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## Turkey's Perspective On The Migration Problem And The Latest Situation In The Measures Taken

*Türkiye'nin Göç Problemine Bakışı ve Alınan Tedbirlerde Son Durum<sup>1</sup>*

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### Özet

Türkiye'nin göç problemi Osmanlı Devleti'nin çöküş döneminde başlar. Osmanlılar özellikle Balkanlar ve Kafkaslarda uğradıkları büyük toprak kayıpları 18 yüzyılın sonları ve 19. yüzyılın başlarında büyük kitlelerin Anadolu'ya doğru akmasına sebep olmuştur. Mora'da meydana gelen 1780'li yıllarda Ruslar tarafından Kırım'ın ilhakı, 1814'te Balkanlarda Sırp İsyanları, 1821 Yunan İhtilali, 1870'li yıllarda Kafkaslardan gelen Çerkez göçleri, 1876'dan itibaren Bulgar ve Makedonya'dan başlayan göçler Osmanlı topraklarını adeta bir göçmenler diyarına döndürmüştür. Ancak Osmanlı Devleti bütün bu göçleri geçici komisyonlarla idare ettiği için bir tecrübe edinilememiştir. Türkiye Cumhuriyeti de benzeri yöntemler kullanmış olduğundan 2010 yılında başlayan Arap Baharı dönemine kadar bir Göç Bakanlığı oluşmamış, özellikle Suriye'den gelen göçlere hazırlıksız yakalanan bir devlet konumuna düşülmüştür. Bu tarihten sonra ülkemizde hem devlet katında ve hem de akademik camiada hızlı bir kurumsallaşma yaşanarak göç alanı ilmek ilmek işlenmeye başlanmıştır. Bununla beraber işin çok başında olan Türkiye Cumhuriyeti'nde uygulamada pek çok yanlış olmakla beraber, doğruya çok yakın olan bir anlayışın doğması da mümkün olmuştur.

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Bu makalede Osmanlıdan günümüze göç problemi işlenmekte ve özellikle son dönemde alınan tedbirler irdelenerek, neler yapılması gerektiği üzerinde titizlikle durulup durulmadığı üzerinde analizler yapılması amaçlanmaktadır.

**Anahtar Kelimeler:** Göç, Kurum, Türkiye, Suriye, Osmanlı, Akademik.

**Abstract**

Türkiye's immigration problem began during the decline of the Ottoman Empire. The great territorial losses suffered by the Ottomans, especially in the Balkans and the Caucasus, caused large masses to flow towards Anatolia in the late 18th and early 19th centuries. The annexation of Crimea by the Russians in the Peloponnese in the 1780s, the Serbian Revolts in the Balkans in 1814, the Greek Revolution of 1821, the Circassian migrations from the Caucasus in the 1870s, and the Bulgarian and Macedonian migrations starting in 1876 turned the Ottoman lands into a land of immigrants. However, since the Ottoman Empire managed all these migrations with temporary commissions, no experience was gained. Since the Republic of Türkiye used similar methods, a Ministry of Migration was not formed until the Arab Spring period that started in 2010, and the state was caught unprepared for the immigrations, especially from Syria. Since then, there has been a rapid institutionalization both at the state level and in the academic community in our country, and the field of migration has begun to be processed. However, although there have been many mistakes in the Republic of Türkiye in practice, at the very beginning of the work, it has also been possible to give birth to an understanding that is about to come true.

In this article, the problem of migration from the Ottoman Empire to the present day and especially the measures taken recently were examined, and it was aimed to analyze whether it was focused on what should be done meticulously.

**Keywords:** Migration, Institution, Türkiye, Syria, Ottoman, Academic.

## **Introduction**

The migration of compatriots, which started during the collapse of the Ottoman Empire, turned into an intensive migration movement starting from the middle of the 19<sup>th</sup> century through the Balkans, Caucasus, Peloponnese, and North Africa to Anatolian lands (Kırımlı, 2008: 752). As a result of the defeat of the Ottomans in World War I, the Ottomans were forced to leave these lands both militarily and institutionally. As a result, on the one hand, the immigrations directed to Anatolia in line with the demands of the cognates, and on the other hand, the migrations of the cognates who saw it as an obligation to come to Anatolia due to the Russian, Bulgarian, and Greek oppression and the massacres they suffered, turned this geography into a gathering center (Şimşir, 1968:21-22).

The Ottoman Empire had to meet the first waves of migrations flowing from Ottoman geographies. The Ottoman-Russian War of 1828-1829, when these migration waves first carried their descendants fleeing the pressures of the wars in the Caucasus and the Balkans to Anatolia, caused unprecedented inflation, famine, and anxiety in the Ottoman Empire until then (Aykun, 2002: 728; Bayraktar, 2011:399). Although the state tried to come to the rescue of its compatriots with all the means at its disposal, with the arrival of hundreds of thousands, especially Edirne, Istanbul, and Izmir could not withstand the poverty and misery brought by these immigrations and became on the brink of bankruptcy.

Since the experiences gained from the 1878 Ottoman-Russian War set the stage for great experiences for the Ottoman Empire in the following periods in the Greek War of 1897, the Balkan War of 1911, and finally the First World War of 1914, these experiences were used to meet the waves of immigration from the Balkans, Caucasus, and other regions during the establishment phase of the newly established Republic of Türkiye.

### **1. Experiences of Immigration Transferred from the Ottoman Empire to the Republic of Türkiye**

In this period, when the Ottoman Empire did not have any experiences during the establishment of the United States of America, the systematic acting with the logic that neighbor is in need of neighbor's ashes, the first Settlement and Refugee Commission (Habiçoğlu, 1993: 103-106) was established in Trabzon in 1860, seeing that it could not handle this job by acting with genetic and sociological instincts and believing that some kind of institutionalization was urgently needed, and then a new institutionalization called Aşair Ve Muhacirin Müdüriyeti

Umumisi(Uzun, 2017: 84 vd) in 1914 to meet the migration process that started with the Balkan Wars is accepted as the first institutionalization period of the migration issue(İçduygu, Erder, Gençkaya, 2014: 94).

