apolitical nature...taking place at a second stage, i.e.: after clearance of the case by the competent Turkish authorities."³⁴ The Turkish authorities were willing to permit the appearance of cooperation with the UNHCR, but in practice they held tight to their control over eligibility procedures. Beyond UNHCR funding decisions and efficient resettlement processing, the ability of the UNHCR to influence the Turkish state was based largely in its ability to pressure the government to accept international norms of behavior.

The Turkish process for determining the status of newly arrived refugees demonstrates the level to which the authorities marginalized the branch office in the 1970s. When a new asylum seeker arrived at one of Turkey's border crossings, they were required to submit to a security check

³³ "Polish démarche to the BO," confidential letter from Representative in Turkey to UNHCR Headquarters, attn Mr. W.A. Pinegar, March 22, 1972; 630.TUR – Protection and General Legal Matters – Eligibility – Turkey – 1971-1984; Series 2, Fonds UNHCR 11.

³⁴ Ibid.

by the gendarme; “security risks and criminals” were returned to their country of origin “forthwith.”³⁵ Based on the results of the security check, the Director General of Security in Ankara made a provisional decision on refugee status. The asylum seeker was then directed to the Acibadem Centre, run by ICMC. Only once admitted to Acibadem was the refugee registered with the UNHCR branch office, which would certify them as refugees under the 1951 Convention. After registration, the refugee was required to report to the Istanbul police, which issued a Refugee Identity Card. The Ministry of Foreign Affairs would then issue a passport, and finally a Turkish jury would issue a report of good character. Next, with the help of ICMC, the refugee would report to the immigration office of their resettlement country. (US office in Rome, Canadian office in Beirut, and Australian office in Ankara.) Finally, the ICMC in Istanbul would arrange for their onward travel out of Turkey.³⁶ These steps often changed, and worse, several branch office representatives reported that little coordination existed between the Turkish security services, ministries, and police departments involved. The onward movement of refugees was often delayed by the labyrinthine applications for identity cards, visas, passports, and the reports of good character. “Frequent disappearance” of official papers caused delays, and the ICMC in Geneva took an “incomprehensibly long time” to buy and forward plane tickets to their office in Istanbul. Refugees feared to press their case with Turkish officials or were simply unable to do so due to language barriers. Further slowing the process, infrequent missions by the Canadian office in Beirut to Istanbul (sometimes only once a year) meant that, depending on arrival, some refugees had to wait a full year before meeting with an immigration officer if they intended to travel to

³⁵ “Debriefing Meeting with Mr. Feldmann – Protection – Turkey,” May 3, 1971; 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

³⁶ “Notes on Refugee Affairs in Istanbul,” From Attila Farkas to UNHCR Geneva, ICMC, WCC, USINS, US Mission, Geneva, December 1972; Commission of Inter-Church Aid, Refugee and World Service (CICARWS), Refugees, WCC Correspondence Turkey 1973 – 1974, Archives of the World Council of Churches.

Canada. The American route was widely considered the quickest resettlement route out of Turkey; however, with the lack of a US immigration office in Istanbul, the refugee was required to travel first to Rome and there start an entirely new procedure, which typically lasted five to eleven months. The Ankara branch office had only an advisory and small administrative role in this process, and the Turkish authorities kept the office at a distance, requesting assistance only where it suited their interests and otherwise ignoring complaints from the UNHCR.

With the UNHCR branch office marginalized, the informal nature of Turkish asylum policy created precarious situations for refugees. Despite the bureaucratic morass of seeking refugee status in Turkey, the procedure for recognition was “practically a formality.” Asylum-seekers from communism seeking formal refugee status and resettlement in the West were almost certain to be welcomed and recognized refugees. The Turkish authorities were happy to admit people it could easily resettle in the West, giving Turkey international prestige. The Turkish authorities remained tolerant as long as Turkey was not responsible for the long-term welfare of refugees. Admission to Turkey as an asylum-seeker did not guarantee one’s safety. One refugee from Yugoslavia was deported from Turkey for being “too active” while in Turkey. Presumably, they had been undertaking subversive activities against the government of Yugoslavia while in Turkey.³⁷

The UNHCR representatives in Turkey understood that instituting a regular procedure for recognition with UNHCR participation would be “very difficult,” but also saw it as the best way to protect against refoulement. The Turkish authorities would not relinquish their security screening policies. They were determined to continue rejecting at the border any asylum-seekers

³⁷ “Debriefing Meeting with Mr. Feldmann – Protection – Turkey,” May 3, 1971; 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

they recognized as criminals or security risks.³⁸ The branch office routinely requested information about any expelled asylum seekers, which “served as a certain safeguard against unjustified return.”³⁹

3.4 LAYING THE FOUNDATION: THE AIDE MEMOIRE AND UNHCR PRIORITIES

Representative Reynes’s efforts at improving Turkish-UNHCR cooperation demonstrates the disconnect between the High Commissioner’s international rhetoric, the UNHCR’s policy of cautious incrementalism, and realities on the ground. In the summer of 1971, after months of instructing him to avoid confrontation, Headquarters gave Reynes permission to send an aide-memoire to the Turkish MFA. An aide-memoire, which is a diplomatic text for negotiating a proposal or to accompany an informal conversation, is a tool for proposing action between two parties without obligating either to the text of the document. In his aide-memoire and in the conversations that followed, Reynes reiterated UNHCR’s desire for closer cooperation and emphasized the advisory role of UNHCR offices in other countries and particularly in Europe. He repeatedly stressed his office’s “constant readiness” to “cooperate in the determination of eligibility cases whenever the Turkish authorities so wish.”⁴⁰

³⁸ “Debriefing Meeting with Mr. Feldmann – Protection – Turkey,” May 3, 1971; 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

³⁹ “Debriefing Meeting with Mr. Feldmann – Protection – Turkey,” May 3, 1971; 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

⁴⁰ Memorandum from Representative in Turkey to UNHCR HQ, “Bulgarian refugees of Turkish ethnic origin in Turkey,” August 6, 1971; 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11; and “Note on the Situation of Various Groups of Refugees in Turkey,” Draft of Aide-Memoire from

That the branch office was pulled in competing directions by the evolving dictates of Headquarters and realities on the ground is evident in Reynes's correspondence. Representative Reynes reassured his superiors in Geneva that it was not his intention with the aide memoire "to promote the institutionalization of UNHCR participation in any eligibility procedure, but merely to improve the existing co-operation between UNHCR and the Turkish authorities."⁴¹ Headquarters, always reverting to cautious incrementalism, was concerned that too strong a push for a formal UNHCR role would evoke a backlash. Headquarters concluded that, "in view of the comparatively small number of refugees applying for recognition in Turkey, and the special situation in the country, any talks about UNHCR participation in eligibility procedures should be undertaken with extreme caution."⁴² The aide-memoire, though it was at first disregarded, later formed the basis negotiations between the Turkish authorities and UNHCR. It was a touchstone that the branch office called on in later communications with the authorities. As one of the first formal requests for expanded cooperation, it laid the groundwork for the branch office to continue their push for a more formalized process.

Further evidence of the disconnect between Geneva and its branch office in Ankara came as the High Commissioner sought to organize the priorities of his offices around the world. In early 1973, a new initiative came down from Headquarters, which required Representative Reynes to craft for the first time a coherent policy strategy for his office. Charles Mace, the Deputy High Commissioner, wrote to the UNHCR branch offices around the world, directing them to send to

Representative in Turkey to UNHCR Headquarters, September, 24, 1971; 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

⁴¹ Note for the File "Visit of Mr. Reynes to Legal Division," May 2, 1972; 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

⁴² "Eligibility procedure in Turkey," memorandum from J.J. Kadosa to Mr. Warren A. Pinegar, April 12, 1972; 632.TUR – Protection – Eligibility Statistics – Turkey – 1965-1984; Series 2, Fonds UNHCR 11.

Geneva annual statements on their objectives and projects. For Reynes and the Ankara branch office, the number one objective on that list was establishing “a closer and regular cooperation...between the Turkish competent authorities and the UNHCR Office in the field of Eligibility determination.” The branch office called this and their efforts to obtain a more effective application of the existing regulations by the Turkish authorities their “principal aim.” However, when revisions were undertaken with suggestions from Geneva, the wording of Ankara’s objective was switched to: “The establishment of a routine within the eligibility procedure which would allow the HCR Representative to be more closely associated with decisions taken.”⁴³ Headquarters removed any mention of “competent Turkish authorities” as well as removing the call for formal cooperation. Finally, the edited report concluded that these objectives were “long-term objectives for which no period of time can be properly fixed.”⁴⁴

This cautious approach dictated by Headquarters had limited success in Turkey. Reynes was able to gain direct, though limited, access to officials in the Ministry of the Interior, making it possible for him to avoid the layers of ministerial communication in important matters. This allowed him to negotiate a reduction in CTD waiting times for Convention refugees, from eleven months to within two weeks.⁴⁵ In addition, the branch office succeeded in decreasing the renewal costs for residence permits from 250 lira to 50 lira, “provided the refugee is in possession of a

⁴³ “Explanatory Note Regarding Objectives for Turkey,” S. Wright, note for the file, January 16, 1974; 110.TUR – Programing – Turkey Vol. 1 – 1973-1975; Series 2, Fonds UNHCR 11.

⁴⁴ “Explanatory Note Regarding Objectives for Turkey,” S. Wright, note for the file, January 16, 1974; 110.TUR – Programing – Turkey Vol. 1 – 1973-1975; Series 2, Fonds UNHCR 11; and Confidential Memorandum to Mr. R. Muller, UNHCR Headquarters, from Mr. Reynes Representative in Turkey, “Country Plan,” February 20, 1974.. UNHCR ARCHIVES. 110-TUR Programing-Turkey Vol. 1 1973-1975; Series 2, Fonds UNHCR 11.

⁴⁵ Note for the File, August 5, 1975; 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

certificate issued by the Representative.”⁴⁶ His largest success, however, was increasing the observational role of the branch office in eligibility decisions. The Turkish authorities agreed to provide a list of negative decisions regarding refugee status. Reynes was promised that “a list of rejected applications for refugee status should be communicated to the UNHCR together with the nominal roll of eligibility decisions regularly delivered.”⁴⁷ Reynes hoped that this step could help prevent *refoulement*.⁴⁸ These steps indicate an increasing role for the branch office and a recognition by the Turkish authorities that the office was a valid partner in the standardization of Turkey’s refugee policy.⁴⁹

The incremental progress made by Reynes was dealt a severe blow by the Turkish invasion of Cyprus in 1974. In response to a *coup d’état* instigated by the military government in Athens, Turkey invaded and occupied nearly forty percent of the island. The invasion resulted in the displacement of between 200,000 and 250,000 Cypriots, the majority of them Greek. This internationally condemned act, which also strained US-Turkish relations, caused massive displacement on both sides of the conflict and drew in the UNHCR as the key focal point

⁴⁶ Memorandum on meeting of Mr. Reynes, Mr. J.R. Kelly, Mr. Terlin, Mr. Muller, and Mrs. Sanders, July 4, 1974; 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

⁴⁷ “Refugee Situation in Turkey in 1974,” UNHCR Ankara branch office report; 110-TUR – Programing – Turkey vol. 1 – 1973-1975; Series 2, Fonds UNHCR 11.

⁴⁸ Memorandum on meeting of Mr. Reynes, Mr. J.R. Kelly, Mr. Terlin, Mr. Muller, and Mrs. Sanders, July 4, 1974; 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

⁴⁹ Reynes also achieved successes in liberalizing Turkey’s policy toward Bulgarian refugees, providing local resettlement and naturalization options for those unable to emigrate to Western Europe. “Visit of Mr. Reynes to Legal Division,” note for the file, June 6, 1972; 100-TUR.GEN – Refugees in Turkey – General, vol. 1 – 1970-1975; Series 2, Fonds UNHCR 11; and Note for the File “Visit to the Permanent Delegation of Turkey,” J.J. Kadosa, September 24, 1971; 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11; “Meeting held in Protection Division with Mr. Reynes, UNHCR Representative for Turkey,” note for file, July 17, 1973; 100-TUR.GEN – Refugees in Turkey – General, vol. 1 – 1970-1975; 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

organization for managing the humanitarian crisis on the island.⁵⁰ The UN Secretary General, Kurt Waldheim called on the High Commissioner, as they had in South Sudan and Bangladesh, to coordinate the international humanitarian response to the internally displaced Cyriots. Heralded as one of its largest successes, UNHCR raised over \$20 million and resettled most of the displaced.⁵¹

The crisis in Cyprus advanced Aga Khan's global agenda for his agency while at the same time crippling his branch office in Turkey. The UNHCR's prominent role as the "focal point" agency in Cyprus amplified the High Commissioner's global reach and international prestige.⁵² For the Ankara branch office, however, the Cyprus crisis was a disaster. The incident produced tensions between Turkey and the West and between Turkey and the UNHCR, which "completely stopped" the arrival of refugees during July, August, and September of 1974—usually the peak months for refugee influxes. The Ministry of the Interior had temporarily closed the borders to asylum seekers, and the Third Department of the Turkish Foreign Ministry, which dealt with the United Nations, was reassigned to matters dealing directly with the Cyprus issue. The effect of this was to bring all branch office discussions with the Turkish authorities on UNHCR's role in eligibility determination "to a complete standstill."⁵³

⁵⁰ In a conversation with President Ford and several advisors, The U.S. Ambassador to Turkey, William Macomber, told the Secretary of State, Henry Kissinger, that without Ford and Kissinger's work against the arms embargo, "Turkey would be down the drain." Speaking about the arms embargo imposed by the American Congress in response to Turkey's invasion of Cyprus, Kissinger said, "we will pay for this for years to come." Memorandum of Conversation, January 7, 1975; National Security Adviser's Memoranda of Conversation Colletion, Gerald R. Ford Presidential Library, National Archives and Records Administration; and Janice J. Terry, *United States Foreign Policy in the Middle East: The Role of Lobbies and Special Interest Groups* (London: Pluto Press, 2005), 43-49.

⁵¹ Gil Loescher, *The UNHCR and World Politics: A Perilous Path* (Oxford: Oxford University Press, 2001), 161.

⁵² Loescher, *The UNHCR and World Politics*, 161; and Anne Hammerstad, *The Rise and Decline of A Global Security*, 101-105.

⁵³ "Refugee Situation in Turkey in 1974" UNHCR Ankara branch office report – 110.TUR – Programing – Turkey Vol. 1 – 1973-1975; Series 2, Fonds UNHCR 11.

Near the end of Reynes's time in Ankara, one Headquarters official summed up UNHCR's view on affairs in Turkey: "There is no eligibility procedure, and all attempts to date to introduce one have failed. The rather cautious approach of Mr. Reynes regarding this question seems the only practical way of tackling it."⁵⁴ Reynes summarized his time in Ankara with less clarity. He argued that "informal contacts" had been established between the branch office and the MOI office responsible for determining refugee eligibility, and that those informal contacts, "in the form of bilateral consultations, enable the [branch office] to follow the trends in the field of eligibility and, to a certain extent, to intervene as an adviser whenever deemed necessary." He warned that the Turkish authorities regarded eligibility determination "as a reserved right essential for security reasons." And though Reynes believed the direct participation of the UNHCR in Turkish eligibility decisions appeared "technically impossible," he believed it absolutely necessary that the branch office find a way to formalize cooperation with the Turkish government in order to gradually improve their procedures.⁵⁵

Reynes's tenure in Ankara was impeded by the Cyprus conflict, but it was institutional confusion that hindered his agenda. While Aga Khan publicly embraced a broader and more overtly political role for the UNHCR, Reynes's bosses in Geneva advised caution. The result was half measures and a weakened branch office left wholly unprepared for the coming changes. By the end of his four-year assignment in Ankara, Representative Reynes held a bleak outlook for the future of UNHCR operations in Turkey. By 1975, the UNHCR still had no formal role to play in the Turkish eligibility decision. There was little uniformity in Turkish policies, other than their

⁵⁴ UNHCR Action Sheet from Robert Muller, March 26, 1974; – 110.TUR – Programing – Turkey Vol. 1 – 1973-1975; Series 2, Fonds UNHCR 11.

⁵⁵ "Report on Activities of the UNHCR B.O. in Turkey for 1973," from Representative in Turkey to UNHCR Headquarters, January 25, 1974; 110.TUR – Programing – Turkey Vol. 1 – 1973-1975; Series 2, Fonds UNHCR 11.

insistence on a preliminary security screening of every refugee before refugee eligibility procedures could begin.⁵⁶ The geographical position of Turkey made eligibility decisions an intensely political matter for the government.⁵⁷ Reynes worried the UNHCR would “never be admitted to play any role in the eligibility procedure;” however, the Turkish authorities did welcome the continued presence of the office in Ankara “as a cover in situations where Turkey is under political pressure for having granted asylum to refugees.”⁵⁸ The lack of UNHCR involvement in eligibility decisions was a problem that would come home to roost as the demographics and direction of refugee migration to Turkey shifted over the next decade.

3.5 ROADBLOCKS: THE DOWNGRADE OF THE ANKARA BRANCH OFFICE

The downgrade of the UNHCR’s office in Ankara came at a time when the UNHCR was expanding globally. By the early 1970s, Aga Khan’s aggressive global policies had made UNHCR the “preeminent international humanitarian and relief organization.”⁵⁹ Since its earliest years in Turkey, Headquarters had considered closing the branch office in Turkey, but in 1974, Aga Khan took the first steps towards closing the office. In 1974 the UNHCR branch office in Ankara was comprised of three people: the representative, a secretary, and a driver. Reynes warned that any

⁵⁶ Note for the File, August 5, 1975; 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

⁵⁷ Note for the File, August 5, 1975; 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

⁵⁸ Note for the File, August 5, 1975; 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

⁵⁹ Loescher, *UNHCR and World Politics*, 153.

reduction in staff would make the office “no longer operational.”⁶⁰ As they had in 1956, the Turkish authorities in the 1970s insisted on a direct UNHCR presence in their country. One Headquarters official noted that, “in spite of the fact that the refugee population in Turkey is very small, and the yearly influx less than 100, the Turkish Government insists that UNHCR keep an office in Ankara.”⁶¹ The official’s comments came in the mid-1970s, as the number of refugees entering Turkey was diminishing. Globally, decolonization and Cold War proxy conflicts in South Asia, Southeast Asia, and Africa were producing more refugees from more and more places.

In such a climate, the issue of a permanent representative in Turkey seemed less urgent to the High Commissioner and some of his staff. They were not alone; the United States Resettlement Program (USRP) was even questioning whether it should maintain its contributions to the ICMC office and Acıbadem Reception Center in Istanbul. Adding to these concerns was ICMC’s own budgetary shortfalls due to global cutbacks in the USRP budget, which put ICMC “in a very serious financial crisis.”⁶² NGOs, most notably ICMC, were not officially recognized by the Turkish authorities; they were merely “tolerated.” This meant that all communication between NGOs and the Turkish government had to go through the branch office. According to Reynes, while the ICMC was “extremely efficient” and its work was “essential, particularly as far as emigration...its action would be completely paralyzed if the branch office would cease its activities in Turkey.”⁶³ Despite

⁶⁰ “Country Plan,” confidential memorandum to Mr. R. Muller, UNHCR Headquarters, from Mr. Reynes Representative in Turkey, February 20, 1974; 110.TUR – Programing – Turkey Vol. 1 – 1973-1975; Series 2, Fonds UNHCR 11.

⁶¹ UNHCR Action Sheet from Robert Muller, March 26, 1974; – 110.TUR – Programing – Turkey Vol. 1 – 1973-1975; Series 2, Fonds UNHCR 11.

⁶² “Report on mission to Ankara (25-30 November 1975),” letter from E. Jahn Representative in Turkey to UNHCR Headquarters, November 28, 1975; 410 – ICMC – Non-Governmental Organizations – International Catholic Migration Commission vol. 4 – 1975-1977; Series 2, Fonds UNHCR 11.

⁶³ Note for the File, August 5, 1975; 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

these sorts of dire warnings, the High Commissioner still decided to downgrade the office, effectively demoting it from a full office with a permanent, resident representative, to a satellite office, supervised by a travelling representative shared between several offices. Overshadowed by crises in Cyprus, Pakistan, Vietnam, and Sudan, the Ankara branch office seemed unnecessary.

The downgrade of the Ankara office continued despite strident opposition from the Turkish authorities. Reynes did not leave his post in Ankara until August 1975; Headquarters, however, had intended to transfer him months earlier. High Commissioner Aga Khan wrote to the Turkish Minister of Foreign Affairs in April 1975, informing him that Representative Reynes would be reposted to Khartoum.⁶⁴ The High Commissioner was, he informed the MFA, appointing Mr. Ghassan Arnaout, a Syrian national, as the new representative in Turkey. In an unprecedented move, Yüksel Söylemez, the Turkish Director of the MFA's Department of International Organizations, wrote back to the High Commissioner to request that Representative's Reynes's mission in Ankara be extended by one year. Söylemez wrote of the MFA's excellent personal and professional relations with Reynes and remarked that "what characterizes the office of the UNHCR in Ankara is not the quantity but the quality in human terms. In that respect Mr. Reynes has fulfilled his difficult and delicate task in the best possible manner and has won the admiration of his Turkish collaborators." As such, for the first time in over fifteen years, the Turkish MFA requested that a UNHCR appointment—and "this surprise decision"—be reversed.⁶⁵ The High Commissioner responded to this request by extending Reynes's posting to Ankara until the end of July 1975.

⁶⁴ Sudan was a priority for Aga Khan. Loescher *UNHCR and World Politics*, 150-154.

⁶⁵ Letter from Yüksel Söylemez, Director of the Department of International Organizations, Ministry of Foreign Affairs, to His Highness Prince Sadruddin Aga Khan, UNHCR, May 16, 1975; 203.TUR – Privileges, Immunities and Accreditations – Turkey – 1969-1981; Series 2, Fonds UNHCR 11; and Letter from Yüksel Söylemez, Director of the Department of International Organizations, Ministry of Foreign Affairs, to His Highness Prince Sadruddin Aga Khan, UNHCR, May 16, 1975; 203-TUR Privileges, Immunities and Accreditations - Turkey 1969-1981; Series 2, Fonds UNHCR 11.

However, the High Commissioner was unwilling to go beyond this and grant the full year extension requested by the Turkish MFA. Reynes's four years in one assignment was "quite an exception" for the UNHCR's normal field staff rotations.⁶⁶ In a further blow to the MFA, the Deputy High Commissioner also wrote to inform Mr. Söylemez that, not only would Mr. Reynes be transferred, but he would be replaced, not by Mr. Arnaout, but by Dr. Eberhard Jahn, the UNHCR Regional Representative in the Middle East. Dr. Jahn was based in Beirut, and he would pay visits to the Ankara office "from time to time."⁶⁷ Headquarters assured the Turkish MFA that this was only an "interim arrangement, to be reviewed in about a year's time."⁶⁸ The High Commissioner did stop short of closing the office entirely. In addition to the intermittent attentions of Dr. Jahn, the branch office maintained one administrative secretary.⁶⁹ The office would not have a permanent representative in residence again until 1981. As a measure of the importance the Turks placed on this issue, the Director of the MFA's Third Department (International Organizations), Yüksel Söylemez traveled to New York to attend the thirtieth session of the General Assembly of the United Nations in November, 1975 to respond to the Report of the UNHCR. At this session, he

⁶⁶ Letter from Sadruddin Aga Khan, to Yüksel Söylemez, Director of the Department of International Organizations, Ministry of Foreign Affairs, UNHCR, May 16, 1975; 203-TUR Privileges, Immunities and Accreditations – Turkey – 1969-1981; Series 2, Fonds UNHCR 11.

⁶⁷ Dr. Jahn, a German national, had served with UNHCR since the organization's inception in 1951. Among his several posts, he served as UNHCR Representative in Germany and Austria from 1970-1972 and 1973-1974, respectively. In 1974 he was appointed as Regional Representative for the Middle East and stationed in Beirut, Lebanon. Letter from Charles H. Mace, Deputy High Commissioner, to H.H. Ambassador Coskun Kirca, Permanent Representative of Turkey to the United Nations, August 5, 1975; 203-TUR Privileges, Immunities and Accreditations – Turkey – 1969-1981; Series 2, Fonds UNHCR 11.

⁶⁸ Letter from Charles Mace, Deputy High Commissioner, UNHCR, to Yüksel Söylemez, Director of the Department of International Organizations, Ministry of Foreign Affairs, UNHCR, May 16, 1975; 203-TUR Privileges, Immunities and Accreditations – Turkey – 1969-1981; Series 2, Fonds UNHCR 11.

⁶⁹ During Dr. Jahn's tenure, Mrs. Güner Dikmen and Mrs. Tülin Tanrikut, both Turkish citizens, served in this position. "Activities of the UNHCR B.O. in Turkey for 1977," February 8, 1978; 110.TUR – Programming – Turkey vol 3 – 1975 1977; Series 2, Fonds UNHCR 11.

made a speech in which he expressed regret on the departure of Mr. Reynes and requested a replacement for the outgoing representative “as soon as possible.”⁷⁰

If the actual influx of refugees was so low, why then did so many people working in both Geneva and in Turkey react so strongly to the downgrade of the Ankara branch office?⁷¹ The answer is that, in the minds of these people, the importance of a continued UNHCR and ICMC presence in Turkey was not so much concerned with what was than with what might be. There were voices within the UNHCR immediately calling for the reestablishment of a permanent representative to Ankara. In light of several protection issues, including the refoulement of two asylum seekers from Bulgaria, some Headquarters staff believed that the steps Reynes made toward establishing formal cooperation in Turkey’s eligibility procedure were doomed to fail without permanent UNHCR representation in Ankara. The Turkish government had repeatedly made plain its desire for a UNHCR presence, which had on several occasions been able to assist Ankara with politically precarious cases, including the discreet resettlement of two Lithuanian hijackers.⁷²

Mr. Moussalli, the chief of UNHCR’s Europe section was one of the loudest proponents at Headquarters for reestablishing a representative in Ankara. He wrote that, even though the branch office had never been very active, it had served a useful purpose. He speculated, moreover, that Ankara could be a strategic position in the near future for the UNHCR’s global efforts. He pointed

⁷⁰ “Text of the Statement Made by Mr. Yüksel Söylemez, Representative of Turkey at the Third Committee of the 30 Session of the General Assembly of the United Nations, On the Report of UNHCR,” November 17, 1975; 203-TUR Privileges, Immunities and Accreditations – Turkey – 1969-1981; Series 2, Fonds UNHCR 11.

⁷¹ “UNHCR Representation in Turkey,” memorandum from E. Jahn to Mr. P.M. Moussalli, September 1, 1976; 203-TUR Privileges, Immunities and Accreditations – Turkey – 1969-1981; Series 2, Fonds UNHCR 11.

⁷² A father and son with the surname Brazinskas. “Note on the UNHCR Representation in Turkey,” October 25, 1976; 203-TUR Privileges, Immunities and Accreditations – Turkey – 1969-1981; Series 2, Fonds UNHCR 11.

to conflicts in the Middle East, such as the Lebanese Civil War, which had caused the UNHCR to close their office in Beirut. Moussalli pointed out that an office in Turkey could serve as a stable base for UNHCR's regional operations.⁷³ Moussalli presciently understood that Turkey could become a key point in UNHCR's global system of refugee protection and assistance in the event of a sudden refugee crisis in the Middle East. He also noted that it would be unwise to close the Ankara branch office while the Athens office remained open and the dispute between Greece and Turkey over Cyprus continued. Moussalli recognized that increasing instability on Turkey's borders with its Middle Eastern neighbors indicated the need for strong UNHCR presence in the country. He noted that there were indications that Turkey could become "a field of operations for UNHCR...there are movements on the South East border and if the unrest in the Near East will continue this Office would only be able to tackle the problems immediately, if we already were represented sur place."⁷⁴

In the absence of a permanent UNHCR representative in Turkey, the work of ICMC took on renewed importance. As there was no other NGO operating in Turkey capable of acting as a counterpart to the UNHCR, Dr. Jahn and the single UNHCR administrator still working in the branch office would absolutely rely on the ICMC Istanbul office in the years to come.⁷⁵ The ICMC office in Istanbul was one of the few of its kind. It was ICMC policy to carry out its work through national Catholic-affiliated organizations, and it maintained independent offices only in countries

⁷³ "Note on the UNHCR Representation in Turkey," October 25, 1976; 203-TUR Privileges, Immunities and Accreditations – Turkey – 1969-1981; Series 2, Fonds UNHCR 11.

⁷⁴ "Note on the UNHCR Representation in Turkey," October 25, 1976; 203-TUR Privileges, Immunities and Accreditations – Turkey – 1969-1981; Series 2, Fonds UNHCR 11.

⁷⁵ "Report on mission to Ankara (25-30 November 1975)," letter from E. Jahn Representative in Turkey to UNHCR Headquarters, November 28, 1975; 410 – ICMC – Non-Governmental Organizations – International Catholic Migration Commission vol. 4 – 1975-1977; Series 2, Fonds UNHCR 11.

where no local catholic organizations existed. This had always been the case in Turkey, where there had never been an operational Catholic organization capable of assisting refugees. After the closure of the WCC Office, ICMC became the only NGO assisting newly arrived refugees with their transit through Turkey.⁷⁶ Without an ICMC office in Turkey, there would have been a “serious danger of refoulement,” and refugees “would be left stranded without material assistance and emigration service.” With Reynes gone, ICMC was the only actor able to handle individual case-work and assistance to refugees. Dr. Jahn, who was stationed in Beirut and covering several countries in the Middle East, could not “dedicate himself to such a task.”⁷⁷

Almost immediately after the branch office’s demotion, refugee issues started to intensify in Turkey. Despite the downgrade, from 1975 to 1977, the UNHCR programme budget in Turkey increased by a third, from \$20,140 in 1975 to \$29,000 in 1977. The increase was due to an increased allocation for resettlement settlement work, particularly that of the ICMC, “an essential part of the Programme,” because most refugees entering Turkey were required to emigrate.⁷⁸ Dr. Jahn convinced Headquarters of the need for ICMC in Istanbul to continue operations, and he insisted that their office was run efficiently with little waste. He procured a \$7,000 UNHCR contribution to cover Mrs. Dumezic’s salary (which accounted for a third of the office’s operating

⁷⁶ Letter from Dr. T. Stark, Secretary General, ICMC to Mr. Gilbert Jaeger, Director of Assistance, UNHCR, April 7, 1976; 410 – ICMC – Non-Governmental Organizations – International Catholic Migration Commission vol. 4 – 1975-1977; Series 2, Fonds UNHCR 11.

⁷⁷ Letter from Dr. T. Stark, Secretary General, ICMC to Mr. Gilbert Jaeger, Director of Assistance, UNHCR, April 7, 1976; 410 – ICMC – Non-Governmental Organizations – International Catholic Migration Commission vol. 4 – 1975-1977; Series 2, Fonds UNHCR 11.

