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**German Turkish Masters Program in Social
Sciences**

MA Thesis

**Developing People:
European Transnational Governance of Migration
and the two Dimension of the EU-Turkey Deal**

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Thank you very much.

Declaration of Authorship

I hereby declare that my thesis is the result of my own work and that I have marked all sources, including online sources, which have been cited without changes or in modified form, especially sources of texts, graphics, tables, and pictures.

I assure that I have not submitted this thesis for any other examination yet.

I am aware that in case of any breach of these rules procedures concerning fraud or attempted fraud will be taken in accordance with the subject-specific examination regulations and/or Allgemeine Satzung für Studien- und Prüfungsangelegenheiten (ASSP) or the Allgemeine Satzung zur Regelung von Zulassung, Studium und Prüfung der Humboldt-Universität zu Berlin (ZSP-HU).

Berlin, 09 November 2021

A handwritten signature in black ink, appearing to read 'Matthias Weißenbach', with a stylized, flowing script.

Matthias Weißenbach

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Abstract

Turkey's geopolitical position is important to the European Union for many reasons, but its role in the issue of migration has emerged as the predominant one among them in the years since the advent of the Arab Spring. Triggered by the increased migration and the related crisis in the European Union, the EU and Turkey agreed on a deal in 2015, which has since been called the EU-Turkey deal. The way the deal works is well known. Turkey prevents uncontrolled migration to Europe, takes back irregular migrants and in return gets a renewal of the customs union with its most important trading partner, visa-free travel for its citizens and humanitarian and development aid to cope with migration within its own borders. Against the background of European migration policy over the years, this thesis shows the governmental rationale behind the formation of the EU-Turkey deal. By analysing the deal in its entirety, two dimensions become apparent. The short-term one, which aims to quickly stop wave-like migration to Europe in order to prevent the spread of the European crisis illustrated e.g. through the Brexit, and the long-term one, which serves the development of Turkey with the goal of making it a migration-transforming country. Turkey's prospective role on Europe's periphery is made transparent through analysing the deal and the governmental techniques that accompany it through a neoliberal and biopolitical lens. With these means, a second political rationality comes to light, which points to a shift within European migration policy towards one which does not only understand externalization of migration control as a security-based technique but as one which goes deeper into the development of human capital in peripheral countries.

Keywords: Migration, Asylum, Development, Externalization, EU-Turkey Deal, Border and Migration Regime, Biopolitics, Neoliberalism

1. Introduction

The relationship of the Republic of Turkey and its predecessor the Ottoman Empire with its European neighbours has been in the focus of academic research in multiple occasions through intradisciplinary fields. Without a doubt a major reason for the importance of Turkey is its geopolitical position on the crossroads of two continents – Europe and Asia and moreover, its close proximity to one of the world’s most dynamic locations in general – the Middle East. Turkey’s important geographical location has been throughout the history the cause for it to become a centre of accumulation of various goods. Having land and maritime borders to Europe, cities in Turkey’s west were famous for being commercial or trade hubs because of their function as destinations of the ancient Silkroad, which served as the major route for trade between Asia and Europe. A second accumulation project in Turkey, that is currently on the agenda and has been under academic research, are its aspirations of becoming an energy distributing country to the European Union. Again, its geographical proximity to countries that are rich with natural resources on the one side and the European Union, that needs to import a large part of its energy demands on the other, predestines Turkey as a perfect fit for becoming an energy hub on Europe’s periphery.¹

The following thesis aims to take the same line as the above mentioned geographically related occurrences when it comes to migration to the European Union. The claim of this thesis is that Turkey’s future trajectory can be expanded by the scenario that Turkey is on its way to become a hub for human capital and migration to Europe. Turkey itself has already taken a dynamic transformation of being a country that has passed multiple stages of migrations as described by Ahmet İçduygu and Kemal Kirişçi in their publication *Land of Diverse Migrations: Challenges of Emigration and Immigration in Turkey*. The consequent assumption which the following thesis makes is that Turkey’s transition through ‘diverse migrations’ from an emigration to a transit and finally to a migration receiving country can be expanded with the function of being a migration hub on the crossroads of Europe and Asia. The rationale behind the functionalization of Turkey as

¹ Dieke, Linda & Schröder, Mirja (2017): *Turkey as an Energy Hub? Introduction to Turkey’s Role in EU Energy Supply*. In: Marc Oliver Bettzüge, Mirja Schröder und Wolfgang Wessels (Hg.): *Turkey as an Energy Hub?*, Nomos Verlagsgesellschaft mbH & Co. KG, p. 17.

a migration hub and the operationalization of policies in line with this aim are being laid out in the following chapters.

It has been 10 years now since the discourse on migration to and from Turkey started to pick up the pace another time through the context of the ongoing armed conflict in Syria, which became the reason for massive displacement of people fleeing from war, prosecution, and other forms of violence to neighbouring countries in the region and to Europe. Hitting the receiving countries unprepared, the influx of refugees brought the European Union to the edge of a crisis which peaked in 2015 when 1.6 million refugees sought asylum in the European Union. In total, the European Union received around 6 million first applications for asylum between the years 2010 and 2020.² In comparison to the size and economic capacities the number remains rather small when comparing with how many migrants Turkey received in the aftermath of the Arab Spring and the Syrian crisis in particular. According to official numbers of the United Nations High Commissioner for Refugees (UNHCR) Turkey hosts around 4 million refugees within its borders out of which 3.6 million alone are from Syria.³ Those figures make Turkey globally the biggest refugee hosting country.⁴ Furthermore, the fact that Turkey has a common border with the European Union made it also serve as a transit country of many migrants on their way to the European Union and became therefore again an important partner to the European Union due to its geopolitical location.

The major outcome of having Turkey as a bordering country to the European Union led to the highly debated EU-Turkey statement, better known as EU-Turkey deal⁵, which has been made public on 18 March 2016 and aims at minimising illegal migration from Turkey to EU states, especially Greece, and to prevent any more deaths in the Aegean Sea, through coordinated procedures.⁶ In return for the reduction of uncontrolled border-crossings to the European Union – prevented through the Turkish authorities – the

² Eurostat (2021): *Asylum Statistics*, URL: https://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_statistics (as consulted on 14.04.2021).

³ UNHCR (2021): *Turkey Stats*, URL: <https://www.unhcr.org/tr/en/unhcr-turkey-stats> (as consulted on 14.04.2021).

⁴ UNHCR (2021): *Refugee Data Finder*, URL: <https://www.unhcr.org/refugee-statistics/#:~:text=Turkey%20hosts%20the%20largest%20number,as%20of%20mid%2D2020>).

⁵ Throughout the thesis the names EU-Turkey deal, EU-Turkey agreement, and EU-Turkey statement are used as synonyms.

⁶ The Federal Government of Germany (2021): *Fifth anniversary of the EU-Turkey statement*, URL: <https://www.bundesregierung.de/breg-en/news/faq-eu-turkey-statement-1878730> (as consulted on 14.04.2021).

European Union promised to provide 6 billion euros to help Turkey in coping with the situation inside the country through humanitarian and developmental projects and to accelerate further negotiations with Turkey, such as the accession to the European Union, visa-free travel for Turkish citizen to the Schengen Area or a renegotiation of the customs union.

The following thesis argues that international partnership agreements between the European Union and Turkey regarding migration, do not only aim in a reactionary manner at reducing ‘illegal migration to the European Union and preventing more deaths in the Aegean Sea’, but also serve a neoliberalist rationale, covering economic objectives beneficial for the long-term developments of the European Union. The assumed rationale behind the new forms of migration management finds its reasons in the demographic decline of the European population including shortage of both, skilled and unskilled labour which makes Europe depended on regular labour migration into its territories on the one hand and a necessary control of migration influx due to the raise of eurosceptic right-wing populist parties on the other hand. The European Union therefore needs to balance the two inevitable conflicting future trajectories that are both posing existential risks for Europe’s future, which are: Remaining economically competitive globally in the face of demographic developments and to prevent the rise of eurosceptic anti-immigration right-wing populist parties through containing mass migration. The EU-Turkey deal and its output, mainly implemented through humanitarian and developmental projects in Turkey offer an extensive field of insight how the European Union targets at preventing irregular mobility to the European Union and developing refugees and host communities within the population of Turkey through projects targeting at education, economic prospects, and growth. Consequently, the argument which this thesis follows is that the European Union aims to shape Turkey, being a country on its external border and playing a major role for future migration to Europe, in a way in which it serves the European migration regime through two avenues: (1) containing unwanted migration and (2) acting as a ‘breeding ground’ for regular and wanted migration to the European Union. The thesis argues further that this development happens through an interplay of biopolitical, and neoliberal logics depicted in the technologies that come to light, when reflect upon the EU-Turkey deal in its entirety including the human rights

dimension which it carries and the historic development of the European migration and border regime.