If this period is looked at from a general perspective, it will be possible to get an idea about the new settlers of Anatolia. Between 1860 and 1922, more than 1 million of our compatriots who could not withstand the Russian offensives had to seek refuge in Anatolia. On this subject, some sources such as Kemal Karpat (2003) and İlhan Tekeli (2002) reduce these raids to 1789-1800s and record that 200 thousand of our people died, 500 thousand of our people took refuge in these lands, and 400 thousand in 1860-1864. According to another source, an estimated 1.800 thousand Crimean Turks arrived in the same year(Kurat, 2010: 331-332).

Not only Tatars but also Circassians from Crimea and the Caucasus chose Anatolia as a new homeland around the same time. The Muslim Circassian tribes were subjected to Russian attacks, especially immediately after the exile in Istanbul, which the Caucasian Eagle Sheikh Shamil had to go through because of his mother. As a result of these offensives, approximately 2 million people immigrated to Ottoman lands between 1859 and 1879 (McCarthy, 2012: 71-73).

During the Circassian migration, at least a quarter of the immigrants perished on the roads due to attacks by Russian, Armenian, and other gangs. The inability to replace Sheikh Shamil caused the migration waves to spread to other Turkic nations in a short time(İçduygu, Erder, Gençkaya, 2014: 92). Kazan and Ural Turks, who were mixed in the migration waves of Circassians, also started to come to Anatolia in droves. With these immigrations between 1881 and 1914, more than 500 thousand people poured into Anatolia.

The migrations from Bulgaria, which started especially in the last periods of Ottoman history, continued until the 1990s. Bulgarians turned hostile to the Turks, with whom they had lived together for 400 years, during the 50 years of Russian captivity. However, while this cognate-Bulgarian union, which was formed by the Turks who came to the region with the armies of Attila the Hun and the kinship ties they established with the Thracians, was experiencing the joy of breaking the chain of captivity during the reign of Sultan Murat II and returning to its former glory, under the Russian pressure that started after the 1860s and gradually began to enslave the Balkans, they began to believe that they could also be Slavs, which constituted the most important phase of the Ottoman-Bulgarian conflicts(Eren, 1966, 32). The number of Turks who were forced to return to Anatolia between 1893 and 1902 due

to the Slavist policies of the Russians exceeded 70 thousand, while the number of Jews who had formed a fateful bond with them reached 10 thousand<sup>2</sup>. The Ottoman Empire was forced to submit to a mutual exchange as a result of an agreement concluded in 1913, when the Bulgarian Empire came to an end and the independent Kingdom of Bulgaria was established (Halaçoğlu, 1994: 31). The Ottoman Bulgarians living in Thrace immigrated to the new Kingdom of Bulgaria, and the Turks living in northern Bulgaria immigrated to Anatolia, displacing about fifty thousand people from each side<sup>3</sup>. After the 1913 exchange, migration from Bulgaria to Anatolia continued (Uzdil, 2006:133-134). 750 thousand Turks and Muslims who were forced to choose between life and death due to the oppression of Communist governments, especially after the 1960s, had to come to Türkiye between 1913 and 1990(İçduygu, Erder, Gençkaya, 2014: 92).

After the end of the Ottoman Empire and the victory of the new Republic of Türkiye in the War of Independence, one of the problems that could not be resolved in the Treaty of Lausanne was the issue of Turks living in Western Thrace and the islands and Ottoman subject Greeks living on the western coast of Anatolia and in Istanbul, who were not really Greeks but had long identified themselves with the Greeks of the Peloponnese under the propaganda of the Greek Patriarchate of Fener and Ethniki Eteria. After the end of the war, Türkiye and Greece were able to talk to each other, and negotiations were initiated to make a final judgment on these communities. The issue of the exchange of citizens, now called the “Great Exchange”, came to the fore. As a result of this exchange between 1923 and 1926, approximately 360 thousand Turks immigrated to Anatolia, and 190 thousand Greeks immigrated to Greece. It can be concluded that a total of 70 thousand Turks who could not withstand the pressures of Greece immigrated to Anatolia between 1926 and 1970(İçduygu, Erder, Gençkaya, 2014: 92-93).

In the State of Yugoslavia, which was established in 1923-1970s when the Ottoman Balkans were reshaped, especially Turks and Muslims of Turkish descent faced great persecution. While 250 thousand Turks arrived at the gates of Anatolia as a result of the migrations during the problems caused by the end of the First World War, the Second World War led to new waves of migration and finally, approximately 185 thousand of our compatriots

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<sup>2</sup> Elçin Macar, “Yunanistan’dan Anadolu’ya Göç: Nüfus Mübadelesi”, M. Erdoğan ve A. Kaya (Editörler), *Türkiye'nin Göç Tarihi*, İstanbul Bilgi Üniversitesi Yayınları, İstanbul 2015, s. 174.

<sup>3</sup> Ahmet İçduygu, Erder, Gençkaya, “a.g.m.”, 92

immigrated to our country through Edirne in the 1950s-1970s(İçduygu, Erder, Gençkaya, 2014: 93).

The French scholar Eugene Morel, in the foreword of his work “Türkiye and its Reforms” (Morel, 1984), makes the following statements: “The entire Ottoman geography, especially the Balkans, which was uprooted from the Ottoman Empire, fell into the grip of chaos and cruelty after the Turks, and wherever there were no Turks, mothers and fathers were left to drown in a flood of tears that flowed non-stop for many years. This statement underlines a great truth. The post-Ottoman Balkans were turned into a kind of safari place where Turks and Muslims were hunted by Russians, Serbs, Bulgarians, and other Slavic nations. For this reason, to summarize the migrations from the Balkans to Anatolia, between 1877 and 1950, approximately 3-4 million people, most of whom were killed, were displaced and forced to immigrate to Turkish territory (İçduygu, Erder, Gençkaya, 2014: 93). In Salahi Sonyel's article “How Turks in the Peloponnese were exterminated during the days of the Greek Uprising” (Sonyel, 1998: 107-120), based on British archival documents, it is revealed that it caused a trauma that could last for years while explaining how 50 thousand Turks were killed in one night during this death safari under the supervision of British and French commissars.