⁷⁸The average Turkish contribution since 1973 was around 100,000 lira. “Brief for the High Commissioner on Turkey,” September 23, 1976; 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

expenses) and thus allowed the office to remain open.⁷⁹ The presence of an ICMC office was not a permanent solution, and the practical implications of an absentee representative soon became clear to those working in Turkey. Dr. Jahn wrote to inform Headquarters of the problems in Turkey in the absence of permanent UNHCR representation. He cited increased influxes of Iraqis in the Southeast, the Turkish concern over relations with Eastern European countries, and even the American embassy's frustration over having to act as an intermediary between asylum seekers and the Turkish government. The UN Development Program office in Ankara was also growing tired of advocating on behalf of refugees in such an *ad hoc* manner while a "traveling representative" was assigned to the country.⁸⁰

Jahn himself recommended that the High Commissioner find a more permanent solution. He wrote to Geneva with examples of some delicate cases which demonstrated that a "more formal cooperation" with the Turkish authorities was necessary. Without someone on the ground prepared to react immediately, Dr. Jahn was skeptical that the branch office would ever achieve formal cooperation in the eligibility decisions in Turkey.⁸¹ During his second mission to Ankara, in the spring of 1976, Dr. Jahn remarked that the Turkish officials he met gave him the impression that they would prefer "a strengthening of refugee work rather than accept any weakening of these activities." He acknowledged the relatively low influx of refugees to Turkey, but said that the Turks continued their concern with the issue due to the "delicacy of some of these cases" (in a

⁷⁹ "ICMC Turkey – UNHCR Contribution," memorandum from E. Jahn, Regional Representative in Beirut, to UNHCR, Geneva, May 21, 1976; 410 – ICMC – Non-Governmental Organizations – International Catholic Migration Commission vol. 4 – 1975-1977; Series 2, Fonds UNHCR 11.

⁸⁰ "UNHCR Representation in Turkey," memorandum from E. Jahn to Mr. P.M. Moussalli, September 1, 1976; 203-TUR Privileges, Immunities and Accreditations – Turkey – 1969-1981; Series 2, Fonds UNHCR 11.

⁸¹ "UNHCR Representation in Turkey," memorandum from E. Jahn to Mr. P.M. Moussalli, September 1, 1976; 203-TUR Privileges, Immunities and Accreditations – Turkey – 1969-1981; Series 2, Fonds UNHCR 11.

Cold War context) as well as their increasing concern of a sudden influx of new refugees.⁸² Despite the warnings of high-ranking officials like Moussalli and Jahn, the High Commissioner in the summer of 1976, at the point of the promised annual review and a year after Reynes's departure, decided to maintain the arrangement with Dr. Jahn as travelling representative. Making matters more complicated, Dr. Jahn's office was moved from Beirut to Geneva, from where he was directed to conduct regular visits to Ankara.⁸³

Under Dr. Jahn's absentee leadership, the branch office increased its collaboration with and reliance on NGO partners in Turkey. In particular, the office began referring to ICMC Istanbul as "our main counterpart agency," and intensified contacts with the Red Crescent Society.⁸⁴ Representative Jahn informed Headquarters that ICMC was "doing work which would normally be done by ourselves if we were directly represented in Istanbul." He warned that it was "difficult to imagine how any refugee work in Turkey could go on without ICMC," and that a slowdown in refugee resettlement could cause the Turkish government to adopt anti-refugee policies.⁸⁵

Under Dr. Jahn, the branch office continued its cautious, incremental approach regarding the improvement of cooperation with the Turkish authorities. In its 1976 report of objectives and priorities, the Ankara branch office's main goal remained the establishment of a normalized

⁸² "ICMC Turkey – UNHCR Contribution," memorandum from E. Jahn, Regional Representative in Beirut, to UNHCR, Geneva, May 21, 1976; 410 – ICMC – Non-Governmental Organizations – International Catholic Migration Commission vol. 4 – 1975-1977; Series 2, Fonds UNHCR 11.

⁸³ Letter from Kâmrân Inan, Ambassador, Permanent Representative, to H.E. Mr. Poul Hartling, UNHCR, September 25, 1981; 203-TUR Privileges, Immunities and Accreditations – Turkey – 1969-1981; Series 2, Fonds UNHCR 11.

⁸⁴ "UNHCR Representation in Turkey," memorandum from E. Jahn to Mr. P.M. Moussalli, September 1, 1976; 203-TUR Privileges, Immunities and Accreditations – Turkey – 1969-1981; Series 2, Fonds UNHCR 11.

⁸⁵ "ICMC Turkey – UNHCR Contribution," memorandum from E. Jahn, Regional Representative in Beirut, to UNHCR, Geneva, May 21, 1976; 410 – ICMC – Non-Governmental Organizations – International Catholic Migration Commission vol. 4 – 1975-1977; Series 2, Fonds UNHCR 11.

eligibility procedure for Turkey.⁸⁶ Dr. Jahn assured the MFA that, in light of the limited number of asylum seekers and Turkey's "long tradition" of deciding refugee status, he did not suggest any basic change to their system.⁸⁷ Rather, he began to push for consistent application of Turkey's promise to Representative Reynes that the MFA would notify UNHCR in the case of any negative decisions regarding refugee status, especially in cases where repatriation was planned.⁸⁸ Jahn seemed content to follow Reynes's example and Headquarters' advice of cautious incrementalism.

3.6 DEAD ENDS: REFOULEMENT AND THE CONSEQUENCES OF INSTITUTIONAL CONFUSION

In 1976, the first year of the branch office's new downgraded status, several incidents demonstrated that this cautious approach could put refugee safety in jeopardy. The principle of non-refoulement, which High Commissioner Aga Khan called "sacred" at his first report to the United Nations General Assembly in 1966, is central to the UNHCR's protection of refugees.⁸⁹ Refoulement became one of the Ankara branch office's top concerns during the 1980s and 90s; however, there were warning signs as early as 1975 that this issue was a growing problem in

⁸⁶ "Brief for the High Commissioner on Turkey," September 23, 1976; 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

⁸⁷ He noted that a slowdown in resettlement processing was increasingly likely with the Beirut office closed as a result of the Lebanese Civil War. Letter from Eberhard Jahn, UNHCR Representative Turkey to Mrs. Filiz Dinçmen, Department of International Organizations, MFA, November 5, 1975; 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

⁸⁸ Letter from Eberhard Jahn, UNHCR Representative Turkey to Mrs. Filiz Dinçmen, Department of International Organizations, MFA, November 5, 1975; 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

⁸⁹ UNHCR, Report of the United Nations High Commissioner for Refugees, 1 January 1966, A/6311/Rev. 1, available at: <http://www.refworld.org/docid/3ae68c8c0.html> [accessed May 8, 2018]

Turkey. The lack of a resident representative and the growing variety and volume of non-European asylum seekers to Turkey made this issue more prominent. The Turkish authorities had become immovable on the subject of the eligibility procedure, and word soon reached Dr. Jahn at his office in Beirut of the *refoulement* of at least two Bulgarian asylum seekers.⁹⁰ In the summer of 1976, nearly a year after Reynes's departure, the Turkish Ministry of the Interior ordered the repatriation (*refoulement*) of two Bulgarian asylum seekers, Vulkov and Punchev. The two were forcibly taken from the Acibadem refugee center in Istanbul and *refouled* to Bulgaria because, according to the Ministry, they did not fulfil the requirements of a refugee.⁹¹

The UNHCR was unable to effectively police *refoulement* without a permanent representative in Ankara, and it was refugees who bore the cost. As a result of the earlier efforts of H.H. Schindler and Roger Reynes, by 1976 the branch office had an understanding with the Turkish authorities whereby UNHCR would be notified of any negative eligibility decisions and consulted before expulsion.⁹² Less than a year after the office was downgraded and Dr. Jahn assigned as its traveling representative, the American embassy contacted Headquarters to inform the High Commissioner that two Bulgarians—Mr. Punchev and Mr. Vulkov—were scheduled to be forcibly returned to Bulgaria on the grounds that they did not meet the requirements for refugee status. UNHCR Headquarters scrambled to respond to the incident. Following several failed attempts to contact staffers at the Ankara office or the ICMC, they settled with “a very bad communication” established with Mr. Shallon, the Representative in Turkey for the United Nations

⁹⁰ “Discussions with Mr. E. Jahn – Legal Protection in Turkey,” note for the file, July 16, 1976; 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

⁹¹ Cable dated August 5, 1976; address line unreadable; 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

⁹² “For Inclusion in Brief for HC Mission Turkey,” note from E. Jahn to Dr. J. Kadosa, June 5, 1967; 6.1.TUR – Protection – Turkey vol. 3 – 1963-1970; Series 1, Fonds UNHCR 11.

Development Programme (UNDP). When Headquarters was finally able to make contact with ICMC the following day, ICMC informed them that one of the two asylum seekers had already been expelled to Bulgaria.⁹³ Headquarters decided to ask the UNDP to intercede on UNHCR's behalf to obtain a delay in the expulsion of the second asylum seeker so that an official from Geveva could travel to Ankara and interview the remaining asylum seeker before their expulsion. Dr. Jahn was away on holiday leave.⁹⁴ Despite efforts of the UNDP office in Ankara and visits by Headquarters staff to the Turkish Permanent Delegation in Geneva, the Turkish authorities informed UNHCR that there was "no point" in a UNHCR staff member traveling to Turkey to interview Mr. Punchev, because he was to be returned to Bulgaria that day, a mere two days after UNHCR first received word of his case from the American embassy.⁹⁵ The absence of a permanent representative in the country severely restricted the ability of UNHCR to act in the roles of organizer, advocate, and observer pioneered by its first six Representatives in its first fifteen years of operations.⁹⁶

The Bulgarian incident convinced Jahn to act more aggressively to formalize UNHCR's role in Turkey. In the absence of a permanent representative in Ankara, UNHCR Headquarters was forced to rely on ICMC, the American embassy, and the UNDP for information. The former two held their own agendas, and the latter lacked the expertise in dealing with refugee affairs. After

⁹³ Cable from Shallon, UNDP Ankara to UNHCR, August 3, 1976; 630.TUR – Protection and General Legal Matters – Eligibility – Turkey – 1971-1984; Series 2, Fonds UNHCR 11.

⁹⁴ Cable from Shallon, UNDP Ankara to UNHCR, August 3, 1976; 630.TUR – Protection and General Legal Matters – Eligibility – Turkey – 1971-1984; Series 2, Fonds UNHCR 11.

⁹⁵ Note from Carsten Brink-Petersen, August 4, 1976; 630.TUR – Protection and General Legal Matters – Eligibility – Turkey – 1971-1984; Series 2, Fonds UNHCR 11.

⁹⁶ Cable from Shallon, UNDP Ankara to UNHCR, August 3, 1976; 630.TUR – Protection and General Legal Matters – Eligibility – Turkey – 1971-1984; Series 2, Fonds UNHCR 11.

the refoulement of Vulkov and Punchev, Dr. Jahn intensified his efforts to formalize the UNHCR's arrangement with the Turkish authorities, according to which the UNHCR should be consulted in any cases where they intended to make a negative decision, particularly where deportation was under consideration.⁹⁷ When Dr. Jahn made his next mission to Turkey, in November 1976, three months after the expulsion of the two Bulgarians, he took up again the issue of establishing a procedure for the Turkish authorities to consult the UNHCR in cases where refugee status was to be refused or asylum seekers deported. This was the sort of cooperation already pursued by past representatives, but Dr. Jahn felt that he had "practically to start from scratch." A staffing change at the Turkish MFA exacerbated this feeling. Jahn shared with the new head of the MFA Third Section the same paper on eligibility procedures in Europe that Reynes had given to Yüksel Söylemez five years earlier. Jahn warned the Turkish authorities that it would be difficult for the High Commissioner to be represented in a country "if a minimum of cooperation and mutual consultation did not exist with regard to the admission of asylum seekers"—an admonition which rang hollow, given that it was the High Commissioner who had reduced his representation in Turkey in the first place, against the wishes of the Turkish government.⁹⁸

The issue of refoulement became more urgent in Turkey as the numbers of asylum seekers and their diversity increased. UNHCR staffers has argued against downgrading the Ankara branch office because of its location between Europe and Asia and Africa, which made Turkey a likely candidate for a sudden influx of asylum-seekers from the Middle East. The calamity foreseen by Jahn, Mousalli, and others who warned against the downgrade of the office did not happen all at

⁹⁷ "Brief for the High Commissioner on Turkey," September 23, 1976; 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

⁹⁸ "Mission to Turkey – 1 to 6 November 1976, Eligibility Procedure," note for the file from E. Jahn; 630.TUR – Protection and General Legal Matters – Eligibility – Turkey – 1971-1984; Series 2, Fonds UNHCR 11.

once. Scholarship on Turkish asylum generally treats the mid-1980s as a rupture point, when an influx of hundreds of thousands of Iranians marked the first wave of non-European refugee migration through Turkey. However, the change was more gradual and began in earnest in 1977, when the branch office noted a rise in “non-European” cases. These individual cases came from Congo, Ethiopia, Uganda, and Algeria. In 1978, marking the “first time in Europe,” 33 “boat refugees” from Vietnam arrived in Turkey aboard a Liberian vessel.⁹⁹ Individual cases like this, while they remained at a low level, were allowed asylum in Turkey and UNHCR recognized them as Convention refugees. All these cases were successfully resettled to a third country.¹⁰⁰ These cases mentioned in official UNHCR correspondence represent only those seeking asylum through the official, UNHCR route and, in reality, suggest much larger numbers of non-European refugees transiting through Turkey via unofficial, illegal routes. The Secretary General of ICMC described the various routes that asylum seekers took into Turkey:

“The most easy way is when coming officially, with groups as tourists by ship or bus and once in Turkey find the possibility of getting away from the group and go to the Police or to one of the foreign consulates, ie. USA British or German. Others are coming illegally, especially Bulgarians, walking through the border. Sometimes also hidden in trains, trucks or in ships. We had several ship jumpers too.”¹⁰¹

⁹⁹ The term “boat refugee” was used to refer to all Vietnamese refugees in the late 1970s. “Joint Meeting of ICMC Council Members and National Directors,” Geneva, October 17-19, 1978; 410.ICMC – Non-Governmental Organizations – International Catholic Migration Commission vol. 6 – 1979; Series 2, Fonds UNHCR 11; and Letter from Tülin Tanrikut to Dr. E. Jahn, May 15, 1979; 110.TUR – Programming – Turkey vol. 4 – 1978-1980; Series 2, Fonds UNHCR 11.

¹⁰⁰ International Catholic Migration Commission, “Annual Report 1977,” presented by the ICMC Secretariat General to the Annual Meetings Geneva, 17-19 October 1978; 410.ICMC – Non-Governmental Organizations – International Catholic Migration Commission vol. 5 – 1978; Series 2, Fonds UNHCR 11.

¹⁰¹ Letter from Dr. T. Stark, Secretary General, ICMC to Mr. Gilbert Jaeger, Director of Assistance, UNHCR, April 7, 1976; 410.ICMC – Non-Governmental Organizations – International Catholic Migration Commission vol. 4 – 1975-1977; Series 2, Fonds UNHCR 11;

Even refugees who had opted for regular, official refugee migration from time-to-time ended up leaving the country via an irregular, illegal route.¹⁰²

In this increasingly complex environment, the branch office and ICMC struggled to respond adequately. In 1977, Dr. Jahn began increasing his budgetary requests to Headquarters. His reasoning to his superiors was that harder-to-resettle cases from outside Europe had been increasing, and more funds were required to maintain these people while they awaited resettlement.¹⁰³ The Turkish government had not, by 1978, made any moves to address official letters from the High Commissioner inquiring about Turkey's lack of an eligibility procedure or its retention of the geographic limitation. However, Jahn had managed to receive another verbal "consensus" from the relevant Turkish authorities that they would notify the branch office in case of any planned expulsions.¹⁰⁴ This verbal consensus, though, offered no more of a guarantee than those obtained at earlier dates by Schindler and Reynes. In 1979, Mrs. Dumezic of the ICMC reported that her office had never been so busy. As the only voluntary agency for refugees in Turkey and in light of an increase in new refugees, the residual caseload, and "above all since the non-existence of a UNHCR Representative in Turkey," ICMC was stretched to its limits.¹⁰⁵

¹⁰² Two Polish refugees, who were awaiting resettlement "disappeared" through the Greece-Turkey border in 1977. "Activities of the UNHCR B.O. in Turkey for 1977," February 8, 1978; 110.TUR – Programming – Turkey vol 3 – 1975-1977; Series 2, Fonds UNHCR 11.

¹⁰³ "Report on UNHCR Assistance Activities in Turkey," memorandum from Dr. E. Jahn, Representative for Turkey, to UNHCR Headquarters, Geneva, June 20, 1977; 110.TUR – Programming – Turkey vol. 3 – 1975-1977; Series 2, Fonds UNHCR 11.

¹⁰⁴ "Activities of the UNHCR Branch Office in Turkey During 1978;" 110.TUR – Programming – Turkey vol. 4 – 1978-1980; Series 2, Fonds UNHCR 11.

¹⁰⁵ Letter from Viviane Dumezic to Dr. E. Winkler, General Secretary, ICMC, June 26, 1979; 410.ICMC – Non-Governmental Organizations – International Catholic Migration Commission vol. 6 – 1979; Series 2, Fonds UNHCR 11.

Perhaps the best example of UNHCR institutional confusion comes not from refugees transiting through Turkey from abroad, but from asylum seekers transiting through Turkey's urban west from its peripheral southeast. Istanbul served as a transit hub for refugees from within Turkey seeking to reach Western Europe. Christians from Eastern Turkey, who felt persecuted by local power structures, used Istanbul "as a transit station in order to get to Western Europe." Istanbul held little hope as a permanent home for a Christian from a rural, agrarian background. Language barriers, lack of employment opportunities, and difficulty enrolling in local schools all made integration difficult. And, of course, the constant fear of further oppression left these people eager to leave Istanbul behind.¹⁰⁶ The late 1970s witnessed a large migration of Syrian Orthodox Christians (Assyrians) from Turkey and Syria to Western Europe. By 1979, over 25,000 Assyrians were living in Western Europe; only 50% had any sort of legal status; the rest moved through irregular channels. By the end of the 70s, these people started to request asylum in large numbers. Dr. Jahn wrote to the High Commissioner to warn him that "fear of the 'pull effect' coupled with the present soft attitudes of the Western governments towards Turkey do not work in favour of granting asylum requests from 'refugees' from Turkey."¹⁰⁷ Western governments were reluctant to grant requests for asylum, which they feared would anger the Turkish government while also encouraging more irregular migrants to leave Turkey for Europe.

Large, illicit movements like that of the Assyrians produced complex consequences that caused difficulties for the UNHCR's global work. This was particularly true in the case of UNHCR's relationship with Sweden, a traditionally generous resettlement country. From April

¹⁰⁶ "Report on Meeting Held in Geneva on February 6th 1979 Concerning the Situation of Armenian and Syrian Orthodox in Turkey and Western Europe;" Protection – Eligibility Determination of Refugee Status of Persons from Turkey vol. 1 – 1977-1982; Series 2, Fonds UNHCR 11.

¹⁰⁷ "Mission to Turkey – 8 to 15 April 1981," memorandum from Dr. E. Jahn to the High Commissioner, April 23, 1981; 600.TUR – Protection and General Legal Matters vol. 1 – 1971-1981; Series 2, Fonds UNHCR 11.

1975 to March 1976 between 1,500 and 1,800 Assyrians from Turkey sought asylum in Sweden. The total number of Assyrians in Sweden prior to 1975 was around 3,000.¹⁰⁸ These irregular migrants created a debate in Sweden about whether to let the Assyrians stay and if they should be granted Convention status as refugees. The Swedes ultimately decided to allow those already in Sweden stay, but not grant them refugee status. This decision, to allow the Assyrians to stay, had long-reaching effects. It caused the Swedish government to halt selection missions to Italy and Austria and to close its borders to any further Assyrians emanating from Turkey without a valid entry permit. The movement of these Assyrian asylum seekers provoked a fear of creating a pull factor by admitting too many under too liberal a policy; this led Sweden and the Netherlands to restrict their formerly liberal refugee resettlement programs. Sweden in particular had been instrumental for the UNHCR, allowing the branch office to resettle difficult cases, including disabled and the elderly refugees, who would otherwise have been stuck in Turkey and other countries for the remainder of their lives, wholly dependent on the goodwill of the UNHCR and NGOs like ICMC.¹⁰⁹

A central tenet of the UNHCR in the 1970s was its desire to remain non-political, which in essence, meant “non-controversial.” A key part of remaining non-controversial was the agency’s tendency to avoid assigning blame for the causes of refugee flight. High Commissioner Aga Khan explained in 1970 that ‘since UNHCR is strictly a humanitarian and non-political organization, it is not for us to comment on the cause [of refugee flight] – which is debated in many other forums

¹⁰⁸ “Assyrians (ex-Turkey) in Sweden,” note for the file, March 25, 1976; 100.GEN.TUR – Refugees from Turkey – General vol. 1 – 1970-1976; Series 2, Fonds UNHCR 11; and Letter from H. Glimmerveen, Dutch Refugee Council to Christopher King, Migration Secretary, World Council of Churches,” March 30, 1976; 100.GEN.TUR – Refugees from Turkey – General vol. 1 – 1970-1976; Series 2, Fonds UNHCR 11.

¹⁰⁹ “Assyrians (ex-Turkey) in Sweden,” note for the file, March 25, 1976; 100.GEN.TUR – Refugees from Turkey – General vol. 1 – 1970-1976; Series 2, Fonds UNHCR 11.

of this Organization [the UN] – but only to find rapid and durable solutions to the effect.”¹¹⁰ How then was the branch office to respond to the two countercurrents emanating from Geneva? On the one hand, they were supposed to maintain the goodwill of the Turkish government through cautious advising and careful observation. On the other, the possibility of another tens of thousands of Christians fleeing to Sweden from Turkey threatened the viability of the international resettlement pipeline the UNHCR and its partners worked so hard to facilitate and maintain.

The UNHCR struggled to form a consistent response that encouraged international protection and asylum for this group while retaining its non-political appearance. Aga Khan’s rhetoric in the 1970s shifted from the collective rights language of the 1960s to the rights of individual refugees. Official UNHCR publications also began emphasizing the plight of the refugee, framing issues in terms of human suffering.¹¹¹ At the same time, the prevailing instinct within the organization was still the sort of cautious incrementalism embodied by Reynes’s time in Turkey. The UNHCR struggled between the need to maintain an apolitical, non-operational veneer while also internalizing the messages coming from the High Commissioner and the discourse of official UNHCR publications.

As the downgrade of the branch office elevated the importance and involvement of ICMC, so too did institutional confusion cause the UNHCR to further rely on the work of other NGOs. When UNHCR Headquarters staffers received inquiries from several religious and non-governmental organizations on the condition of Christians in Turkey, the tension described above produced a peculiar response:

According to our Statute we are not entitled to comment on human rights’ situations and individual countries. We would like to draw your attention to the fact, however, that the

¹¹⁰ Hammerstad, *The Rise and Decline of a Global Security Actor*, 106.

¹¹¹ Hammerstad, *The Rise and Decline of a Global Security Actor*, 134.

Churches Committee on Migrant Workers in Europe has recently published a Report on Christian Minorities of Turkey which can be obtained from the Committee at the following address.¹¹²

The report, “Minorities in Turkey,” alleged “systematic” persecution of Christians in Turkey. It called Istanbul a “city of fear” and declared that “the acts of violence and discrimination measures of which these Christians are victims violate human rights...In most cases the Turkish government is either directly or indirectly responsible.”¹¹³ The report went on to recommend that those fleeing Eastern Turkey should be considered *prima facie* refugees. In this response, the UNHCR was doing three things. First, the response refers to UNHCR’s Statute, from which the organization received its mandate. The Statute declares that “the work of the High Commissioner shall be of an entirely non-political character,” and that work will be “humanitarian and social.”¹¹⁴ To maintain this veneer, the UNHCR avoided commenting directly on the situation of Assyrians in Turkey. What comes next, though, is telling. By citing and recommending the report, the correspondence does two more things. It tacitly accepts the opinion of the report, and it seems to agree with the conclusion of the report that these people are *prima facie* refugees.

This sort of language was utilized to respond to these politically sensitive topics increasingly in the 1970s and 80s. The language used above evinces an evolution in the UNHCR’s strategy. Just two years earlier, in 1978, the UNHCR exchanged a similar correspondence with the World Council of Churches in response to the religious group’s inquiries on minorities in Turkey.

¹¹² Letter from Itshaq Brown to Mr. Acan, July 25, 1980; 100.TUR.ASSY – UNHCR Assyrian Refugees in Turkey – 1977 1981; Series 2, Fonds UNHCR 11.

¹¹³ “Assyrian Christians,” February 24, 1980; 100.TUR.ASSY – UNHCR Assyrian Refugees in Turkey – 1977 1981; Series 2, Fonds UNHCR 11.

¹¹⁴ UNHCR, “Statute of the Office of the United Nations High Commissioner for Refugees,” <http://www.unhcr.org/en-us/protection/basic/3b66c39e1/statute-office-united-nations-high-commissioner-refugees.html> [accessed May 8, 2018].

“Concerning investigations into the situation of minorities or other groups in the country of their nationality or habitual residence, this, as you are certainly aware, is not among the functions of UNHCR. We are interested, of course, in receiving reliable material on the situation of minorities and other groups, but we are precluded by our terms of reference from investigating human rights problems of persons who are residing in their own country and are, therefore, not refugees.”¹¹⁵

This shift in the language utilized by UNHCR presaged a broader change that took place in the 1980s. As the High Commissioner’s office became more explicitly political, Headquarters and the Ankara branch office more explicitly adopted the language of the burgeoning international human rights movement. More importantly, it began to rely on non-governmental groups who were part of that movement to investigate and report on human rights abuses. The reports thus produced allowed the UNHCR to make rhetorical moves like that above to criticize the Turkish government without shedding its non-political veneer. Institutional confusion—the product of constraints placed on the branch office at a time of rising ambition within the larger UNHCR—forced UNHCR’s staffers to develop new tools and tactics for operating in Turkey.

3.7 CONCLUSION

The downgrade of the branch office at a time of an expanding UNHCR and growing global refugee and irregular migration left the UNHCR unprepared for the challenge that erupted in the early 1980s. However, the downgrade did force the UNHCR to develop new strategies for operating in Turkey, which it would use to great effect in the 1980s. In particular, the UNHCR increased its reliance on NGOs for both direct refugee aid and human rights reporting. The result of these new

¹¹⁵ Letter from Gilbert Jaeger, Director of Protection, UNHCR to Ms. Ruud van Hoogevest, World Council of Churches, Geneva, Commission on Inter-Church Aid, Refugee and World Service, July 11, 1978; 639.1.TUR – Protection – Eligibility Determination of Refugee Status of Persons from Turkey; Series 2, Fonds UNHCR 11.

strategies was that an increasingly diverse set of actors were drawn into the global refugee system in Turkey. In the next decade, these NGOs and other groups, formed by refugees themselves, would thrust non-state actors to prominence in the refugee system.

Economic decline, increasing numbers of non-European refugees, and the UNHCR's tacit ceding of authority to NGOs and the Turkish authorities, created an environment that increasingly produced instances of refoulement by the Turkish authorities. At the end of the 1970s, economic conditions in Turkey turned truly dire. An inflation rate of near 100 percent and the devaluation of the Turkish lira – its highest devaluation since 1958 – combined to raise the cost of living and create widespread shortages.¹¹⁶ From 1970 to 1979 the Turkish lira was subjected to a total of 214 percent devaluation. This had serious consequences for the everyday lives of people, including refugees, as they struggled to meet basic needs. The price of flour increased 94 percent, from 9 lira in 1978 to 17.50 lira in May 1979. Over this same timeframe, the price of milk increased 100 percent, potatoes by 400 percent, rice by 67 percent, and soap by 131 percent.¹¹⁷ To make matters worse, in 1979, conflicts in Iran and Afghanistan launched new, larger migrations of non-European refugees. These new migrations would increase at alarming rates through the next decade. The arrangement whereby Dr. Jahn served as travelling representative continued until 1981, when new High Commissioner, Poul Hartling appointed Manfred Johannes Paeffgen as the UNHCR Representative in Ankara.¹¹⁸ In 1979, a revolution in Iran and the Soviet invasion of Afghanistan

¹¹⁶ Türkiye İş Bankası A.Ş., "Review of Economic Conditions," 1979; 410.ICMC – Non-Governmental Organizations – International Catholic Migration Commission vol. 6 – 1979; Series 2, Fonds UNHCR 11.

¹¹⁷ Letter from Viviane Dumezic to Dr. E. Winkler, General Secretary, ICMC, June 26, 1979; 410.ICMC – Non-Governmental Organizations – International Catholic Migration Commission vol. 6 – 1979; Series 2, Fonds UNHCR 11.

¹¹⁸ Letter from Poul Hartling, United Nations High Commissioner for Refugees, to His Excellency the Minister of Foreign Affairs, Ankara, Turkey, November 23, 1981; 203-TUR Privileges, Immunities and Accreditations - Turkey 1969-1981; Series 2, Fonds UNHCR 11.

would bear witness to the concerns of Dr. Jahn and others, who had warned that a UNHCR presence in Turkey was fundamental to the agency's global interests.

What damage was done to the efforts of Prince zur Lippe, H.H. Schindler, Roger Reynes and others? Each had campaigned to carve out new arenas for UNCHR activity, to establish and expand an office the presence of which the Turkish government clearly desired, but which the government also wished to keep on a short leash. The assignment of Dr. Jahn—though by all accounts he was devoted and talented—as an interim and travelling representative made the job of future representatives in Turkey much more difficult, especially considering the sudden influx of Iranian asylum seekers and irregular migrants that would transit through Turkey in the next decade.¹¹⁹ When Iranians started to flood into Turkey, the office would once again seek to increase cooperation between the authorities and the UNHCR. The reporting of refoulement, by key NGOs and individual refugees, would allow the branch office to utilize human rights language more expansively than it had in the previous twenty years. The new strategies necessitated by the changes of the 1970s helped draw in these new actors and created a complex landscape for UNHCR's work. The work of NGOs, the international human rights movement, and refugee advocacy groups provided the UNHCR with unprecedented influence in Turkey.

¹¹⁹ Letter from Poul Hartling, United Nations High Commissioner for Refugees, to His Excellency the Minister of Foreign Affairs, Ankara, Turkey, November 23, 1981; 203-TUR Privileges, Immunities and Accreditations - Turkey 1969-1981; Series 2, Fonds UNHCR 11.