1.1 Current State of Research on European Migration Policy, Migration Management, and the EU-Turkey Deal

Research on migration management with a focus on European policies got into the focus of academic work increasingly through the Schengen Agreement of 1985. The agreement, that has been made in 1985 but came into power only in 1995 must be seen as the starting point for the emergence of new governance techniques regarding migration to the European Union. Externalisation of migration policies is being declared as the key-technique regarding migration management of the European Union after the emergence of the Schengen Area. Angeliki Dimitriadi described the externalisation policies in the 1990s as a tool to manage and control migration in an approach of concentric circles with three layers be involved: the countries of origin, transit, and the external borders of the Union, focusing on containment of irregular migration to the periphery.⁷ Those concentric circles are designed through the application of different techniques of migration management far away from the psychical borders of the European Union. Yuri A. Ryabov analyses in his essay *The externalisation of migration control in the European Union: first steps towards the external dimension of the space of freedom, security and justice*⁸ the different layers of externalisation techniques for migration management. For him, techniques like required visa obtainment for the Schengen Area, certain obligations for third parties such as airlines and other types of carriers, and bilateral readmission agreements with sending countries constitute a powerful web of tools for restricting the mobility of people that are not - or only under certain circumstances - wanted in the European Union. Financial support or developmental programs implemented by the European Union are neither a new occurrence when it comes to migration in third countries. What Roberto Roccu and Benedetta Voltolini called the 'rhetoric-practice gap' describes the contradictory approach of Europe's migration policy through financial and developmental support to authoritarian regimes that must be regarded as in

⁷ Dimitriadi, Angeliki (2018): *FEUTURE – The Future of EU-Turkey Relations: Mapping Dynamics and Testing Scenarios*, in: *FEUTURE Online Paper*, No. 16, p. 1.

⁸ Ryabov, Yu. A. (2012): *The externalisation of migration control in the European Union: first steps towards the external dimension of the space of freedom, security, and justice*, in: *Balt. Reg. (Baltic Region)*, No. 1.

opposition to the European Union's self-description as a normative power guided by the promotion and strengthening of human rights and democracy through its foreign policies.⁹ The European Union provided authoritarian regimes especially in Northern Africa with "much needed international legitimacy and financial support, whenever this was perceived as functional to achieving its security objectives, even if this was against the proclaimed imperative of supporting democracy."¹⁰ Eventually, the European Union's prioritized target is to keep the countries in its close proximity stable and capable to act which is required in order to secure countries borders and to prevent emigration to the European Union in return for financial assistance. This became particularly visible in the aftermath of the collapse of the State of Libya which sunk into civil war and became partially unable to prevent illegal emigration to the European Union after its state structures collapsed during the Arab Spring. Lynne Dratler Finney published 1983 an article *Development Assistance – A Tool of Foreign Policy*, in which she analyses how foreign policy is being fostered through foreign assistance. Obviously, her focus of research is developmental assistance of the United States to third countries in a time in which the world found itself in a bipolar structure of two superpowers trying to extend their sphere of interest by any means but the rationale behind developmental assistance can be applied to current issues as well: shaping third countries and their societies in a way in which they would be closer to play the ideal role which is defined by the donors.

"A wide variety of policies - political, economic, social and developmental - must be considered in order to make the most effective use of foreign assistance as a foreign policy tool. It is clearly in the best interests of the United States to develop foreign assistance programs which foster our basic philosophies of humanitarian concerns, encouragement of democratic institutions and promotion of economic stability and self-sufficiency in developing countries."¹¹

German migration researcher Frank Düvell describes migration policies on the global level as one in which migration management is being operationalized as a tool for social engineering, a population rationalization and recompositon which has become a "new

⁹ Official Journal of the European Union (2012): *Consolidated Version of the treaty on European Union*, C 326/13, Title 1, Article 2, URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12012M%2FTXT> (as consulted on 18.04.2021).

¹⁰ Roccu, Roberto & Voltolini, Benedetta (2018): *Framing and reframing the EU's engagement with the Mediterranean: Examining the security-stability nexus before and after the Arab uprisings*, in: *Mediterranean Politics*, 23:1, p. 3.

¹¹ Finney, Lynne Dratler (1983): *Development Assistance - a Tool of Foreign Policy*, in: *Case Western Reserve Journal of International Law*, vol. 15, no. 2, p. 252.

feature in migration control.”¹² The nexus of international development assistance and global migration management according to Frank Düvell makes it seem plausible that development aid could be following objectives that serve not only the aid receiving country but serves additional objectives for the donors.

The EU-Turkey deal has received lots of attention within the academic discussion after it has been put into action. In this context, Swiss researcher Bilgin Ayata has published a work in which she draws attention to the concerns about compliance with the Geneva Refugee Convention and describes the EU-Turkey deal as an actually illegal agreement, thus hitting in the same notch as many other publications in this context.¹³ However, her analysis mainly addresses the human rights violations in Turkey, which de jure should make an agreement on refugees with Turkey based on the Geneva Refugee Convention impossible. Austrian researcher Michaela Ralser, on the other side, highlights in her publication *Die Illegitimen. Grenz- und Migrationsregime in biopolitischer Perspektive* the European human rights violations that have arisen in the wake of the EU-Turkey deal and the pushback from European border authorities that has come with it.¹⁴

The aforementioned focus of most publications on asylum and human rights concerns emerged through the EU-Turkey deal leads to the identification of the research gap in an alternative perspective. The identified research gap is positioned in the question of the interplay between development assistance and migration management. The EU-Turkey deal offers a suitable entry point to address this question, because when considered in its overall composition, it encompasses both aspects simultaneously. In addition, while there is already much literature on the EU-Turkey deal, it is mostly centred on the short-term undermining of the right to asylum rather than on the possibility of a long-term migration strategy of Europe that contributes to the composition of the deal in all its aspects.

¹² Düvell, Frank (2005): *Globalisation of migration control. A tug-war between restrictionists and the human agency?* In: Holger Henke (Hrsg.) *Crossing Over: Comparing Recent Migration in Europe and the United States*. New York, Oxford, Mass.: Lexington Books, p. 32.

¹³ Ayata, Bilgin (2017): *Migration und das europäische Grenzregime nach den arabischen Revolutionen*, in: Thomas Demmelhuber (et al.): *Arabellion – vom Aufbruch zum Verfall einer Region?*, Baden-Baden, Nomos Verlag.

¹⁴ Ralser, Michaela (2016): *Die Illegitimen. Grenz- und Migrationsregime in biopolitischer Perspektive*, in: *Österreichische Zeitschrift für Soziologie* Nr. 41, Universität Innsbruck.

1.2 Research Question and Objective

Starting from the underlying assumption that Turkey's migratory history has transformed from an emigration country to a transit country and eventually to an immigration country this thesis claims that its future trajectory can be expanded by the argument that Turkey, as a country on the periphery of the European Union is on its way to become a hub for human capital and regular migration to Europe. This happens for a number of reasons and through techniques that this thesis calls European transnational governance of migration. Europe is in the delicate situation of being depended on migration and importing labour force from third states to remain economically competitive. Contrary to the migration-related preservation of the European Union's competitiveness is the rise of eurosceptic right-wing populist parties, which often turn their political rhetoric against migrants and, if they continue their political rise, pose a second threat to the future of the European Union, as seen most recently with the United Kingdom leaving the European Union. To balance these two outlooks, one could argue that the European Union might actually have an interest in using the countries at its external border to avert both threats. In that sense, Turkey as a migration receiving country with a number of around 4 million refugees since 2010 alone, through its geographical position on the periphery and its cultural identity that is often described as something 'in between' Europe and Asia, could constitute an ideal 'collecting tank' for migration – assisting Europe in its role in averting both threat scenarios. An approach, such as the EU-Turkey deal – if considered in its entirety – can be read as a sophisticated technique aiming at containing irregular unwanted migration and decreasing root causes of it through widening economic prospects and provision of education. At the same time, this prepares the best possible circumstances for Turkey to become a country in which irregular migration is stopped but conditions develop that lay the foundation for increasing the human capital and could therefore prospectively relieve the migration needs of the European Union.

It will be discussed in which way the European Union's migration policy and European development funds are being utilized to follow the aim of containing mass immigration and at the same time producing potential subjects that could match the needs of the long-term trajectory of the European economic market. The underlying argument is hereby that migration management is designed in a way in which it primarily serves the

objective of potential economic benefits or general economic growth in the receiving country.

That the population decline in Europe must be compensated by migration, is the core of the current debates. In correlation with the context given above the assumption can be made that development aid to Turkey, which emerged out of the European refugee crisis, does aim at developing state infrastructures or state capacities, not out of European selflessness but to the opposite, to create circumstance enabling people to be developed into economically productive subjects.

The leading research question of the following thesis is being articulated as follows: Which migration management techniques are identifiable in the EU-Turkey deal and how do they pursue short- and long-term goals of the European Union? This question will be answered with the help of further sub-questions, which try to bring to light the governmental rationalities behind the EU-Turkey deal and to what extent the EU-Turkey deal can be integrated into the migration and asylum policy history of the European Union, i.e. whether it logically follows the already existing migration policy patterns or whether it represents a new approach. In addition, the analysis will be used to assess whether a long-term strategy for Turkey's role in migration to Europe is discernible and whether any conclusions can be drawn from this example that would indicate a change in the general direction of European migration policy. In providing a theoretical framework for to achieve the answering of the research question, it is drawn on Foucauldian readings of governmentalities to identify the underpinning conditions that are responsible for the design of the EU-Turkey deal and how these are expressed in terms of the specific migration management that the deal represents.