This data largely reflects the period between 1860 and 1923. The Russians, Bulgarians, Greeks, and Serbs caused the Turks, whom they had uprooted from the Ottoman lands as a result of a great period of massacre for socio-economic as well as religious reasons due to the Turkophobia that had been ingrained in their lungs for centuries, to gather in the Ottoman capital Istanbul. Managing this apocalypse of poverty, hunger, and human tragedy required great sacrifices and organization. The Ottomans had successfully dealt with small-scale immigration events with traditional methods until then, but the new process that began in the 1860s with the entry of thousands of Circassians into the country revealed that such methods could not be used to take measures, and that a more organized and faster-acting large-scale activity with decision-making capability was needed. For this purpose, the Ottoman State issued a total of 8 regulations and instructions between May 12, 1861, March 1878, 1879, 1902, 1906, March 1913, 1861-1913. In addition, about 5 additional regulations were made in addition to these regulations and instructions (Erdem, 2014).

After the 1854 Crimean War, the supposed victory over Russia triggered the Turkophobia Syndrome, and more than 150 thousand Crimean Turks fleeing Russian

persecution immigrated to the Ottoman capital between 1855 and 1860<sup>4</sup>. The Ottomans were witnessing perhaps one of the largest population displacements in their history, and they had neither the power nor the means to provide for the sustenance, accommodation, and resettlement of this population. The only thing they could do was to dedicate the municipal system of the time, called the Şehremaneti, entirely to this task (Martin, 2012: 6). However, after a while, when it became clear that this matter could not be handled by the city administration, the first Ottoman Refugee Commission was established on January 5, 1860 (Martin, 2012: 7; Cuthell, 2005: 177-178). Due to the experience gained by the Şehremaneti during the time it dealt with the refugees, some of its staff was also included in this commission (Öztürk, 1998:55). On January 13, 1860, it started to serve with the central building established in Hayyamiye Barracks.

The first task of the commission, which started its duty under the chairmanship of Hafız Pasha, was to resettle the refugees in the Ankara-Konya-Sivas regions, centered in Central Anatolia, who were wandering around and causing harm. The commission, which was not very successful at first due to the vastness of the area, started to ensure easier control of the resettlement areas by introducing the narrow zone system after the fall of 1861 (Akbayar, 1985: 1242-1245). These regions are Bursa, Biga, Thessaloniki and its surroundings, Catalca, Kütahya, İzmir, Adana, Tekfurdağı, Gelibolu, Sinop, Samsun and Konya (Yılmaz, 1996: 137; Erdem, 2014: 72-75)..

The resettlement of refugee, which was a very costly and extensive task, required the commission to have a budget that could not be interfered with. For this reason, the Ottoman government was able to establish an institution with a total budget of 12663 kurus (cents) between 1860 and 1865 through donation campaigns. The budget of this institution was composed of the amount transferred from the Oppenheim Company and the donations made by the wealthy and other people (Demirtaş, 2009: 216-220).

The first task of the commission was to identify the vacant lands where the refugees would be settled. Afterward, the construction of shelters that would protect the refugees from the winter cold began on these lands. In addition, empty households were identified, and necessary arrangements were made. The state, which aimed to establish some standards during these arrangements, also benefited from foreign experts. 7 different settlement methods were

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<sup>4</sup> Ufuk Erdem, *a.g.t.*, 70.



applied according to the categories made by David Cuthell(Cuthell, 2005: 187-188; Erdem, 2014: 80-81).

In 1860, a total of 66981 Circassians were settled in Bandırma, Rhodes, Mudanya, Izmit, Izmir, Gallipoli, Gelibolu, Çayağzı, Gemlik, Thessaloniki, Çandarlı, Silivri and Çanakkale(Erdem, 2014: 86-87).

Although the Ottomans obtained successful results from this first attempt at a Refugee Commission, they felt the need to abolish the system when the immigrations ceased. An important factor in this decision was that although the work was completed, the officials continued to burden the treasury. When it was closed on November 27, 1865, the monthly expenses of the commission members exceeded 35 thousand kurus(Saydam, 1997:114). However, this mistake made by the Ottoman Empire to save the day necessitated the re-establishment of the refugee commissions from scratch in the process that started with the 93 War. The Ottoman administrators, faltering in the face of the threats brought by the war, were unable to cope with the economic, social and administrative problems caused by migration, even though they established three separate refugee commissions from scratch in the difficulty of shelving the old experiences after a 20-year interval. As a result of the efforts initiated by the order of Sultan Abdülhamid II, it was finally possible to establish a new full-fledged commission, the General Refugee Commission(İpek, 1999: 73).

As a result of the resettlement efforts initiated by the General Refugee Commission, a total of 75 thousand refugees were settled in the provinces of İzmir, Baghdad, Mihaliç, Ankara, Aydın, Antalya, and Tripoli<sup>5</sup>. Not only did the commission deal with resettlement but it also tried to meet the needs of the refugees in many areas including funerals, cleaning, health, and public order. However, after the influx of refugees in 1860, the issue of refugee resettlement in 1878 caused a lot of knowledge and experience with the same difficulties, but due to the recurring lack of foresight and especially due to the unfavorable situation of the treasury, the General Refugee Commission also terminated its activities in April 1878(Erdem, 2014: 103).

As can be seen, the Ottoman Empire acted with an understanding that primarily considered the state of its treasury, rather than a migration incident that could erupt at any moment due to financial impossibilities. However, the Russian offensive against the Turkish provinces after the war did not allow the migration to end completely this time. Considering

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<sup>5</sup> Ufuk Erdem, *a.g.t.*, 98.

that this situation could continue for a longer period, Sultan Abdülhamid II, believing that the commission should be reorganized more comprehensively and continuously even though its activities had been suspended, reorganized the General Refugee Commission under the name of İdare-i Umumiye-i Muhacirin Komisyonu on August 13, 1877. The duties and responsibilities of the commission were defined by an instruction issued in June-August 1878(Erdem, 2014: 104).

The commission was tasked with taking care of all the expenses, food, clothing, accommodation, etc. of the refugees until they reached their settlement places. In the first stage, the Commission initiated the necessary initiatives for the resettlement of the refugees who had landed in the vicinity of Varna and Salonika due to Russian pressure in Syria, Aleppo, Adana, and Zor Sanjak. In Anatolia, they were to be sent to Kastamonu, Aydin, Sivas, and Hudavendigar livestock(Erdem, 2014: 105). The commission was able to be organized throughout the country as such; these centers were organized in Edirne, Hüdavendigar, Aydın, Trabzon, Konya, Sivas, Adana, İzmit sanjaks in Anatolia, and Thessaloniki, Tarnova and Bitola sanjaks in the Balkans(Erdem, 2014: 111).