4.0 SHORTCUTS: IRREGULAR CHANNELS AND AN INFORMAL ARRANGEMENT, 1980-1984

Between 1979 and 1989, 1.5 million Iranian asylum-seekers fled through Turkey on their way west. The vast majority of these people moved through irregular channels, electing to circumvent the authority of both the Turkish government and the United Nations High Commissioner for Refugees (UNHCR).¹ Yet during the 1980s, largely in response to the movement of Iranian asylum-seekers and refugees, the UNHCR's branch office in Ankara expanded from a limited three-person operation into the agency's largest branch office in Europe.² This physical expansion corresponded with a period of unprecedented cooperation between the Turkish authorities and the UNHCR, during which the Turkish government granted the UNHCR authority to determine the refugee status of Iranian asylum-seekers entering Turkey. The agency's authority soon expanded to cover all non-European refugees transiting through Turkey, a goal the UNHCR had been

¹ The irregular nature of Iranians' transit through Turkey makes statistical specificity difficult. Compounding the issue, the Turkish government did not recognize or record Iranians as asylum-seekers or refugees. Kemal Kirişçi quotes a Turkish parliament member, who put the number of Iranians who transited through Turkey in the 1980s at 1.5 million. Kemal Kirişçi, "Refugees of Turkish Origin: 'Coerced Immigrants' to Turkey since 1945," in *International Migration* Vol. 34 Issue 3 1996.

² In the course of one year, from 1986 to 1987, the office expanded from the second-smallest UNHCR office in Europe to the largest. "Up-date of Office Procedures and Plan of Operations January and March 1987," memorandum from Gary Troeller, Representative, UNHCR, Ankara, to All Staff of B.O., Ankara, January 5, 1987; 205.TUR – Administration and Finance – UNHCR Offices – Turkey 1987 A; Series 3, Classified Subject Files; Fonds 11, Records of the Central Registry; Archives of the United Nations High Commissioner for Refugees (hereafter Series 3, Fonds UNHCR 11); and Council of Europe, Committee on Migration, Refugees, and Demography, "Report on Iranian and Iraqi refugees and asylum seekers in Turkey: draft recommendation," 6.

working toward since it first opened a branch office in Turkey in 1960. For two decades, successive UNHCR representatives in Turkey had struggled to convince Turkish authorities to either formalize and regularize their national asylum policies or expand their cooperation with the UNHCR. For most of this time, the Turkish government sidelined the branch office, granting it little say in Turkey's asylum policies, while the High Commissioner's staff in Geneva likewise disregarded the Ankara office. As late as 1983, the UNHCR's representative in Turkey shared a small corner of the United Nations Development Program's (UNDP) office. The representative's office did not even have a direct telephone line.³ However, in the course of four years, from 1983 to 1987, the office underwent extreme change, evolving from its inauspicious origin to become the UNHCR's largest office in Europe and a new voice that worked closely with Turkish authorities in decisions on asylum and refugees.

This chapter will examine how the UNHCR achieved its new authority and cooperation with the Turkish state despite significant roadblocks. I contend that it was not the Turkish state or the UNHCR that instigated change in the early 1980s, but a globally connected network of Iranian refugees and exiles. I begin with an overview of the UNHCR-Turkey relationship and an explanation of how the UNHCR branch office in Ankara was marginalized in the early 1980s by the High Commissioner in Geneva and the Turkish authorities. I then move on to a discussion of the irregular channels through which Iranian asylum-seekers moved—known to the UNHCR as the “Iranian *filière*”—in order to understand the relationship between the nature of the Iranian

³ “Reporting on UNHCR Activities in 1982-1983,” memorandum from Manfred Paeffgen, Representative, UNHCR Ankara to UNHCR Headquarters, April 27, 1983; 110.TUR – Programming – Turkey [vol. 7] 1983-1984; Series 2, Classified Subject Files; Fonds 11, Records of the Central Registry; Archives of the United Nations High Commissioner for Refugees (hereafter Series 2, Fonds UNHCR 11).

exile movement and the migration and advocacy work of several Iranian organizations. I will then consider how the Iranian *filière* and Iranian refugee advocacy became entangled with the work of a newly salient international human rights movement and how this, in turn, set the stage for rapid development of the UNHCR branch office in Ankara. I conclude with a case study of one incident in 1983, when the forcible return of 63 Iranians to Iran provoked an international outcry, spurring to action a global network of Iranian advocacy organizations. Their transnational advocacy connected these organizations with a host of actors, including Amnesty International, UN High Commissioner for Refugees Poul Hartling (1978-1985), Western news media, diplomats from Western Europe and North America, and the Turkish authorities. In the fallout of this incident, the nature of the UNHCR's work in Turkey transformed.

The UNHCR's role in Turkey expanded in the 1980s as a result of an unofficial agreement known as the "informal arrangement" or "working relationship" between the UNHCR and the Turkish authorities. Under the informal arrangement, the UNHCR took on an increasingly important—but technically unofficial—role in Turkish refugee policy. The Turkish authorities permitted the UNHCR to conduct refugee status determination procedures for Iranians in Turkey, identifying who qualified for formal refugee status under the 1951 Convention *Relating to the Status of Refugees*. The arrangement was kept informal to avoid the problems in Turkey's domestic and foreign politics that a formal agreement would create. Indeed, in the second half of the twentieth century, most of Turkish asylum policy was informal and *ad hoc*. Until 1994, Turkey had no formal policy or institution dealing explicitly with non-European asylum-seekers, and it was not until September 2016 that the High Commissioner's office finally signed a Host Country Agreement with Turkey, formalizing the UNHCR's status in the country.⁴ Turkey remains one of

⁴ Başak Kale, "The Impact of Europeanization on Domestic Policy Structures: Asylum and Refugee Policies in Turkey's Accession Process to the European Union" (PhD diss., Middle Eastern Technical University, 2005), 216-

only a handful of nations to maintain a geographic limitation on the 1951 Convention *Relating to the Status of Refugees*, obligating the nation to recognize as refugees only people fleeing from Europe.⁵ Nevertheless, since Turkey signed the Convention, millions of refugees from Africa, Asia, and the Middle East have transited through or sought asylum in Turkey. The geographic limitation, however, denied Iranians and other non-European refugees the same official protections granted to European refugees. The informal arrangement negotiated between the UNHCR and Turkey in 1984 initiated a period of close cooperation, which lasted through the 1980s and brought some measure of protection to non-European asylum-seekers transiting through Turkey.⁶

The establishment of an informal arrangement and closer cooperation between the UNHCR and Turkey was not merely a result of the UNHCR finally convincing Turkish authorities to increase bilateral cooperation. Rather, it was largely due to the efforts of Iranian refugees themselves, who set up their own migration and advocacy networks across the globe. The UNHCR's expansion in Turkey was enabled, and indeed compelled, by a transnational and globally connected network of Iranian advocacy organizations. The Iranian network engaged with human rights non-governmental organizations (NGOs) like Amnesty International and with a vast black market in human movement—what the UNHCR called “the Iranian *filière*.”⁷ The events of

217; Cavıdan Soykan, “Access to International Protection: Border Issues in Turkey,” in Maria O’Sullivan, Dallal Stevens, eds., *States, the Law and Access to Refugee Protection: Fortresses and Fairness* (Portland, OR: Hart Publishing, 2017); and Melissa Fleming, “UNHCR Chief Pledges More Support for Turkey Refugee Response,” UNHCR News and Stories, September 1, 2016, <http://www.unhcr.org/en-us/news/latest/2016/9/57c856484/unhcr-chief-pledges-support-turkey-refugee-response.html> [accessed May 2, 2018]

⁵ Kemal Kirişçi, “Refugee Movements and Turkey,” *International Migration*, 29, issue 4, (December 1991): 545-560.

⁶ Celia Mannaert, “Irregular Migration and Asylum in Turkey,” *UNHCR: New Issues in Refugee Research*, Working Paper No. 89 (May 2003); and Kemal Kirişçi, “Turkish Asylum Policy and Human Rights,” in *Human Rights in Turkey*, ed. Zehra F. Kabasakal Arat (Philadelphia: University of Pennsylvania Press, 2007), 170-174.

⁷ The French word *filière* roughly translates to “channel,” “network” or “web” and can carry connotations of illegality or industry.

November 1983 initiated the UNHCR's expansion in Turkey. The forcible return of 63 Iranian refugees from Turkey back to Iran instigated a global campaign to protect Iranian refugees in Turkey. But it was not the refoulement itself that made this event significant. The UNHCR had received hundreds of allegations of refoulement by 1983. What made the difference was the effective, persistent, and widespread response by a globally connected network of Iranian advocacy groups. Many Iranian advocacy groups in the early 1980s adopted the language of a newly salient international human rights movement to advocate for the protection of Iranian refugees in Turkey and across the globe. And, more than any other group of refugees at the time, Iranians successfully utilized irregular channels to gain asylum in Western Europe. The success of the Iranian network compelled the UNHCR and the Turkish government to cooperate in an effort to mitigate irregular migration. The work of these global Iranians changed not only the UNHCR's work in Turkey, but the functioning of the global refugee system for the next decade. The coordinated advocacy, reporting, and illicit migration by Iranian refugees in localities across the globe influenced the UNHCR's global work in subtle and dramatic ways.

4.1 COLLISIONS: THE UNHCR-TURKEY RELATIONSHIP—WHY SO TROUBLED?

Turkey and the UNHCR have always had a complicated relationship. As mentioned above, Turkey's idiosyncratic policies regarding the geographic limitation and its stubborn refusal to formalize its relationship with the UNHCR produced convoluted and inefficient asylum procedures. Until 1984, the UNHCR's role in refugee status determination in Turkey was ancillary. The ultimate decision on who was and was not a refugee under the 1951 Convention rested with

the Turkish authorities. In addition to Turkey's informal and complex asylum policies and procedures, the country's relationship with the UNHCR was also complicated by other factors, including the arrival of thousands of Iranian asylum-seekers, Turkey-Iran relations, and Turkey's desire to increase its ties to Western Europe.

The arrival of thousands of Iranian asylum seekers in the early 1980s further complicated the Turkish-UNHCR relationship. Turkey insisted that its maintenance of the geographic limitation meant that it had no legal obligations to Iranian asylum-seekers; however, the Turkish authorities promised that no bona fide refugee would be returned to Iran. Only drug smugglers, spies, and other criminals would be deported.⁸ Despite its reluctance to fully recognize Iranians and its refusal to tolerate security risks, Turkey maintained relatively liberal asylum policies toward Iranians. The UNHCR and Western diplomats praised Turkey's liberal asylum policies. Like Pakistan, Japan, and Spain (all of which later reversed the policy) Turkey had no visa requirement for Iranians. This meant that Iranians could arrive in Turkey on three-month tourist visas and stay indefinitely if they could support themselves financially.⁹ The official policy of the Turkish authorities only allowed Iranians with valid Iranian passports and the appropriate visas to leave Turkey for Western Europe. Nonetheless, the Turkish authorities turned a blind eye to irregular migration out of Turkey. Turkish lenience led to a relatively constant movement of entries and exits of Iranians through Turkey, both legal and otherwise.¹⁰ Turkey's tacit acceptance of Iranian transit migration was, however, predicated on the assumption that their stay in Turkey was

⁸ "Report on Mission to Turkey 14-24 April 1983;" 600.TUR – Protection and General Legal Matters – 1983 vol. 4, Series 2, Fonds UNHCR 11.

⁹ Though many simply overstayed their visa, those with financial means would leave the country for a day and travel to Bulgaria. On their return, they received a new three-month tourist visa for Turkey.

¹⁰ "USCR meeting notes, meeting on Middle East," January 5, 1987. U.S. Committee for Refugees, Records, Box 32, Folder Turkey 1986.

temporary. The Turkish government continued its liberal policies for Iranian asylum seekers because Turkey had “reasonable hopes” that the international community would show an understanding of its special position as a “gate toward the free world.”¹¹

The most immediate factor influencing Turkish asylum policy in the 1980s was its economic and security relations with the Islamic Republic of Iran.¹² Since the fall of the shah, Turkey had steadily increased its economic ties with Iran. By 1985, more than a quarter of Turkey’s trade was with Iran and Iraq.¹³ Open acknowledgement that Turkey was harboring refugees would damage relations with Turkey’s eastern neighbors. The branch office blamed the fear of highlighting the refugee issue for the reluctance of the authorities to appoint a single coordinator for refugee affairs. The several different Turkish interlocutors the branch office had to deal with added “more confusion to an already cumbersome approach.”¹⁴ Turkey’s desire to maintain good relations with Iran also led Turkish authorities to refuse UNHCR funds for assistance and for “collective accommodation” for asylum-seekers from Iran. As one UNHCR staffer put it, “Turkey wishes above all to play down the refugee problem in order not to jeopardize her relations with Iran.”¹⁵ As a result, the UNHCR and its partners in Turkey were required to undertake resettlement

¹¹ “Annual Report Branch Office Turkey (83-84),” April 30, 1984; 110.TUR – Programming – Turkey vol. 6, 1981-1984, Series 2, Fonds UNHCR 11.

¹² UNHCR Confidential Memorandum from Michael Petersen, Protection Officer, Europe Regional Section to P.M. Moussalli, Director of International Protection, March 19, 1984; 010.TUR – Relations with Governments Turkey – 1984, Series 2, Fonds UNHCR 11.

¹³ CIA, “Background Notes for DCI Trip to Turkey,” November 25, 1986, General CIA Records, CREST Database, Central Intelligence Agency.

¹⁴ “Annual Report Branch Office Turkey (83-84),” April 30, 1984; 110.TUR – Programming – Turkey vol. 6 – 1981-1984, Series 2, Fonds UNHCR 11.

¹⁵ Emphasis in the original. UNHCR Confidential Memorandum from Michael Petersen, Protection Officer, Europe Regional Section to P.M. Moussalli, Director of International Protection, March 19, 1984; 010.TUR – Relations with Governments Turkey – 1984, Series 2, Fonds UNHCR 11.

operations “very discretely” while avoiding “any publicity.”¹⁶ The branch office avoided contacts with the Turkish press whenever possible. However, the increasing human rights scrutiny created by refugee advocacy organizations, Western embassies, and NGOs made such discretion increasingly difficult.

While the Turkish authorities wanted to avoid straining their relationship with Iran, they also wanted to avoid critiques from the West. Relations with Western Europe had been strained by Turkey’s 1980 military coup and subsequent allegations of human rights abuses under martial law. Maintaining liberal asylum policies for Iranians allowed Turkey some human rights cover while they faced harsh criticisms on press freedom and the treatment of minorities. Given this, the Turkish authorities were invested in asylum seekers leaving the country as quickly as possible, often turning a blind eye to persons leaving the country with invalid travel documents and visas, many of whom acquired false papers during their transit stay in Istanbul.¹⁷

Turkey’s stubborn refusal to create a uniform eligibility determination procedure was finally eroded, after 23 years of UNHCR pressure, by the increasing number of Iranian asylum seekers and the transnational network of organizations that emerged to advocate for them.¹⁸ Beginning in the mid-1980s, the UNHCR developed an informal “working relationship” with the Turkish authorities regarding Iranian asylum seekers.¹⁹ Scholarship on the subject generally

¹⁶ “Annual Report Branch Office Turkey (83-84),” April 30, 1984; 110.TUR – Programming – Turkey vol. 6, 1981-1984, Series 2, Fonds UNHCR 11.

¹⁷ UNHCR Confidential Memorandum from Michael Petersen, Protection Officer, Europe Regional Section to P.M. Moussalli, Director of International Protection, March 19, 1984; 010.TUR – Relations with Governments Turkey – 1984, Series 2, Fonds UNHCR 11.

¹⁸ “Report on Mission to Turkey 14-24 April 1983;” 600.TUR – Protection and General Legal Matters – 1983 vol. 4, Series 2, Fonds UNHCR 11.

¹⁹ The informal arrangement was initiated in a meeting in Geneva run by the High Commissioner, but it had its roots in the branch office, and it was the branch office that carried out the day-to-day aspects of the arrangement. Kemal

accepts that sometime in the mid-1980s UNHCR obtained an “informal arrangement” with the Turkish authorities.²⁰ This arrangement, which was later expanded to cover most non-European refugees entering Turkey, would reshape Turkish asylum policy. The Turkish government “systematically discouraged Iranians from formally seeking asylum” in Turkey; however, as the number of Iranians transiting through Turkey steadily increased, for those who did formally seek asylum, the Turkish authorities allowed them to apply for refugee status and resettlement through the UNHCR. The refugee status determination procedure for Iranians, in which the Branch Office had sought closer cooperation and formalization in since the 1960s, was left to the Ankara branch office. As the composition of refugees seeking asylum in Turkey diversified over the course of the late 1980s, this arrangement was extended to transit refugees from Iraq, Afghanistan, Somalia, Sri Lanka, Sudan, Tunisia, and Palestine. This working relationship was maintained with the understanding that any asylum seekers recognized as refugees would use Turkey only as a transit country while awaiting resettlement in a third country. However, the tendency of most Iranian asylum seekers to enter and exit Turkey illegally, without regularizing their status with the Turkish police or UNHCR, frequently strained this working relationship between the branch office and the Turkish Authorities.²¹ This “informal arrangement” between the UNHCR and Turkey would not

Kirişci, “Is Turkey Lifting the ‘Geographical Limitation’?—The November 1994 Regulation on Asylum in Turkey,” *International Journal of Refugee Law*, vol. 8 no. 3, (1996), 298.

²⁰ Amnesty International, “Turkey: Selective Protection: Discriminatory Treatment of Non-European Refugees and Asylum-Seekers,” *Amnesty International*, March 1994 (AI Index: EUR 44/16/94); Kirişci, “Refugees of Turkish Origin,” 386; Kirişci, “Turkish Asylum Policy and Human Rights,” 174, 179-180; Celia Mannaert, “Irregular Migration and Asylum in Turkey,” UNHCR *New Issues in Refugee Research*, Working Paper No. 89, May 2003.

²¹ Iranians were by far the largest group of asylum-seekers transiting through Turkey in the 1980s, and the vast majority of Iranians used irregular channels. Most non-European asylum-seekers who transited through Turkey were also irregular migrants. As with Iranians, a small sampling of non-European refugees chose (or were forced) to register with the UNHCR in Ankara. However, since we do not have any official statistics from before 1996 on irregular transit migrants in Turkey, and only have statistics on those who were apprehended by the Turkish authorities after 1996, we can not say with certainty what percentage of each group moved irregularly. “Iranian

be realized until early 1984. In 1980, the UNHCR branch office in Ankara remained marginalized, almost totally removed from critical decisions taken on Turkish asylum policy.

4.2 STAY IN LANE: MARGINALIZATION OF THE ANKARA BRANCH OFFICE

The transformation of the UNHCR's role in Turkey in 1984 was a dramatic reversal for an office that was almost totally marginalized in 1980. When asylum-seekers fleeing the Iranian Revolution started arriving in Turkey in 1979, the UNHCR office in Ankara was in its weakest position in its twenty-year history. Responsible for only low levels of East European refugees and removed from the Turkish government's refugee status determination process, the branch office had, by 1980, been relegated to near insignificance.²² The marginalization of the branch office set off alarm bells among some staffers at UNHCR headquarters in Geneva. Staffers from the High Commissioner's office in Geneva warned that a weak Ankara office would make the UNHCR unable to properly respond to sudden influxes caused by unrest in the Middle East. As early as 1975, the chief of UNHCR's Europe section had warned Turkey could become an increasingly important "field of operations for UNHCR...there are movements on the South East border and if the unrest in the Near East will continue this Office would only be able to tackle the problems immediately, if we

Refugees in Turkey," note for the file by H. Utkan, March 16, 1984; 100.TUR.IRAN – Refugees from Iran in Turkey vol. 3, 1984, Series 2, Fonds UNHCR 11.

²² Kemal Kirişci has written that the Turkish Ministry of the Interior has indicated that some 13,500 asylum-seekers from Eastern Europe have benefited from the protection of the 1951 Convention in Turkey between 1970 and 1996. This figure does not include 20,000 Bosnians temporarily sheltered between 1992 and 1995 or the hundreds of thousands of Bulgarians who traveled to Turkey in 1989. The statistic, provided by the Turkish government, also does not account for asylum-seekers who did not seek the protection of the UNHCR while in Turkey. Kirişci, "Turkish Asylum Policy and Human Rights," 173.

already were represented sur place.”²³ This advice was ignored, and the Ankara branch office was demoted in 1976. In 1980 the Ankara branch office still did not have a full-time representative. Instead, the office shared a representative, based in Geneva, who worked with several other Middle East offices. Not long after the High Commissioner demoted his branch office in Turkey, the demographics of asylum-seekers reaching Turkey diversified. Steadily, the number of transit refugees from Africa, Asia, and the Middle East rose over the late 1970s and early 1980s. It was a harbinger of things to come as the 1980s witnessed sudden and mass movements of refugees from Iran, and later, Iraq.

In 1979 and 1980, the makeup of refugees approaching the office changed profoundly, and the High Commissioner was forced to rethink his agency’s policies in Turkey.²⁴ In the late 1970s, the office had a caseload of around two thousand Eastern European refugees and only a handful of non-European asylum seekers. A steady rise of asylum seekers from Afghanistan and especially Iran—most of whom transited through Turkey outside of official UNHCR channels—signaled to High Commissioner Poul Hartling a need to rethink his position on a permanent representative in Ankara. By the end of 1981, he reestablished a full-time representative at the branch office.²⁵ In September 1981, Hartling named Manfred Johannes Paeffgen to the post. A citizen of the Federal Republic of Germany, Paeffgen was thirty-nine at the time of his arrival in Ankara in December

²³ “Note on the UNHCR Representation in Turkey,” October 25, 1976; 203.TUR – Privileges, Immunities and Accreditations – Turkey – 1969-1981, Series 2, Fonds UNHCR 11.

²⁴ By 1980, of 115 persons applying to UNHCR for asylum in Turkey, 47 of them were Afghans. But in addition to these UNHCR-assisted Afghans, an additional 654 Afghan refugees were living in Istanbul and 72 in Ankara who were receiving assistance from the Turkish Red Crescent Association. “Reporting on UNHCR Assistance Activities,” memorandum from T. Tanrikut, UNHCR B.O. Ankara, Turkey to Dr. E. Jahn, Deputy Director of Protection Department, and Representative for Turkey, May 9, 1980; 110.TUR – Programming – Turkey vol 5 – 1980-1981, Series 2, Fonds UNHCR 11.

²⁵ The Ankara office was reestablished at the “P4” level. Letter from E. Jahn to The High Commissioner, “Mission to Turkey – 5 to 12 July 1981, July 16, 1981,”; 600.TUR – Protection and General Legal Matters, 1981-1982 vol. 2, Series 2, Fonds UNHCR 11.

1981. He spoke German, French, English, and Italian (but not Turkish – though none of the previous representatives had spoken Turkish at the time of their appointment) and had served the High Commissioner since 1975 as Programme Officer in the West and Central Africa Regional Section and as Resettlement Officer at Headquarters in Geneva. From 1979 to 1981 he served as Representative for the UNHCR Branch Office in Manila. Paeffgen enjoyed more regular access to Ministry of the Interior (MOI) officials than had his predecessors, and it was this level of access that allowed him to bring allegations of refoulement and human rights abuses in the provinces to the Ankara government's attention. The MOI Security Directorate oversaw border crossings and immigration documentation.²⁶ Paeffgen's priority upon arriving in Ankara was to improve UNHCR's understanding of the situation in Turkey's border provinces, which had deteriorated due to the prolonged absence of a permanent representative.²⁷

Turkish procedures for determining refugee status were decentralized and varied from province to province because Turkish law was unclear on the procedures for handling non-European asylum seekers. This stood in sharp contrast to the policies of most European states at the time. The only related legal reference was Article 17 of the Turkish Law No. 5683 (1950), a single sentence which states that aliens seeking political asylum in Turkey could only reside in localities approved by the Ministry of the Interior.²⁸ If all went according to plan, asylum seekers

²⁶ "Iranian Asylum Seekers in Turkey and Related Issues," memorandum from Manfred Paeffgen, Representative in Turkey to UNHCR Headquarters, Geneva, December 1, 1982; 600.TUR – Protection and General Legal Matters, 1981-1982 vol. 2, Series 2, Fonds UNHCR 11.

²⁷ As discussed in Chapter 2, Paeffgen did benefit from the centralization efforts initiated by Schindler, and the efforts of Reynes (Chapter 3) and others did lay some groundwork for closer cooperation between Turkey and the UNHCR.

²⁸ *T.C. Resmi Gazete (Official Gazette of the Turkish Republic)*, No. 5683, July 15, 1950; and Letter from UNHCR BO to Peter van der Vaart, Project Secretary, Vereniging Vluchtelingenwerk (refugee association of the Netherlands), July 21, 1981; 600.TUR – Protection and General Legal Matters, 1981-1982 vol. 2, Series 2, Fonds UNHCR 11.

were required to report to the police at the border. The border police would then transfer the asylum seekers to an approved area in the provincial capital before referring them on to the police office in Istanbul, where they would receive their first interview. While their case was under review, asylum seekers could apply for temporary residence permits. The Istanbul police would send their application for asylum and refugee travel document to the Ministry of the Interior (MOI), which made the final decision on asylum and refugee status. If the MOI determined that they were “genuine asylum seekers,” the Iranians would be referred to UNHCR and moved to the Acıbadem Refugee Reception Centre. Their case was then moved to the office of the International Catholic Migration Commission (ICMC), which would begin processing their application for resettlement. Generally, if the application was denied, the applicant could still receive an alien’s passport valid for six months and keep their residence permit, and they would generally be allowed to stay in the country until they were able to either emigrate.²⁹ This process was how things were supposed to work. However, due to the decentralized nature of Turkish asylum policy and the relative weakness of the UNHCR branch office, this status determination procedures rarely went according to plan. An asylum-seeker could become hung up at several points in this labyrinthine, *ad hoc* system. Many Iranians transited through Turkey illegally, electing to avoid both the Turkish authorities and the UNHCR precisely because the Turkish procedures were so unreliable. Iranian refugees feared imprisonment in Turkey or refoulement to Iran, where they could face execution.

When Paeffgen arrived in Ankara, the weakened UNHCR office was ill-equipped to monitor Turkish asylum procedures or offer an alternative. The branch office was housed within one room at the UN Development Programme’s office building in Ankara. After Paeffgen’s

²⁹ Letter from UNHCR BO to Peter van der Vaart, Project Secretary, Vereniging Vluchtelingenwerk (refugee association of the Netherlands), July 21, 1981; 600.TUR – Protection and General Legal Matters, 1981-1982 vol. 2, Series 2, Fonds UNHCR 11.

arrival, he managed to expand this to two rooms.³⁰ Early expansion was slow, and the office's resources were limited. In a mild memorandum to Headquarters, Paeffgen commented on the office's limited resources: "During 1983 it is hoped that the Branch Office will obtain a direct telephone line, which will greatly facilitate our work."³¹ In 1983, over a year after his posting, Paeffgen was still pleading with Headquarters to maintain a driver and clerk to staff his office and to get them a direct phone line. These limitations are remarkable given the huge expansion the office would undergo in the next ten years. But it was not simply phone lines and staff that so hampered his work. Paeffgen lamented the "absence of any coherent action" by the office "except in the field of resettlement" for over five years. He reported that this forced him to "develop new approaches to create good will, in short to simply inform certain authorities of what UNHCR's mandate really is about."³²

The branch office under Paeffgen was starting from scratch with the Turkish government, which had recently been upended by a military coup in 1980.³³ Paeffgen complained that the daily work of the office was impeded by "the absence of any definite and specific structure dealing with problems relating to refugees" on the part of the Turkish government.³⁴ He leveraged his access to the Ministry of the Interior in order to lobby for formalized Turkish policies. He believed that UNHCR's main role in Turkey should be the "maintenance of permanent contacts with the

³⁰ Letter from E. Jahn to The High Commissioner, "Mission to Turkey – 5 to 12 July 1981, July 16, 1981; 600.TUR – Protection and General Legal Matters, 1981-1982 vol. 2, Series 2, Fonds UNHCR 11.

³¹ "Reporting on UNHCR Activities in 1982-1983," memorandum from Manfred Paeffgen to UNHCR Headquarters, April 27, 1983; 110-TUR – Programming – Turkey vol. 7 – 1983-1984, Series 2, Fonds UNHCR 11.

³² Ibid.

³³ For the 1980 coup's impacts on Turkish diplomacy with its Western allies, see, Kemal Kirişçi, *Turkey and the West: Faultlines in a Troubled Alliance* (Washington, DC: Brookings Institution Press, 2018), 27-48.

³⁴ "Reporting on UNHCR Activities in 1982-1983," memorandum from Manfred Paeffgen to UNHCR Headquarters, April 27, 1983; 110-TUR – Programming – Turkey vol. 7 – 1983-1984, Series 2, Fonds UNHCR 11.

authorities and to act as a ‘watch dog’ to create a positive attitude vis-à-vis asylum-seekers and to attempt to avoid refoulement.”³⁵

Paeffgen grew increasingly concerned that a sudden Iranian influx could overwhelm the Turkish system in the event that a minority group from Iran were to “penetrate the present caseload, which consists mainly of wealthy people having contacts in the West.”³⁶ For their part, the Turkish authorities were aware of the limitations of their asylum procedures and reported to UNHCR that they were having difficulty in determining the status of Iranians, many of whom they suspected did not qualify as refugees. With limited UNHCR oversight and the demands of the ponderous Turkish bureaucracy, the system was ripe for corruption and violations. Refugees complained to the Ankara branch office of various abuses, including that they were turned back at the border, had their belongings confiscated, or that they were forced to bribe border officials. In each case, Representative Paeffgen claimed to have followed up with the Turkish authorities, but given the nature of the allegations, specifics were thin, and responsible individuals were rarely identified.³⁷

By 1983 the Branch Office was beginning to feel the strain of increasing refugee movements. Even with staff additions, the office was chronically understaffed and reported delays due to “excessive workload.”³⁸ Young, draft-aged men from Iran arrived in higher numbers,

³⁵ UNHCR Confidential Memorandum from Michael Petersen, Protection Officer, Europe Regional Section to P.M. Moussalli, Director of International Protection, March 19, 1984; 010.TUR – Relations with Governments Turkey – 1984, Series 2, Fonds UNHCR 11.

³⁶“Report on Mission to Turkey 14-24 April 1983;” 600.TUR – Protection and General Legal Matters – 1983 vol. 4, Series 2, Fonds UNHCR 11.

³⁷ “Iranian Asylum Seekers in Turkey and Related Issues,” memorandum from Manfred Paeffgen, Representative in Turkey to UNHCR Headquarters, Geneva, December 1, 1982; 600.TUR – Protection and General Legal Matters, 1981-1982 vol. 2, Series 2, Fonds UNHCR 11.

³⁸ UNHCR Confidential Memorandum from Michael Petersen, Protection Officer, Europe Regional Section to P.M. Moussalli, Director of International Protection, March 19, 1984; 010.TUR – Relations with Governments Turkey – 1984; Series 2, Fonds UNHCR 11.

fleeing the Iran-Iraq War. Unlike their compatriots with financial resources and Western connections, these new refugees were poor and desperate. Fulfilling even Paeffgen's limited idea of "watch dog" became an increasingly challenging proposition for the small office. To complicate matters, the large-scale irregular migration channels pioneered by Iranian asylum-seekers soon made it apparent that the UNHCR could not maintain its limited advisory role but would need to expand its functions and strengthen its branch office in response to global migration and advocacy networks established by Iranian refugees.