The overarching theoretical approach is being laid out on the intersection of governmentality, biopolitics, and migration management. The aim of the thesis is therefore first to introduce the reader to the existing literature on the theoretical framework which used to analyse the EU-Turkey deal in its entirety, and then to assess which rationalities underpin it.

Hereby, the thesis further expands the current debate on migration management with a theoretical analysis of the EU Turkey deal along the framework of neoliberal governance and biopolitics.

1.3 Structure

To reach the goal of answering the research question in a comprehensive manner this thesis is constructed along the following structure: After the introduction, the second chapter lays out and discusses the theoretical framework of the thesis. To that end the Foucauldian definition and understanding of Government, Population and Biopolitics et al. is being discussed. The fact that Foucauldian *Governmentality* must be contextualized with *Neoliberalism* requires to discuss a basic understanding of neoliberal governance. To apply the theoretical foundations of Foucault's way of thinking to the current context, one must necessarily engage with the rather modern concept of migration management, which is why it is also laid out below.

After the second chapter a part about the methodological approaches of the thesis is being provided. The chapter serves the reason of discussing a certain methodological approach together with a critical examination of its advantages and shortcomings. The chapter is followed by a historical contextualisation of the European Union's migration policy and lays a particular focus on the development towards the emergence of externalization of migration control. Furthermore, it is analysed how the European Union's Migration, Asylum and Refugee policies have developed in the years since its establishment until the adoption of the EU-Turkey deal. To understand which parameters play into European decision-making for a certain policy orientation, tendencies within the history of European migration policies are unveiled, analysed and explained in order to lay the basis for the classification of the EU-Turkey deal. That leads eventually to the main body of analysis in the subsequent chapter: The EU-Turkey Deal and its Two-Dimensional Approach of Migration Governance.

In the chapter of analysis, the EU-Turkey Deal will be thoroughly laid out in its entirety. This is based on the economic and biopolitical considerations, which open up the rational of the deal and its dualistic character to the reader. The implemented project priority areas will be classified according to their objectives and action fields and analysed according to their long-term influential factors on the refugee and host communities. The findings are discussed in line with the theoretical background and the arguments that have been laid out. Finally, a conclusion and reflection of the produced research complete the thesis.

2. Theoretical Background

The theoretical part of this thesis aims to provide the background for the overarching argumentation. To successfully argue that the current European Union migration policy aims not only at the control of numbers of people that strive to immigrate to the European Union but also at maximizing the benefit for the economy and wealth of the receiving market a twofold theoretical approach is used and laid out in this chapter.

The twofold theoretical background is provided through the Foucauldian concept of neoliberal governmentality and biopolitics on the one hand, which describes a particular mode of governance and migration management on the other. Migration management itself is a term that has increasingly been used since the 1990s and is described as collaboration on migration to maximize its benefit.¹⁵ The aim of combining both theoretical approaches is to help the reader understand the research findings in line with the argumentation and its socio-political context. The used theoretical frameworks by Foucault carry the shortcomings of applying their particular form of governance only to the population of nation states. In combining it with current forms of international cooperation in migration management we are allowed to expand his theory to a transnational level which is exemplified through the European Union's transnational impact on Turkey and its inhabitants.

It was particularly chosen this combination of theoretical approaches because it helps uncovering certain practices that aim at the control of conduct and compositions of populations.

With this theoretical background it will be laid out how the European Union's governmental rationality towards migration, especially to Turkey as a country on its periphery, has shifted from the approach of receiving asylum seekers and regular migrants to a more sophisticated approach of regulating the flow of people in a third country and simultaneously developing that country in order to make it prospectively a beneficial actor on Europe's periphery for its migration regime.

¹⁵ Kalm, Sara (2005): *Global Migration Management and Biopolitics*, Paper prepared for the "Mapping Biopolitics" workshop, ECPR, Granada, April 14-19, p. 12.

2.1 Governmentality Studies

The overarching theoretical basic was developed by the French philosopher Michel Foucault in his lecture series at the Collège de France from 1978 – 1979 and became known under the term *Governmentality*. In his lecture series Foucault aimed at painting a picture of a genealogy of different types of governmentalities throughout various epochs. The neologism constructed by the French philosopher is composed of the words *gouverner* (engl.: governing) and *mentalité* (engl.: modes of thought or mentalities).¹⁶ He used his neologism in regard to different governmental rationalities that can be ascribed to different forms of governments from antiquity to modernity. In doing so, Foucault's attempt was not to describe *government* "in an institutional or philosophical sense but the history of the art of government."¹⁷ According to Walters and Haahr governmentality can be utilized in the Foucauldian way as a toolkit in at least four different ways to discuss power, government, and regulations. Those ways are the:

"Particular form of critical and reflexive political analysis which focuses on mentalities of government; an historicized investigation of changing forms of power; a thematization of the relationality of power and the identity of the governed; a concern with the technologies of power."¹⁸

Governmentality studies offer not only a toolkit to analyse particular mentalities of governments but furthermore cover also the installation or invention of certain institutions or other types of interventions upon particular problems. In this context and according to Thomas Lemke certain governmental practices or practices of institutions are the consequent outcomes of already existing rationalities. Accordingly, government indicates a form of 'problematization'. That means it defines a political-epistemological space within which problems arise and at the same time, offers strategies for solving and dealing with these problems. Government, in Foucault's sense, also structures specific forms of intervention. A political rationality is therefore not a neutral knowledge that merely "represents" the reality to be governed, but itself already represents an intellectual processing of reality, to which political technologies can then be applied.¹⁹ Stud-

¹⁶ Lemke, Thomas (2001): *The Birth of Bio-Politics: Michael Foucault's lectures at the College de France on neo-liberal governmentality*, in: *Economy and Society*, v.30, i.2, p. 190.

¹⁷ Walters, William & Haahr, Jens Henrik (2005): *Governing Europe: Discourse, Governmentality, and European Integration*, New York, Routledge, p. 3.

¹⁸ *Ibid.* p. 5.

¹⁹ Lemke, Thomas (2000): *Neoliberalismus, Staat und Selbsttechnologien. Ein kritischer Überblick über die governmentality studies*, in: *Politische Vierteljahresschrift*, 41:1, p. 2.

ies in governmentality are interested in uncovering certain mentalities of government. "They are interested in the changing ways in which political authority, as well as those who contest that authority, pose the questions: How should we govern? What should we govern? Why do we need to govern?"²⁰ Overall, the analysis of governmentalities is closely connected to the analysis of problematizations as stated above. As Walters and Haahr put it in reference to the British sociologist Nikolas Rose:

"It is in acts and moments of problematization that mentalities and their forms of reason can be identified. It is in all those sites where a given policy or practice is called into question, identified as deficient, failing, too costly, unethical - it is in these places that mentalities of government lend themselves most readily to our scrutiny."²¹

In summary, when trying to uncover a certain rationality of governmental techniques one must ask the questions: Who governs what? According to which logics? With what techniques? Towards what ends? This makes governmentality less a theory of power, authority, or governance itself but rather a toolkit to understand particular rationalities embedded in a larger picture of an overarching system.²²

2.1.1 Government and Disciplinary Power

Governmentality must be put in context of a particular definition of 'government'. The latter implies an intended control of human conduct by various means. As Mitchell Dean explains in his work *Governmentality – Power and Rule in Modern Society* government could be defined as the "conduct of conduct."²³ Dean strengthens this definition with certain senses of the word 'conduct'. On the one hand the definition of conduct would either mean to direct or to guide, which sometimes implies some sort of calculations as to how this is to be done or how to conduct oneself. In this understanding it is closer concerned with forms of self-direction that would be appropriate in certain situations. Eventually, the different but related meanings of conduct can be expanded by 'conduct' as a noun, which refers to behaviours, actions and even comportment, in other words the articulated set of our behaviours. "Again, the sense of self-guidance [...] may

²⁰ Walters & Haahr: *Governing Europe*, p. 6.

²¹ Ibid.

²² Rose, Nikolas & O'Malley, Pat & Valverde, Mariana (2009): *Governmentality*, in: *Legal Studies Research Paper No.9/94*, The University of Sidney Law School, p. 3-4.