This commission was also closed down in 1893. Until this date, out of a budget of approximately 1,750 thousand kurus, 950 thousand kurus was spent on salaries and the remaining 800 thousand kurus was spent on refugees. The Ottoman Empire, not giving up its habit of bathing in the same river several times, closed down this commission and distributed the rest of its budget to various departments. Like its budget, its employees also received their share, and each of them was placed in a different official office(Erdem, 2014: 111).

In addition to the resettlement activities, the Administration of Refugee Commission carried out activities to establish hospitals, widow's homes, schools for the poor, and job opportunities throughout the country, and it is possible to say that it implemented a kind of social project to ensure that the refugees were accustomed to their new lives (Erdem, 2014: 117).

While the Ottoman Empire was struggling for its survival in a century that did not stop regarding immigrant issues, it was also trying to ensure the well-being of its compatriots who were subjected to the oppression of the newly established states. However, despite being established for the third time, the Administration-i Umumiye Commission (Erdem, 2014: 121) was abolished in 1893, and the influx of migrants not only from Thessaly but also from the most strategic region of the Aegean Sea such as Crete due to the 1897 Ottoman-Greek War

caused the Refugee Commission to be on the agenda again. This time, the same commission was replaced by the Muhacirin Komisyon-u Alisi (Supreme Refugee Commission)<sup>6</sup>.

*The duty of this commission was to ensure the return of the immovable properties such as goods, property, and land left behind by the immigrants or to demand their monetary value from the countries of the addressee. With the decree signed on November 27, 1897, it was decided to take every precaution to ensure that the procedures of the refugees were not delayed. This commission was intensively engaged in the affairs of Cretan refugees. In 1897, the population of Crete was approximately 300 thousand (Kassab, 1999: 697). 70 thousand of these were Muslims. Muslims, who constituted 23% of the population in 1897, represented only 11% of the population in the 1900 census (Gönüllü, 2009: 309-321).*

Beginning with the Greek invasion in 1897, even Greek-speaking Muslims from Crete were forced to emigrate, and most of them arrived in the western and southern parts of Anatolia, with Antalya, Mersin, and Tarsus being the most preferred destinations (Emgili, 2006: 190). 21795 of these refugees who arrived on August 29, 1898 were settled in Benghazi, Ankara, Konya, Adana, Aleppo, Syria, Beirut, Karahisar-i Sahip Sanjak, and Aydın provinces (Emgili, 2006: 190).

The Ottoman Empire believed that this commission, like the other refugee commissions, had finished its work, and in 1898, it closed its doors. Its staff and budget shared the fate of the previous commissions and were distributed to other state institutions as was customary (Erdem, 2014: 126).

As can be seen, the Ottomans always established a commission for refugees after each war. However, despite the pains of the gradual retreat from the vast geography of the empire to Anatolia, the Ottoman administrators were either incapable of seeing this or they made savings by closing these commissions due to budgetary constraints. This situation forced the Ottoman Empire to establish commissions from scratch like a newborn child in the face of immigration that started again each time, and to open its eyes to life without remembering the problems and solutions of the other and to meet all the problems from the beginning.

Although the Ottoman Empire, under the rule of Sultan Abdülhamid II, exhibited a structure that maintained the old habits, signs of change began to appear after the 1880s. Upon a warning from the SheikhuIslam, the sultan believed that the time had come for a new

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<sup>6</sup> Ufuk Erdem, *a.g.t.*,121.

permanent organization to remedy the problems of Muslims who had been subjected to persecution under the rule of foreign states and somehow had to turn to Anatolia. With this belief, the sultan re-evaluated the issue and decided to establish a new commission called Muhacirin-i Islamiye Komisyonu on February 22, 1899. The 18-article charter of this commission was published on December 22, 1905. This 18-article charter stipulated that the Muhacirin-i Islamiye Commission was to support the Muhacirin-i Islamiye Commission in all matters, including the process from the beginning of their immigration until they entered into the Ottoman territory, and after their entry, including their needs for sustenance, accommodation, settlement and housing(Erdem, 2014: 12-129). The most difficult issue for the Ottoman Empire was, of course, the financial part; for this reason, a budget of 191 thousand kuruş was allocated for the refugees, while a separate budget of 131 thousand kuruş was created for the employees. As revenue items of this budget, some of the revenues of revenue offices such as the Ministry of Post and Telegraph, Defter-i Hakani, Rusumat Emaneti, and the Ministry of Mines and Agriculture were to be transferred here. By 1907, approximately 500 kuruş had accumulated in the commission's account. However, the fact that this income was equal to the expenditures in its account led to the need for new revenue items, and it was decided to support it with temporary items such as the Refugee Stamp and the Lottery Administration (Erdem, 2014: 131).

Muhacirin-i Islamiye Komisyonu extended a helping hand to all immigrants arriving from Bulgaria, Eastern Rumelia, Bosnia, Romania, Russia, Thessaly, and Montenegro, with a particular focus on Cretan immigrants. The immigrants were generally sent to the regions of Hüdavendigar, Edirne, Trabzon, Aydın, Konya, İzmit, Biga, and Çatalca. As of 1899, the number of refugees sent to Anatolia with the support of the commission was around 3000. Upon its establishment, the commission settled 1000 refugees per month. However, as of 1901, the number of immigrants increased again, and around 18 thousand immigrants from Bulgaria, Eastern Rumelia, Russia, Romania, and Bulgaria entered into Istanbul. They were sent to Hüdavendigar, Ankara, Edirne, Thessaloniki, Adana, Trabzon, Aydın, Syria, Kosovo, Manastır, Kartal, and Beykoz. The number of arrivals in 1906 was around 12 thousand. Like the previous commissions, the Ottoman State abolished this commission because its mission was over, and distributed its employees to other departments. Although the commission's paperwork did not indicate that it was closed, its activities were probably discontinued in 1908(Erdem, 2014: 139).