4.3 BACKROADS: THE IRANIAN FILIÈRE

During the 1980s as many as 1.5 million Iranian asylum-seekers sought temporary refuge in Turkey.³⁹ From Turkey's mountainous eastern highlands to the streets of the Aksaray district in Istanbul, a flourishing black market in human movement claimed to offer hope to Iranian refugees with their eyes set westward. They arrived by horse, by truck, by foot, or by mule along mountainous smuggler trails in Turkey's east. If they avoided Turkish border guards, they faced the choice of claiming asylum at a border crossing, seeking out the UNHCR office in Ankara, or illegally making their way to Istanbul, where they might avail themselves of the services of other smugglers and middlemen in the journey toward Western Europe.

The global Iranian network that facilitated the shuttling of asylum-seekers through Turkey (hereafter: "Iranian network") and beyond had two components: first, the numerous Iranian organizations, individuals, and media outlets that, alongside their broader political agendas,

³⁹ Reliable estimates vary from half a million to over 1.5 million. Kirişçi, "Refugee Movements and Turkey."

lobbied on behalf of Iranian refugees, whom they saw as allies against the Khomeini regime in Tehran. The second component of the Iranian network was what the UNHCR called “the Iranian *filière*”—that is, the Iranian “channel.” UNHCR staffers used the term to refer to the nebulous variety of methods by which millions of Iranians were able to cross, by land, sea, or air, from Iran, through transit countries like Turkey, Pakistan, Thailand, the Philippines, and the Gulf States into Western Europe and North America with the aim of claiming political asylum. The Iranian *filière* was a set of migration channels carved out by millions of asylum-seekers moving across political borders and through host countries with the help of smugglers, racketeers, and middlemen, who provided coaching, forged documents, and facilitated covert movement. A transnational network of Iranian organizations and diaspora media outlets supported the function of the *filière*, utilizing human rights language as an organizing principle in their advocacy efforts on behalf of Iranian asylum-seekers, who were often in danger of refoulement in large part because they so frequently moved via the *filière*, outside the official channels of the UNHCR and the laws of host countries like Turkey.⁴⁰ As refugee numbers increased, Turkey’s goodwill wore thin, and allegations of refoulement began to pour into the UNHCR. Even today, refoulement remains a constant source of tension in relations between the UNHCR and Turkey.⁴¹

⁴⁰ Legal scholars have produced extensive work on the issue of non-refoulement. See: Fanny De Weck, *Non-Refoulement under the European Convention on Human Rights and the UN Convention against Torture* (Leiden: Brill, 2016); Seline Trevisanut, “The Principle of Non-Refoulement And the De-Territorialization of Border Control at Sea,” *Leiden Journal of International Law* 27, no. 3 (2014): 661–675; and Didem Doğar, “Against All Odds: Turkey’s Response to ‘Undesirable but Unreturnable’ Asylum-Seekers,” *Refugee Survey Quarterly*, Vol. 36, 1, (March 2017): 107-125.

⁴¹ See: Amnesty International “Iranian Refugees in Turkey: Memorandum from Amnesty International to the Turkish Government, February 5, 1986,” external document, August 1, 1986; U.S. Committee for Refugees, Records, Box 32, Folder Turkey 1986; “Turkey: An Unsafe Country of Waiting for Iranian Refugees,” Amnesty International, July 1988. U.S. Committee for Refugees Archives Box 32 Folder Turkey 1988; Amnesty International, “Turkey: Selective Protection: Discriminatory Treatment of non-European Refugees and Asylum-Seekers,” Amnesty International, March 1994, EUR 44/16/94; and Amnesty International, “No Safe Refuge: Asylum-Seekers and Refugees Denied Effective Protection in Turkey,” 2016. <https://www.amnesty.org/en/documents/eur44/3825/2016/en/> [accessed May 2, 2018].

4.4 OFF-ROAD: IRREGULAR CHANNELS

The Iranian network was part of the transnational political movement of the Iranian Diaspora. It was comprised of loosely affiliated advocacy organizations, individuals, media outlets, and the *filière*. Refugee advocacy by Iranian organizations was a key piece of its strategy for making sure the millions of displaced Iranians reached a country where they might claim asylum and join the efforts of exile groups.⁴² During the 1980s, diasporas were becoming standard institutions of international relations.⁴³ South African, Armenian, Greek, Palestinian, Cuban and a host of other diasporas were operating as independent actors in international relations at the same time as the Iranian diaspora, influencing events in their host and home countries. Sociologist Rogers Brubaker argues against thinking of diaspora as a noun and a bounded entity, but rather as “a category of practice.” Diaspora, he writes, “is used to make claims, to articulate projects, to formulate expectations, to mobilize energies, to appeal to loyalties...It does not so much *describe* the world as seek to *remake* it.”⁴⁴ This understanding of diaspora is evident in the ways that Iranian organizations advocated across the globe, often working in concert. The Iranian network acted with long-term political goals both in Iran and abroad, while also attending to the more immediate aim of assuring the safety of Iranian asylum-seekers, who were potential allies and assets in ongoing efforts against the regime in Tehran. This section will discuss some of the important

⁴² Halleh Ghorashi and Kees Boersma, "The 'Iranian Diaspora' and the New Media: From Political Action to Humanitarian Help," *Development & Change* 40, no. 4 (2009): 667-691.

⁴³ Diasporas have existed for thousands of years. However, in the nineteenth and twentieth centuries, diasporas have emerged alongside nation states as important political actors shaping international politics. They “have conditioned the modern world deeply.” Manning argues that “diasporas, as much as nations, have created and disseminated the innovations underlying the cross-cultural trends of the past two hundred years.” Patrick Manning, *Migration in World History* 2nd edition (New York: Routledge, 2013), 164-165; and Yossi Shain and Aharon Barth, “Diasporas and International Relations Theory,” *International Organization* 57, no. 3 (2003): 449-479.

⁴⁴ Rogers Brubaker, “The ‘Diaspora’ Diaspora,” *Ethnic and Racial Studies*, 28, Vol. 1 (January 2005): 12.

tactics and characteristics of the Iranian network and how these characteristics allowed the network to facilitate large-scale irregular migration.

To achieve their political goals, elements of the Iranian diaspora adopted the tools and language of the international human rights movement. The Iranian network and human rights NGOs, especially Amnesty International, played a key part in remaking refugee rights into human rights. The human rights movement and Iranian exile political organizations both had causes broader than refugee advocacy and their agendas intersected in a variety of other areas.⁴⁵ However, on the issue of protecting Iranian asylum-seekers, especially in Turkey, these two movements converged as a transnational social movement.⁴⁶ Amnesty International's advocacy efforts on behalf of Iranian asylum-seekers depended on reporting from Iranians themselves, reports which were funneled through the filière and disseminated by advocacy organizations.

The vanguard of the Iranian exodus in the late 1970s allowed rapid organization and proactive advocacy on behalf of Iranian refugees who would seek asylum later.⁴⁷ They established organizations like the Network of Iranian Professionals of Orange County, the Austrian Committee for the Defence of Human Rights in Iran, the Iranian Bar Association in Paris, and the Union of Iranian Refugees in India. These organizations advocated on behalf of Iranian asylum-seekers in

⁴⁵ For a broad selection of accounts of Iranian diaspora and refugee communities in the 1980s, see: Asghar Fathi, ed., *Iranian Refugees and Exiles since Khomeini* (Costa Mesa, CA: Mazda Publishers, 1991).

⁴⁶ Jackie Smith, Charles Chatfield, and Ron Pagnucco, eds., *Transnational Social Movements and Global Politics: Solidarity Beyond the State* (Syracuse, NY: Syracuse University Press, 1997); Jackie, Smith, Michael Goodhart, Patrick Manning, and John Markoff eds., *Social Movements and World-System Transformation* (London: Taylor and Francis, 2016); for diaspora and transnationalism in refugee communities, see: Östen Wahlbeck, "The Concept of Diaspora as an Analytical Tool in the Study of Refugee Communities," *Journal Of Ethnic & Migration Studies* 28, no. 2 (2002): 221-238.

⁴⁷ Melissa Kelly. "Transnational Diasporic Identities: Unity and Diversity in Iranian-Focused Organizations in Sweden," *Comparative Studies of South Asia, Africa and the Middle East* 31, no. 2 (2011): 443-454.

Turkey with the UNHCR and governments around the world.⁴⁸ Internationally connected and educated, Iranians leaving Iran in the late 1970s were already living or at least heavily invested outside of Iran when the revolution started.⁴⁹ From 1950 to 1979, thousands of wealthy Iranian families sent their children to universities in North America and Western Europe to study and ensure socioeconomic status on their return to Iran.⁵⁰ In 1977-78, over 100,000 Iranians were enrolled in universities abroad. Of these, 36,220 studied in the United States; by the end of 1979-80 that number had risen to 51,310, the largest of any international group studying in the U.S. at the time.⁵¹ When the revolution started, not only did many of these students choose to remain in the West, they were joined by relatives fleeing Iran. In addition to students and their families, the vanguard of the diaspora included allies of the monarchy and other governmental officials under the deposed Shah, political exiles who fled to the West with significant financial assets and international contacts.⁵² Members of religious and ethnic minorities and political opposition groups, including socialists and liberals, soon joined this first wave of departures.⁵³ In the early

⁴⁸ "Iranian Refugees in Turkey," memorandum from F. Karim, Charge de Mission in India, New Delhi to Headquarters – Geneva, January 4, 1984. 100.TUR.IRAN – Refugees from Iran in Turkey [vol. 2] – 1983-1984; Series 2, Fonds UNHCR 11.

⁴⁹ Cameron McAuliffe, "Transnationalism Within: internal diversity in the Iranian diaspora," *Australian Geographer*, 39:1 (2008): 65-67.

⁵⁰ Mohammed Reza Shah's White Revolution enriched Iran's upper-middle class, providing both the means and the incentives for these families to take advantage of Western universities. As Iran began to modernize and profit from its oil wealth, these families benefited financially. Yet, the modernization efforts were slow, and to ensure political access in Iran, Western education became essential. Shirin Hakimzadeh, "Iran: A Vast Diaspora Abroad and Millions of Refugees at Home," *Migration Information Source*, September 1, 2006, <https://www.migrationpolicy.org/article/iran-vast-diaspora-abroad-and-millions-refugees-home> [accessed May 2, 2018].

⁵¹ In addition to the U.S., Iranians studied in high numbers in Canada, Germany, and Sweden.

⁵² Hakimzadeh, "Iran."

⁵³ Demonstrations against Mohammed Reza Pahlavi Shah began in 1977 and intensified in 1978 and 1979. The shah fled Iran in January 1979. After the Shah's departure, several groups vied for power in Iran, including liberals, the Tudeh party, the National Front, the Mujahedin, and even some pro-Shah factions. However, the shah and his secret police, SAVAK, had spent decades weakening all its political rivals in Iran. The clergy remained relatively

1980s, huge percentages of Iran's professional and academic populations departed the country.⁵⁴ They fled Iran with the financial means to support themselves in exile, but their international and financial resources allowed them to go a step further. In Washington, London, Paris, Vienna, Tokyo, New Delhi, and other cities around the world, refugees from the Khomeini regime organized to advocate on behalf of later, less affluent refugees.

The movement of Iranian refugees carved a complex set of channels across the world, through which millions of Iranians moved in the hopes of reaching asylum in Western Europe or North America. In Turkey, Kurdish middlemen enabled the first leg of this journey, smuggling people across the rugged mountains separating Turkey and Iran.⁵⁵ Kurdish smugglers maintained well-trod routes through these highlands, trafficking in foodstuffs, illicit drugs, and electronics. Adding refugees to their routes was not prohibitive.⁵⁶ The presence of middlemen and smugglers along the border made it difficult for Turkish authorities to control border crossings by refugees, as Kurdish groups on either side of the border maintained close familial, economic, and commercial links.⁵⁷ Iranians looking to flee Iran made first contact in Tehran, where they paid

unscathed and thus, one of the most attractive options for anti-monarchists. The seizure of the American embassy in November 1979 and the resulting hostage crisis allowed Khomeini to seize and begin consolidating power. By 1982, Khomeini had eliminated rivals and consolidated power. Ervand Abrahamian, *Iran between Two Revolutions* (Princeton: Princeton University Press, 1982);

⁵⁴ Hakimzadeh, "Iran."

⁵⁵ "Iranian Asylum Seekers in Turkey and Related Issues," Memorandum from Manfred Paeffgen, Representative in Turkey to UNHCR Headquarters, Geneva, December 1, 1982; 600.TUR – Protection and General Legal Matters 1981-1982 [volume 2]; Series 2, Fonds UNHCR 11.

⁵⁶ Marvine Howe, "Reports of Armed Iranian Exiles in Eastern Turkey are Discounted." *New York Times*, Apr 5, 1982, <http://www.nytimes.com/1982/04/05/world/reports-of-armed-iranian-exiles-in-eastern-turkey-are-discounted.html> [accessed May 2, 2018].

⁵⁷ "Annual Report Branch Office Turkey (83-84)," April 30, 1984; 110.TUR – Programming Turkey [vol. 6] – 1981-1984; Series 2, Fonds UNHCR 11.

their first fees, which ranged from several hundred dollars to more than \$10,000 per family.⁵⁸ Middlemen then sent the “clients” from town to town, using some sort of cover—visiting family or traveling salesmen—and finally walked them over the Iranian-Turkish border, where the smuggler’s obligation ended. Many Iranians completed the next leg of their journey through Turkey without ever contacting any Turkish authority.⁵⁹ To provide for themselves, many refugees sold their Iranian passports, which were then resold on the black market at a huge markup; racketeers bought Iranian passports for \$700-800 and resold them for as much as \$15,000 to refugees seeking a more conventional route to Europe.⁶⁰

This type of unreported movement was illegal, and Iranians were not always successful in evading the authorities. In the case of suspected illegal entry, the Turkish authorities confiscated passports, allowing asylum-seekers to circulate in the provincial capitals of the border provinces. Once their case was cleared, they were forwarded to Istanbul for emigration, where they generally departed for a country from which they had been able to obtain a visa.⁶¹ For almost all Iranian refugees, the goal was to reach Istanbul, from where they could attempt to continue on, legally or illegally, to Western Europe.⁶² By the mid-1980s, the Laleli neighborhood of Istanbul, in the old

⁵⁸ In 1982, the average cost per person was around \$2,500. Howe, “Reports of Armed Iranian Exiles.”

⁵⁹ “Iranian Asylum Seekers in Turkey and Related Issues,” memorandum from Manfred Paeffgen, Representative in Turkey to UNHCR Headquarters, Geneva, December 1, 1982; 600.TUR – Protection and General Legal Matters 1981-1982 [volume 2]; Series 2, Fonds UNHCR 11.

⁶⁰ UNHCR staffers often referred to black-market operators with the blanket term, “racketeers.”

⁶¹ “Iranian Asylum Seekers in Turkey and Related Issues,” memorandum from Manfred Paeffgen, Representative in Turkey to UNHCR Headquarters, Geneva, December 1, 1982; 600.TUR – Protection and General Legal Matters 1981-1982 [volume 2]; Series 2, Fonds UNHCR 11.

⁶² The official percentage of Iranian refugees who managed to reach Istanbul directly was 50%, but the branch office had received hints from provincial officials that this was an underestimate.

quarter of the city, had become “a little Iran.”⁶³ In this ethnic enclave, Persian was widely spoken, and advertisements on the streets were just as likely to be written in the Persian script as in Turkish.⁶⁴

At each step of this journey, asylum-seekers faced the possibility of refoulement to Iran if Turkish authorities suspected them of illicit activities. The difficulty of transit through Turkey varied depending on where the individual reported themselves or was caught.⁶⁵ If an asylum-seeker were apprehended in a province other than Van, Hakkari, Ağrı, or Istanbul, they would be immediately returned to one of the three border province capitals, a practice to which the branch office repeatedly objected. If they were lucky enough to make it directly to Istanbul or Ankara, the asylum-seeker could register with the UNHCR, the International Catholic Migration Commission (ICMC), or approach an American or European consulate to seek a visa.⁶⁶ If an asylum-seeker entered Turkey illegally and reported to border police or was caught at the border entry point, they could be fined and jailed for up to two months. In most cases, the offending asylum-seeker was merely charged a small fine; however, practices varied from province to province. Until they paid the fine or completed their sentence and were transferred to the provincial capital, processing for their refugee case file could not begin. If, however, the asylum-seeker was not caught or did not

⁶³ Sam Cohen, “Istanbul’s ‘Little Iran’ Creates Prosperity, Problems for Turks,” *The Christian Science Monitor*, November 21, 1986, 16; U.S. Committee for Refugees, Records, Box 32, Folder Turkey 1986; The Immigration History Research Center Archives, University of Minnesota.

⁶⁴ Iranians in Turkey were predominantly urban middle-class. The vast majority were single young men of military service or higher education age who entered Turkey illegally across the mountains on foot. Many were political activists and 15% were religious or ethnic minorities. UNHCR Report, sent to USCR, June 5, 1986; U.S. Committee for Refugees, Records, Box 32, Folder Turkey 1986; The Immigration History Research Center Archives, University of Minnesota.

⁶⁵ The majority of Iranian asylum seekers in the mid and late-1980s were young, draft-aged men.

⁶⁶ Asylum-seekers in Istanbul could contact the ICMC, who as partner agency of UNHCR, could help them begin the process of requesting formal refugee status through the UNHCR office in Ankara.

report to the authorities until they reached the provincial capitals of Van, Hakkari, or Ağrı, their case file could be opened immediately, even before punishment was determined or completed, reducing the likelihood of delays in processing. At any given time, there were 1,000 Iranian refugees in any one of the three border locations. Van reported at least 100 new arrivals each day in 1983.⁶⁷

Given the irregularity both of asylum-seekers' channels and the volume of movement through Turkey, Iranian migration had an outsized impact on the work of the UNHCR. One UNHCR Headquarters official, after completing a mission to Turkey, Pakistan, and India reported that, "more than any other single group of asylum-seekers, the Iranians have in recent years been using irregular practices...to gain asylum in Western countries in large numbers."⁶⁸ He warned that this Iranian network had been so successful in this enterprise that the "smooth functioning of existing procedures for the treatment of asylum-seekers" in Western Europe was "being seriously undermined."⁶⁹ As this official observed, Iranian refugee groups influenced not only their own migration paths, but the functioning of the global refugee system itself. UNHCR representatives repeatedly referred to the irregular channels that global Iranians pioneered and sustained as important "safety valves" for transit countries like Turkey and Pakistan. Increasing numbers of Iranian asylum-seekers strained the system, but the unparalleled ability of Iranians to move through their irregular channels helped prevent the accumulation of Iranians in Turkey.

⁶⁷ "Report on Mission to Turkey 14-24 April 1983," 600.TUR Protection and General Legal Matters [vol. 4], 1983; Series 2, Fonds UNHCR 11.

⁶⁸ W. Clarence, Chief, Advisory Services Unit, Division of International Protection, "Mission to Turkey, Pakistan and India, Re Iranian asylum-seekers," February 17, 1986; 600.tur – Protection and General Legal Matters – Turkey 1986–1987 A; Series 3, Fonds UNHCR 11.

⁶⁹ Ibid.

4.5 ROADSIDE ASSISTANCE: TRANSNATIONAL HUMAN RIGHTS ADVOCACY

The Iranian network was influential for reasons beyond large-scale irregular migration. Its remarkable ability to mobilize across borders caught the attention of dozens of national governments, NGOs, and the UNHCR offices in Geneva, Ankara, Washington, Vienna, Bonn, and New Delhi. In Turkey, the Iranian organizations' co-option of human rights language as a mobilizing strategy proved particularly effective. After Turkey's 1980 military coup and during the subsequent years of martial law, the government of General Kenan Erven faced consistent pressure and criticism from its Western allies on Turkey's human rights record. Turkey's domestic situation threatened to derail the country's foreign relations agenda: its negotiations to join the European Community stalled; it was expelled from the Council of Europe's Parliamentary Assembly; and five European countries lodged cases against Turkey at the European Commission of Human Rights. NATO and the United States increasingly saw Turkey's human rights record as an embarrassment, considering their efforts to use human rights as leverage against the Soviet Union.⁷⁰ This section considers the connections between the international human rights movement and the Iranian network in their work to protect Iranian asylum-seekers.

Turkey's European agenda and the increased salience of human rights in Western Europe lent weight to human rights critiques of Turkey's asylum policies. In the 1980s, one of Turkey's leading foreign policy objectives was its desire to become a member of the European Community.⁷¹ In the aftermath of a military coup carried out by Turkey's General Kenan Evren in

⁷⁰ "Report on the Political and Human Rights Situation in Turkey," Commission on Security and Cooperation in Europe, Congress of the United States, August 29, 1982; Protection Eligibility Determination of Refugee Status of Persons from Turkey [vol. 2] 1982; Series 2, Fonds UNHCR 11.

⁷¹ CIA, "Background Notes for DCI Trip to Turkey," November 25, 1986, General CIA Records, CREST Database, Central Intelligence Agency.

1980, relations between Turkey and Europe were at an all-time low. In response to the coup, Turkey was expelled from the Council of Europe's Parliamentary Assembly and was not readmitted until 1985. Throughout the 1980s Turkey faced harsh criticism and formal sanctions from Western Europe on the grounds of its human rights record. In an effort to counteract these criticisms of their democracy and human rights record, the Turkish authorities instituted liberal asylum policies toward Iranians and repeatedly pointed to their "humanitarian" work on behalf of refugees.⁷² The Turks saw the UNHCR and liberal asylum policies as a "shield" that could help deflect international criticism.⁷³ One UNHCR official remarked that Turkey's "desire to maintain and eventually develop relations with Western industrial nations and in particular with Western Europe, is reflected in Turkey's pursuit of a generous asylum policy in spite of the constraints imposed by Iran."⁷⁴ In service of these aims, the official Turkish policy with regard to Iranian asylum-seekers was that none were to be refouled to Iran.⁷⁵ This official line from Ankara, however, was difficult to enforce in the far-flung border provinces in Turkey's mountainous east. Lapses in refugee protection by Turkey drew international attention and the criticisms it evoked were an embarrassment for the country.

⁷² UNHCR Confidential Memorandum from Michael Petersen, Protection Officer, Europe Regional Section to P.M. Moussalli, Director of International Protection, March 19, 1984; 010.TUR – Relations with Governments Turkey – 1984, Series 2, Fonds UNHCR 11.

⁷³ Indeed, as Chapter 2 discussed, this had been one of the factors that allowed the UNHCR to establish an office in Turkey in 1960. UNHCR Confidential Memorandum from Michael Petersen, Protection Officer, Europe Regional Section to P.M. Moussalli, Director of International Protection, March 19, 1984; 010.TUR – Relations with Governments Turkey – 1984, Series 2, Fonds UNHCR 11.

⁷⁴ UNHCR Confidential Memorandum from Michael Petersen, Protection Officer, Europe Regional Section to P.M. Moussalli, Director of International Protection, March 19, 1984; 010.TUR – Relations with Governments Turkey – 1984, Series 2, Fonds UNHCR 11.

⁷⁵ Exceptions were made for criminals who, by fleeing to Turkey, attempt to avoid punishment and for asylum seekers who engaged in certain criminal activities in Turkey.

In 1982, staff of the U.S. Commission for Security and Cooperation in Europe—which congress formed in 1975 to monitor international compliance with the Helsinki Accords—visited Turkey to investigate and report on allegations of human rights abuses made by numerous NGOs, members of the U.S. Congress, and members of parliaments from Western European governments. The West German Bundestag undertook its own fact-finding mission to Turkey in the previous year to investigate similar complaints in the wake of the 1980 coup. Martial law in Turkey, which had been in place since a 1980 military coup by General Kenan Erven, was an embarrassment to NATO, as Eastern Bloc countries began to bring up the shortcomings of this Western-aligned country in the context of the Helsinki Accords. The Commission reported that the methods of the military government had resulted in “human rights violations on a wide scale.” These violations had become “a source of deep concern and distress to several of the governments and parliaments of Western Europe as well as to influential human rights and other activist groups based both in the U.S. and abroad.” The commission concluded that the U.S.-Turkish relationship could not rest on shared security interests alone. “To be a truly effective and stable alliance partner,” Turkey would need to end its “repressive measures and return to the rule of law.”⁷⁶ In the context of this environment, UNHCR staffers were optimistic about the ability of their branch office to affect positive change in the early 1980s:

In this complex chessboard that borders the Middle East, the scope to act discreetly...is tangible. Because, as Mr. Cankorel [a Turkish diplomat in Geneva]

⁷⁶ Report on the Political and Human Rights Situation in Turkey,” Commission on Security and Cooperation in Europe, Congress of the United States, August 29, 1982; 630.1.TUR – Protection – Eligibility Determination of Refugee Status of Persons from Turkey – 1982 vol 2, Series 2, Fonds UNHCR 11.

hinted, a constructive relationship with a humanitarian organization such as UNHCR is of particular value to Turkey in the present circumstances.⁷⁷

The Turkish authorities hoped that Turkey's liberal asylum policy could deflect some of the pressure from human rights groups.

A convergence of factors in the early 1980s gave the human rights language used by these organizations political clout at this moment. First, the international human rights movement had gained steam in the late 1970s, influencing the diplomacy of Western states and winning accolades.⁷⁸ The effects this movement had on Western diplomacy spelled trouble for Turkey as Western European governments increasingly condemned human rights violations. During the early 1980s Turkey's human rights record had real implications for its geopolitical priorities. The 1980 military coup and the period of martial law that followed brought increased scrutiny from Europe. Turkey was banned from the Council of Europe's Parliamentary Assembly; negotiations with the European Economic Community were suspended, and Turkey was brought before the European Commission on Human Rights as Denmark, France, Sweden, Norway, and the Netherlands all lodged separate cases.⁷⁹

Mounting international critiques on Turkey's human rights record made the authorities particularly sensitive to criticism of its asylum policy and made the human rights language utilized by Iranian organizations particularly effective. The Iranian network conducted a kind of independent refugee status determination and resettlement process in parallel to the UNHCR's

⁷⁷ "Meeting with Mr. Cankorel, Councillor, Permanent Mission of Turkey, Geneva," note for the file by O. Haselman, Head, Regional Bureau for Americas and Europe, February 17, 1983; 100.TUR.IRAN – Refugees from Iran in Turkey [vol. 1] – 1982-1983, Series 2, Fonds UNHCR 11.

⁷⁸ Amnesty International first won the Nobel Peace Prize in 1977. Samuel Moyn, *The Last Utopia: Human Rights in History* (Cambridge, MA: Harvard University Press, 2010).

⁷⁹ Spencer C. Tucker, "Turkey," in Bernard A. Cook, ed. *Europe Since 1945: An Encyclopedia*, Volume II K-Z, (New York: Garland Publishing, 2001), 1268.

efforts. Advocacy organizations, particularly in Western Europe and North America, worked to protect and facilitate the movement of Iranians through the filière. These groups used information gathered and spread through their global network to share information with NGOs and the UNHCR, and to report violations or threats to refugee welfare. In such a way did advocacy organizations, which were a key part of the Iranian network, connect their work and mission to the international human rights movement. For example, the Austrian Committee for the Defence of Human Rights in Iran, founded in 1982, aimed to propagate “the principles of the International Declaration of Human Rights and related conventions. [Including] initiation of discourse and education on various aspects of the fundamental principles of human rights with a view to establishing them as norms in the international legal system.”⁸⁰ Comprised of Austrian parliamentary members, Austrian citizens (some of Iranian origin), and Iranian refugees, the Austrian Committee worked alongside similar groups in North America, Europe, and Asia to advocate on behalf of Iranian refugees. They built coalitions across borders, connecting regional interests to the international human rights movement, giving their message added power at a key moment.⁸¹

The Austrian Committee was a particularly active advocate for refugees in Turkey and sent a delegation to Ankara and Istanbul in early 1983. It sponsored the admission of Iranians to Austria from Turkey when it received reports that asylum-seekers were at risk of refoulement. To determine whether this refoulement would place the refugee in a “highly dangerous” situation

⁸⁰ Committee for the Defence of Human Rights in Iran, “About Us,” The Committee for the Defence of Human Rights in Iran, Austria, <http://www.human-rights-iran.org/index.php?lan=en>. [accessed May 2, 2018].

⁸¹ The Green Party, the Student Representation in Münster and the Protestant Church Group in Dortmund all sent letters to the UNHCR branch office in West Germany to allege refoulement of Iranian refugees to Iran. “Iranian Refugees in Turkey,” memorandum from Rene van Rooyen, Representative in the Federal Republic of Germany to UNHCR Branch Office in Turkey, October 31, 1984; 100.TUR.IRAN – Refugees from Iran in Turkey [vol. 3] 1984; Series 2, Fonds UNHCR 11.

upon return to Iran, the Austrian Committee vetted the background of Iranians in Turkey through the Iranian Bar Association and other exile groups in Paris and used this information to lobby the Austrian government to accept certain cases for resettlement.⁸² It reported to the UNHCR on tightened border controls, refoulement, and Turkish border guards' failure to inform asylum-seekers of how to contact the UNHCR or ICMC, as well as several cases of suicide among Iranians in Istanbul owing to despair as they languished in Turkey with few prospects for advancement. One asylum-seeker, the Austrian Committee claimed, simply gave up and returned to Iran, where he was executed.⁸³

Iranian advocacy organizations adopted the language of a newly salient international human rights movement in the early 1980s and pressed Western governments and the UNHCR to provide protection and assistance to Iranian refugees.⁸⁴ Their work and the work of NGOs like Amnesty International further bound human rights to refugee rights in the early 1980s. Amnesty insinuated itself into Turkish refugee affairs in the early 1980s. Its foray into refugee issues required careful maneuvering. Amnesty's mandate had expanded significantly by the 1980s, but the organization was still primarily focused on prisoners of conscience, the death penalty, and

⁸² In 1983, an estimated 10,000 Iranians were living in Austria; however, since the majority did not request asylum, the number of potential refugees was unknown. "Visit of Mrs. Vyslouzil – Committee for Defence of Human Rights in Iran – Vienna," note for the file, March 7, 1983; 600.TUR – Protection and General Legal Matters [vol. 4] 1983 Series 2, Fonds UNHCR 11.

⁸³ "Visit of Mrs. Vyslouzil – Committee for Defence of Human Rights in Iran – Vienna," note for the file, March 7, 1983; 600.TUR Protection and General Legal Matters [vol. 4] 1983; Series 2, Fonds UNHCR 11.