²³ Dean, Mitchell (1999): *Governmentality – Power and Rule in Modern Society*, London, Sage Journals, p. 17.

often be involved as, say, in the case of discussions of our ‘professional conduct’ or the ‘conduct of school-children’.”²⁴

Discussions of types of conducts that are being taken as the righteous ones in certain types of situations lead conclusively to a normative setting of kinds of ideals in line to which individuals and groups should strive in certain situations.²⁵ It comes naturally that certain rationalities, such as a special form of conduct in a special situation, could be controlled or regulated through the formation of another type of rationality with which another form of conduct could be made the norm. Government means therefore in this context the calculated direction of human conduct:

“Government is any more or less calculated and rational activity, undertaken by a multiplicity of authorities and agencies, employing a variety of techniques and forms of knowledge, that seek to shape conduct of working through the desires, aspirations, interests and beliefs of various actors, for definite but shifting ends and with a diverse set of relatively unpredictable consequences, effects and outcomes.”²⁶

The distinctive factor of government does not mean that people are being ordered to do something or to do something in a particular way but, it means the attempt to deliberate on human conduct. “From the perspective of those who seek to govern, human conduct is conceived as something that can be regulated, controlled, shaped, and turned to specific ends.”²⁷

A mechanism in power relations according to Foucault’s theory is disciplinary power and emerged in the 17th century. His central thesis on disciplinary power was laid out in his work *Surveiller et punir: Naissance de la prison* (engl. Discipline and Punish: The Birth of the Prison) and understands discipline as a technique of governing that targets the human body and “operates upon confined spaces like the school or the prison where it employs surveillance and normalizing techniques to produce useful, calculable subjects.”²⁸ Therefore, it is not a simple suppression of the body, but an interplay that can be characterized as repressive on the one hand, but also productive on the other. The concept of disciplining refers to this "single mechanism that makes the ‘body all the

²⁴ Ibid.

²⁵ Ibid. p. 18

²⁶ Ibid.

²⁷ Ibid.

²⁸ Walters & Haahr: *Governing Europe*, p. 9.

more submissive the more useful it is, and vice versa'; the body becomes an exploitable force only, when it is both a productive and a subjugated body."²⁹ On that occasion a shift in governmentalities can be observed. In fact, the medieval ruler whose power was legitimized transcendentally is now being gradually replaced by another holder of power, namely the state. At this point, it is not the transcendent ruler but the 'reason of state' who is trying to utilize the subject in a way in which it becomes obedient and preferably a useful part of the society. In that sense, the core of Foucault's thesis lies only partly in the establishment of disciplinary institutions, such as the school, the hospital, the mental institutions, or the prison but above all in a kind of self-disciplining of the individual.³⁰

2.1.2 Population and Biopolitics

The concept of biopolitics is closely related with the modern understanding of population. Foucault describes a shift of the mentality of governance from the purpose of sovereignty, that aimed at the reproduction and strengthening of a sovereign's power over a territory towards a mentality of governance that aims at enhancing the population body. With *biopower* he thematizes a type of power that has life as its object, the body of the individual and the life of the population, not in order not to suppress it, but to increase life and to make it more effective and efficient.³¹ Michel Foucault describes biopower as a key-characteristic of the modern state pointing at the shift in the mentality away from securing of rule as an end in itself, towards the cultivation of population as the main end of government.³² The French philosopher described the shift in mentalities from sovereign towards biopolitics power with the words: "Sovereignty took life and let live. And now we have the emergence of a power that I would call the power of regularization, and it, in contrast, consists in making live and letting die."³³

Whereas the discussed definition of disciplinary power consists of the idea of regulating the individual, biopolitical governance targets a regulation of the collective body which

²⁹ Own Translation: Möller, Torger (2008): *Disziplinierung und Regulierung widerständiger Körper: zum Wechselverhältnis von Disziplinarmacht und Biomacht*, In: K.-S. Rehberg (Hrsg.), *Die Natur der Gesellschaft: Verhandlungen des 33. Kongresses der Deutschen Gesellschaft für Soziologie in Kassel 2006*, Frankfurt am Main: Campus Verl. p. 2772.

³⁰ *Ibd.*

³¹ *Ibd.* p. 108.

³² Foucault, Michel (1976): *Society Must Be Defended - Lectures at the College de France 1975-76*, ed. M. Bertani and A. Fontana, trans. D. Macey, New York: Picador, p. 243.

³³ *Ibd.* p. 247.

is the population as such. Even though the idea of targeting the population as such requires a regulation of individual lives as well, the concepts of disciplinary power and biopower differ in Foucault's analysis. According to Foucault, the population has become an object of politics and a variety of regulatory mechanisms emerged which for example, concern housing, health, reproduction rates and other demographic characteristics. Therefore, biopolitics are characterized as regulatory technologies of life. However, biopower and disciplinary power are not opposing power techniques. They operate on different levels and complement each other accordingly.³⁴

Overall, biopolitics do not aim at the maintenance of life as the sovereign (the state) does not have an interest in maintaining the life of individuals but rather at the effectiveness and the well-being of the total population. This happens through techniques that are designed to enhance the quality of life, economic prosperity, and optimization of population compositions. The above cited quote by Foucault, that the shift which has emerged from sovereignty to biopower, describes the new paradigm 'making live and letting die' therefore in the particular way that political reasoning functions in line with economic considerations. Sovereign capacity to decide over life and death, according to biopolitical reason, focuses on the question: How do we make life and let die for enhancing the conditions of life in its totality?

2.1.3 Neoliberal Governmentality

In this subchapter the rationale of neoliberal governmentality will be under analysis. As the name suggests, neoliberalism emerged out of a rethinking of liberalism and emerged around the end of the 19th century. In distinction to liberalism, neoliberalism strives for a free-market economic order with the necessary features, such as private ownership of the means of production, free pricing, and freedom of competition and trade, but which does not reject state intervention in the economy but wants to keep it to a minimum.³⁵ Neoliberal governance assigns the state a role as a protector of the market which concludes in deep and wide ranging transformation of spheres in society that are being

³⁴ Möller, Torger (2008): *Disziplinierung und Regulierung widerständiger Körper*, p. 2773.

³⁵ Bundeszentrale für politische Bildung (2016): *Neoliberalismus*, URL: <https://www.bpb.de/nachschlagen/lexika/lexikon-der-wirtschaft/20176/neoliberalismus> (as consulted on 24.05.2021)

economized and redesigned in a way that maximizes the economic prospects of the population for the sake of the population as a whole.

For Foucault again, neoliberalism is not only a simple setting of market mechanisms. For him neoliberal governmentality is centred on individuals as self-governing bodies. In other words, the overall rationality of neoliberalism – is not defined by the mere indicator that the state draws away from controlling the economy but rather points at a shift in technologies where the state tries to guarantee the best possible frame for an efficient economy and therefore well-being of the population to the highest possible extend. Economy in this sense is being expanded also to areas which do not seem evidently related to production, consumption, and distribution but to the whole scope of life, including the composition of population, provision of education, self-responsibility of individuals et cetera. “In the neoliberal discourse, the individual is celebrated for their ability of governing themselves, for their self-discipline and self-confidence.”³⁶

2.1.4 Critique, Limitations and Contextualization

Besides the comprehensive perspectives that governmentality theory offers when looking into rationalities and actual governmental behaviour of states it has also caused critique which is worth discussing in order to set out the theoretical background of this research to the full extend.

Major critique in Foucault’s approach of governmentality has come with the tendency that is has been regarded as a ‘master category’ which can be applied in order to explain and understand “all manner of political programs across a wide variety of settings.”³⁷ Although a large part of elements that emerged from neoliberal way of thinking can be identified in governing regimes and programs today, it would be oversimplified to assume that all governmental implementations emerged out of neoliberal reasoning. The tendency of oversimplification and the allocation of all governmental implementations to a neoliberal way of governing opens a particular pitfall that has been described by Nikolas Rose as a

³⁶ Erman, Tahire (2014): *Migrant Governmentality and Integration in the Neoliberal Context: Toki Housing Estates in the Northern Ankara Entrance and Istanbul Ayazma-Tepeüstü Urban Transformation Projects*, in: İçduygu, Ahmed & Göker, Zeynep Gülrü: *Rethinking Migration and Incorporation in the Context of Transnationalism and Nationalism*, Istanbul, The ISIS Press, 2014, p. 233.

³⁷ Rose, Nikolas et. al. (2009): *Governmentality*, p. 21.

“cookie-cutter typification or explanation, a tendency to identify any program with neo-liberal elements as essentially neo-liberal, and to proceed as if this subsumption of the particular under a more general category provides a sufficient account of its nature or explanation of its existence.”³⁸

In that sense, analysing certain governmental techniques through the ‘lens’ of neoliberal governmentality brings along the possibility to subsume everything in line with a certain argumentation and to squeeze the subject under analysis into the frame of certain assumed governmental rationalities. This critique is valid and must be kept in mind when analysing the European Union’s migration policy regarding Turkey. Nevertheless, while trying to avoid a reproduction of the utilization of neoliberal governmentality as a master category, this research aims to look at the techniques of the European Union regarding migration from Turkey through a ‘lens’ which would allow to unveil and embed them into a larger set of governmental rationalities. Therefore, while acknowledging the critique and valid explanation that all governmental rationalities cannot be identical in their origin and detail, they rather undergo constant “modification in the face of some newly identified problem or solution, while retaining certain styles of thought and technological preferences”.³⁹

Furthermore, a limitation of the Foucauldian reading of governmentalities must be mentioned in the context of the research question to this thesis. In contrast to the subject here, Foucault in his definition of governmentalities was concerned with national populations and how those are governed through national governments and institutions that are limited to territorial boundaries. Here, a part of the argumentation is interested in the application of transnational governance of populations, meaning techniques that are extending national, (or supra national such as the European Union) boundaries and penetrating the territorial boundaries of another country leading to a calculated transnational direction of human conduct.