Another refugee commission of the Ottoman Empire was the Tripolitan Refugee Commission, established in 1911 just before the Balkan Wars. The charter of this commission was announced on March 17, 1912. Since this commission was only concerned with the refugees emigrating from Tripolitania, it dealt with a limited number of refugees. For this reason, its budget was around 2000 liras. On the one hand, the commission was trying to host the refugees from Tripolitania, and on the other hand, it was trying to get back the Tripolitan notables who were Ottoman citizens of Tripolitania and had been transferred to Naples by the Italians. On February 2, 1912, the state succeeded in getting Germany involved to transfer the families from Rome to Istanbul by ferries and trains. When the commission completed its task in this way, it ceased its activities on February 18, 1913 (Erdem, 2014: 143, 147-140).

The declaration of war by Montenegro on October 7, 1912 was followed by the declaration of war first by Bulgaria and Serbia and then by Greece on October 17, 1912. Since the Ottomans had to fight on many fronts, defeats piled up. After the last immigration in 1897, the number of refugees coming from the region, albeit at short intervals, did not amount to many. However, when the war broke out and hundreds of thousands of refugees moved towards Istanbul, the Ottoman Empire had to start preparations from scratch to form a new Refugee Commission (Halaçoğlu, 2006: 77). On May 13, 1913, the Directorate of Umur-ı Aşair and Refugees, which was put into effect with the Iskân-ı Refugee Regulation, was established to investigate the needs and customs of the tribes, to examine their situation, and to ensure their settlement, but it was also obliged to ensure the transportation, provision, and settlement of the refugees who were likely to come from other countries (Erdem, 2014:152-153).. The 1916 budget of this directorate was the largest budget of any commission ever established. The budget of 5. 527 thousand kurus was formed through two separate units, the Central and Provincial organizations. In addition to the expenses of more than 3 million kurus for the central organization and 695 thousand kurus for the provincial organization, the budget of the commission, which had a total budget of 10 thousand kurus for the resettlement of tribes and refugees and a total of 16 thousand kurus, reached its peak with an allocation of 50 million kurus as of January 8, 1917 when World War I started. By December 22, 1917, the commission's budget had reached approximately 200 million kurus with an additional 100 million kurus. However, the devastation brought about by the war caused an influx of around 1,100 thousand refugees to the country in the first phase (Erdem, 2014:152-153).. The budget of the Commission was reduced to very low figures in February 1920 and its lowest period with a budget of 721,200 liras. However, when Istanbul was occupied on March 16, 1920, the

commission was disbanded and its activities ceased. Nevertheless, the directorate wanted to announce its activities in some way and as a result of the announcement made on May 24, 1920, this report on the activities carried out during World War I included the immigration activities after the Balkan Wars. The report also included information about the population for which the directorate was responsible. The directorate was in charge of providing food, shelter, and accommodation for 414 thousand refugees, 408 thousand refugees, 143 thousand refugees from Izmir, 300 thousand Armenians and Greeks, and around 14 thousand Arab families and civilian prisoners. The amount of support provided by the Directorate to the refugees and tribes during the years in question was 613,540,073 kuruş. The number of refugees from Bulgaria, Greece, Serbia, Montenegro, and others who benefited from this budget for the years 1913-1916 is around 435 thousand (Erdem, 2014:165-167).. This directorate, which was assumed to have completed its duty, continued its duty until the end of 1922, according to the instruction letter sent by Mustafa Kemal Pasha to Refet Pasha, who took over Istanbul from the enemy, on November 4, 1922, and the directorate was affiliated to the Ministry of Health on this date. It is understood that when this directorate was disbanded by the British after the occupation of Istanbul, its members defected to Ankara and rebuilt the directorate here. Although the center of this directorate seems to have remained in Istanbul until the end of the National Struggle, it was managed from Ankara (Marttin, 2012: 170-205). When Istanbul was liberated from the enemy, the directorate there was abolished and continued its activities under the name of the Ministry of Health in Ankara (Erdem, 2014: 167-207).

As can be seen, each of the Refugee Commissions established during the Ottoman Empire was established as a temporary commission. This procedure was continued in the Republican period. However, with the intervention of Mustafa Kemal Atatürk, the era of temporary commissions was put to an end with a new unit established under the name of the Ministry of Health as of November 4, 1922, instead of these institutions.

### **3. Türkiye's Migration Policies in the 1923-2000s**

After the collapse of the Ottoman Empire, a large mass of Turks, especially in the Balkans, remained in the hands of the enemy and their fate was mostly unknown. Although the condition of having Turkish ancestry and Turkish culture was generally accepted as a prerequisite during the implementation of the settlement law enacted for the millions of people who flocked to the country with immigration during the establishment stages of the Republic,

immigrants from the Balkans as well as the Caucasus and the Middle East were also considered within the scope of this law (Erdem, 2014: 167-207).

Law No. 885 of 1926(Arslan, 2007: 345-355)<sup>7</sup> is known to have used some different structures during the implementation phases of the 1926 Settlement Law. In particular, it is possible to talk about three different periods and three different practices in which three different practices were carried out: the period between 1923 and 1949, when all of those who came from the Balkans were accepted based on the assumption that they would adapt to the Republic more easily; the period of immigration of Turks, who were accepted as “foreign Turks” during the Cold War period and who were mostly from the Balkans in the 1950-1989 period; and finally, after 1990, when our compatriots who took refuge in our country from all these geographies came and continued to come(İçduygu, Erder, Gençkaya, 2014: 138).

The Turks who came in the first period, especially as the heirs of the Ottoman Empire, are claimed to be dominated by an understanding that sees themselves as the rightful owners in the establishment of the new Republic, and another view, it is believed that the main reason that triggered this migration during the establishment period of nation-states was not being an heir, but the ethnic cleansing that started in the Balkans, especially targeting Turks(İçduygu, Erder, Gençkaya, 2014: 139-140). From this point of view, between the years 1923-2007, 792 thousand migrants from Bulgaria, 308 thousand from Yugoslavia, 409 thousand from Greece, 123 thousand from Romania, 21 thousand from others, and approximately 1700 thousand migrants entered Türkiye. Since the attachment of these people to the places where they were born and grew up was broken in about 100 years, it would be a more accurate analysis to say that this was due to an understanding of migration forced by an ethnic cleansing rather than the founding instincts of the heir (İçduygu, Erder, Gençkaya, 2014: 141-142).