⁸⁴ Recent scholarship on human rights history has argued that, beginning in the late 1970s, the human rights movement underwent a transformation in scale and salience. See: Samuel Moyn, *Last Utopia: Human Rights in History* (Cambridge, MA: Harvard University Press, 2010); Samuel Moyn, "Substance, Scale, and Salience: The Recent Historiography of Human Rights," *Annual Review of Law and Social Science* 8 (2012); Barbara Keys, *Reclaiming American Virtue: The Human Rights Revolution of the 1970s* (Cambridge, MA: Harvard University Press, 2014); Sarah B. Snyder, *Human Rights Activism and the End of the Cold War: A Transnational History of the Helsinki Network* (New York: Cambridge University Press, 2011); and Jan Eckel and Samuel Moyn, eds. *The Breakthrough: Human Rights in the 1970s* (Philadelphia: University of Pennsylvania Press, 2014). For the UNHCR's increasing use of human rights discourse, see: Anne Hammerstad, *The Rise and Decline of a Global Security Actor: UNHCR, Refugee Protection, and Security* (Oxford University Press, 2014).

torture. In a memorandum sent to the Turkish Ministries of the Interior and Foreign Affairs, Amnesty justified its interest in Turkish refugee affairs by arguing that any asylum seeker refouled to Iran was under threat of becoming a prisoner of conscience and of suffering torture or execution at the hands of the regime in Tehran.⁸⁵ Beginning in the 1980s, Amnesty repeatedly issued forceful critiques of Turkish asylum policies, alleging poor conditions and instances of refoulement.

Iranian organizations referenced Amnesty's reports in their appeals to UNHCR and Western governments. But they also contributed to Amnesty's publications and advocacy work by reporting allegations of refoulement and other human rights violations. The linkage between Amnesty's reporting and the campaigns of Iranian organizations made each more potent. Combined with increasing levels of irregular migration, that linkage provided the impetus for close cooperation between Turkey and the UNHCR through the establishment of the informal arrangement.

Amnesty's reporting gave the UNHCR political capital in its dealings with the Turkish government. Critical human rights reporting embarrassed the Turkish government, which, in the face of mounting international pressure, had attempted to cast its accommodation of the UNHCR Ankara branch office and its liberal asylum policies as evidence of a generous humanitarian record. Negative reporting by Amnesty and the Iranian network meant that the presence and treatment of Iranian refugees was recorded and reported, without respect to the legality of the refugee's status in Turkey. In a letter sent to Amnesty International by a group of Iranian asylum-seekers awaiting resettlement in Turkey in 1983, a dismal picture emerged. Having spent the majority of their "meagre savings" to pay "racketeers" to get them out of Iran, the asylum-seekers found themselves

⁸⁵ "Iranian Refugees in Turkey: Memorandum from Amnesty International to the Turkish Government, February 5, 1986," external document, August 1, 1986; U.S. Committee for Refugees, Records, Box 32, Folder Turkey 1986; The Immigration History Research Center Archives, University of Minnesota.

unable to work legally and developing serious health issues. Most among the group lacked passports or any identifying documents. Further, they and other Iranian exiles in Turkey were under constant pressure by both Khomeini's agents and Turkish authorities due to the development of cordial relations between the two nations. They reported that they were aware of cases of refoulement and that they themselves were under constant threat of extradition.⁸⁶ In 1984, Amnesty publicly critiqued Turkish asylum policy for the first time in its International Report. Printed alongside the usual critiques of Turkish press freedoms, torture, and prisoners of conscience, were new critiques of refoulement and Turkey's asylum policy.⁸⁷ Concerned individuals and Iranian exiles then in turn cited Amnesty's critique in letters to the UNHCR and Turkish embassies.

In just one example of the weight given to Amnesty's reporting, the organization wrote to the High Commissioner in 1982 to draw his attention to the case of 27 Iranian students who were in an Istanbul prison and in danger of refoulement after they occupied the Iranian consulate during a protest. Amnesty warned that the students would be in danger of execution if returned to Iran.⁸⁸ UNHCR Headquarters took up the issue immediately, sending a cable to the Ankara branch office requesting that the office seek information and intervene.⁸⁹ The representative at the branch office

⁸⁶ "Excerpt from the Letter Addressed to Mr. Shapour Moutamedi, Member of Amnesty International, Hanover Branch, on Behalf of 20 Iranian refugee Families in Turkey;" 100.TUR.IRAN – Refugees from Iran in Turkey [vol. 2] – 1983-1984, Series 2, Fonds UNHCR 11.

⁸⁷ The 1984 report covers the period from January to December 1983. "Amnesty International Report, 1984," Amnesty International, May 1, 1984, 310, <https://www.amnesty.org/en/documents/pol10/0004/1984/en/> [accessed May 3, 2018].

⁸⁸ "27 Iranian students," Cable from Amnesty International, London to UNHCR Geneva, Protection Department, March 4, 1982; 600.TUR – Protection and General Legal Matters vol. 2 – 1981-1982, Series 2, Fonds UNHCR 11.

⁸⁹ Cable from UNHCR Headquarters to Branch Office, Ankara, March 5, 1982; Protection and General Legal Eligibility 1981-1982; 600.TUR – Protection and General Legal Matters vol. 2 – 1981-1982, Series 2, Fonds UNHCR 11.

then contacted the Turkish authorities to prevent refoulement; Turkish authorities considered the students a threat to public order while they remained in Turkey, but assured the branch office that no refoulement would occur. Instead, the authorities gave the students a deadline of March 1982 to leave the country. The UNHCR expedited the students' movement through the resettlement pipeline and secured their placement in several countries in Western Europe.⁹⁰

By 1984, UNHCR headquarters was receiving so many letters from concerned citizens and organizations linked to the Iranian network that staffers developed a form letter they sent as a standard response:

We thank you for your letter dated 10 October 1984 and containing the signature of others in your area, regarding recent reports that Iranian refugees are being returned to their country of origin. Our office has already received information to this effect which, if correct, would indeed give cause for concern. You may be assured that we are taking all necessary action to clarify the situation.⁹¹

The UNHCR repeatedly received letters from various organizations in West Germany in particular, including the Green Party, the Student Representation in Münster, and the Protestant Church Group in Dortmund, the majority of which referenced Amnesty's reports and allegations made by Iranian advocacy groups.⁹²

The Ankara branch office started to react to the concerted pressure from human rights groups. In a report to headquarters on a Dutch resettlement mission to Istanbul, the UNHCR representative in Turkey expressed his concern that, if UNHCR Ankara enlarged its criteria for the determination of refugee status, it would be burdened with an overwhelming caseload of Iranian

⁹⁰ "27 Iranian Students in Turkey," Note for the File, March 11, 1982; 600.TUR – Protection and General Legal Matters vol. 2 – 1981-1982, Series 2, Fonds UNHCR 11.

⁹¹ Letter from Christina Linnér, Europe Regional Section to Ms. Irmgard Gollwitzer, November 19, 1984; 100.TUR.IRN – Refugees from Iran in Turkey [vol. 4] – 1984; Series 2, Fonds UNHCR 11.

⁹² UNHCR Action Sheet from Ms. Linnér to Mr. De Brancovan, November 7, 1984; 100.TUR.IRN – Refugees from Iran in Turkey [vol. 4] – 1984; Series 2, Fonds UNHCR 11.

refugees. He worried that this caseload “would not appear acceptable to resettlement countries such as the Netherlands;” on the other hand, he wrote, if the Branch Office continued to be too restrictive in their criteria, it would attract criticism from human rights groups.⁹³ This calculation between the human rights of refugees and the state interests of UNHCR’s donor and resettlement countries was a constant balancing act for the UNHCR branch office. The UNHCR’s association with Amnesty and other human rights groups was not without risk. The messaging from an international network of refugee groups and NGOs could hardly be controlled as easily as that from within the UNHCR. UNHCR staffers in Turkey remarked on the “the ever-growing criticism” of the Turkish government “by Western European states” and “within the Council of Europe.” Paeffgen complained that new critiques “have made it at times difficult to dissociate the refugee problem from other humanitarian (if not sometimes even political) issues.” He blamed the criticism on reporting from “certain groupings, sometimes working under the umbrella of Amnesty International,” which he claimed made unfounded allegations and undermined the legitimate grievances reported by Amnesty.⁹⁴ By 1983, reporting by Iranian advocacy groups, human rights groups, and Amnesty itself, had become a transnational social movement, its constituent elements so entangled that it was difficult to parse what allegations came from which organizations. Reporting by Amnesty and the many sub-groups—including Iranian refugee advocacy organizations—working under Amnesty’s “umbrella,” put significant pressure on the UNHCR and complicated its work in Turkey. By 1984, this pressure, combined with increasing numbers of

⁹³ “Memorandum from Manfred Paeffgen, Representative in Turkey, to UNHCR Headquarters, att. Resettlement Section,” September 6, 1984; 100.TUR.IRN – Refugees from Iran in Turkey [vol. 4] – 1984; Series 2, Fonds UNHCR 11.

⁹⁴ “Reporting on UNHCR Activities in 1982-1983,” memorandum from Manfred Paeffgen to UNHCR Headquarters, April 27, 1983; 110.TUR – Programming – Turkey [vol. 7] – 1983-1984; ; Series 2, Fonds UNHCR 11.

Iranian asylum-seekers, compelled the UNHCR to fundamentally change its work in Turkey, with long-term ramifications for the agency and for global refugee migration patterns.

4.6 NEW TRAFFIC PATTERN AHEAD: ORIGIN OF THE INFORMAL ARRANGEMENT

In November 1983, transnational advocacy by the Iranian network was instrumental in instigating an informal arrangement between the Turkish authorities and the UNHCR. “Informal arrangement,” among other terms, was used to refer to the unofficial, tacit understandings between Turkey and the UNHCR during the 1980s that allowed Turkish asylum policy to function. The 1980s were a period of close cooperation between the UNHCR and Turkey, absent in the previous decades and the 1990s. The informal arrangement was at the heart of the UNHCR’s expansion in Turkey and fundamentally changed the work of the agency. In 1983, the Ankara branch office remained on the periphery of Turkish asylum policies, intervening in cases of *refoulement* but left out of decision-making on refugee status. In 1984, however, the UNHCR gained the authority to conduct an eligibility procedure for Iranians through an informal arrangement with the Turkish authorities. This new authority brought the agency into closer collaboration with the Turkish authorities, and it was soon expanded to help the authorities manage non-European asylum-seekers in general. This section reveals the circumstances under which the Turkish government broke with two decades of intransigence and assented to UNHCR—and thereby, foreign—intervention in its asylum and refugee policy.

Early in the 1980s, the Turkish government grew increasingly concerned about the growing influx of Iranians. Turkey instituted a policy of quietly recognizing *en bloc*, as *de facto* refugees,

Iranians who entered Turkey illegally and applied for asylum.⁹⁵ Turkish authorities in the border provinces acknowledged to at least one UNHCR staffer that “the majority of [Iranians] had legitimate reasons for leaving their country—that according to them they were refugees—and that the vast majority risked capital punishment were they to be returned.”⁹⁶ As more and more Iranians arrived in Turkey’s urban centers in the hopes of traveling to Western Europe, the government grew concerned that Western European countries would decrease their resettlement commitments and clamp down on irregular migration, forcing Turkey to shoulder more of the burden. Indeed, in 1982 Spain introduced a visa requirement for Iranians, eliminating one popular route for Iranians seeking to exit Turkey, and confirming what the Turkish Ministry of Foreign Affairs (MFA) described as “the generally negative attitude in Western European countries towards requests for resettlement,” which the MFA “interpreted as a common and predetermined policy against asylum-seekers” leaving Turkey.⁹⁷ The UNHCR’s representative in Turkey warned the High Commissioner that Turkey would be unable to cope with the problem of Iranian refugees alone. Only the “safety valve” of irregular migration of Iranians through the *filière* prevented the backlog of Iranians in Turkey from reaching dangerous levels. The branch office urged Headquarters to study the issue and advised the High Commissioner to establish official guidelines and a global policy toward Iranian refugees. Not until the global advocacy efforts of the Iranian network in 1983 brought widespread attention to the plight of Iranian asylum-seekers did the High Commissioner heed this advice. As a result of these advocacy efforts, the High Commissioner

⁹⁵ “Iranians in Turkey, Meeting,” note for the file, January 20, 1983; 110.TUR – Programming – Turkey, vol. 6 – 1981-1984, Series 2, Fonds UNHCR 11.

⁹⁶ “Report on Mission to Turkey 14-24 April 1983;” 600.TUR – Protection and General Legal Matters, vol. 4 – 1983, Series 2, Fonds UNHCR 11.

⁹⁷ “Iranian Refugees in Turkey,” memorandum from Manfred Paeffgen to UNHCR Headquarters, December 9, 1982; 100.TUR.IRAN – Refugees from Iran in Turkey, vol. 1 – 1982-1983, Series 2, Fonds UNHCR 11.

conducted an aggressive campaign with Western governments, urging them to increase their share of the burden.

Despite Turkey's supposedly liberal asylum policies and Ankara's official policy that asylum-seekers would not be sent back to Iran, allegations of refoulement steadily increased over the course of the early 1980s. The increase was a result of two realities: first, the administrative center in Ankara often had difficulty communicating and controlling how border provinces enacted policy.⁹⁸ The branch office warned Headquarters not to put too much stock in Ankara's assurances about its refoulement policies: "experience has shown...that this policy may change from day to day if ...other factors which determine Turkish asylum policy change."⁹⁹ Second, though the Turkish authorities decreed that no asylum-seeker would be returned, this did not cover all Iranians moving through the country. The Turkish authorities maintained the stance that any Iranian the authorities returned to Iran was not a genuine asylum-seeker but a smuggler, drug trafficker, or terrorist.¹⁰⁰ Between 1982 and 1984, Iranian groups, human rights organizations, and European embassies sent a steady stream of refoulement reports to the High Commissioner and the UNHCR representative in Ankara. The reporting caused a watershed moment for the Branch Office after November 1983, when a brazen instance of forcible return spurred these groups and the High Commissioner to action.

⁹⁸ "Iranians in Turkey, Meeting," note for the file, January 20, 1983; 110.TUR – Programming – Turkey, vol. 6 – 1981-1984, Series 2, Fonds UNHCR 11.

⁹⁹ UNHCR Confidential Memorandum from Michael Petersen, Protection Officer, Europe Regional Section to P.M. Moussalli, Director of International Protection, March 19, 1984; 010.TUR – Relations with Governments – Turkey, 1984, Series 2, Fonds UNHCR 11.

¹⁰⁰ "Report on Mission to Turkey 14-24 April 1983," 600.TUR – Protection and General Legal Matters [vol. 4] 1983; Series 2, Fonds UNHCR 11.

The Turkish authorities refouled a group of 63 Iranian asylum-seekers, forcing them to cross the border back to Iran. The group included several refugees who had previously been found eligible for refugee status by the UNHCR. The incident provoked a resounding outcry from the “innumerable Iranian associations” across the globe.¹⁰¹ These groups lodged protests with the Turkish government, the UNHCR, human rights NGOs, and with Western embassies and governments. Ankara and the UNHCR soon faced a barrage of reports and criticisms that used this incident as leverage to highlight pervasive problems in Turkish asylum policy. The Iranian-American editor of *Middle East People* magazine, D.A. Valizadeh, wrote to the Turkish ambassador in Washington and to the High Commissioner, expressing his outrage at the incident.¹⁰² He claimed that the refugees had been taken by the Turkish border police, under the pretense of driving them to Ankara. In his letter, Mr. Valizadeh referenced reports of refoulement by Amnesty International and reminded the ambassador of the fundamental principles of human rights and international laws to which Turkey was bound. He also referenced Turkey’s quest for recognition among Western nations, saying, “in a country such as [the United States], where the T.V. networks by repeated showing of *Midnight Express*, provoke anti-Turkish public sentiments, the spread of the news of your government’s treatment of 52 [63] defenseless Iranians will adversely affect your reputation.”¹⁰³ Public accusations of human rights violations were embarrassing for a country trying to find acceptance among the nations of Europe—and these

¹⁰¹ “Iranian refugees in Turkey,” from G. da Cunha, Chief, Americas Section to The UNHCR Representative in Washington, USA, April 25, 1984; 100.TUR.IRAN – Refugees from Iran in Turkey [vol. 3] 1984; Series 2, Fonds UNHCR 11.

¹⁰² *Middle East People* was a Persian-language newsletter produced in the 1980s out of Los Angeles.

¹⁰³ *Midnight Express* is a 1978 film written by Oliver Stone, about an American held in a Turkish prison; it has been widely critiqued for its negative portrayal of Turkish people. Letter from D.A. Valizadeh, Editor and Publisher, *Middle East People Magazine* to His Excellency, the Ambassador of the Republic of Turkey in the US, December 8, 1983; 100.TUR.IRAN – Refugees from Iran in Turkey [vol. 3] 1984; Series 2, Fonds UNHCR 11.

accusations no longer played out in confidential UNHCR correspondence. They were aired publicly in magazines and newspapers, in human rights reports, and across the Iranian *filière*. Generated by the Iranian network, the concerted and transnational outcry against the refoulement of these 63 Iranian asylum-seekers elicited a degree of international attention that embarrassed the Turkish government into drafting an official statement to the High Commissioner, admitting that a mistake had been made and promising to prevent refoulement in the future. This moment was almost unique, as the Turkish government typically refused to acknowledge refoulement. The confirmed refoulement of UNHCR-recognized refugees in 1983 provided a concrete example that the UNHCR could now leverage to strengthen its operations in Turkey.¹⁰⁴

Typically reluctant to take actions that could draw public attention to Turkey, High Commissioner Hartling and his branch office were this time compelled to act, thanks to an overwhelming advocacy and reporting campaign by Iranian organizations. The incident concerning these 63 asylum-seekers garnered an unusual amount of coverage in Western news media.¹⁰⁵ In the immediate aftermath, UNHCR staffers met repeatedly with representatives of the Turkish government in Ankara, Istanbul, the Eastern provinces of Van, Hakkari, and Yüksekova, and in Geneva. High Commissioner Poul Hartling issued formal complaints to Ankara, citing the media coverage and human rights reports.¹⁰⁶ High Commissioner Hartling drafted appeals to governments in Western Europe and North America, requesting that they increase their efforts to accept Iranians in order to prevent future crises. His response to this incident, unlike earlier

¹⁰⁴ “Iranian refugees in Turkey,” from G. da Cunha, Chief, Americas Section to The UNHCR Representative in Washington, USA, April 25, 1984; 100.TUR.IRAN – Refugees from Iran in Turkey [vol. 3] 1984; Series 2, Fonds UNHCR 11.

¹⁰⁵ Ibid.

¹⁰⁶ “Annual Report Branch Office Turkey (83-84),” April 30, 1984; 110.TUR – Programming – Turkey [vol. 6] 1981-1984; Series 2, Fonds UNHCR 11.

communication from the High Commissioner's office in previous decades—which hedged its language and attempted to remain apolitical—was decisive and wide-ranging. But his response required broad support from traditional resettlement countries. His decisiveness, and the international pressure against refoulement, enabled the UNHCR branch office to finally establish an informal arrangement with the Turkish authorities. This arrangement led to a working relationship whereby the UNHCR conducted refugee status determination for all Iranian refugees in Turkey—by the late 1980s, for all non-Europeans in Turkey.

The informal arrangement, or working relationship, whereby the UNHCR branch office was finally able to assert some authority over refugee status determination procedures in Turkey, originated in “an informal and restricted meeting” at UNHCR Headquarters in Geneva in March 1984. Present at the meeting with the High Commissioner and seven high-level Headquarters staff were ambassadors from Austria, Australia, Canada, Sweden, and Turkey, as well as representatives from France, West Germany, and the United States. The first of its kind regarding Turkey, the High Commissioner called this meeting to address the problem of large-scale irregular migration through Turkey, which he asserted to be at the heart of the refoulement of Iranians. As more and more refugees sought to enter European countries illegally through Turkey and were turned away, they were pushed in an orbit from country to country, at each turn facing an increased risk of refoulement to their country of origin.¹⁰⁷ The High Commissioner wanted to “devise a mechanism which would legalize departures on the one hand and ease the burden on Turkey on the other.” In addition, it was now the High Commissioner's prerogative to strengthen the branch office in Turkey, “thereby reinforcing the already close co-operation with the Turkish Government. This

¹⁰⁷ “Iranian Refugees in Turkey,” note for the file by H. Utkan, March 16, 1984; 100.TUR.IRAN – Refugees from Iran in Turkey [vol. 3] 1984; Series 2, Fonds UNHCR 11.

would contribute towards ensuring that the refugees are properly screened and documented which are two fundamental pre-requisites for legal departures.” Cognizant of Turkish sensitivity on the issue of Iranians, he argued that the work of establishing “a machinery for legal departures should be carried out as discreetly as possible to avoid undue publicity.”¹⁰⁸

Turkish authorities wanted to get asylum-seekers out of Turkey and into resettlement countries, thereby reducing their financial burden and avoiding complaints from Tehran. European countries, however, were reluctant to open more resettlement spots for Iranians until Turkey committed to halting irregular migration through its borders. The Turkish representative at the meeting, Ambassador Türkmen, argued that Iranian refugees did not want to remain in Turkey, and it was not feasible for his government to prevent them from leaving. He found it “regrettable” that “certain European countries” were returning illegal migrants to Turkey, “all the more so since the numbers involved were not of a magnitude that exceeded their resettlement capacity.”¹⁰⁹ This was a direct reference to the fact that, while Turkey was dealing with several thousands of Iranian transit refugees, European countries each had only to deal with a few hundred cases. The Europeans, for their part, maintained that while they were prepared to deal with the orderly arrival of Iranian refugees, the disorderly, illegal movement of Iranian refugees strained their domestic politics. They demanded that Turkey take steps to stem the flow. The High Commissioner argued that strengthening the Ankara branch office could alleviate concerns from both sides. A stronger branch office, working more closely with the Turkish authorities, would help regularize Turkish asylum procedures and decrease illegal refugee movements while also shifting the administrative

¹⁰⁸ “Iranian Refugees in Turkey,” note for the file by H. Utkan, March 16, 1984; 100.TUR.IRAN – Refugees from Iran in Turkey [vol. 3] 1984; Series 2, Fonds UNHCR 11.

¹⁰⁹ “Iranian Refugees in Turkey,” note for the file by H. Utkan, March 16, 1984; 100.TUR.IRAN – Refugees from Iran in Turkey [vol. 3] 1984; Series 2, Fonds UNHCR 11.

burden from Turkish authorities. And by keeping the operation discreet, the UNHCR hoped to avoid compounding Iranian migration through Turkey. The High Commissioner and his staff acknowledged the Turkish government's desire for an informal, rather than a structured arrangement. They assured the Turkish ambassador that a strengthening of their branch office could improve and speed up resettlement processing, while asserting that such an arrangement would necessitate a "closer working relationship" between the Turkish authorities and the UNHCR.¹¹⁰

Ambassador Türkmen, somewhat unexpectedly, then suggested that the refugee status determination process for Iranian refugees "should be done under the aegis of UNHCR who should also be responsible for expanding resettlement possibilities."¹¹¹ This was a remarkable turn of events for the branch office, which had been sidelined for so long in Turkish decisions on refugee status. The willingness of the Turkish government to accept external intervention in its sovereign right to determine who was allowed within its borders resulted from the concerted international pressure it had faced from the human rights movement generally and from the Iranian network specifically. If Turkey were to allow the UNHCR to oversee the screening of Iranians, the Turkish government could shield itself from criticism from Tehran by avoiding the appearance that it was creating a formal, systemic process for recognizing Iranians. This shift of authority to the UNHCR also enabled Turkey to deflect some of its responsibility for preventing irregular migration to Europe. Moreover, Turkey saw an opportunity to incentivize an increase in the international resettlement effort; since the UNHCR was "responsible for expanding resettlement possibilities,"

¹¹⁰ "Iranian Refugees in Turkey," note for the file by H. Utkan, March 16, 1984; 100.TUR.IRAN – Refugees from Iran in Turkey [vol. 3] 1984; Series 2, Fonds UNHCR 11.

¹¹¹ "Iranian Refugees in Turkey," note for the file by H. Utkan, March 16, 1984; 100.TUR.IRAN – Refugees from Iran in Turkey [vol. 3] 1984; Series 2, Fonds UNHCR 11.

putting refugee screening under UNHCR control might increase efficiency in resettlement processing—and get more Iranians out of Turkey.

Understanding that the pressures created by a backlog of Iranian refugees could create a cascade of crises, High Commissioner Hartling followed the 1984 meeting with a widespread correspondence and travel campaign to convince Western governments to alleviate the pressure on Turkey and accept more Iranians. Hartling initiated a major push in late 1984 to convince Western governments, particularly the US, Canada, Germany, Sweden, and Australia, to increase their resettlement quotas for Iranians and to stop returning Iranian asylum-seekers to Turkey. He also corresponded on behalf of Iranian refugees in the Philippines, Thailand, Pakistan, and the Gulf States, attempting to prevent refoulement to Iran and to increase resettlement of Iranians from those locations. These initiatives for international resettlement did have some early success, but by the mid-1980s, shifts in European policies began to undermine his efforts.¹¹²

The initiation of the informal arrangement in 1984 ushered in a new period for the Ankara branch office. As a direct result of the 1984 Geneva meeting and efforts by Iranian refugee and human rights organizations, the 1980s are remembered as a period of close cooperation between the UNHCR and Turkey. However, the crucial role played by NGOs and refugee groups is generally overshadowed by the bilateral relationship between the UNHCR and the Turkish government. Without the concerted efforts of the global Iranian network and organizations like Amnesty, the High Commissioner would have lacked both the motivation to strengthen his branch office and the political pressure to approach the Turkish and European governments to expand cooperation. The concerted efforts of the globally connected Iranian network, bolstered by the

¹¹² Note for the File. Meeting of F. Galindo-Velez, BO Ankara Deputy Representative with Mrs. Fügen Ok, acting Director General, MFA, October 21, 1986; 010.TUR – External Relations with Governments – Turkey, 1986-1989; Series 3, Fonds UNHCR 11.

support of human rights groups and allies across the world, seized their opportunity at a key moment and shaped the work of the UNHCR and global resettlement patterns for years to come.

4.7 CONCLUSION: TRANSNATIONAL NETWORKS AND INTERNATIONAL POLICY

The transnational advocacy of the Iranian network set off a transformative chain of events with mixed results for the long-term protection of asylum-seekers in Turkey and Europe. Iranian refugees pioneered and maintained extensive channels of irregular migration that moved hundreds of thousands across the world, while dozens of Iranian advocacy groups worked on behalf of people caught while moving through those channels. The work of these advocacy organizations did not end human rights violations or persuade the Turkish government to relinquish its geographic limitation on refugees; as I have discussed, however, the organizations did funnel information to human rights groups, whose influential reports and publications then enabled the UNHCR to expand its operations in Turkey and consequently its protections for refugees.

After 1984, the UNHCR office in Ankara expanded rapidly, and Turkish authorities followed through on their promise of closer cooperation. And yet, on the issues of refoulement and irregular migration, the branch office and Turkish officials could not find a joint solution. The failure of the High Commissioner's efforts to address these issues was in large part due to a host of new anti-migrant policies in Europe and Turkish frustration with Europe's failure to share the burden. In a twist of diplomatic irony, the success of the Iranian network led not only to the expansion of the UNHCR branch office, but also the rise of anti-migrant policies in Europe. Illegal Iranian migration—which accounted for the plurality of asylum-seekers in some European

countries—was a major provocation for the backlash policies of “Fortress Europe.”¹¹³ In the summer of 1984 the influx of Iranians to Turkey had reached “unprecedented proportions,” and as the Iran-Iraq War dragged on, waves of young men avoiding the draft compounded their numbers.¹¹⁴ The High Commissioner and his representative in Turkey leveraged human rights critiques to continually push Turkey toward greater cooperation with the UNHCR. It is possible, however, that their critiques were too influential. As Turkish authorities watched European countries close their borders to Iranians, they questioned Western Europe’s moral authority on human rights and the efficacy of the UNHCR. Massive migrations of refugees to Turkey between 1988 and 1991 produced a significant backlash to refugees from the Turkish authorities and in Turkish public opinion, resulting in a restrictive regulation on asylum in 1994 that once again marginalized the UNHCR’s work in Turkey.¹¹⁵ Accusations of the refoulement of Iranians from Turkey to Iran continued well into the 1990s.¹¹⁶

The efficacy of the Iranian network at both moving people and advocating for their protection across borders demonstrates the importance of refugee actors in shaping international refugee policy as well as their own migration paths. Instigated by reporting from the Iranian network, human rights groups like Amnesty International brought increased scrutiny to Turkish refugee policy, which had, until the early 1980s, remained largely insignificant to broader

¹¹³ William Tuohy, “Asylum Seekers,” *Los Angeles Times* (1923-Current File); Aug 2, 1986; ProQuest Historical Newspapers: *Los Angeles Times*, 1.

¹¹⁴ “Resettlement Processing in Italy,” letter from Robert J. Muller, Head, Regional Bureau for Americas and Europe to The High Commissioner, August 24, 1984; 600.TUR – Protection and General Legal Matters [vol. 6] 1984; Series 2, Fonds UNHCR 11.

¹¹⁵ *T.C. Resmi Gazete* (Official Gazette of the Turkish Republic), No. 22127, November 30, 1994.

¹¹⁶ “Turkey: An Unsafe Country of Waiting for Iranian Refugees,” Amnesty International, July 1988. U.S. Committee for Refugees Archives Box 32 Folder Turkey 1988; and “Turkey: Selective Protection: Discriminatory Treatment of non-European Refugees and Asylum-Seekers,” Amnesty International, March 1994, EUR 44/16/94.

international relations. As I have discussed, increasing reports of refoulement from Amnesty and similar organizations prevented specific cases of forcible return, and when they failed to prevent forcible return, reporting efforts still brought international attention to the issue, pressuring the UNHCR and the Turkish government to find solutions to these issues. The Iranian case is exceptional in its size, efficacy, and transnational scope, but it surely is not unique. Nearly two decades into the twenty-first century, refugees continue to carve migration routes, engaging in practices of diaspora that often feature Turkey as a transit hub. Beyond the visibility of international and state actors, the transnational work of NGOs and refugee networks complicates the narrative of non-state actors' role in international policy and suggests new avenues for understanding how international organizations and institutions grow and change.

5.0 CUL-DE-SAC TO THE WEST: HUMAN RIGHTS AND HYPOCRISY BETWEEN TURKEY AND EUROPE IN THE LATE 1980S

In 1986, the United Nations High Commissioner for Refugees (UNHCR), Jean-Pierre Hocké, remarked on a new hostility toward refugees in Western Europe.¹ Lamenting “Fortress Europe,” the implementation of restrictive immigration and asylum policies begun in 1985, the High Commissioner identified a global shift from an understanding of refugees as people in need to “people who constitute a threat.” With this shift, he observed, refugees “do not *have* problems, they *are* the problem.”² In few cases was the effect of this shift more pronounced than in Turkey, where hundreds of thousands of Iranian refugees sought temporary asylum before attempting to reach Western Europe or North America.