Discussing that argument, it is analysed how countries intervene in other populations than their own in an anticipated and prophylactic manner regarding the outlook of their own demographic and economic developments. This thesis advocates that the original limitation of the Foucauldian approach of governmentality towards the population of a nation state should be extended to the transnational dimension because of the problem-

³⁸ Ibid.

³⁹ Ibid. p. 22.

atization that has emerged in the industrialized world which is based on simple differences in demographic developments between industrialized states and development or border states. Whereas the latter two tend to have a growing demographic development the former countries struggle with ageing populations and decrease of labour force. It may be anticipated that financially strong states intervene in other states populations through the means of financial or political leverage in order to tackle their own demographic outlook.

2.2 Migration Management

Migration management is a concept that has emerged rather recently in the discourse of international migration but at its basis are older concepts. The basis that lays in the centre of control of migration are the sovereign borders of a state. Borders are the underlying factor that make migration controllable. The fact that sovereign states or consolidated unions of states such as the EU have sovereign borders, or in other words the authority to decide whom to give the permission to cross the border and whom not, is the cause that makes migration a governable and manageable phenomenon in the first place. Initially, the concept of migration management refers to a global governance of migratory flows implying the need for regulation of international migration.

Overall, the concept of migration management can be defined as “the norms, rules, principles and decision-making procedures that regulate the behaviour of states and other transnational actors, in relation to migration.”⁴⁰ The political underlying interest in managing migration therefore are to be found in

“the growing recognition that the risks linked to uncontrollable and destabilizing migration flows can be addressed by a deep reorganization of the patterns that govern human mobility, which also embodies the aspirations to both strictly control human mobility and organize it in a way that makes it compatible with a number of objectives pursued by both state and non-state actors.”⁴¹

Migration management in that regard assumes, that managing migration for the sake of meeting defined beneficial targets is possible by shaping and organizing it actively. It does not aim at one specific field or discourse but is being applied in a comprehensive

⁴⁰ Friðriksdóttir, Bjarney (2016): *What Happened to Equality? The Construction of the Right to Equal Treatment of Third Country Nationals in European Union Law on Labour Migration*, Dissertation Radboud Universiteit Nijmegen, p. 10.

⁴¹ Ibid.

way whenever it comes to the control of movement of people and the benefits which it can bring along or to prevent the disbenefits and risks it might pose. It is therefore to be seen as a holistic concept aiming at addressing all the policy issues connected to migration including development, remittances, the role of diaspora communities, human rights, health, security, labour market and integration.⁴²

The general idea behind the management of migration is to design it in a way that maximizes the benefits of migration for both, sending and receiving countries. Obviously, in some cases there might be contradictive incentives of states regarding migration. This has been apparent e.g. in the European migrant crisis 2015 when European states systematically tried to prevent uncontrolled migration to Europe, even when international treaties actually obliged the European countries to receive migration through asylum laws. In cases like this a method has been applied that allows on the one hand the containment of migration to one state - in this case the quasi-state of the European Union - through the wide-ranging allocation of money to another state, namely the Republic of Turkey, making the management of the migration crisis an illustrative example of state targeted reduction of disbenefits of migration.

In that sense, the key characteristic of migration management policies is to be defined as a characteristic that makes it beneficial for all stakeholders involved, which is taken “to imply both a regulated openness towards economically needed and beneficial flows and the continuation of restrictions regarding unwanted migration.”⁴³

As a conceptual application economic considerations of the EU-Turkey deal are being explained with the help of ‘extra-territorial processing’ which has been framed by forced migration and international affairs scholar Alexander Betts in 2003 and offers a comprehensive entry point for unveiling the quasi-market logics that migration management follows until today.

2.3 Implication of the Theoretical Background for the Analysis

The combination of the described theoretical concepts offer a wide entry point into the analysis of current migration policies and their implications for the future. Nevertheless, it is worth noting how the Foucauldian theories must be applied on the current phenom-

⁴² Ibid.

⁴³ Ibid. p. 11.

enon of migration management. For the Foucauldian point of view, we must not understand governance of migration as something which is being designed and planned from scratch but as something that emerges in the cause of socio-political developments. In line with the Foucauldian concept of the Power-Knowledge nexus it can be argued that through the migration to the European Union from third countries and the challenges that it brings along a new knowledge about that phenomenon is being accumulated. The importance in expressing the Power-Knowledge nexus lays in the natural assumption that there is some sort of masterplan behind Europe's migration policy and the way it is being depicted throughout this thesis. According to Foucault that does not have to be assumed at all. Rather, the underlying circumstances that the European Union faces with two contradicting threats, lead to a particular accumulation of knowledge which then again leads to certain governmental behaviours and in the long run may lead to a strategic development of techniques towards certain directions based on governmental rationalities.

Against that backdrop this thesis analyses to what extend the current migration policies of the European Union correspond with governmental rationalities and how they are depicted in its transnational governance of migration. It will be found out whether systematic approaches based on economic considerations are being applied and can be explained through the Foucauldian lens and form a new type of approach regarding migration.

3. Methodological Approach

For the analysis of the described research goal this thesis applies two different methodologies to conduct the research. Those are used interchangeably at suitable places. On the one hand a descriptive and qualitative approach based primarily on academic literature helps conceptualizing the development of Europe's migration policy with its accompanying parameters and objectives. The approach is based on a structured and comprehensive analysis of existing literature on the European migration policies throughout the years after the emergence of the Schengen Area. This serves mainly the rationale of contextualising the further developments in the post 2000s into the larger picture of migration management and how the main subject of the thesis situates itself in that context. The method of descriptive and qualitative literature analysis is complemented by

an analysis of all sorts of documents, such as fact sheets, communication of the European Union, reports or monitoring of project implementations in Turkey in the context of the Syrian refugee crisis which are being analysed and contribute to the results of the thesis.

3.1 Methods of Literature and Document Selection

The existing literature is being selected upon their relevance on forms of governance of international migration. The target of analysing academic publications regarding types of migration management rests in the interest to identify comparable modes of national or transnational governance of migration which serve as signifiers for possible global trends to transnational governance of migration. In order to make sense of the EU-Turkey migration deal all sorts of documents such as official communications, fact-sheets and project monitoring are taken into analysis. The document analysis aims at identifying certain tendencies of migration policies that could indicate towards a paradigm shift of shaping peripheral third countries into a certain direction through financial or diplomatic leverage. The composition of project targets in relation to targeted beneficiaries and fields of activity gives insight on the priorities with which the projects were designed and leave room for interpretation regarding the argument of this thesis. The publicly accessible documentation of the project implementations funded by the European Union funds in the framework of the EU Facility for Refugees in Turkey offers a comprehensive archive for analysis.

3.2 Evaluation and Justification of Methodological Approach

The main aspect of governmentality studies is not the examination of certain governmental programs or their execution but lays deeper in the contextualization with an underlying rationality upon which they were designed uppermost. That's why this thesis does not pursue an evaluation of the implementation of the EU-Turkey deal or the developmental projects within its frame in terms of their efficiency, but rather at interpreting the underlying reason with which they are designed. This leads to a rather interpretative result of the conducted research. Arguing that a shift in governmental rationality currently takes place leading from the already existing system of heightened outsourcing of migration issues to an even more sophisticated approach of systematically developing human capital in third countries is something that may be argued but can only be

interpretatively assumed in terms of governmentality. Nonetheless, the very possibility of a paradigm shift in European migration policy represents a problem which is worth to be explored in order to share a sound contribution to the academic debate.

The applied qualitative research method against the theoretical background therefore restricts the findings to an identification of certain tendencies within the European migration policy but does not offer empirical evidence that the tendency is being deliberately pursued or not. By the means of the Foucauldian Power-Knowledge nexus the shift of governmental rationality is something that happens in the cause of particular circumstances. In the words of Joseph Rouse' essay on Power and Knowledge published in the scientific anthology by Gary Gutting *the Cambridge Companion to Foucault*:

“Foucault saw these techniques of power and knowledge as undergoing a two-stage development. They were instituted initially as means of control or neutralization of dangerous social elements and evolved into techniques for enhancing the utility and productivity of those subjected to them. They were also initially cultivated within isolated institutions (most notably prisons, hospitals, army camps, schools, and factories), but then were gradually adapted into techniques that could be applied in various other contexts.”⁴⁴

In summary, this thesis aims to lay out with the help of the theoretical and methodological background a certain representation of governmental rationalities in the EU-Turkey deal and indicate towards a shift controlling the conduct of people in third countries through increasing their economic prospects. In that sense the thesis targets at offering a scenario which points at indications for a possible paradigm shift within the migration policy of the European Union caused by the critical junction depicted through the European migrant crisis 2015.