The best examples of ethnic cleansing can be seen in the friendship agreements signed with Romania between 1934 and 1938. With this agreement, Muslims, Tatars, and Circassians living there were deported to Türkiye. In addition to this, the fact that the Christianized Gagauz Turks were left out of the agreement reveals that for both Türkiye and Romania, this migration and expulsion was based on an unquestionable preference for the masses that would not cause

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<sup>7</sup> While this law was amended in 1934 as the Resettlement Law No. 2510 with the content of Commitment to Turkish Culture, it was last amended in 2006 as the Resettlement Law No. 5543 (Ahmet İçduygu, Erder, Gençkaya, “a.g.m.”, 161-162). In all these changes, the content of Commitment to Turkish Culture has been preserved, but some changes have been made in specific definitions.

problems to stay and the masses that would cause problems to leave (İçduygu, Erder, Gençkaya, 2014: 142)..

Another important point in this regard is that the founding elements of the Republic of Türkiye were mostly of Balkan origin. Behind the scenes of this migration is the fact that the biggest opponents of the Ottoman Empire were also settled in the Balkans. The return of the Ottoman intellectuals who stayed here after the war was seen as the return of the original element to the country. This was of utmost importance during the resettlement of this element. In the placement of immigrants in public institutions, the status in the abandoned places was especially taken into consideration.

It is possible to say that in the migration adventure of the Turkish element coming from Bulgaria in 1951-1952, there was actually a defeatist structure of the Communist regimes aiming to stop the economy and finally the development of Türkiye as a NATO bloc country. It would be more accurate to argue that the exclusion of these people, who devoted themselves to adapting to the conditions of their post-Ottoman countries, was not related to their minority status, but directly to a political and systematic migration game. The most negative aspect of this game for Türkiye was that the Muslim communities of Balkan origin, once embraced as a founding element, had lived under the Communist regime for a long time and that communist agents had been planted among them during their migration. After this moment, this understanding of the founding element was abandoned and the new appellation was reorganized as "Foreign Turks". After that, the newcomers were admitted to the country not directly, as in the past, but after long examinations and observations oğanay, 1997:194-205; İçduygu, Erder, Gençkaya, 2014: 147-148).

In 1989, Bulgaria was again in the Picture, and this time the migration occurred at a time when the friendship and migration agreement signed in 1968 accelerated the migration of relatives. The main trigger of this migration was the stagnation in the Bulgarian economy as opposed to the revival in Türkiye's agriculture and industry after the Cold War, and although this dilemma offered a choice to the migrants, the main reason for this migration was the chaos initiated by the policy of Bulgarianization of Muslim groups by the Zhivkov government that came to power in 1984. These people, whose religions, names, identities and moral structures were tried to be changed, were subjected to ethnic discrimination for a long time, and it would be more accurate to say that they were forced to leave their homeland under the pretense of a special permit given to them under the name of freedom of movement, but in reality they were



forced to leave their homeland. In this way, more than 300 thousand refugees were forced to settle in Anatolia and Thrace, primarily due to the immigration towards Türkiye. After the change of Zhivkov's regime, the new Bulgarian administration's efforts to improve relations with Türkiye and the policy of reuniting divided families triggered migration from Türkiye to Bulgaria, leading to the return of approximately 100,000 people (İçduygu, Erder, Gençkaya, 2014: 151-152).

There have been and will continue to be many debates on the reasons for the return of compatriots to Bulgaria. However, it is possible to say that the only undeniable fact in these discussions is the uneasiness about work and food due to the livelihood problems caused by the changing conditions in Türkiye after 1980. It is necessary to state that these anxieties are directed towards a kind of alienation to exclude the cognates in the process of sharing the diminishing bread and to emphasize their belonging to the places they come from, such as Bosniak, Cretan, Thessaloniki, Macedonian, Bulgarian, Polonaise. The second and one of the most important issues is the benefits that Bulgaria's rapprochement with the EU would hopefully provide to the returnees in the following period.

One of the main problems of the Republic of Türkiye in terms of accepting foreign migration is the above-mentioned Settlement Law, which was put into practice to facilitate the arrival of Turkish descendants during the establishment phase of the country (Sarinay, 2001: 351-387). With the changes that this law has undergone over time, it has become the most important factor preventing both the arrival of Turkish descendants and the acceptance of immigrants through foreign migration. As a result of the changes the law underwent, it turned into a law that made it difficult even for the arrival of Turkish descendants by transforming into a system that allowed the selection of those who came over time, a classification according to whether they were of Turkish descent or not, and the admission of those who were certain. Although this law was taken into consideration in the 1951 Geneva Convention of the United Nations Organization regulating post-war refugee rights in 1951, Türkiye signed the Geneva Convention in 1961 with a geographical limitation based on its reservations, defining the law as “those who suffered harm in Europe in events before 1951”. This definition was subject to criticism for a long time. For this reason, even though a new definition was made in 1967 and the pre-1951 definition was abolished, the phrase “refugees from Europe” and the existence of geographical restrictions in the definition continue to be an issue that makes it difficult for immigrants other than Turkish descendants to arrive. (İçduygu, Erder, Gençkaya, 2014: 158).

This situation allows Türkiye to provide immigrant status only to those with Turkish ancestry, while those who do not have Turkish ancestry must be accepted under temporary protection, as in the case of refugees from Syria in the 2010s.

The 1934 Settlement Law was amended several times in 2006 and 2008 to make it a bit more systematized in line with external threats to Türkiye. Despite these changes, the law still plays a major role in denying asylum to non-Turkish nationals (such as Syrians). Considering that the biggest advocates and implementers of this law today are those who came to Türkiye in the past thanks to this law, it is necessary to underline once again that the law in its current state does not comply with human rights. The fact that those who raise their voices against this situation are generally viewed as marginalized groups causes the law to continue to be implemented in this way. However, there is a need for a new regulation that will revise Türkiye's perception of foreign migration and reconcile those who have been victimized by this law with our country.

In this context, the enactment of a new immigration law that is in line with human rights and far from being offensive, rather than being restrictive to both internal and external migration, will largely eliminate the insensitivity and lack of ownership regarding “external migration”.

#### **4. Irregular Immigrants Arriving in Türkiye and the Methods Applied During Reception**

Located on one of the most important transit points of the world, Türkiye has a strategic importance as the route of all migrations from east to west and from west to east. For centuries, migrations to Europe through Türkiye and its territories have generally originated from Central Asia and the Middle East. The Jewish migrations between 1920 and 1948, which constitute the last link in the migration journey from west to east, constitute perhaps the last link in the migrations from west to east. After these migrations, there are partial migrations, and a few migrations from the Balkans to Anatolia can be mentioned.