As the portcullis of Fortress Europe descended, the burden of harboring refugees shifted onto already disproportionately overburdened nations in Africa, Asia, and the Middle East. In 1986, refugees and asylum seekers in Western Europe accounted for less than five percent of the global total.³ Western countries continued to brandish human rights critiques at the Soviet Union

¹ UNHCR, “Beyond Humanitarianism: the need for political will to resolve today’s refugee problem” - Joyce Pearce Memorial Lecture by Mr. Jean-Pierre Hocké, United Nations High Commissioner for Refugees, Oxford University, 29 October 1986. <http://www.unhcr.org/cgi-bin/texis/vtx/search?page=search&skip=828&docid=3ae68fd518&query=Thailand> [accessed May 4, 2018].

² U.S. Committee for Refugees, *World Refugee Survey: 1986 in Review*, 5; U.S. Committee for Refugees, Records, Box 32, Folder Turkey 1986; The Immigration History Research Center Archives, University of Minnesota.

³ Ibid.

and governments across the Global South, yet these critiques seemed hypocritical to many who watched the construction of Fortress Europe and the closing doors of the West. The Turkish authorities took note of this hypocrisy as Western European countries continued to launch human rights criticisms of Turkey's record on free press, torture, and asylum.⁴ The resulting tension deeply affected the work of the UNHCR branch office in Ankara.

From 1979 to 1989, millions of Iranians fled the revolutionary regime in Tehran and the carnage of the Iran-Iraq War. Over 1.5 million of these refugees transited through Turkey in an attempt to reach Western Europe or North America, making Turkey an international focal point of refugee policy.⁵ The movement of hundreds of thousands of Iranian refugees through Turkey—often illegally—brought a diverse set of stakeholders to the table: human rights nongovernmental organizations (NGOs) and Iranian refugee groups bound themselves to the work of the UNHCR. The UNHCR negotiated between transit countries, including Turkey, Thailand, Pakistan, and the Gulf States and traditional resettlement countries in Western Europe and North America.⁶ Despite these efforts, by the mid-1980s, the UNHCR found that goodwill toward refugees was in short supply. The West closed its doors to Iranians, eliminating back channels of migration that refugees had used for years to travel illegally to Western Europe from Turkey.

Western governments, Iranian refugee advocacy groups, human rights NGOs like Amnesty International, and the UNHCR rhetorically connected human rights and refugee protection in the

⁴ Kemal Kirişçi, "Turkish Asylum Policy and Human Rights," in *Human Rights in Turkey*, ed. Zehra F. Kabasakal Arat (Philadelphia: University of Pennsylvania Press, 2007), 170-174.

⁵ Statistics for Iranians in Turkey are difficult to identify because the government did not recognize or record this population and so many moved irregularly. Kemal Kirişçi quotes a Turkish parliament member, who put the number of Iranians who transited through Turkey in the 1980s at 1.5 million. Kemal Kirişçi, "Refugees of Turkish Origin: 'Coerced Immigrants' to Turkey since 1945," in *International Migration* Vol. 34 Issue 3 1996.

⁶ Ahmet İçduygu "Irregular Migration in Turkey," *International Organization For Migration Research Series*, No. 12 (February 2003).

first half of the 1980s. This chapter argues that these connections led to a Turkish reaction against refugees when Western countries adopted hypocritical and restrictive anti-migrant policies. When the West closed its doors on refugees, returned the refugees to Turkey, and demanded that Turkey maintain liberal asylum policies on human rights grounds, those demands rang hollow. In response, Turkish asylum policies grew more restrictive, and Iranians in Turkey were increasingly at risk of *refoulement*.⁷ Eventually, Europe's constricting refugee policies led to Turkish recalcitrance during the Persian Gulf War refugee crisis, followed by a restrictive new regulation passed in 1994 to consolidate control of refugee vetting under the Turkish Ministry of the Interior. While much has been made of Turkey's evolving role in more recent refugee crises, the literature—almost exclusively in political science—has not fully addressed the importance of the 1980s Iranian refugee crisis in shaping the global refugee system and Turkey's place within it. The 1980s are generally portrayed as a period of close cooperation between the UNHCR and Turkey, while the 1990s are considered a low point.⁸ I argue that the problems facing the branch office in the 1990s had roots in the very events that prompted the close cooperation between Turkey and the UNHCR during the 1980s.

This chapter begins with three sections giving an overview of how the complicated relationship between Turkey and the UNHCR emerged and evolved in the mid-1980s. First, I will explore how Turkey's (and the Ottoman Empire's) historical relations with Western powers helped shape Turkey's relationship with the UNHCR. The next section considers how Turkey's suspicion of Western—and “international”—interventionism influenced the expansion of the UNHCR

⁷ Amnesty International “Turkey: Selective Protection: Discriminatory Treatment of non-European Refugees and Asylum-Seekers,” March 1994, EUR 44/16/94.

⁸ Celia Mannaert, “Irregular Migration and Asylum in Turkey,” *UNHCR: New Issues in Refugee Research*, Working Paper No. 89 (May 2003).

branch office in the mid-1980s. In the third section, I introduce the newly aggressive human rights reporting by Amnesty International on Turkey's refugee policies. This section lays the groundwork for how events in Europe would create a reaction from the Turkish government against critical human rights reporting. The chapter then returns to a discussion of the Iranian *filière* introduced in the previous chapter. By the mid-1980s, the *filière* had emerged as a global force, moving tens of thousands of asylum-seekers through Europe. The success of the *filière* began to change European asylum policies and relations with Turkey. The final four sections explore the emergence of anti-migrant policies in Western Europe, Turkey's resultant clamp down on asylum-seekers, Turkey's own use of human rights language against Europe, and how these events in the late-1980s shaped Turkey's relationship with the UNHCR in the context of massive refugee migrations to Turkey in the early 1990s. Together, these sections will explain how Turkey's experience with Western interventionism framed its perception of "international" actors like the UNHCR and human rights NGOs and how the massive movement of Iranians—more successful than any other group at the time at moving irregularly into Western Europe—helped create Fortress Europe, which in turn inflamed Turkish resistance to international intervention in its sovereign affairs, laying the groundwork for a withdrawal from its cooperation with UNHCR.

The establishment of a UNHCR branch office in Turkey in 1960 did not change the *ad hoc* nature of Turkish asylum policy, despite efforts to the contrary. The Turkish authorities responsible for asylum and refugee policy minimalized the UNHCR's role in the 1960s and 1970s. Until the early 1980s, the Turkish authorities did not involve the branch office in status-determination procedures for refugees entering Turkey. UNHCR representatives in Turkey repeatedly bemoaned the lack of a coherent, official policy on asylum in Turkey, especially concerning non-European

refugees.⁹ Turkey was one of only a handful of nations to maintain the geographic limitation on the 1951 Convention.¹⁰ This limitation obligates Turkey to recognize as refugees only people fleeing from Europe. Nevertheless, since it signed the Convention, millions of refugees from Africa, Asia, and the Middle East have transited through or sought asylum in Turkey. Turkey received only low numbers of refugees in the 1960s and 1970s, most fleeing communist Eastern Europe and seeking final resettlement in Western Europe or North America. These Cold War refugees were welcomed in the West. With the ever-increasing arrival of Iranian asylum seekers in the early 1980s, everything changed. The movement of and advocacy for Iranian asylum seekers shined a spotlight on Turkey's asylum policies and internationalized the Iranian crisis.

5.1 OBJECTS IN MIRROR CLOSER THAN THEY APPEAR: A HISTORY OF INTERVENTIONISM

Turkish distrust of Western interventionism shaped the UNHCR branch office in Ankara during its expansion in the mid-1980s. Turkey's historical experience made many of its politicians and officials hesitant to "internationalize" Turkey's refugee policies by ceding too much authority to the UNHCR. Reporting to Headquarters on his missions in the summer and fall of 1982 to the eastern parts of Turkey, the UNHCR Representative in Turkey, Manfred Paeffgen, argued that his missions "were essential in order to prepare the ground for the work of UNHCR, which is still a

⁹ Until 1994, the Turkish government had no formal policy or institution dealing with non-European refugees. Başak Kale, "The Impact of Europeanization on Domestic Policy Structures: Asylum and Refugee Policies in Turkey's Accession Process to the European Union" (PhD diss., Middle Eastern Technical University, 2005), 216-217.

¹⁰ In 1986 only seven states still maintained the geographic restriction: Brazil, Italy, Madagascar, Malta, Monaco, Paraguay, and Turkey. Argentina lifted the limitation in 1985.

little-known entity in a fiercely nationalistic and patriotic environment.”¹¹ Turkish authorities were generally suspicious of foreign missions traveling Turkey’s eastern provinces. The Turkish Ministry of the Interior (MOI) provided “assistance” to UNHCR missions by assigning supervisors to accompany them to provincial regions. The purpose of these supervisors was both to ensure the safety of the UNHCR staff and to monitor for the possibility of intelligence activities. Turkey’s distrust was not wholly unwarranted. Turkish intelligence had recently uncovered a British intelligence officer exchanging military data near the Turkish-Soviet border. The officer had been posing as an expert from the UN Food and Agriculture Organization during his stay in Turkey.¹²

Turkey’s relationship with the UNHCR and the international human rights movement in the 1980s was informed by the Ottoman Empire’s experience with European imperialism centuries earlier. As Representative Paeffgen initiated a series of missions to Turkey’s southeast, he wrote to headquarters, advising the High Commissioner to recall “the history of the Ottoman Empire where the so-called ‘system of capitulations’ was a much-used legal construction, which brought so many frustrations to those who lived under it...UNHCR’s functions could be compared to this system.”¹³ Paeffgen was referencing the Ottoman practice of contracting with European states to provide privileges to the citizens of those countries, privileges which superseded the rights of

¹¹ Paeffgen served as the UNHCR Representative in Turkey from 1981 to 1985. He also served at posts in the Netherlands, Philippines, Italy, and in Geneva.

¹² “Iranian Asylum Seekers in Turkey and Related Issues,” memorandum from Manfred Paeffgen, Representative in Turkey to UNHCR Headquarters, Geneva, December 1, 1982; 600.TUR – Protection and General Legal Matters – 1981-1982, vol. 2; Series 2, Classified Subject Files; Fonds 11, Records of the Central Registry; Archives of the United Nations High Commissioner for Refugees (hereafter Series 2, Fonds UNHCR 11).

¹³ “Iranian Asylum Seekers in Turkey and Related Issues,” memorandum from Manfred Paeffgen, Representative in Turkey to UNHCR Headquarters, Geneva, December 1, 1982; 600.TUR – Protection and General Legal Matters – 1981-1982, vol. 2; Series 2, Fonds UNHCR 11.

citizens of the empire.¹⁴ By recalling this historical system, Paeffgen was gesturing toward a Turkish suspicion of foreign influence. He warned that a heavy hand by the UNHCR could appear as a new incursion of Western imperial interests. He suggested that the UNHCR should expand, but it must do so delicately, careful to avoid appearing as a powerful, multi-million-dollar external actor interfering in Turkey's sovereign affairs, which of course, was exactly what it was increasingly becoming.¹⁵

UNHCR Headquarters staffers were also aware that, in expanding their operations in Turkey, they risked provoking the suspicions of the Turkish government. Candida Toscani, the Chief of UNHCR's Europe Regional Section, recommended that the branch office begin conducting frequent missions to the provinces to monitor the situation of Iranian and Afghan refugees and the conduct of the local authorities.¹⁶ She believed that ties should be made between the branch office and the provincial and national Turkish authorities, rather than Headquarters. She also recommended the strengthening of the branch office, as described in the preceding chapter. Toscani's mission to Turkey and her subsequent recommendations to the High Commissioner resulted in Headquarters assigning a protection officer, Michael Petersen, to the branch office in 1983 to enable more frequent missions to Turkey's southeast.¹⁷ Toscani warned

¹⁴ For an overview of European economic imperialism in the Ottoman Empire, see: Turan Kayaoğlu, *Legal Imperialism: Sovereignty and Extraterritoriality in Japan, the Ottoman Empire, and China* (Cambridge: Cambridge University Press, 2010).

¹⁵ "Report on Mission to Turkey 14-24 April 1983;" 600.TUR – Protection and General Legal Matters – 1983 vol. 4, Series 2, Fonds UNHCR 11.

¹⁶ The mission by Mrs. Toscani contributed to the passage of a new Turkish law on refugee centers, which detailed the responsibilities of the ministries and officials involved and admission criteria. "Mülteci Misafirhaneleri Yönetmeliği" (Regulation on Refugee Guesthouses). *T.C. Resmi Gazete (Official Gazette of the Turkish Republic)*, No. 18032, April 29, 1983; and "Report on Mission to Turkey 14-24 April 1983." 600.TUR Protection and General Legal Matters vol. 4, 1983; Series 2, Fonds UNHCR 11.

¹⁷ "Report on Mission to Turkey 14-24 April 1983;" 600.TUR – Protection and General Legal Matters – 1983 vol. 4, Series 2, Fonds UNHCR 11.

that Headquarters, on the other hand, should not conduct frequent missions, which could be counter-productive if Turkey suspected UNHCR of trying to “internationalize” the issue of Iranian refugees. To the Turkish government, which wanted to keep the issue of Iranian refugees quiet, international attention was anathema. It was this dynamic that gave international human rights critiques their power in Turkey. As the international human rights movement grew in the 1980s, these critiques could bring new and unwanted attention to the delicate diplomacy surrounding Iranian refugees.

While Turkish authorities enjoyed the “UN shield” that an international office like the Ankara branch office could provide against Iranian diplomats and domestic political pressures, they were wary of expanding foreign influence in Turkey’s internal affairs. A Turkish diplomat in Geneva, Mr. Cankorel, admitted that Ankara could be convinced of the benefits of an “international umbrella” for dealing with the problem of Iranian asylum seekers, but that convincing national and provincial authorities of these benefits would be a “painstaking process.”¹⁸ As Paeffgen warned in 1982, the Turkish authorities were prone to view open criticism from UNHCR as interference in their national sovereignty, their right to deport people that they viewed as security risks. As UNHCR was linked more and more to human rights critiques from groups like Amnesty International, Turkish authorities grew less and less tolerant of UNHCR’s interference.

As related in the previous chapter, over the course of the 1980s, refugee advocacy and human rights NGOs linked human rights to refugee rights, both explicitly and by association.¹⁹

¹⁸ “Meeting with Mr. Cankorel, Councillor, Permanent Mission of Turkey, Geneva,” note for the file by O. Haselman, Head, Regional Bureau for Americas and Europe, February 17, 1983; 100.TUR.IRAN – Refugees from Iran in Turkey [vol. 1] – 1982-1983; Series 2, Fonds UNHCR 11.

¹⁹ Vincent Chetail, “Are Refugee Rights Human Rights? An Unorthodox Questioning of the Relations between Refugee Law and Human Rights Law,” in Ruth Rubio-Marin, ed., *Human Rights and Immigration* (Oxford: Oxford Scholarship Online, 2014).

Turkish authorities began to see human rights criticisms as a new form of Western interventionism.²⁰ And as the UNHCR adopted a newly political stance and increasingly used human rights language in its publications, the High Commissioner and his branch office in Turkey were increasingly linked to what the Turkish authorities saw as Western interventionism. As a result, the Turkish authorities were more sensitive than ever and were prone to view refugee advocacy as Western interference in Turkey's domestic affairs. By the end of the 1980s, the Turkish authorities increasingly argued that human rights criticisms were hypocritical. Western European nations maintained closed borders, accepted limited numbers of refugees, and pressured peripheral countries like Turkey to strengthen border controls and prevent illegal movement into Europe.²¹ Turkish officials argued that human rights critiques of Turkey's asylum policy were simply the West using its moral authority to bully Turkey into caring for all the refugees Western Europe did not want.

5.2 ROAD WORK AHEAD: THE BRANCH OFFICE EXPANDS

As a result of events described in the previous chapter and in spite of the UNHCR's cognizance of Turkish suspicions toward foreign interference, the branch office embarked on a campaign of expansion and increased cooperation beginning in 1984. Though the UNHCR Ankara branch

<http://www.oxfordscholarship.com/view/10.1093/acprof:oso/9780198701170.001.0001/acprof-9780198701170-chapter-2> [accessed May 4, 2018].

²⁰ Elif Ozmenek, "UNHCR in Turkey," *Refuge: Canada's Journal on Refugees*, Vol. 19, No. 5 (2001), 57.

²¹ Kemal Kirişci, "Is Turkey Lifting the 'Geographical Limitation'?—The November 1994 Regulation on Asylum in Turkey, *International Journal of Refugee Law*, vol. 8 no. 3, (1996); and Ozmenek, "UNHCR in Turkey," 56.

office had attempted to improve Turkey's refugee and asylum policies since 1960, it was not a top priority for any of the High Commissioners during the first thirty years of the UNHCR's existence. With the influx of Iranian refugees in the 1980s, however, the Ankara branch office expanded its operations and adapted its role in response to challenges surrounding the movement of Iranian asylum seekers transiting through Turkey on their way west. In 1983, Turkish authorities established an informal arrangement with the branch office, permitting the UNHCR to conduct status-determination for Iranian refugees in Turkey.²² The Turkish authorities accepted this arrangement after the UNHCR began to pressure them on the principle of non-refoulement in response to advocacy from the global Iranian network.²³ Human rights NGOs, the embassies of

²² See Chapter 4. Turkey refouled 63 Iranian asylum-seekers from Turkey to Iran in November 1983. Among the refouled asylum-seekers were several who had been recognized as refugees by the UNHCR. This incident received an unusual amount of international media coverage and was the target of a concerted transnational advocacy campaign by groups in the Iranian network. Amnesty International also began publicly critiquing Turkey's asylum policies after this incident. The UNHCR utilized the international outcry to bring Turkish diplomats to the table with the representatives of several Western nations. The result of this meeting in March 1984 was the "informal arrangement" that brought the UNHCR into closer cooperation with the Turkish authorities and granted the UNHCR the authority for determining the refugee status of Iranian refugees (and, eventually, all non-European refugees) for the next ten years.

²³ The Iranian advocacy organizations that were part of the Iranian network were described by the UNHCR as "innumerable." Unfortunately, since these groups were transnational actors, often cooperating only informally or by shared goals, they do not have a centralized archive. The UNHCR archives are not organized around diaspora organizations, and references to these organizations are scattered through the archives. Often, they are referenced by shorthand, such as "Iranian groups." Today, there are hundreds of Iranian diaspora organizations in many countries around the world. These organizations, ranging in size from thousands to just a handful of individuals, are focused on an array of cultural, political, and social activities and goals. They are often organized under a broader umbrella association, such as the *Iranska Riksförbundet* (The National Confederation of Iranian Associations) in Sweden. The network often included associated or allied non-Iranian organizations who worked alongside Iranian organizations to advocate on behalf of refugees. Such groups, as mentioned in the previous chapter, included the German Green Party, the Student Representation in Münster, and the Protestant Church Group in Dortmund. In the U.S., the Network of Iranian Professionals of Orange County (NIPOC), the Iranian Cultural Center of Orange County (ICCO), and the Khayam Educational Group were all active. In UNHCR correspondence, the groups most frequently mentioned are the Austrian Committee for the Defense of Human Rights in Iran and the Iranian Bar Association in Paris. However, contextual references in UNHCR correspondence makes it apparent that there were a host of other, unnamed "Iranian groups" involved in transnational advocacy on behalf of Iranians in Turkey. See, Halleh Ghorashi, "How Dual is Transnational Identity? A Debate on Dual Positioning of Diaspora Organizations," *Culture and Organization*, vol. 10(4), (December 2004): 329-340; The Heinrich Böll Foundation, ed. *Identity and Exile: The Iranian Diaspora between Solidarity and Difference* (Heinrich Böll Stiftung Publication Series on Democracy, vol. 40, 2015); and Melissa Kelly, "Transnational Diasporic Identities: Unity and Diversity in Iranian-Focused Organizations in Sweden," *Comparative Studies of South Asia, Africa and the Middle East*, vol. 31, no. 2 (2011): 443-454.

Western governments, and dozens of Iranian refugee organizations around the globe brought allegations of refoulement to the UNHCR as asylum seeker numbers swelled with draft evaders fleeing the Iran-Iraq War. The High Commissioner responded by strengthening his branch office in Turkey, sending more and more resources to the country at a time when the UNHCR faced a budgetary crisis and found itself constricting operations around the world.²⁴

In half a decade, (from 1983 to 1988) the branch office went from a small outpost with three permanent staffers (the representative, a secretary, and a driver) and no dedicated office or even a phone line, to a substantial operation with a full-time representative, deputy representative, three separate units (a legal, resettlement, and program & administration unit), and 28 staff in total by 1987.²⁵ From a budget of less than \$50,000 in the early 1980s, the UNHCR allocated \$1.7 million in funding to its Turkey program in 1987, and increased this number to \$2.3 million in 1988.²⁶ Despite the strengthening of the office, and the appointment of Representative Gary G. Troeller in April 1986 as successor to Manfred Paeffgen, the continued increase of asylum-seekers transiting through Turkey still strained the office's capabilities. In November of 1986, Representative Troeller found his office's "normal schedule still abnormally full, with up to 100 people approaching" the office daily. On top of this daily average, unexpected influxes of 150-200

²⁴ Gil Loescher relates that, in addition to a constricting budget, the UNHCR also suffered a loss of prestige in the late 1980s under the leadership of Poul Hartling. Loescher, *UNHCR and World Politics*, 201-202, 239-240.

²⁵ "Iranian Refugees in Turkey," memorandum from Mercedes Saitzew to Dr. Ghasan Rubeiz, July 17, 1987; World Council of Churches; Turkey projects / Welfare 1986-1989; Commission of Inter-Church Aid, Refugee and World Service (CICARWS), Refugees, Archives of the World Council of Churches.

²⁶ Fiorella Cappelli, Head, RBENA, "Mission to Ankara, 10-13 January 1988," January 20, 1988; 600.TUR – Protection and General Legal Matters – Protection – Turkey – 1987-1988; Series 3, Classified Subject Files; Fonds 11, Records of the Central Registry; Archives of the United Nations High Commissioner for Refugees (hereafter Series 3, Fonds UNHCR 11).

asylum seekers could press the office's capabilities to their limit.²⁷ Reporting on the "deteriorating situation of asylum seekers in Turkey," UNHCR Headquarters informed a working group of diplomats from 11 countries, which was working on issues of asylum in Europe, that the UNHCR would "temporarily reinforce its presence in Ankara" to address the influx.²⁸ By the end of 1986, the Branch Office was close to being overwhelmed by the exodus of Iranians. Headquarters provided additional staff, including a resettlement officer, legal officer, and a clerk/typist as well as supplementary office equipment to the Branch Office to provide a temporary lifeline.²⁹ This temporary lifeline soon became permanent, and the office continued to bring in more staff. In less than one year, from October 1986 to June 1987, the Ankara Branch Office tripled its staff, growing from the second-smallest UNHCR office in Europe to the largest.³⁰

5.3 PROCEED WITH CAUTION: HUMAN RIGHTS PRESSURE ON TURKEY

The Iranian exodus took place at a time when the human rights movement was beginning to enjoy increased salience, especially in the West. Recent historical scholarship refers to this period—from

²⁷ Cable from Ankara Branch Office to Geneva HQ, November 19, 1986; 100.TUR.GEN 1986-1994; Series 3, Fonds UNHCR 11.

²⁸ *News in Brief*, November, 1986; U.S. Committee for Refugees, Records, Box 32, Folder Turkey 1986; The Immigration History Research Center Archives, University of Minnesota.

²⁹ Cable from UNHCR Ankara to HICOMREF Geneva, November 19, 1986. 100.TUR.GEN – Refugees in Turkey – 1986-1994; Series 3, Fonds UNHCR 11.

³⁰ "Up-date of Office Procedures and Plan of Operations January and March 1987," memorandum from Gary Troeller, Representative, UNHCR, Ankara, to All Staff of B.O., Ankara, January 5, 1987; 205.TUR – Administration and Finance – UNHCR Offices – Turkey 1987 A; Series 3, Fonds UNHCR 11.

the late 1970s to the early 1980s—as the “human rights transformation.”³¹ Human rights NGOs framed asylum policies in Turkey as human rights issues. Iranian refugee advocacy organizations, established by the vanguard of the Iranian diaspora, drew Amnesty International’s attention to Turkey. These groups framed their advocacy in the language of human rights and reported allegations of human rights abuses to Amnesty, the UN, and Western governments. In Turkey, Amnesty insinuated itself into refugee affairs in the early 1980s. In a 1986 memorandum sent to the Turkish government, Amnesty justified its interest in Turkish refugee affairs by arguing that any asylum seeker refouled to Iran was under threat of becoming a prisoner of conscience and of suffering torture or execution at the hands of the regime in Tehran.³²

The human rights transformation also altered the strategy of the UNHCR. In the 1980s, the agency pivoted away from its staunchly non-political stance of the previous three decades to reframe refugee issues in terms of human rights.³³ As part of this change, the UNHCR actively sought to collaborate with Amnesty, sharing information and referencing Amnesty’s reports both internally and in conversation with the Turkish authorities. Headquarters staffers viewed Amnesty as a crucial resource for the agency’s refugee protection work.³⁴ For the Turkish government, which wanted to keep the issue of Iranian refugees quiet, international attention was anathema. It was this dynamic that gave international human rights critiques their power in Turkey. With the

³¹ Tim Dunne and Marianne Hanson, “Human Rights in International Relations,” in *Human Rights: Politics and Practice*, 2nd ed. Michael Goodhart (Oxford: Oxford University Press, 2013); and Samuel Moyn, “Substance, Scale, and Salience: The Recent Historiography of Human Rights,” *Annual Review of Law and Social Science* 8 (2012).

³² “Iranian Refugees in Turkey: Memorandum from Amnesty International to the Turkish Government, February 5, 1986,” external document, August 1, 1986; U.S. Committee for Refugees, Records, Box 32, Folder Turkey 1986; The Immigration History Research Center Archives, University of Minnesota.

³³ Anne Hammerstad, *The Rise and Decline of a Global Security Actor: UNHCR, Refugee Protection, and Security* (Oxford University Press, 2014), 112-119.

³⁴ UNHCR Action Sheet, Mr. Perkins, January 18, 1988; 601.A.I. – Legal Organisations – Amnesty International 1987-1988; Series 3, Fonds UNHCR 11.

increased salience of the international human rights movement, these critiques brought new and unwanted attention to the delicate diplomacy surrounding Iranian refugees. The international attention that reporting and advocacy of various human rights groups brought to the issue of Iranian refoulement succeeded in pressuring Turkish authorities into closer cooperation with the UNHCR. In response to international pressure, the Turkish authorities granted UNHCR more authority in refugee status-determination, and the High Commissioner increased the office's presence there, ushering in a period of close cooperation between the UNHCR and Turkey that lasted for most of the 1980s.

Human rights critiques of Turkey's asylum policy were effective because Turkey already faced widespread criticism regarding its general human rights record. Turkey's 1980 military coup and the period of martial law initiated by General Evren brought increased scrutiny from Europe. Turkey was banned from the Parliamentary Assembly of the Council of Europe; negotiations for closer association with the European Economic Community were suspended; and Denmark, France, the Netherlands, Norway, and Sweden all lodged separate cases with the European Commission of Human Rights, alleging violations by Turkey of the European Convention for the Protection of Human Rights and Fundamental Freedoms. As evidenced by the Turkish authorities' acceptance of the UNHCR's expanded role in Turkish asylum procedures, a human rights-based approach could have positive impacts on Turkish decision-making. However, as the West closed its doors to refugees, evident hypocrisy undermined the power of human rights rhetoric to affect positive change.

In addition to pressure from Western diplomats and the UN, Turkey faced growing criticism from Amnesty International. In the wake of increased allegation of refoulement—especially the highly publicized refoulement of 63 Iranians in November 1983, Amnesty sent its

first mission focused on refugee issues to Turkey in November 1985. In February 1986, Amnesty submitted a memorandum to the Turkish government with their findings, requesting Turkish comment before publication of the full report. The memorandum was also distributed to NGOs, the UN, and embassies in Ankara.³⁵ During Amnesty's visit, they were granted meetings with the Turkish Ministry of Foreign Affairs (MFA), the Directorate General for Multilateral Relations, and with the Ministry of the Interior's (MOI) Directorate General for Security. However, despite initial assurances to the contrary, the representatives from Amnesty were not allowed to meet with local officials in Van province. The Amnesty group also conducted meetings with representatives of the International Catholic Migration Commission (ICMC), the UNHCR branch office, and other international organizations while in Turkey. The attention of Amnesty did have some direct and immediate effects. Amnesty reported that during the mission they successfully intervened on behalf of three refugees who were at risk of refoulement. The three refugees were subsequently resettled to third countries by the UNHCR.³⁶

Amnesty's mission and subsequent reporting was informed by the organization's contacts in the Iranian network. Amnesty's interest in Turkish asylum policy was prompted by intensive reporting and lobbying from Iranian advocacy groups, and when Amnesty came to Turkey, they were connected to Iranian informants through the network. As part of its memorandum to the Turkish government, Amnesty submitted a list of 94 names of Iranians allegedly refouled from Turkey to Iran in 1984 and 1985. Notably, several of the names on the list were refugees recognized by UNHCR who had been resettled or were still awaiting resettlement. These refugees

³⁵ "Iranian Refugees in Turkey: Memorandum from Amnesty International to the Turkish Government, February 5, 1986," external document, August 1, 1986; U.S. Committee for Refugees, Records, Box 32, Folder Turkey 1986; The Immigration History Research Center Archives, University of Minnesota.

³⁶ Amnesty International Report, April 1986; U.S. Committee for Refugees, Records, Box 32, Folder Turkey 1986; The Immigration History Research Center Archives, University of Minnesota.

reported their own cases to Amnesty or gave eyewitness testimony of the refoulement of other Iranians, who on their first attempt to enter Turkey, had been forcibly returned to Iranian territory by Turkish border guards. According to official Turkish policy at the time, border guards played “no role in determining who is and who is not a refugee.”³⁷ Among the 94 names were three individuals who allegedly had been returned to Iran and handed over to Iranian border guards by Turkish border guards. These three had attempted to cross the border twice and on their second attempt had been re-arrested, detained, and handed over to the Iranian border police on August 13, 1985. While Amnesty believed the three were being held in Orumiyeh prison in Iran, the organization had not been able to establish their treatment or situation. Amnesty concluded its memorandum to the Turkish government with a request for information on all the cases of deportation and crimes with which the deported asylum seekers were accused.³⁸

Amnesty’s reporting on Iranian refoulement had consequences for the daily work of the branch office and for the office’s relations with UNHCR Headquarters. Representative Troeller’s bosses at Headquarters forwarded him the 1987 Amnesty report on asylum in Turkey and ordered him to regularly (on a quarterly basis) “summarize the range of activities taken by the Field Office to ensure the protection of Iranian refugees and asylum-seekers from forcible return at all stages of their stay in Turkey. An evaluation of the impact of these activities would also be appreciated.”³⁹

³⁷ “Iranian Refugees In Turkey: Memorandum from Amnesty International to the Turkish Government, February 5, 1986,” external document, August 1, 1986. U.S. Committee for Refugees, Records, Box 32, Folder Turkey 1986; The Immigration History Research Center Archives, University of Minnesota.