4. Historicization of European Union Migration Policies

This part aims to give a historical contextualization on the migration and asylum policies of the European Union prior to what I call the post-crisis period starting with 2015. The migration policy of the European Union encompasses a wide range of different aspects such as external border security, internal border management in times of crisis (as i.e., during the COVID-19 crisis 2020), legal and irregular migration, asylum, or

⁴⁴ Rouse, Joseph (2006): *Power/Knowledge*, in Gutting, Gary (Ed.), *The Cambridge Companion to Foucault* (2nd ed., Cambridge Companions to Philosophy), Cambridge: Cambridge University Press, p. 100.

assistance to return. Due to the focus and limitations of this thesis the focus of the revision of European migration policies will be laid out on external border control including international cooperation and asylum. Whereas the period between 1957 and 1997 is only briefly introduced along its most relevant migration management technologies, the post-2000s and especially the answers to the European migrant crisis 2015 are in the focus of this chapter.

4.1 European Union's Basic Border and Migration Policy Principles

With the Treaty of Rome 1957 the basic principles of the European Union were founded. The integration of back then six countries into one European Economic Community (EEC) aimed at the establishment of a single European market including the free movement of goods, people, services, and capital.⁴⁵ Declaring the freedom of movement of people in the Treaty of Rome had naturally the implication that common border regulations amongst the countries of the EEC must have been found because the freedom of movement was not meant to be an act of single national sovereignty anymore but a shared regulation amongst the member states. This policy, which is called the harmonization of the European border experienced a new dimension with the agreement of the European Single Act in which the establishment of a common European market was finalized.

A milestone in the development of a common border is the Schengen Agreement of 1985. The agreement that came into power about ten years after it was declared sets the foundation for a common European regulation of migration. Migration is nowadays extensively connoted with discourses about war, economic perspectives, or flight due to reasons of climate change. The framings regarding this are apparently generally negative even though migration in its essence means nothing else but a change of a person's country of residence, independent from reasons or duration of stay in that country. Consequently, the results of the Schengen-Agreement did not touch upon forced migration primarily but included it into a wider set of measures which targeted migration of any kind. The Schengen Agreement which was in the first place a harmonization of visa policies and a common list of third countries whose nationals required visa, became the

⁴⁵ EUR-Lex Access to European Union Law (2017): *Treaty establishing the European Economic Community*, URL: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=LEGISSUM:xy0023> (as consulted on 05.09.2021).

key political instrument of control over migration and illegal immigration to the European Union in general.⁴⁶ It did not singularly aim at the exclusion of people from third countries but rather at the dismantling of internal European borders, harmonization of asylum, visa, and the right of residence policies.

4.1.1 Externalization of Mobility Control – From Turnpikes to Global Borders

The major paradigm shift in the 1980s and 1990s is being subsumed under the term *externalization* of mobility control. By externalization of mobility control a new technique has been put in place shifting away from the classical understanding of physical borders such as turnpikes or others forms of barriers towards a more sophisticated and versatile web of techniques that are being applied far away from the physical borders themselves. Angeliki Dimitriadi framed the externalisation policies in the 1990s as a method for migration management through using concentric circles with three layers of countries: “the countries of origin, transit, and the external borders of the Union, focusing on containment of irregular migration to the periphery and returns.”⁴⁷ The requirement for obtaining visas becomes more than a legal requirement inside a passport; it can be considered a powerful tool for limiting free movement of foreigners which are not, or only under certain circumstances, wanted in the Schengen Area. Therefore, it must be assumed that governance of migration has been perceived increasingly as a policy that must be pursued to protect the European Union from people that are undesired within their borders.⁴⁸

Segregation in the form of issuing visa to some people and some not is the major technique to contain unwanted migration and enable wanted migration. As Ryabov analyses in his essay *The externalisation of migration control in the European Union: first steps towards the external dimension of the space of freedom, security and justice* the role of foreign missions in other countries must be taken into account, too:

“As the consulates and embassies are taking on the task of weeding out suspicious visa applications, they actively refer to the data that is circulated and shared between the Member states [of the European Union]. It can be information about ‘popular’ ways of arranging illegal migration in this or that country, lists of names of nationals with ‘good’ or ‘bad’ visa histories, and, in some cases, even elaborat-

⁴⁶ Ryabov, Yu. A. (2012): *The externalisation of migration control*, p. 45.

⁴⁷ Dimitriadi, Angeliki (2018): *FEUTURE – The Future of EU-Turkey Relations*, p.1.

⁴⁸ Ryabov, Yu. A. (2012): *The externalisation of migration*, p. 46.

ed profiles of potential ‘undesirable’ immigrants described in terms of gender, age, ethnicity, religious affiliation, country of origin, place of residence, income level, and so on.”⁴⁹

4.1.2 Externalization through Obligations for Third Parties

Externalisation of migration control aims at controlling migration outside of the European Union before migrants can even reach the physical borders. To that end, techniques such as the (non-)issuing of visa are applied. Interestingly, the externalization goes even one step further by outsourcing the validity checks of immigration documents of foreign nationals to their home countries, as stated in article 26 of the Schengen Agreement:

“(a) If aliens are refused entry into the territory of one of the Contracting Parties, the carrier which brought them to the external border by air, sea or land shall be obliged immediately to assume responsibility for them again [...]. (b) The carrier shall be obliged to take all the necessary measures to ensure that an alien carried by air or sea is in possession of the travel documents required for entry into the territories of the Contracting Parties.”⁵⁰

By implementing this article, the Schengen Agreement seeks to outsource the responsibility of verifying the validity of immigration documents to third countries. So that carriers, such as airlines, are being held responsible to check whether passengers are in possession of valid documents for entry into the European Union. As they must adjust their procedures according to the European Union migration policy, the extra effort involved in this case is not simply in transportation and document checks, but also in training the third country staff how to identify fake documents. Additionally, airlines were fined when they carried passengers to the European Union without or with mismatched documents. Moreover, “some airlines had no other choice but to hire former or even still serving customs and border control officers as experts who could help identify fake travel documents [...]”⁵¹

4.1.3 Safe Third Countries and the Method of Readmission

With the aim of decreasing undesired migration, the European Union opened the doors for readmissions of migrants to other countries in the 1990s using the concept of ‘safe

⁴⁹ Ibid.

⁵⁰ EUR-Lex Access to European Union Law (2000): *THE SCHENGEN acquis as referred to in Article 1(2) of Council Decision 1999/435/EC of 20 May 1999*, URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ:L:2000:239:FULL&from=EN> (as consulted on 06.09.2021).

⁵¹ Ryabov, Yu. A. (2012): *The externalisation of migration*, p. 47.

third countries'. The declaration of so-called safe third countries provided the European Union the opportunity to negotiate with non-member states about third-country citizen. Particularly, by adopting a clause that had to be included in any agreement between the European Union, one of its member states, and a third party, the legislation increased the duties of partner countries. This so-called 'enabling clause' requested the third countries to negotiate the issue of non-nationals through bilateral agreements with the member states at a later stage.⁵² As a result of the enabling clause, the European Union member states were able to negotiate the case of non-nationals and the respective obligations of third countries in terms of asylum. Third countries were not only implicated in the externalization of migration control, but they were also held accountable for non-nationals crossing the country on their way to the European Union.

As a result, third countries were given responsibility for assessing asylum claims, and a regulation was established that asylum claims filed in the European Union would be automatically denied if the applicant had not sought asylum in a safe third country.

Safe countries of origin were defined as countries in which the asylum applicant would not have to fear prosecution on the grounds of religious believe, race, nationality, social status, or political affiliation.⁵³ In case that those indicators where not under threat, according to the understanding of European analysts, the asylum seekers application would unconditionally be rejected.⁵⁴

4.2 Amsterdam Treaty and Tampere Convention and Migration policies in the 2000s

In 1999 the Amsterdam treaty came into effect and emphasized the definition of the European Union's territory as a space of 'Freedom, Security and Rule of Law'. Through this treaty the migration policies of the European Union were ultimately communitized according to the European Union *Community method*.⁵⁵ This made immigration policy a political action field that is regulated jointly by the European Union members states,

⁵² Ibid.

⁵³ Ibid.

⁵⁴ Ibid. p. 48.

⁵⁵ European Commission (2002): *Explanatory note on the "Community method"*, URL: https://ec.europa.eu/commission/presscorner/detail/en/MEMO_02_102 (as consulted on 13.09.2021).

leaving theoretically no room for national decision making regarding that matter but streamlined the decision makings and regulations to the supranational level.⁵⁶

The Amsterdam Treaty was further supplemented through the Tampere Convention in the same year. In their conclusions, the heads of states and governments drafted an ambitious program that aimed to create a common EU asylum system and communitize migration policy further. Eventually, numerous directives on migration and, above all, asylum policy in the European Union were adopted by 2004. They had to be implemented by national laws of the member states by a deadline specified in each of the directives. There were now common European directives on all-encompassing migratory questions.⁵⁷ Even more, together with the following Hague Programme the Tampere Convention described the potential of migration as a benefit for the economic market in Europe:

“[the] Commission believes that, while immigration will never be a solution in itself to the problems of the labour market, migrants can make a positive contribution to make to the labour market, to economic growth and to the sustainability of social protection systems.”⁵⁸

Following to the Tampere Convention the Hague Programme was established in 2004 which sets its focus not mainly on asylum and irregular migration but also aims at harmonizing legal migration measures for respective needs on European labour markets. To that end, the European Commission included into the Hague Programme the goal to create the *Policy plan on legal migration* which was eventually published in 2007.⁵⁹ Another aspect that could in the same context be shed light on is the paragraph within the Hague Programme on *Maximising the positive impact of immigration* that intended among others to come up with a European framework in integration “to promote a structural exchange of experience and information on integration”.⁶⁰ It is in the early 2000s that a structural common European Union approach is being codified that takes

⁵⁶ Bandel, Petra & Haase, Marianne (2008): *Dritte Phase: Migrationspolitik als Gemeinschaftsaufgabe (seit 1999)*, URL: <https://www.bpb.de/gesellschaft/migration/dossier-migration-ALT/56531/seit-1999> (as consulted on 13.09.2021).