Migrations from the East to Anatolia and through Anatolia to Europe The uninterrupted migration journey from Afghanistan, which started with China's invasion and massacre of East Turkestan in 1949, to Türkiye and then to Europe from Afghanistan, which was occupied by Russia in the 1970s, constituted the first examples of irregular migration and migrant phenomenon for Türkiye (İçduygu, Damla B. Aksel, 2012: 7-15).. This process continues with

the 1979 Islamic Revolution in Iran, the 1990 Iran-Iraq War, the 2004 US invasion of Iraq, and finally the Syrian civil war that started in 2011.

As a country on the migration route from east to west, Türkiye continues to be both a receiving country and a transit point for irregular migrants in international migration regimes. In this respect, Türkiye has become a transit point for migrants from Asia, Africa, the Middle East, and even the Far East. The numerical data on those apprehended while migrating to the West through Türkiye is also important in terms of showing how busy this route is. Considering that 1994: 47.000, 1995: 11.000, 2000: 94.000, 2002: 83.000, 2008: 60.000, it would be more accurate to say what kind of a mission Türkiye has undertaken, or rather what kind of a mission irregular migrants have imposed on Türkiye. The diversity of irregular migrants who wanted to cross through Türkiye between 1995 and 2008 is remarkable. The fact that this convoy is composed of people coming from northern and western countries is important in terms of showing that migration in the east and west continues through Türkiye (İçduygu, Erder, Gençkaya, 2014: 230-233).

When we look at migrants coming from Western and Northern countries, we understand that they are usually undocumented immigrants who enter the country legally to be employed in areas such as domestic work, prostitution, entertainment, textiles, construction and tourism, and who do not return when their visas expire and want to stay in the country. While the number of such immigrants reached 100,000 in the 2000s, today it is only 50,000. On the other hand, the number of irregular immigrants coming from Iran, Iraq, Pakistan, Bangladesh, Afghanistan, Bangladesh, Pakistan, Bangladesh, Afghanistan, and some African countries in the east-west direction was over 100 thousand in the early 2000s, but this number has fallen below 50 thousand due to the measures taken<sup>8</sup>. The measures taken against this type of immigration for human trafficking, increased border security, and the severity of the penalties imposed are the biggest factors in the continued decline in this number (İçduygu, Erder, Gençkaya, 2014: 235).

## **5. Establishment of the Department for Combating Irregular Migration and Methods of Combating Irregular Migration**

The 2011 Syrian civil war reversed this process once again. During this war, approximately 4 million people sought refuge in Türkiye, leading to one of the largest refugee

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<sup>8</sup> Mehmet Ali Eryurt, İsmet Koç, *Türkiye'de Afganistan Uyruklu Uluslararası Koruma Başvurusu ve Statüsü Sahipleri Üzerine Analiz: Türkiye'ye Geliş Sebepleri Türkiye'de Kalışları Gelecek Planları ve Amaçları*, Göç İdaresi Genel Müdürlüğü ve Hacettepe Üniversitesi, Ankara 2017, 20.

problems in history, which Türkiye had to deal with. For this reason, Türkiye has had to develop strategies to combat irregular migration, introduce legal reforms, and become involved in international cooperation systems (Çoruh, 2021: 291-315).

With Presidential Decree No. 4, which entered into force in 2018, the Department for Combating Irregular Migration was established to combat irregular migration and several measures were taken under its initiative (<https://www.goc.gov.tr/turkiyenin-duzensiz-gocle-mucadelesi>). The Department for Combating Irregular Migration has published a strategy document and a national action plan to be implemented between 2021 and 2025 (<https://www.goc.gov.tr/turkiyenin-duzensiz-gocle-mucadelesi>).<sup>9</sup>

The establishment of this department paved the way for the fight against irregular migration. After this date, the deportation of irregular migrants was abandoned. Instead, an additional regulation was made in the Law on Foreigners and International Protection No. 6458 on 24 December 2019 to lay the foundations of the National Assisted Voluntary Return Mechanism (Koç, 2017: 47). According to this additional regulation, a new support package was prepared by the Directorate General of Migration Management for irregular migrants, victims of human trafficking and foreigners in the process of applying for international protection who wish to voluntarily leave their country or a third country through the Voluntary Return Regulation. In this context, two other regulations were also introduced (<https://www.goc.gov.tr/turkiyenin-duzensiz-gocle-mucadelesi>).<sup>10</sup>

Apart from these regulations, the Republic of Türkiye is also engaged in a series of activities with international institutions and organizations. One of the most important reasons for this is the growing dimensions and globalization of the fight against irregular migration, which reveals the fact that countries cannot deal with this problem alone. For this reason, nations have tended to continue this struggle by forming bilateral, regional and global groups. In this sense, the United Nations Migration Agency, the United Nations High Commissioner for Refugees, the International Center for Migration Policy Development (ICPMD) and various national non-governmental organizations are among the institutions that Türkiye has entered into cooperation with. In this context, Türkiye assumed the chairmanship of the Budapest Process, which aims to prevent irregular migration, to find permanent solutions in the fight

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<sup>9</sup> Eylem planı hakkında bkz. <https://www.goc.gov.tr/turkiyenin-duzensiz-gocle-mucadelesi> (Erişim: 30. 03. 2022, 18. 40).

<sup>10</sup> On these regulations, see. <https://www.goc.gov.tr/turkiyenin-duzensiz-gocle-mucadelesi> (Erişim: 30.03.2022, 19:35).

against irregular migration and to develop sustainable policies in the field of migration management, with the participation of 53 participating countries, 4 observer countries and 13 International Organizations, at the beginning of January 2006. As an indication of the importance Türkiye attaches to the fight against irregular migration, Türkiye pioneered the establishment of the Silk Road Region Working Group and aimed to bring together the source, transit and destination countries on the migration route. Türkiye also contributes to the Dialogue on Transit Migration in the Mediterranean Region initiative of ICMPD and signed a Memorandum of Understanding with FRONTEX (EU Border Security Unit) on 28 May 2012 to prevent irregular migration. immigration (<https://www.goc.gov.tr/turkiyenin-duzensiz-gocle-mucadelesi>).