³⁸ “Iranian Refugees In Turkey: Memorandum from Amnesty International to the Turkish Government, February 5, 1986,” external document, August 1, 1986. U.S. Committee for Refugees, Records, Box 32, Folder Turkey 1986; The Immigration History Research Center Archives, University of Minnesota.

³⁹ “Amnesty International’s Report of June 18, 1987,” memorandum from G. de Brancovan, Head Desk I, Regional Bureau for Europe and North America, July 8, 1987; 601.A.1–Legal Organisations – Amnesty International – 1987; Series 3, Fonds UNHCR 11.

In response to Amnesty's reporting, the branch office took aggressive steps to protect asylum-seekers. In the late 1980s, the branch office called the MFA and central and provincial police at least five times a day and branch office staff met with senior MFA and MOI officials twice a month. Staffers also made repeated missions to Turkey's southeastern border provinces—three in a ten-month period in 1987, and staffers made nine visits to Yozgat refugee centre by car in the same year. These trips were not insignificant; Yozgat, which is relatively close to Ankara, still included a “turnaround distance” of 460km by car from Ankara, and the southeastern provinces were much farther.⁴⁰ UNHCR Headquarters took Amnesty's reporting seriously and took steps to ensure that its offices around the world were responding to critical human rights reporting.

In response to Amnesty's allegations, Turkish officials assured the UNHCR and Amnesty that it was the official policy of the Turkish government not to refoul any Iranian refugees unless they had been convicted of certain serious crimes.⁴¹ The Turkish authorities assured the Amnesty mission that no Iranian refugees returned to Turkey from Western Europe had been refouled to Iran and that no refoulements had taken place in 1984 or 1985. Paradoxically, Ankara was also unwilling to discount the possibility that border guards in the provinces, acting without the consent of the central authorities, might have refouled Iranians. The authorities, when pressed on this issue, asserted that the eastern border was particularly sensitive, due to separatist activities as well as

⁴⁰ “Amnesty International Report of 18 June 1987,” memorandum from Gary G. Troeller, Representative, UNHCR, Ankara to Mr. G. de Brancovan, Head of Desk I, Regional Bureau for Europe and North America, UNHCR Headquarters, Geneva.601.A.1 – Legal Organisations Amnesty International – 1987; Series 3, Fonds UNHCR 11.

⁴¹ Article 33 of 1951 Convention: “No Contracting State shall expel or return (“refouler”) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.” UNHCR, “Convention and Protocol Relating to the Status of Refugees,” <http://www.unhcr.org/en-us/3b66c2aa10> [accessed May 4, 2018].

arms and narcotics trafficking. Border guards, they said, often experienced “difficulties in differentiating between refugees and terrorists.”⁴²

Amnesty’s efforts and the recalcitrance they faced from the Turkish authorities soon put the Ankara branch office in an awkward position. Although Amnesty’s report was not particularly critical, the organization did repeatedly request written responses from the Turkish government, so Amnesty could include both sides of the issue in their published report. Mr. Aksoy of the Turkish MFA complained to Representative Troeller that the Turkish MFA had gone out of its way to assist Amnesty and now found itself in a potentially embarrassing situation. The government wanted to avoid responding to Amnesty’s report. Mr. Aksoy believed a response would only attract more attention to the situation of non-European refugees, which the MFA still unreasonably hoped to keep quiet and out of the press. Mr. Aksoy, however, did want Turkey’s side of the story to appear in any Amnesty publication and to avoid an overly critical, embarrassing report. In an attempt to keep the matter low-profile and protect Turkey’s interests, Mr. Aksoy asked Representative Troeller to assist the MFA by putting pressure on Amnesty to dull the language in their report.⁴³

This is a remarkable moment and one that illustrates how adeptly the branch office had maneuvered during its expansion in Turkey. On the one hand, its international efforts on behalf of Iranian refugees ensured that the office maintained its human rights credibility. At the same time, in the eyes of the Turkish authorities, the office could act as a human rights shield against

⁴² “Iranian Refugees in Turkey: Memorandum from Amnesty International to the Turkish Government, February 5, 1986,” external document, August 1; U.S. Committee for Refugees, Records, Box 32, Folder Turkey 1986; The Immigration History Research Center Archives, University of Minnesota.

⁴³ Strictly confidential Note for the File: Meeting of Gary Troller, UNHCR with Mr. Oktay Aksoy Director-General Intergovernmental Organizations, Ministry of Foreign Affairs, May 8, 1986; 010.TUR – External Relations with Governments – Turkey – 1986-1989; Series 3, Fonds UNHCR 11.

international critiques. Mr. Aksoy believed that UNHCR could act as an intermediary between Turkey's national interests and international human rights critiques.

Mr. Aksoy and the Turkish authorities misjudged their relationship with the newly strengthened branch office. Representative Troeller, in a note sent to Headquarters, mentioned that Mr. Aksoy's request regarding Amnesty was consistent with the government's position on matters of concern to UNHCR. Mr. Aksoy's hope, however, was misplaced. Mr. Feldmann, a former Representative in Turkey and in 1986 an official at Headquarters, directed Troeller to not approach Amnesty on Turkey's behalf.⁴⁴ Once Troeller declined to address the issue on behalf of the Turkish authorities, representatives from Amnesty were invited to meet directly with Turkish diplomats at the Turkish embassy in London in May 1986. At the meeting, Amnesty representatives again requested official written comments specific to the report and were denied.⁴⁵ The UNHCR's refusal to protect Turkish interests played a role in the increasing frustration of the Turkish authorities with international human rights critiques.

Iranian advocacy organizations discussed in the previous chapter, including the Austrian Committee for the Defense of Human Rights in Iran and the Iranian Bar Association in Paris, also intervened repeatedly with the UNHCR and Turkish government to voice their own concerns, particularly on the issue of refoulement. Some of these groups, including the Austrian Committee for the Defence of Human Rights in Iran, conducted fact-finding missions and sent representatives to Ankara to pressure the UNHCR and Turkish government to investigate all allegations of

⁴⁴ Strictly confidential Note for the File: Meeting of Gary Troller, UNHCR with Mr. Oktay Aksoy Director-General Intergovernmental Organizations, Ministry of Foreign Affairs, May 8, 1986; 010.TUR – External Relations with Governments – Turkey – 1986-1989; Series 3, Fonds UNHCR 11.

⁴⁵ Amnesty International Internal Report, May 30, 1986; U.S. Committee for Refugees, Records, Box 32, Folder Turkey 1986; The Immigration History Research Center Archives, University of Minnesota.

refoulement.⁴⁶ Iranian advocacy organization continued their coordinated, transnational advocacy campaigns aimed at the UNHCR and Western governments. In March 1988, the UNHCR offices in New York reported receiving a “considerable amount of letters and queries” which appeared to be an “orchestrated public campaign” directed at raising information about the problems facing Iranian refugees in Turkey and Pakistan.⁴⁷ The “standard letter” that UNHCR received from the letter-writing campaign alleged refoulement and attacks on Iranian refugees, and it urged UNHCR to exercise its authority to help improve the condition of Iranian refugees in Turkey and Pakistan.⁴⁸ The Iranian network continued to report allegations to organizations like Amnesty and to advocate directly with UNHCR on behalf of Iranian asylum-seekers. This advocacy work was particularly aimed at protecting the tens of thousands of Iranians transiting through Turkey via irregular channels each year.

5.4 THERE AND BACK AGAIN: IRREGULAR MIGRATION AND REFUGEES IN ORBIT

While one might assume that the injection of human rights language into the work of refugee protection would have been a boon to refugees and the UNHCR, the truth is more complicated. The global Iranian network’s success at moving hundreds of thousands of refugees through

⁴⁶ See Chapter 4 for a more extensive treatment of one such mission. “Situation of Iranian Refugees in Turkey, letter from Monika Vyslouzil, Austrian Committee for the Defence of Human Rights in Iran to Candida Toscani, Chief, Europe Regional Section, UNHCR, March 14, 1983; Series 2, Fonds UNHCR 11.

⁴⁷ Fax from UNHCR, New York to HICOMREF Geneva, March 4, 1988; 600.TUR – Protection and General Legal Matters – Protection – Turkey – 1987–1988; Series 3, Fonds UNHCR 11.

⁴⁸ Fax from UNHCR, New York to HICOMREF Geneva, March 4, 1988; 600.TUR – Protection and General Legal Matters – Protection – Turkey – 1987–1988; Series 3, Fonds UNHCR 11.

irregular channels strained Western Europe's goodwill toward refugees while Western diplomats and NGOs like Amnesty brought human rights into the conversation surrounding refugee protection. As Turkish cooperation with the UNHCR increased, it seemed that the influx of Iranians might help the UNHCR to convince the Turkish government of the benefits of regularizing its asylum policy and fully cooperating with the UNCHR on non-European asylum seekers. Perhaps it would have. Unfortunately, the indifference displayed by the rest of the world convinced Turkish authorities that they were alone; human rights criticism from the West was simply a new form of interventionism.

The Iranian filière described in the previous chapter was part of a global shift in migration patterns. The Iranian filière was the most prominent pathway of irregular migration for any single group during the 1980s, but millions of other irregular migrants were fleeing hardships and persecution in countries throughout the Global South, hoping to eventually claim asylum in Europe or North America. Gil Loescher notes that the growing accessibility of air travel meant that these “‘jet age’ refugees were no longer confined to their region of origin” and could travel directly from a transit country like Turkey to Paris, Stockholm, Amsterdam, London, or Berlin.⁴⁹ This trend exacerbated the problem of “refugees in orbit”—asylum seekers “who end up in limbo, shunted from one country to another without access to proper status determination.”⁵⁰ As more and more asylum seekers transited through Turkey and entered European countries through irregular channels, those European countries continued to demand that Turkey institute stricter migration

⁴⁹ Gil Loescher, “The UNHCR and World Politics: State Interests vs. Institutional Autonomy,” *The International Migration Review*, vol. 35, no. 1, Special Issue: UNHCR at 50: Past, Present and Future of Refugee Assistance (Spring, 2001), 41.

⁵⁰ Judith Kumin, “Refugees Magazine Issue 101 (Asylum in Europe) - Protection of, or protection from, refugees?” September 1, 1995, <http://www.unhcr.org/en-us/publications/refugeemag/3b543d444/refugees-magazine-issue-101-asylum-europe-protection-protection-refugees.html> [accessed May 4, 2018].

controls. At the same time, however, the UNHCR, Iranian advocacy groups, human rights NGOs, and those same Western governments demanded that Turkey maintain liberal asylum policies for people fleeing into Turkey from its south and east.

Though the vast majority of Iranians continued to move through Turkey outside of official UNHCR channels, the branch office did see a significant rise in the number of people approaching its office in the late 1980s. The Turkish government did not keep formal statistics on Iranian asylum-seekers, whom the government considered merely temporary visitors or tourists. However, the UNHCR did maintain statistical information on persons approaching their office, and from these numbers—which represent only a fraction of the many thousands of Iranians in Turkey—we can get a sense of the precipitous rise in Iranian asylum migration through Turkey during the 1980s. From 1985 to mid-1987, the number of persons approaching the branch office in Ankara to seek refugee status each year rose from 2,400 to 10,300.⁵¹ By the end of 1987, the total for the year reached 18,000. The World Council of Churches estimated that in 1988, 40 people per day, or 14,600 per year left Turkey through irregular channels, while approximately 6,000 left each year through legal channels, via the UNHCR or Western embassies.⁵² And yet, this number of over 20,000 departures a year was only a small percentage of the estimate one million refugees living in Turkey in 1988. The newcomers among those approaching the branch office were largely young men who, because they were draft evaders, were being pressured by the Turkish authorities to leave the country. As a result, the vast majority of draft evaders chose not to seek asylum through

⁵¹ “Iranian Refugees in Turkey,” memorandum from Mercedes Saitzew to Dr. Ghasan Rubeiz, July 17, 1987; World Council of Churches; Turkey projects / welfare 1986–1989; Commission of Inter-Church Aid, Refugee and World Service (CICARWS), Refugees, Archives of the World Council of Churches.

⁵² Hollyn Green, “Program Budget Proposal, Refugee Social Services-1989, Istanbul, Turkey,” March 15, 1988; World Council of Churches; Turkey projects / welfare 1986–1989; Commission of Inter-Church Aid, Refugee and World Service (CICARWS), Refugees, Archives of the World Council of Churches.

regular channels and moved instead through the Iranian filière. The rapid rise in Iranians electing to move via official UNHCR channels beginning in the mid-1980s is an indication that the number of Iranians moving through irregular channels (which we know comprised the vast majority of Iranians leaving Turkey) was also rapidly increasing.

Irregular migration was a major point of contention between Turkey and resettlement countries in Western Europe. European diplomats repeatedly demanded that Turkey take steps to halt irregular migration out of Turkey. When Turkey failed to do so, Western European countries enacted stricter policies at their borders and in their airports. In response to anti-migrant policies and unsatisfactory resettlement quotas in Europe, the Turkish government warned that if resettlement quotas were not increased, Turkey would not be able to “render satisfactory transit facilities” for Iranian asylum-seekers.⁵³ Western European countries did begin increasing their resettlement missions and allotments for Turkey as a result of appeals from the High Commissioner; however, the new resettlement spots (though they doubled from 1987 to 1988) still represented a tiny fraction of Iranians in Turkey (from 1,200 resettlement spots in 1987 to 2,700 in 1988). Moreover, when European countries agreed to increase resettlement slots, they also demanded that Turkey accept the readmission to Turkey of some number of asylum-seekers who left Turkey through irregular channels.⁵⁴

⁵³ “Mission to Ankara, 10-13 January 1988,” Fiorella Cappelli, Head, RBENA, January 20, 1988; 600.TUR – Protection and General Legal Matters – Protection – Turkey – 1987-1988; Series 3, Fonds UNHCR 11.

⁵⁴ Turkey agreed to some cases but rejected others. Fiorella Cappelli, Head, RBENA, “Mission to Ankara, 10-13 January 1988,” January 20, 1988; 600.TUR – Protection and General Legal Matters – Protection – Turkey – 1987-1988; Series 3, Fonds UNHCR 11.

Most Iranian asylum seekers entered and exited Turkey illegally, aided by a global network of smugglers, middlemen, and Iranian refugee advocacy organizations.⁵⁵ This Iranian network moved people through legal and illegal channels. The Turkish authorities caught thousands of Iranians with forged documents, and many thousands more simply arrived in European and North American airports or at border crossings without proper documentation, claiming asylum.⁵⁶ A circular migration route emerged, with transit refugees orbiting around Turkey. Refugees fled from Iran to Turkey and from Turkey to one of several European countries. Increasingly, Iranians arriving outside official channels were returned to Turkey, at which point they were vulnerable to refoulement.⁵⁷

The migration story of one Iranian asylum seeker, Achmad, demonstrates the strange and labyrinthine migration routes taken by many Iranians.⁵⁸ Achmad fled from Iran to Turkey in early 1983, where he avoided registering with the UNHCR or Turkish police. From Ankara, he headed to Sweden by plane and there promptly requested asylum; however, Swedish immigration officials refused entry and sent him back to Turkey. At the Ankara airport, it was Turkish authorities who now refused him entry. Achmad was sent from Ankara to Zurich and from Zurich to Vienna. A few weeks later, Swedish immigration officials managed to obtain his readmission to Turkey; a few weeks after his readmission to Turkey, Sweden finally granted Achmad asylum, permitting

⁵⁵ "Iranian Asylum-Seekers in Turkey," C. Toscani, Chief, Europe Regional Section, January 19, 1983. 100.TUR.IRAN – Refugees from Iran in Turkey [vol. 1] 1982-1983; Series 2, Fonds UNHCR 11.

⁵⁶ Iranians caught with forged documents were at risk of refoulement. The Turkish police might decide to imprison or fine them. The best-case scenario was that they would be directed to and confined in one of the satellite cities around Ankara and wait for referral to the UNHCR. "Iranian Asylum-Seekers in Turkey," Note for the File, March 7 1984. 600.TUR – Protection and General Legal Matters – 1984; Series 2, Fonds UNHCR 11.

⁵⁷ "Turkey: An Unsafe Country of Waiting for Iranian Refugees," Amnesty International, July 1988; U.S. Committee for Refugees, Records, Box 32, Folder Turkey 1988; The Immigration History Research Center Archives, University of Minnesota.

⁵⁸ Last name omitted.

him to enter the country.⁵⁹ This sort of “orbit” was common for Iranian refugees, though not all had outcomes as favorable as Achmad’s. As a population with perceived political and security risks, Iranian asylum seekers were passed around Europe and back to Turkey, most countries unwilling to shoulder the burden. In some cases, the Turkish authorities returned asylum-seekers to Iran. With no state coming to their aid, Iranians relied on their transnational network of smugglers and advocacy organizations that facilitated the movement of millions of Iranian asylum-seekers and reported threats to their safety to the UNHCR, Amnesty, and Western governments.

5.5 DO NOT ENTER: CLOSING THE BACKDOOR TO THE WEST

During the 1980s, UNHCR officials observed that “more than any other single group of asylum-seekers,” Iranians made use of irregular practices to gain asylum in Western countries. These efforts were such that the “smooth functioning of existing procedures for the treatment of asylum-seekers” in Western Europe was “being seriously undermined.”⁶⁰ Iranian refugees moved outside the regular channels of migration in such large numbers that Western European governments, despite their relatively small share of the global population, were worried about becoming overwhelmed. Their frustration at the inability—or unwillingness—of Turkey to halt irregular migration led to stricter measures, including the deportation of Iranian asylum seekers to Turkey, pressure on airlines to control travel documentation, new asylum legislation, new visa

⁵⁹ “Meeting with Mr. Cankorel, Councillor, Permanent Mission of Turkey, Geneva,” note for the file by O. Haselman, February 17, 1983; 100.TUR.IRAN – Refugees from Iran in Turkey [vol. 1] 1982-1983; Series 2, Fonds UNHCR 11.

⁶⁰ W. Clarence, Chief, Advisory Services Unit, Division of International Protection, “Mission to Turkey, Pakistan and India, Re Iranian asylum-seekers,” February 17, 1986; 600.tur – Protection and General Legal Matters – Turkey 1986–1987 A; Series 3, Fonds UNHCR 11.

requirements, and international deals to control migration through Eastern Europe to Western Europe, particularly between East and West Berlin.⁶¹ As the Iran-Iraq War dragged on, Western states became more and more reluctant to welcome Iranians. The Turkish authorities warned the UNHCR that Turkey could not handle the resultant pressure. An important breaking point arrived in 1987, when West Germany acted decisively to close one of the last remaining and most popular irregular migration routes: the so-called “backdoor to the West.”

For hundreds of thousands of refugees from Iran, as well as thousands more from the Middle East, Africa, and Asia, who sought to travel to Western Europe outside official refugee channels, East Berlin was a critical point of transit. Here, due to a strange loophole in Cold War policy, the backdoor to the West swung open. As Western Europe closed airports and border crossings to Asian and African refugees, East Berlin’s backdoor to the West emerged as one of the last best hopes for those seeking asylum. Smugglers facilitated migration from Istanbul to East Berlin’s backdoor by coaching refugees, purchasing tickets, arranging clandestine transportation, and obtaining forged documents. The special status of West Berlin made it particularly easy for East German authorities to push thousands of refugees across the border each year; West Berlin lacked formal border controls because the U.S., Britain, and France did not consider the division between the two Berlins to be a legitimate international border. To avoid tacit acceptance of the international border, no official immigration checks were in place on the west side of the wall. East German authorities encouraged irregular migration through this route by permitting the entry of refugees to East Berlin as long as they paid cash for airfare on the national or Soviet carriers.

⁶¹ Ibid.

By encouraging the flow of asylum seekers, the East Germans put pressure on their rivals in the West.⁶²

The East German strategy was successful, as West Germany increasingly felt the political and economic strain of sharp rises in irregular migration. By the mid-1980s, this backdoor had allowed the entry of thousands of refugees from Iran, Ghana, Sri Lanka, Pakistan, and Bangladesh into West Berlin. In 1986 alone, refugee arrivals rose to 43,000, up 45% from the previous year. In the mid-1980s, West Germany took twice as many refugees as France and ten times more than Britain or Italy; in 1986, it spent over \$1.3 billion on the cost of sheltering asylum seekers. Comprising the single largest population, about 18% of the refugees arriving in West Berlin via East Berlin were Iranians who had transited through Turkey.⁶³

German public opinion turned against asylum seekers in 1986. With the 1987 election approaching, pressure to slow the arrival of refugees mounted. German officials floated tougher legislation and more restrictive screening for asylum applicants. In addition, they publicized in Turkey that, beginning in 1987, asylum seekers arriving in Germany illegally would be returned to their country of first asylum. Where once an Iranian could be smuggled by truck to Belgium or Germany, tear up their passport, and claim asylum, by 1987 they were more likely to be sent back to Turkey unless they could provide evidence of UNHCR refugee status.⁶⁴

The community of Iranian asylum seekers in Istanbul certainly noticed the publicity campaign against illegal arrivals in West Germany. In September 1986, the West German government foiled a plan to bring 27,000 Iranians from Istanbul to West Berlin before the backdoor

⁶² William Tuohy, "Asylum Seekers," *Los Angeles Times* (1923-Current File); Aug 2, 1986; ProQuest Historical Newspapers: Los Angeles Times, pg. 1.

⁶³ Ibid.

⁶⁴ Ibid.

closed. The plan would have taken 600 busloads of Iranians from Turkey through Bulgaria and Eastern Europe to East Berlin. The West German government negotiated a deal with Bulgarian diplomats, and Bulgarian border police turned away any Iranians at the Turkish-Bulgarian border who lacked a West German visa, sending back the busloads headed for East Berlin.⁶⁵ One official, whom the New York Times simply labeled “Western” described the emerging picture: “Turkey used to be a point of transit for the Iranians...Now it’s getting to be a cul-de-sac.”⁶⁶

5.6 TRAFFIC AHEAD: PRESSURE BUILDS ON IRANIANS

When Western Europe closed its doors on asylum seekers, it created what the U.S. Committee for Refugees called a “pressure cooker effect” in Turkey. Iranian refugees found themselves in an increasingly precarious position. The UNHCR recognized that the irregular routes used by Iranian asylum seekers to reach Western Europe acted as a “safety valve” for transit countries like Turkey. With the swell of Iranian draft evaders seeking asylum, the only mechanism keeping the caseload of Iranians at a level tolerable to the Turkish authorities was this exceptional ability of the Iranian network to move through irregular channels. The immediate effect of closing of the backdoor to the West was to increase tensions for asylum seekers dealing with the Turkish authorities.⁶⁷

⁶⁵ “Bonn Says It Foiled Bid to Rush in Refugees,” *New York Times (1923-Current file)*; Sep 29, 1986; ProQuest Historical Newspapers: The New York Times with Index, pg. A5.

⁶⁶ Alan Cowell, “Iranians Flee to Turkey and Dream of U.S.,” *New York Times (1923-Current file)*; May 26, 1987; ProQuest Historical Newspapers: The New York Times with Index, pg. A1.

⁶⁷ W. Clarence, Chief, Advisory Services Unit, Division of International Protection, “Mission to Turkey, Pakistan and India, Re Iranian asylum-seekers,” February 17, 1986. 600.tur protection and general legal matters protection Turkey 1986–1987 A; 600.TUR – Protection and General Legal Matters – Turkey 1986–1987 A; Series 3, Fonds UNHCR 11.

By the late 1980s, public opinion had turned against Iranians, and the Turkish government responded to the rising numbers of Iranians and lack of European burden-sharing with frustration and new restrictions on asylum-seekers. Beginning in 1986, the branch office noted a “well-orchestrated media campaign against presence of Iranians,” with news outlets alarmingly estimating the Iranian population in Turkey at 1 million.⁶⁸ Public resentment toward these Iranians often associated refugees with criminal activities like drug smuggling and terrorism. The drug trade, which the Turkey had been able to suppress in the early 1980s, was on the rise again by 1987, and the major source of raw material was coming from Iran. The Turkish government alleged that the major drug organizations in Turkey were Iranian. In the first six months of 1987, the government seized over 400 kilos of “pure heroin.” Representative Troeller worried that this issue of drug trafficking was more concerning for the government’s image than its treatment of refugees, and the former could outweigh the latter.⁶⁹

The branch office noted a general increase in anti-Iranian sentiment from Turkish government. Turkish officials complained that Turkey was “the road to Europe” for refugees from Syria, Iraq, and Iran. But because European resettlement slots remained low and border controls had been tightened, these refugees accumulated in Turkey. According to officials from the Turkish MFA and MOI, Turkey had become “a haven for forged passports, smuggling of heroin, fights between opposing groups and in all these activities Iranians are always involved.”⁷⁰ In 1986,

⁶⁸ Fiorella Cappelli, Head, RBENA, “Mission to Ankara, 10-13 January 1988,” January 20, 1988; 600.TUR – Protection and General Legal Matters – Protection – Turkey – 1987–1988; Series 3, Fonds UNHCR 11.

⁶⁹ “Amnesty International Report of 18 June 1987,” memorandum from Gary G. Troeller, Representative, UNHCR, Ankara to Mr. G. de Brancovan, Head of Desk I, Regional Bureau for Europe and North America, UNHCR Headquarters, Geneva; 601.A.1 – Legal Organisations – Amnesty International – 1987; Series 3, Fonds UNHCR 11.

⁷⁰ Fiorella Cappelli, Head, RBENA, “Mission to Ankara, 10-13 January 1988,” January 20, 1988; 600.TUR – Protection and General Legal Matters – Protection – Turkey – 1987–1988; Series 3, Fonds UNHCR 11.

Ankara instituted a new regulation restricting the cities in which asylum seekers could settle.⁷¹ As part of this new regulation, all asylum seekers who had illegally entered Turkey were required to return to their border entry point for a security screening, rather than having this conducted in Istanbul or Ankara, even if they had already reached those cities.⁷² This was an early sign that the Turkish authorities felt that they were losing control of asylum policy with UNHCR's expansion in the country. In addition, the government created five buffer zones in its southeastern provinces for the screening of asylum-seekers arriving at the border. Asylum-seekers rounded up in this way were, beginning in 1986, confined to 15 satellite towns some distance from Ankara and were permitted very little freedom of movement.⁷³

The 1986 regulation on illegal entries caused problems for the Branch Office for two reasons: first, it drastically slowed resettlement and eligibility processing, further worsening the “pressure cooker” effect. And second, it undermined the UNHCR's credibility with Iranian asylum seekers. Asylum seekers had traveled to the Branch Office in Ankara over thousands of kilometers, avoiding police and trusting in smugglers and strangers. If the office then forced them to remake part of that journey, sending the asylum seekers back to the Turkish-Iranian border, it would

⁷¹ United States Catholic Conference, “ICMC Report on the Situation in Turkey: Synopsis,” in Update, Volume 88, Number 3, March 14, 1988; U.S. Committee for Refugees, Records, Box 32, Folder Turkey 1988; The Immigration History Research Center Archives, University of Minnesota.

⁷² “Telephone call from Mr. Boukry,” memorandum from I.C. Jackson to Mr. R. Muller, February 12, 1986; 600.TUR – Protection and General Legal Matters Protection – Turkey 1986 1987; Series 3, Fonds UNHCR 11.

⁷³ The satellite towns were gradually increased from 5 in 1986 to 15 by 1988, which complicated the work of the branch office. The towns included Corum, Cankırı, Amasya, Kırşehir, Nevşehir, Nigde, Konya, and Kayseri. With asylum-seekers dispersed in this way, staffers had to travel long distances to more and more locations in order to interview asylum-seekers to determine refugee status and resettlement possibilities. Fiorella Cappelli, Head, RBENA, “Mission to Ankara, 10-13 January 1988,” January 20, 1988; 600.TUR – Protection and General Legal Matters Protection – Turkey 1986 1987; Series 3, Fonds UNHCR 11.

dissuade future asylum seekers from approaching the office and serve only to drive irregular migrants further outside official channels.⁷⁴

The dual pressures of constricted asylum policies in Europe and a concurrent rise in the number of Iranian draft evaders seeking refuge in Turkey combined to make life increasingly precarious for Iranians stuck in Turkey. By 1987, the Branch Office found almost half its time consumed by attempting to prevent the refoulement of Iranians. During a ten-month period in 1986-87, the Ankara branch office received over 1,500 telephone calls and 500 official communications alleging the refoulement of Iranians from Turkey to Iran.⁷⁵ Representative Gary Troeller, painted a grim picture. The Turkish authorities were starting to claim that “all real refugees left Iran several years ago,” and the present caseload was “overwhelmingly” young and poor. The Turkish authorities characterized these recent asylum seekers as draft evaders, economic migrants, criminals, or political agents who posed a danger to Turkey.⁷⁶

The UNHCR was only willing to publicly acknowledge accusations it could confirm, a difficult task given that asylum seekers were often not properly documented and, once returned to Iran, even more difficult to track. In one confirmed case of refoulement in 1986, an Iranian with “psychological problems” was refouled across the Iranian border even though the UNHCR had obtained a resettlement spot for him in Denmark.⁷⁷ Police began raiding hotels where Iranians

⁷⁴ Ibid.

⁷⁵ “Amnesty International Report of 18 June 1987,” memorandum from Gary G. Troeller, Representative, UNHCR, Ankara to Mr. G. de Brancovan, Head of Desk I, Regional Bureau for Europe and North America, UNHCR Headquarters, Geneva; 601.A.I. – Legal Organisations Amnesty International – 1987; Series 3, Fonds UNHCR 11.

⁷⁶ Ibid.

⁷⁷ Note for the File. Meeting of F. Galindo-Velez, BO Ankara Deputy Representative with Mrs. Fügen Ok, acting Director General, MFA, October 21, 1986; 010.TUR – External Relations with Governments – Turkey 1986–1989; Series 3, Fonds UNHCR 11.

stayed and denying residence permit renewals. The UNHCR was aware of several individuals who had been accepted as refugees but had been refouled to Iran, attempted to return to Turkey again, were caught, and were being held in a Turkish jail, despite UNHCR efforts to accelerate their resettlement. In the border province of Ağrı, new asylum seekers were kept in an underground cell, and the Ankara branch office reported “clear indications” of forced labor.⁷⁸ Fifteen people in January 1987 were refouled before they could complete the UNHCR registration process. The branch office reported six other Iranian asylum seekers who were not only refouled but handed directly to Iranian authorities.⁷⁹ In total, the UNHCR received reports of 131 cases of refoulement between January and November of 1987. Of this number, 19 of the refouled people had received refugee status from the UNHCR. Of those returned, 10 asylum-seekers had allegedly been handed over directly to the Iranian authorities at the border.⁸⁰

By the late 1980s, the situation was particularly dire. One Iranian asylum-seeker—whose application for refugee status had been rejected by the UNHCR—forced his way into the UNHCR office and set himself on fire with a bottle of kerosene he had concealed. One of the UNHCR’s security guards attempted to stop the man and received severe burns on his face and hands.⁸¹ This attempted self-immolation was an indicator of the frustration and fear Iranian asylum-seekers felt as they faced the real prospect of refoulement and death. In November 1988, the Turkish

⁷⁸ Gary G. Troeller, “Note for the File,” November 25, 1986; 010.TUR – External Relations with Governments – Turkey 1986–1989; Series 3, Fonds UNHCR 11.