⁵⁷ Ibid.

⁵⁸ EUR-Lex Access to European Union Law (2000): *Communication from the Commission to the Council and the European Parliament on a Community immigration policy*, URL: <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A52000DC0757> (as consulted on 14. 09. 2021).

⁵⁹ EUR-Lex Access to European Union Law (2005): *The Hague Programme: 10 priorities for the next five years*, URL: <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=LEGISSUM:l16002&from=DE> (as consulted on 13.09.2021).

⁶⁰ Ibid.

into account not only the border, security and asylum aspects of regular and irregular migration but also streamlines a common European approach towards the opportunities that migration to Europe brings along. The Hague Programme with its 10 priorities, supplemented by the European framework on integration seeks to maximize the benefits of migration for the European common market.

4.3 European Union Global Approach to Migration and Mobility

In 2005, the European Union agreed on the new framework for migration and asylum with the *Global Approach to Migration and Mobility*, that aims to both improve opportunities for migration for all stakeholders and combat irregular migration in cooperation with third countries in countries of origin and transit. In the European Commission's Communication, the Global Approach to Migration and Mobility defines four key policies on which the approach is to be based. These are: organising and facilitating legal migration and mobility; preventing and curbing irregular migration and human trafficking; promoting international protection and the external dimension of asylum policy; and maximising the development impact of migration and mobility. In the third key policy, 'the promotion of international protection and the external dimension of asylum policy', it states that European Union should intensify cooperation with the non-EU countries concerned in order to strengthen their asylum systems and domestic asylum legislation and ensure compliance with international standards. This would enable these countries to offer better international protection to asylum seekers and displaced persons who remain in an area of conflict or in a region where they could be persecuted. Moreover, migration and development assistance is addressed in the Global Approach to Migration and Mobility, which states that the European Union should work towards the better linking of international protection and development.

Overall, this policy attempts to increase legal migration while decreasing irregular migration through development minded approaches as also confirmed by a statement of the European Council in 2005 in which is stated that the importance of tackling root causes and of migration through among others economic growth and creation of livelihood opportunities is being recognized.⁶¹

⁶¹ Yildiz, Ayselin Gözde (2016): *The European Union's Immigration Policy – Managing Migration in Tur-key and Morocco*, London, Palgrave Macmillan, p. 15.

4.4 The European Migrant Crisis - a Stress Test for the European Integration

Before moving onto the in-depth analysis of the EU-Turkey deal it is worth discussing the happenings directly preceding it. It was the context of the Arab Spring that unveiled the European migration policy, its priorities, deficiencies, and paradoxes. After the peacefully starting protests in 2010/2011 led to civil wars in countries such as Libya and Syria the following displacement of millions of people in the region led to humanitarian and social challenges which were perceptible across borders.⁶² Whereas migration to the European Union was steadily increasing starting with the year 2010, the peak was reached during 2015 and 2016 in which more than 1 million asylum applications each were submitted in the member states of the European Union.⁶³ Nevertheless, the first mass migrations to the European Union happened in the cause of the first year after the revolution started in the Middle East and North Africa. With the death of Libyan dictator Muammar Gaddafi and the collapse of governmental structures in the country the European Union could not rely on its neighbour anymore to control regular migration and contain irregular migration. Consequently, it led to the leaving of migrants towards the European Union. Countries under enormous influx were inevitably the countries with the closest proximity towards Northern Africa or the European Union's Southern border.

Despite the European Union dogma of freedom of goods, people, and capital France closed in a reaction to the migration from Northern Africa its borders to Italy and reintroduced border control temporarily. Furthermore, both countries called for reconsiderations regarding the Schengen Agreement. The same situation was experienced in 2015 when migration to Europe was at its highest rate. Effectively, the Schengen Agreement was temporarily disabled during that period portraying the limitations of Europe's free mobility in times of political crisis.⁶⁴ The reintroduced border controls within the Schengen Area were not the only indicator for the limitations of the capacity to deal with migration. Also, the withdrawal of the United Kingdom from the European Union

⁶² Ayata, Bilgin (2017): *Migration und das europäische Grenzregime nach den arabischen Revolutionen*, p. 114.

⁶³ European Commission (2020): *Statistics on migration to Europe*, URL: https://ec.europa.eu/info/strategy/priorities-2019-2024/promoting-our-european-way-life/statistics-migration-europe_en (as consulted on 20.09.2021).

⁶⁴ Ayata, Bilgin (2017): *Migration und das europäische Grenzregime*, p. 124.

was highly influenced by migration to Europe as some 50% of the leave-voters called immigration as their main motive.⁶⁵

Further collective measures by the European Union and its member states targeted at containing irregular migration on the external borders were the so-called Hotspot approach and the EU-Turkey Deal. Both, the Hotspot approach, and the EU-Turkey deal appeared with high concerns regarding their conformity regarding human rights.

4.4.1 Normative-Behavioural Paradox

The European Union's self-depiction of acting as a 'normative power' guided by values and aiming to foster moral foreign policy in international relations has been frequently criticized for what is known as the rhetoric-practice gap. Against the background of "the EU's rhetorical commitment to democracy, the rule of law and human rights, most literature offers an interest-driven narrative of EU policies [...], in which security and economic concerns prevail."⁶⁶ This becomes particularly visible through Europe's willingness to support authoritarian regimes which held Europe's southern border countries, especially in Northern Africa, in their tight grip throughout many years before the uprisings in the region began in 2010. The European Union provided them with "much needed international legitimacy and financial support, whenever this was perceived as functional to achieving its security objectives, even if this was against the proclaimed imperative of supporting democracy."⁶⁷ The Hotspot approach as it has been applied in the cause of the European Migrant crisis from 2015 is another example that brought along certain human rights concerns mainly explained with inhumane living standards in camps where the migrants were held until their claims for asylum in the European Union were processed.⁶⁸ During the process of processing the requests for asylum, migrants are kept confined in hotspots for an indeterminable period of time that differs

⁶⁵ Blinder, Scott & Richards, Lindsey (2020): *UK Public Opinion toward Immigration: Overall Attitudes and Level of Concern*, in: *The Migration Observatory, at the University of Oxford COMPAS (Centre on Migration, Policy and Society)*, URL: <https://migrationobservatory.ox.ac.uk/resources/briefings/uk-public-opinion-toward-immigration-overall-attitudes-and-level-of-concern/> (as consulted on 20.09.2021).

⁶⁶ Roccu, Roberto & Voltolini, Benedetta (2018): *Framing and reframing the EU's engagement with the Mediterranean*, p. 3.

⁶⁷ Ibid.

⁶⁸ The Hotspot approach describes a method of the European Union which is designed to relieve pressure from the border countries of the EU. This happens in a way in which asylum claims and readmissions are being processed in close proximity to where the migrants reach European land. Due to limited capacity, asylum claim processing takes time and migrants are being held in camps with limited freedom of movement and consequently concerning living conditions in the temporarily established camps.

from case to case or hotspot to hotspot, endangering the hotspot's ability to maintain humane circumstances due to the constant influx of people but limited space.

4.4.2 The EU Turkey Deal and its Legal Discontent

Concerns over international law commitments, particularly the Geneva Convention, arose as a result of the EU-Turkey agreement. In addition to the Hotspot approach, the European Union passed the so-called EU-Turkey statement, which became the subject of heated debate ever since for reasons that are discussed throughout this subchapter.

The European Union's main incentive was to reduce the influx of migrants crossing the border between Turkey and the EU's southern border, namely the Greek Islands in the Aegean Sea. In 2015, the Aegean border between Turkey and Greece was the most popular entrance point for migrants passing through Turkey on their way to Europe. According to Angeliki Dimitriadi, more than 700.000 migrants from Turkey arrived on Greek islands in 2015, putting pressure on the European Union to find solutions to manage the influx.⁶⁹ It demonstrated once again Turkey's geopolitical significance at the crossroads of Europe and Asia.

The EU-Turkey deal is founded on a simple system: For every rejected asylum application of a migrant coming from Turkey to the European Union one Syrian refugee should be granted legal asylum to make his migration to the EU possible. Further, to limit the influx of migrants into the European Union, Turkey should improve its marine border as well as its land border protection to Greece and Bulgaria. Turkey would get direct monetary and financial aid in humanitarian, development and infrastructure projects within the country in exchange.