One of Türkiye's most emphasized issues in the fight against irregular migration has been the operation of Readmission Agreements. These agreements are mechanisms that enable countries to take measures against irregular migration, especially on human rights issues. By the agreement, while ensuring the safe return of irregular migrants to the countries that are parties to the agreement or the country of their last entry, the rights and freedoms of individuals are prioritized not to be offended. In this sense, since 2001, Türkiye has signed agreements with Syria, Greece, Kyrgyzstan, Romania, Ukraine, Pakistan, Russia, Nigeria, Bosnia-Herzegovina, Yemen, Moldova, Belarus, Montenegro, Kosovo, Norway, and the European Union for the return of many migrants. In addition to this agreement, another agreement was signed between Türkiye and the European Union on March 18, 2016. According to this agreement, the Readmission Agreement and the Visa Waiver Roadmap with the European Union were signed simultaneously in Ankara on 16 December 2013 and ratified by the Turkish Grand National Assembly on 25 June 2014. Law No. 6547 on the ratification of the Agreement was published in the Official Gazette No. 29044 on June 28, 2014. The ratification of the Agreement was decided by the Council of Ministers on 21 July 2014 by Article 3 of Law No. 244 dated 31 May 1963 and published in the Official Gazette No. 29076 dated 2 August 2014. The Readmission Agreement with the European Union entered into force on October 1, 2014, in terms of readmission and transit provisions for the parties' citizens (<https://www.goc.gov.tr/turkiyenin-duzensiz-gocle-mucadelesi>). The provisions of the Agreement on readmission of third-country nationals have not yet entered into force.

This situation makes Türkiye a target for countries exposed to migration due to war and other disasters, which necessitates the evaluation of migrants entering the country under different statuses. For this reason, a series of legal arrangements are needed.

## **6. Legal Regulations on Irregular Immigration**

One of the biggest problems of Türkiye in the fight against irregular immigration is not the employment of migrants, but the process of combating organizations that want to turn migration into an opportunity. In this context, Türkiye signed the Convention against Transnational Organized Crime and its two Protocols on Smuggling of Migrants and Trafficking in Human Beings on 13 December 2000 in Palermo to distinguish between migrants and criminals.

Immediately following the Palermo agreement, the Turkish Citizenship Law was amended on June 4, 2003, abolishing the direct acquisition of Turkish citizenship by foreigners who marry Turkish citizens. This amendment also eliminated the abuse of the principle of Turkish citizenship and ensured the resolution of many cases. Türkiye has made it a condition for naturalization through marriage that the marriage must continue for at least three years. This amendment also aims to put an end to abusive and arranged marriages to gain Turkish citizenship.

Türkiye has also had to take some measures against irregular migration and an illegal labor force. For this purpose, Law No. 4817 on Work Permits for Foreigners and its implementing regulation dated September 6, 2003, were put into effect. These laws and regulations aimed at preventing the illegal and low-wage employment of foreigners and keeping the domestic labor force employment in balance. For this purpose, a new regulation was made and the crime of migrant smuggling was also regulated in Article 79 of the Turkish Penal Code No. 5237. With Law No. 6008 dated July 20, 2010, it was added to the relevant article that the crime shall be sentenced as if it was completed, even if it remained at the attempt stage. This law was supplemented by an additional article to the Law on Foreigners and International Protection No. 6458 with Article 6 of the Decree-Law No. 690 published in the Official Gazette dated April 29, 2017.

Türkiye has greatly enhanced its security with laws addressing issues related to migration-migrant crimes such as human trafficking, illegal labor recruitment, and improper acquisition of Turkish citizenship. Nevertheless, the duties, authorities, and responsibilities of

all institutions within the scope of this issue had to be determined by a law to successfully carry out the affairs and procedures of foreigners found as irregular migrants. The Republic of Türkiye was able to overcome this issue by issuing the Implementing Instruction on the Principles of Working and Cooperation in the Fulfillment of the Affairs and Procedures of Irregular Migrants.

Türkiye enacted Law No. 6458 on Foreigners and International Protection in order to regulate its migration policies and manage migration more effectively. To this end, the Directorate General of Migration Management was established under the Ministry of Interior on 11 April 2014. This institution is tasked with monitoring developments related to irregular migration and taking and implementing necessary measures. A new amendment was made to this law by Law No. 7196 dated December 24, 2019, and regulations and updates were made regarding the entry bans on foreigners with Circular No. 2020/17 on Restriction Procedures and Operations (<https://www.goc.gov.tr/turkiyenin-duzensiz-gocle-mucadelesi>).

## **Conclusion**

During the migration adventure of the Ottoman Empire, which started in the 1860s, a large organization called Refugee Commissions was established. However, when these organizations completed their functions, they were always abolished and the personnel in the commissions, as well as their experience, were transferred to other state units. Even though the Ottoman Empire has made it a tradition to establish refugee commissions by continuously enacting similar laws in every migration process, it is observed that these commissions have not developed a system that protects and protects the experiences they have gained during the migration process and even turns these experiences into a systematic instruction and vigilance. Although the Republic of Türkiye, which was established after the collapse of the Ottoman Empire, generally benefited from the same experience in migration issues in 1918 and the following period, the fact that the experience was not recorded caused the country to have to make new experiences from scratch. Despite being exposed to many migration events throughout the adventure that started in 1920, the first law on migration was the 1926 Settlement Law No. 885. This law was renewed and sterilized in 1934 to facilitate the entry of only citizens of Turkish descent. The law was applied in the migrations that took place in 1951, 1971, 1987, and 1990s. However, although it was slightly more systematized with the amendments in 2006 and 2008, it was aimed to ensure mutual agreement, especially in the European Union process, by signing the migration and asylum agreement, especially in the stages of establishing the

necessary infrastructure for the acceptance of migrants from Syria and other regions to our country. However, despite this agreement, the problem has become more complex and a series of new agreements and new laws have had to be enacted since 2011. Although these laws were slightly more systematized with readmission agreements signed in 2013, 2014 and 2016, the fact that they were revised in 2019 and subject to new regulations in 2020 shows that the Republic of Türkiye, like the Ottoman Empire, does not have a deep-rooted institutionalization of migration. In addition, Türkiye's relations with Europe and the Union's contradictions with Türkiye make it unlikely that a definitive law on migration will be enacted.



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