⁷⁹ Letter from UNHCR Branch Office for Turkey, Ankara to MFA, February 10, 1987 – 010.TUR External Relations with Governments – Turkey 1986–1989; Series 3, Fonds UNHCR 11.

⁸⁰ Fiorella Cappelli, Head, RBENA, “Mission to Ankara, 10-13 January 1988,” January 20, 1988; 600.TUR – Protection and General Legal Matters Protection – Turkey 1986 1987; Series 3, Fonds UNHCR 11.

⁸¹ Fiorella Cappelli, Head, RBENA, “Mission to Ankara, 10-13 January 1988,” January 20, 1988; 600.TUR – Protection and General Legal Matters Protection – Turkey 1986 1987; Series 3, Fonds UNHCR 11.

authorities returned a group of nine Iranians to Iran. Of the nine, seven were executed by firing squad shortly after their return. The other two were held in prison. At least four of the group had been recognized as refugees by UNHCR and were at the time holding valid Turkish residence permits while awaiting the outcome of resettlement applications to the Netherlands. A Dutch lawyer brought the case to the European Commission on Human Rights on behalf of the two refugees who had been imprisoned—both had been among the four UNHCR-recognized refugees. At the commission’s hearing, Turkish authorities insisted that they had not handed the refugees to Iranian border guards but had only sent them back across the border. Eyewitnesses disputed the Turkish account.⁸² These are only a handful of the hundreds of allegations received by the UNHCR, but they demonstrate a hardening of Turkish asylum policy in the mid and late 1980s.

The UNHCR and the Council of Europe’s Parliamentary Assembly blamed the “more extreme punitive measures” taken against Iranians in Turkey on the restrictive asylum policies enacted by Western countries.⁸³ It was the effort of Western European nations to close irregular migration routes that made refugees vulnerable. The global visibility of irregular migration from Turkey internationalized the Iranian refugee issue, bringing increased scrutiny to Turkish asylum policies and new human rights critiques from Western organizations and states. As migration safety valves ceased to function and accusations of refoulement increased, Turkey responded to human rights reports with its own accusations.

⁸² “Execution of Iranians Summarily Returned to Iran from Turkey,” external distribution from Amnesty International, July 20, 1989. 601.A.I. – Legal Organisations Amnesty International – 1988–1990; Series 3, Fonds UNHCR 11.

⁸³ Council of Europe Parliamentary Assembly, “Report on Iranian and Iraqi Refugees and Asylum-seekers in Turkey,” Doc. 5995, January 17, 1989.

5.7 NO U-TURNS: TURKEY FLIPS THE SCRIPT

The UNHCR's newly political stance in the second half of the 1980s tied the agency to Western human rights critiques in the eyes of the Turkish authorities. As a result, Turkish authorities were more prone to view refugee advocacy on the part of UNHCR as Western interference in domestic affairs. The prevailing sentiment in Turkey—confirmed by a 1987 proposal by the Federal Republic of Germany under which Bonn offered to pay Ankara to keep Iranians in Turkey and out of Germany—was that rather than assume a larger proportion of the burden by accepting more refugees for resettlement, Western countries simply sought to “assuage their moral conscience stemming from their own restrictive refugee legislation by making Turkey a peripheral repository for Western Europe’s unwanted asylum seekers.”⁸⁴ Turkey’s burden further increased with the mass influx of 60,000 Iraqi Kurds in 1988 and over 300,000 Bulgarian Muslims in 1989. One Council of Europe report summarized Turkey’s frustration with Western criticisms: “Turkey has admitted thousands of Iraqi Kurdish refugees and yet Western newspapers have complained about Turkey’s wanting to restrict their numbers.” The report pointed out the hypocrisy of Western European nations when they referenced the 1951 Convention to criticize Turkey but were unwilling to “admit a few thousand Iraqi Kurdish refugees.”⁸⁵

Turkey responded to American and European immigration controls by flipping the script on human rights. Turkish diplomats and politicians used Western Europe’s own human rights rhetoric

⁸⁴ “‘İranlı mülteci’ pazarlığı,” *Cumhuriyet*, July 20, 1987, PAGE 14. (FROM *Cumhuriyet Arşivi* <http://www.cumhuriyetarsivi.com/monitor/index2.xhtml>); and “Amnesty International Report of 18 June 1987,” memorandum from Gary G. Troeller, Representative, UNHCR, Ankara to Mr. G. de Brancovan; 601.A.1 – Legal Organisations Amnesty International – 1987; Series 3, Fonds UNHCR 11.

⁸⁵ Council of Europe Parliamentary Assembly, “Report on Iranian and Iraqi Refugees and asylum-seekers in Turkey,” Doc. 5995, January 17, 1989.

against those countries who had just years earlier brought charges against Turkey in the European Commission of Human Rights. In 1986, Ministry of Foreign Affairs (MFA) spokesman, Yalim Eralp, told the Turkish press, “We regret to say that we have observed that several countries that claim to be sensitive about human rights have been displaying discrimination on the basis of differences of language, religion, financial means, and education.”⁸⁶ The Turkish authorities argued that “even those who are openly for human rights” were unwilling to open their doors to Iranian refugees.⁸⁷ It did not escape Turkish officials that the refugees who provoked the building of Fortress Europe practiced Islam, lacked financial means, and did not look like Europeans. When Iranian refugee demographics featured wealthy, Western-educated elites from the Shah’s government, Western European countries had been welcoming. But when the composition of the exodus shifted to thousands of young, working class draft evaders, the West’s goodwill suddenly disappeared.

This new tactic of Turkish rebuttal to human rights criticisms with accusations of hypocrisy continued into the early 1990s, an especially low point for UNHCR and asylum policy in Turkey. In 1989, Turkey’s Prime Minister, Turgut Özal, accused Western countries of applying a double standard. “The West gets excited over human rights in Turkey when Europeans are involved but doesn’t give a damn when Turks are the victims,” he argued, referencing a recent influx of 100,000 Bulgarian Turks.⁸⁸ In truth, the story did get a great deal of attention in the West, most of it

⁸⁶ “Spokesman Comments on Aid to Iranian Refugees,” Ankara Domestic Service in Turkish, FBIS, December 24, 1986; U.S. Committee for Refugees, Records, Box 32, Folder Turkey 1986; The Immigration History Research Center Archives, University of Minnesota.

⁸⁷ Note for the File. Meeting of F. Galindo-Velez, BO Ankara Deputy Representative with Mrs. Fügen Ok, acting Director General, MFA, October 21, 1986; 010.TUR – External Relations with Governments – Turkey 1986-1989; Series 3, Fonds UNHCR 11.

⁸⁸ Human Rights Watch, “Whatever Happened to the Iraqi Kurds?” Human Rights Watch Report, March 11, 1991. <https://www.hrw.org/reports/1991/IRAQ913.htm>

favorable to Turkey. Özal criticized the West “for adopting double standards and not showing any interest towards this massive human tragedy.”⁸⁹ The events in Bulgaria and the lack of options for the Turkish government to solve the problem prompted the *Günaydın* newspaper to remind its readers of the saying, “the Turk has no friends.”⁹⁰ By the end of the 1980s, Turkey’s relations with Bulgaria, Greece, Iran, Syria, and Iraq had all been strained by repeated diplomatic crises. Meanwhile, the *Günaydın* article pointed to Turkey’s European “‘friends,’ who merely stand by and watch the Bulgarian violence against Turks,” but those countries showed no hesitance criticizing Turkey for its asylum policies and human rights record while not extending a helping hand.⁹¹ The *Turkish Daily News* also repeatedly railed against the silence of the international press on the Bulgarian issue. The outlet complained that “the Western countries who are the champions of human rights, freedom and justice have remained mysteriously silent over the plight of the Turkish minority in Bulgaria.” Those countries “and their press who seize every opportunity to lambaste Turkey’s human rights record are now strangely mum over the incredibly gross human rights violations in Bulgaria.”⁹² By the end of the 1980s, Turkey’s government and various news organizations were quick to turn Europe’s human rights hypocrisy into a tool to deflect attention from its own human rights record.

⁸⁹ Telefax from Stefan Berglund, Deputy Representative, Ankara Branch Office to Head RBENA, June 14, 1989; 100.TUR.GEN – Refugees in Turkey – 1986-1994; Series 3, Fonds UNHCR 11.

⁹⁰ UNHCR translation of “Turkey has no Friends,” *Günaydın* newspaper article, June 12, 1989; 100.TUR.GEN – Refugees in Turkey – 1986-1994; Series 3, Fonds UNHCR 11.

⁹¹ Ibid.

⁹² İlnur Çevik, “The World just Does not Care,” *Turkish Daily News*, June 14, 1989; 100.TUR.GEN – Refugees in Turkey – 1986-1994; Series 3, Fonds UNHCR 11.

5.8 BUMPY ROAD AHEAD: MASS MIGRATION AND THE 1994 REGULATION

The reverberations of Iranian asylum seekers and Western anti-migrant policies continued well into the 1990s. Between 1988 and 1992, as Iraq cracked down on its Kurdish population and war erupted in the Persian Gulf, over 900,000 people sought asylum in Turkey.⁹³ In 1988, 60,000 Iraqi Kurds sought asylum in Turkey. While the Turkish government permitted this group of Kurds despite Turkey's own problems with its Kurdish population, the government's response to a larger migration just three years later demonstrated the growing reluctance of the Turkish authorities to tolerate non-European refugees in the face of European criticisms. The first (and in 2018, the only) woman to serve as High Commissioner—Sadako Ogata—had been in office only a month in 1991 when “refugees started to flee in unprecedented speed and scale to Iran and Turkey” from Iraq.⁹⁴ The fallout from the Persian Gulf War sent over 500,000 Iraqi Kurds into Turkey and multiple crises in Eastern Europe and the former Yugoslavia sent tens of thousands more. Turkey's refusal—despite direct entreaties from High Commissioner Ogata to Prime Minister Özal—to allow these Iraqi Kurdish refugees across its borders illustrates the effect of a decade of human rights pressure and hypocrisy from Western Europe. The United States and its NATO allies, which needed access to Turkey's airbases, refused to pressure Turkey to accept the refugees trapped in the mountainous borderlands, and instead instituted a security and no-fly zone on a strip of land on the Iraq side of the Turkey-Iraq border. Turkey's stubbornness in face of UNHCR's requests

⁹³ Kemal Kirişçi, “Turkey, UNHCR, and the 1951 Convention Relating to the Status of Refugees: Problems and Prospects of Cooperation, in Johanne van Selms et al eds. *The Refugee Convention at Fifty* (Lanham, MD: Lexington Books, 2003), 101.

⁹⁴ Sadako Ogata, *The Turbulent Decade: Confronting the Refugee Crises of the 1990s* (New York: W.W. Norton, 2005).

and the presence of hundreds of thousands of non-European refugees at its gates foreshadowed the collapse of cooperation between the UNHCR and the Turkish authorities in the coming years.

In a 1994 report, Amnesty International warned that “the protection of asylum seekers in Turkey has reached a crisis point.”⁹⁵ Amnesty reported that refoulement of Iranians, Iraqis, and Tunisians had increased and that Turkey was beginning to disregard its informal arrangement with the UNHCR. Indeed, just seven months after Amnesty published its 1994 report, the Turkish government introduced a new regulation on asylum, which effectively nullified the informal arrangement.⁹⁶

Relations between UNHCR and Turkey were remarkably poor by summer 1994. Turkish officials complained to the branch office of text in the UNHCR’s Executive Committee report and of statements by UNHCR officials in Kurdish newspapers, which was critical of Turkish asylum policy. The Turkish diplomat in Geneva, Mr. Cankorel, went so far as to accuse the UNHCR of an official relationship with the Kurdistan Workers’ Party (Partia Karkaren Kürdistan, PKK). Headquarters staffers became concerned that Turkish requests to see all UNHCR press releases regarding Turkey before publication (UNHCR denied this request) amounted to an attempt at censorship of UNHCR activities in Turkey.⁹⁷ Turkish cooperation with the UNHCR reached a new low.⁹⁸

⁹⁵ Amnesty International, “Turkey: Selective Protection: Discriminatory Treatment of non-European Refugees and Asylum Seekers,” March 1994.

⁹⁶ *T.C. Resmi Gazete (Official Gazette of the Turkish Republic)*, No. 22127, November 30, 1994.

⁹⁷ Note to File – Turkey, July 27, 1994; 001.TUR – General – Missions – Turkey – 1986-1994; Series 3, Fonds UNHCR 11.

⁹⁸ Kemal Kirişçi, “Is Turkey Lifting the ‘Geographical Limitation’?—The November 1994 Regulation on Asylum in Turkey,” *International Journal of Refugee Law*, Vol. 8 No. 3, 1996.

In response to the repeated mass migrations of refugees into Turkey and a deteriorating relationship with the UNHCR, the Turkish government in November 1994 passed a Regulation on Asylum.⁹⁹ By passing this regulation, the Turkish government was attempting to bring refugee status determination decisions back under its control and again limit the influence of the UNHCR. The regulation essentially nullified Turkey's informal arrangement with the UNHCR and brought all status-determination and asylum procedures under the control the Turkish government. The regulation also introduced stricter controls on asylum-seekers. The result of the regulation was practices by the Turkish government that increased refoulement allegations and criticisms from human rights groups and Western governments.¹⁰⁰ A reaction against fifteen years of refugee influxes to Turkey and the resultant human rights criticisms from Europe and the UNHCR, the 1994 Regulation attracted widespread criticisms from Western governments and human rights groups. The 1994 Regulation on Asylum was Turkey's first formalized policy or institution dealing directly with non-European asylum-seekers. In a sense, it brought formality to Turkey's perennially informal asylum policies. However, it was far from the sort of formality that the UNHCR hoped to see. The regulation was widely criticized in Europe and the United States, and cases brought before the European Court of Human Rights alleged that the Turkish authorities had

⁹⁹ "Türkiye İltica Eden veya Başka Bir Ülkeye İltica Etmek Üzere Türkiyeden İkamet İzni Talep Eden Münferit Yabancılar ile Topluca Sığınma Amacıyla Sınırlarımıza Gelen Yabancılar ve Olabilecek Nüfus Hareketlerine Uygulanacak Usul ve Esaslar Hakkında Yönetmelik." (The Regulation on the Procedures and the Principles Related to Mass Influx and the Foreigners Arriving in Turkey either as Individuals or in Groups Wishing to Seek Asylum either from Turkey or Requesting Residence Permits with the Intention of Seeking Asylum from a Third Country), *T.C. Resmi Gazete (Official Gazette of the Turkish Republic)*, No. 22127, November 30, 1994; and Kirisci "Is Turkey Lifting the Geographical Limitation?"

¹⁰⁰ Kemal Kirişci, "Turkish Asylum Policy and Human Rights," in *Human Rights in Turkey*, ed. Zehra F. Kabasakal Arat (Philadelphia: University of Pennsylvania Press, 2007), 174.

violated the 1951 Convention.¹⁰¹ It would take the UNHCR another decade to reestablish close cooperation with the Turkish government.¹⁰²

Turkish asylum policy and its relationship with the UNHCR improved over the course of the late 1990s and early 2000s. However, the contemporary Syrian refugee crisis, like the Iranian exodus three decades earlier, hinges on the relationship between Turkey and Europe, a relationship that is once again making life precarious for refugees. Since the 1990s, Turkey has only become a more important transit hub for refugees, asylum seekers, economic migrants, and environmental refugees. And as the lines between these categories blur, Turkey still maintains its formal geographic limitation on accepting refugees from non-European countries. For its part, the European Union—in disturbing echoes of the 1980s—seeks to establish *quid pro quo* agreements with Turkey to keep refugees outside Fortress Europe. From the Turkish perspective, the European Union demands that Turkey maintain an open-door policy on its eastern frontier, while on its western border it is to keep the gates to Europe barred. In the turmoil of the Turkish-EU relationship, refugees suffer. In 2016, Amnesty International published reports detailing widespread allegations of refoulement of Syrians by the Turkish authorities. Thirty years later, the details have changed, but the dynamics remain the same.¹⁰³

The injection of human rights language into the work of the UNHCR altered the functioning of the global refugee system. In Turkey, while human rights advocacy increased policy protections for refugees, contradictions in practice placed restrictions on the system, which created

¹⁰¹ *Jabari v. Turkey*, ECHR, July 2000, UNHCR, *The Collection of Turkish Jurisprudence on Asylum, Refugees and Migration*, 2000.

¹⁰² Kirişçi, “Turkish Asylum Policy and Human Rights,” 174.

¹⁰³ Amnesty International, “No Safe Refuge: Asylum-Seekers and Refugees Denied Effective Protection in Turkey,” 2016.

real dangers for refugees. Understanding human rights not just as a collection of documents and norms but as political tools used by state and non-state actors alike to forward their own ends allows us to analyze how human rights discourse has acted and still acts as a mechanism in the global system of refugee movement. Western European and North American governments selectively utilize parts of two discreet discourses—refugee protection and human rights—and in so doing they facilitate a breakdown in the willingness of states, like Turkey, to protect either.

6.0 CONCLUSION

This dissertation set out to examine the evolution of the global refugee system as it manifested in Turkey. How did the UNHCR branch office manage to expand its operations in Turkey in spite of Turkish recalcitrance and stubbornly informal asylum policies? From its very beginnings in 1960, the office and its counterparts at Headquarters endeavored to formalize Turkish asylum policy and enhance cooperation between the Turkish authorities and the UNHCR. And yet, despite the repeated ministrations of capable bureaucrats, the office was marginalized, and Turkish policies remained informal. Then, in the mid-1980s, the branch office experienced rapid change. Turkey expanded its cooperation with the UNHCR and granted the branch office the authority to determine the status of non-European refugees. At a time of global budgetary shortfalls and an international prestige crisis for the UNHCR, the High Commissioner dramatically increased the size and funding of his Ankara office. In the three and a half decades covered by this dissertation, what was different about the period between 1983 and 1988 that produced such dramatic change?

The main finding of this dissertation is that a globally connected Iranian network enabled and compelled the expansion of the UNHCR in Turkey. The Iranian network was not the sole cause; indeed, that is central to the argument of this dissertation. The global refugee system as it manifested in Turkey was a complex of actors and factors at multiple levels of analysis, influenced by events around the world but in turn affecting the broader global system. The sudden exodus of millions of refugees from Iran empowered the globally connected Iranian network (and the larger

diaspora of which it was a part), a network composed of refugee and human rights advocacy groups, media outlets, influential individuals, and a deeply entrenched black market in human movement stretching from the mountainous hinterlands of Iran, Turkey, and Pakistan across oceans and political borders from Vienna to Berlin, London to Los Angeles, New Delhi to Tokyo. This Iranian network produced change in three ways. First, it reported allegations of abuses by the Turkish authorities to Amnesty International. The information passed through the Iranian network was key in providing evidence for Amnesty's advocacy work with the UNHCR and national governments. Second, groups in the Iranian network directly advocated on behalf of Iranian refugees. Adopting the language of the international human rights movement, these groups embarked on letter writing campaigns, missions to Turkey, international coordination, and lobbying with the UNHCR as well as with national governments and embassies. Third, the Iranian network facilitated the large-scale movement of millions of Iranians through irregular channels. Iranian asylum-seekers used the *filière* to migrate from Iran, through transit countries like Turkey, with the goal of finding refuge in Western Europe or North America. As they undertook this migration, the Iranians and the irregular channels they carved had impacts on the countries whose borders they crossed.

Migration is a political act. This is perhaps the largest takeaway conclusion of this dissertation. Migration is a transnational political act that can influence the development of the largest of international organizations and global structures at the highest levels. Seen in this way, migration—even when it is forced—is the first transnational action a refugee undertakes. Acknowledging the importance of migration as one transnational political act among many others brings us back to one of the claims in the first chapter of the dissertation: that non-state actors have been absolutely central to the development of the global refugee system. Transnational, non-state

actors like Amnesty International and Iranian advocacy groups did not draft the documents and treaties that form the foundations of the global refugee regime. Nonetheless, these actors grew and proliferated alongside the UNHCR, and in many cases they played parts just as integral in the development of the system as did the UNHCR and state actors.

From its creation in 1945, the United Nations intended for non-governmental organizations to play an important role. Article 77 of the UN Charter set the basis for cooperation and consultation with NGOs, and since its founding, the UN has associated with over 3,000 NGOs.¹ Likewise, the UNHCR has institutionalized mechanisms for association with NGOs. The Statute of the UNHCR contains provisions for consultation and cooperation with “private organizations” and “specialized agencies” concerned with “refugee questions.”² In addition to the Statute, the UNHCR in 2018 maintains strategic partnerships with over 900 partners, many of which are NGOs.³ This collaboration is formalized through the UNHCR’s adoption of the Global Humanitarian Platform’s “Principles of Partnership,” a platform and document designed to bring together “UN and non-UN humanitarian organizations on an equal footing.”⁴ In addition, the UNHCR’s “Annual Consultations with NGOs” provides a forum for debate and cooperation among NGOs and the UNHCR. Yet despite the somewhat recent emergence of these formal and

¹ Jussi M. Hanhimäki, *The United Nations: A Very Short Introduction* (Oxford: Oxford University Press, 2015), 29.

² UNHCR, “Statute of the Office of the United Nations High Commissioner for Refugees,” <http://www.unhcr.org/4d944e589.pdf> [accessed May 4, 2018].

³ UNHCR, “Non-Governmental Organizations,” <http://www.unhcr.org/en-us/non-governmental-organizations.html> [accessed May 4, 2018].

⁴ The Global Humanitarian Platform was created in 2006, and the Principles of Partnership was adopted in 2007. UNHCR, “Principles of Partnership: A Statement of Commitment,” <http://www.unhcr.org/en-us/5735bd464.html> [accessed May 4, 2018]; International Council of Voluntary Agencies, “Global Humanitarian Platform (GHP): An Overview,” <https://www.icvanetwork.org/global-humanitarian-platform-ghp-overview> [accessed May 4, 2018].

structured mechanisms for cooperation with NGOs, the historical literature has only begun to address the role of NGOs in the earlier development of the UNHCR.⁵

Historians of international organizations should remember that the work of those organizations is predated by the foundational labor of non-governmental religious and humanitarian actors. Transnational and transregional groups provided succor to the displaced for centuries before the international organizations of the twentieth century were formed. Transnational groups and non-governmental organizations continue to inform every aspect and every level of the work of international organizations.

The second and third chapters of this dissertation examined a period that has been wholly neglected by both the historical and international relations literature on Turkey, the UNHCR, and refugee issues in general. Opening with the creation of a branch office in Ankara in 1960, Chapter Two argued that the branch office struggled to establish itself as a significant actor in Turkish refugee policy given Turkey's resistance to formalizing that policy. Chapter Three focused on the 1970s, as the branch office experienced increasing marginalization. This chapter argued that institutional confusion between the High Commissioner and Headquarters staff and between Headquarters and the branch office left the branch office wholly unprepared for the changes of the 1980s. As a result, the office increasingly relied on NGOs to perform its critical functions. Both Chapter Two and Chapter Three examined NGOs and other non-state actors; each chapter illustrated the complexity of the global refugee system in Turkey, even in the relatively uncomplicated period of 1960 to 1979, when low levels of migration relegated the Ankara office

⁵ Jérôme Elie, "Histories of Refugee and Forced Migration Studies," in Fiddian-Qasmiyeh, et al eds., *The Oxford Handbook of Refugee and Forced Migration Studies* (Oxford: Oxford University Press, 2014); and Jérôme Elie, The Historical Roots of Cooperation Between the UN High Commissioner for Refugees and the International Organization for Migration," *Global Governance: A Review of Multilateralism and International Organizations*, vol. 16, no. 3 (July-September 2010): 345-360.

to the periphery of the High Commissioner's agenda. It was the introduction, in the 1980s, of two new types of transnational non-state actors that altered the course of the UNHCR in Turkey: human rights NGOs and the Iranian network.

Chapters Four and Five examined the 1980s, a decade that has received relatively more attention than the 1960s and 1970s, but which is still largely neglected. This neglect is a result of the limitations of sources for the vast majority of scholarship on refugees in Turkey. Political scientists, legal scholars, and international relations experts are more interested with the period in Turkey post-1990. As a result, the 1980s are treated as unimportant historical context. In these contextual asides, it is clear that something happened in the 1980s to change UNHCR's size and role in Turkey, but explanations are generally vague. The final two chapters of this dissertation sought to explore exactly how these changes played out and to reveal their catalysts. Chapter Four, which dealt with the early 1980s, traced the genesis of Turkey's "informal arrangement" with the UNHCR to one meeting in Geneva in 1984. Most importantly, the chapter argued that a transnational network of Iranian refugees, human rights organizations, and a migration filière that facilitated the movement of Iranian asylum-seekers across the globe all compelled this significant moment. Chapter Five moved on from the operational expansion of the informal arrangement to the physical expansion of the branch office itself. As the office expanded from the second-smallest UNHCR office in Europe into the UNHCR's largest country program in the world, it collided with high-level international politics. The UNHCR office became associated—in the minds of the Turkish authorities—with Western interventionism, embodied by human rights critiques from Amnesty International and Western European governments. Running through this high-level international diplomacy is the influence of the Iranian network; the prolific migration of Iranian asylum-seekers through irregular channels, and the determined advocacy work of Iranians who

had already made the journey, undergirded every aspect of the high-level negotiations and disputes among Turkey, Western Europe, and the UNHCR.

This dissertation has implications for the study of the UNHCR beyond Turkey. One important implication is that the UNHCR does not act with one mind. It has become a globe-spanning organization that acts as a proxy government for over 65 million displaced persons.⁶ Even in its early years, before it expanded into a truly global actor, the UNHCR was not a single entity. Like the broader United Nations, there are many UNHCRs.⁷ Disagreements and miscommunication from the High Commissioner and Headquarters down through the field and branch offices around the world have shaped the agency as much as the will of any single, central authority.

This dissertation suggests new avenues for understanding the complex and multi-level evolutions of the UNHCR. In placing emphasis on the role of a branch office in Turkey, the dissertation highlights the diverse internal pressures that forged UNHCR's decision-making in local, regional, and international contexts. The history of the global UNHCR is not a whiggish story of linear progress toward the behemoth international organization that today claims responsibility for over 65 million lives. In regional and local contexts, UNHCR offices and operations rose and fell, often in direct contrast to vacillations at the top level of the organization. While Aga Khan's UNHCR grew in prestige and scope, the UNHCR office in Turkey shrunk to its most insignificant; while Poul Hartling's UNHCR faced crises of prestige and donations, the UNHCR office in Turkey underwent a dramatic expansion. In revealing the actions of NGOs and

⁶ Amy Slaughter and Jeff Crisp, "A surrogate state? The role of UNHCR in protracted refugee situations," UNHCR, *New Issues in Refugee Research*, no. 168 (January 2009).

⁷ Paul Kennedy, *The Parliament of Man: The Past Present and Future of the United Nations* (New York: Vintage Books, 2006).

of transnational refugee actors, this dissertation reminds us to look for factors and actors that do not fit so neatly within still prevalent national and international frameworks. Human rights advocates, diasporas, and individuals all took transnational action that directly influenced the UNHCR's strategy and capacity in Turkey. Moreover, their political acts—advocating, reporting, migrating—had broad and lasting repercussions on international relations and the global refugee system.

Migration is a political act. Even when that migration is labeled as “forced,” there are nevertheless deeply personal and political choices accompanying refugees’ decisions to flee their homes and their countries. Refugees are not passive victims; on the contrary, they have the capacity to change some of the world’s largest institutions and organizations. They may do so purposefully, as in the case of refugee advocacy organizations, and they may do so incidentally, as was the case with the irregular channels of the Iranian filière. Finding evidence of this sort of agency is not easy. The UNHCR archives in Geneva, for instance, do not include a category for “Iranian advocacy organizations,” but are largely organized in relation to states. To find evidence of refugee agency within the archive’s folder, “100.TUR.IRAN – Refugees from Iran in Turkey [vol. 3] 1984,” requires careful reading of the agency’s internal and external publications, as well as correspondence between UNHCR officials. The effects of the Iranian network crop up repeatedly and unexpectedly, but they are easy to miss.

The story of Iranian refugees in Turkey could easily be overlooked. In the official records of the Turkish government and the UNHCR’s own statistical data, they do not exist. At best, they are misrepresented by official data that does not count irregular migrants; this is why it is crucial to interrogate and look beyond state-centric explanations. Not only has the agency of some refugees been “systematically excluded,” state and international actors have, through inadvertent

and overt omissions, risked scrubbing their very existence from the historical record.⁸ Refugees present a problem for states—a problem that states have sought, and failed, to “solve” since the early twentieth century.

This dissertation has its limits. Most notably, it has not fully been able to answer Marfleet’s call for a study that reveals the voices and choices of individual refugees. I have attempted this where possible, but the available archival material and the UNHCR’s restrictions on revealing documents mentioning information on individual refugees makes this task difficult. However, this reality and the restrictions it imposed led to the major conclusions of this dissertation. In attempting to find a way to discuss refugee agency given the paucity of refugee voices in the archives, I have searched for and emphasized moments when the effects of transnational advocacy and irregular migration crop up in the documents. In this way, I have located the traces and influences of individual refugees.

I approached the research and writing of this dissertation as a world historian. This is a project that started as an attempt to explain how the local branch office of an international organization affected national policy in Turkey. As I wrote and researched, however, I increasingly encountered mentions of action by Iranian organizations, human rights groups, and other allies. A project that started by asking, “How did the UNHCR manage to expand its operations in Turkey and what tools did it use?,” transformed into the argument that refugees themselves enabled and compelled the UNHCR’s expansion in Turkey—by their political choice to migrate and their advocacy, which transcended the sovereignty of individual states and international agreements. The changes in this project were a feature of the framework I adopted. Adopting a world-historical

⁸ Elie, “Histories of Refugee and Forced Migration Studies;” and Philip Marfleet, “Refugees and History: Why We Must Address the Past,” *Refugee Survey Quarterly*, vol. 26, issue 3 (2007):136-148.

framework—one that prioritized system over regime and placed non-state actors on the same footing as states—led me to look for refugee agency and to find it in a global network of transnational groups. Refugee advocacy groups and other NGOs have profoundly influenced the history of the UNHCR and the global refugee system.

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