Remarkably, the entire EU-Turkey agreement is only conceivable because the European Union classified Turkey as a safe third country in 2015, which coincided timely with the Arab Spring (see chapter 4.1.3).⁷⁰ Designated as a safe third country by the EU, Turkey became lawfully a country to which deportations of refugees from the islands could be done, disregarding the fact that Turkey does not meet the criteria of being a safe third

⁶⁹ Dimitriadi, Angeliki (2018): FEUTURE – The Future of EU-Turkey Relations, p.11.

⁷⁰ Heck, Gerda & Hess, Sabine (2017): *Tracing the Effects of the EU – Turkey Deal – The Momentum of the Multi-Layered Turkish Border Regime*, in: *Movements – Journal for Critical Migration and Border Regime Studies*, Vol. 3, Nr. 2, URL: <http://movements-journal.org/issues/05.turkey/04.heck,hess--tracing-the-effects-of-the-eu-turkey-deal.html> (as consulted on 27.09.2021).

country. The EU did so in violation of its own asylum return regulation, which states that a country may provide refugee protection in accordance with the UN Refugee Convention but may not return them to countries where their safety is threatened – the so-called non-refoulement principle. Neither is the case for Turkey. Turkey though ratified the Geneva Refugee Convention but did not lift the territorial reservation. Until 1951, the Geneva Refugee Convention clearly defined refugees as those who were displaced during or after World War II. Essentially, the term ‘refugee’ refers originally to people fleeing Europe. This concept was changed in the 1967 supplementary protocol to the *Convention Relating to the Status of Refugees*, which broadened the definition by removing the territorial concentration on Europe and the post-World War II period.⁷¹ Turkey is one of four nations that did not ratify the agreement, which means that in Turkey people fleeing war and other types of violence in general are not always considered refugees under international law. As a result, Turkey is legally free to deport or return asylum seekers to countries such as Iraq, Syria, and Afghanistan, prompting legal scholars and non-governmental organizations to harshly condemn the deal.⁷² The deal must therefore be evaluated as an indicator that the European Union does not stick to its own normative rules and even international agreements if it comes to massive migration to the Schengen Area.

4.5 Observations, Tendencies, and Adjustments within the European Migration policies in the pre- and post-crisis period

Two key-observations can be made regarding the formation of the European migration policy from 1957 until the early 2000s. Certainly, the European Union relies on its founding idea of further integration of regulations, laws and policies including the sphere of migration. Therefore, the first is the one of harmonization. Pooling and allocating national sovereignty into supranational organizational structures presupposes the lowering of inner-European border mechanism but in parallel intensifies border mecha-

⁷¹ UNHCR (1966): *Convention and Protocol Relating to the Status of Refugees*, URL: <https://www.unhcr.org/protection/basic/3b66c2aa10/convention-protocol-relating-status-refugees.html> (as consulted on 27.09.2021).

⁷² Ayata, Bilgin: *Die tödlichste Grenze*, in: *Kultur Austausch – Zeitschrift für internationale Perspektiven* 2/2020, URL: https://www.zeitschriftkulturaustausch.de/de/archiv?tx_amkulturaustausch_pi1%5Bauaid%5D=3802&tx_amkulturaustausch_pi1%5Bview%5D=ARTICLE&cHash=caaf8426f52cf9463a2d7bcabf9c48cd (as consulted on 27.09.2021).

nisms on the external border of the European Union. Interestingly, prior to the Schengen Agreement the obstacles to migrate from underprivileged third countries such as countries from the Global South to countries in Europe have become more difficult. This is particularly visible through the visa policies that have become stricter after the establishment of the Schengen Area.⁷³ Whereas some peoples mobility rights have increased others have decreased at the same pace. All in all, globalization leads to increasing mobility on the one hand and to exclusion on the other. Exclusion lays partly in the founding European idea and the mechanisms in how to achieve a common European identity. Obviously, European integration is concerned with creating a European identity and therefore the exclusion of non-members and the demarcation from the “other” is being used for the manifestation of a collective identity.⁷⁴ Current research came to the same findings, which empirically prove the simultaneous appearance of debordering and bordering processes. According to sociologist Steffen Mau from Humboldt University in Berlin every increase of mobility and debordering automatically leads to a strengthening of borders in another location. In an interview with a German newspaper magazine, he emphasized a parallel opening and closure of borders in the timely cause of global or regional market developments.⁷⁵ A similar development is identifiable during the period of Europe’s integration. Whereas inter-European mobility of goods, people, services, and capital has been made continuously delimited common new borders were established on the external borders of the European Union. The intertwinement between European integration in demarcation to the “non-European” creates consequently both, spheres of inclusion and spheres of exclusion.

Exclusion is the keyword leading to the other key observation within European Union migration policy for the years between 1957 and the early 2000s. The differentiation into wanted and unwanted migration. The selectivity that borders depict lays in the definition of borders as articulated by Étienne Balibar:

⁷³ Götzke, Manfred (2021): *Globalisierung – “Ab 2001 sind die Grenzen enger geworden”* (Interview mit Steffen Mau), in: *Deutschlandfunk*, URL: https://www.deutschlandfunk.de/globalisierung-ab-2001-sind-die-grenzen-enger-geworden.694.de.html?dram:article_id=502672 (as consulted on 13.09.2021).

⁷⁴ Karyotis, Georgios (2007): *European Migration Policy in the Aftermath of September 11*, in: *Innovation: The European Journal of Social Science Research*, vol. 20, no. 1, p. 9.

⁷⁵ Ulrike, Baureithel (2021): *“Wohlstand baut Mauern (Interview with Steffen Mau)”*, in: *der Freitag*, URL: <https://www.freitag.de/autoren/ulrike-baureithel/wohlstand-baut-mauern> (as consulted on 06.09.2021).

“[...] borders ‘do not work in the same way *equally* for all *people*, and notably not for those who come from different parts of the world (Balibar 2002:91)’. Indeed, selectivity appears to be an aspect of any border. The very concept of borders aims at distinguishing between *inside* and *outside*, between access and rejection, between membership and exclusion. [...] nation states respond to the demands of an increasingly globalized economy, new geopolitics, the emergence of an international human-rights regime and the proliferation of popular demands for mobility rights with a twofold strategy: they open and close their borders making them more selective.”⁷⁶

Although borders are defined as selective, the utilization of this feature is something worth noting. With externalization technologies the European Union technologized the selective character of its borders according to its own ideas and needs regarding the founding principles of the Union: Security, freedom, and the common market. This depicts a certain governmental rationale that applies techniques which separates wanted, such as educated or economically beneficial people from unwanted ones and points therefore primarily to the selective nature of immigration control in the European Union.

A rather recent development can be observed in the later years of the period covered. With the communications made in the Tampere convention and later in the Hague Programme a paradigm shift within migration policies appears in the outlines: The positive contributions that migration may hold are being emphasized. The economization of migration is being subsumed under the globally emerging new term of “migration management” of the leading industrial states to maximise the positive effects of migration regarding their own benefits. The new depiction of migration was not anymore necessarily connotated with concern regarding security, wealth, or cultural identity but more with the positively connotated picture of potentially social and economic enrichment if managed in the right manner.⁷⁷

The European Union and the integration of its member states was from the beginning not only a matter touching upon internal but had also large implications on external policies. To that end multi-layered techniques had first and foremost the security rationale to ensure the sustainability of the European area of freedom, security and justice against

⁷⁶ Mau, Steffen [et al.] (2012): *Liberal States and the Freedom of Movement – Selective Borders, Unequal Mobility*, New York, Palgrave Macmillan, p. 48.

⁷⁷ Ibid. p. 84.

the new challenges arising through increased global mobility.⁷⁸ Controlling unwanted migration made third countries on the European periphery play a crucial role as partner-
ing countries benefitting from international legitimation or financial aid through part-
nership in exchange for preventing migration to Europe. The European Union's gov-
ernmental logic in this regard is based on the paradox situation of on the one hand de-
picting itself as a normative power, advocating the importance of democracy and human
rights, but on the other hand legitimizing authoritarian partnership countries on its pe-
riphery when security concerns through irregular migration predominate. Overall, Eu-
rope's strategy regarding has an interest in benefiting i.a. economically or at least not to
disbenefit from migration to the Schengen Area through e.g. security concerns.⁷⁹ A tight
restriction of mobility was introduced when perceived security aspects of migration
outweighed as happened in the 2010s. Assessing the migration in 2015-2016 as a secu-
rity threat to the European Union its government did not hold back agreeing on tech-
niques that breach international agreements such as the Geneva Convention and under-
mined the right of asylum for the sake of stability and decrease of political turmoil with-
in its internal borders.

Externalization and selective immigration can be identified as the overarching approach
dominating the migration policies. Further a certain flexibility outside of international
and self-attributed norms are consulted when it comes to situations acutely perceived as
security threats.

5. Case Study: The EU-Turkey Deal and its Two-Dimensional Approach of Migration Governance

The following chapter and its subchapters will discuss the EU-Turkey Deal in detail,
embed it in both the underlying theory of this thesis and the observed larger rationale of
the European Union migration policy and its changes and continuities. Further, it will be
evaluated if the European migrant crisis and the EU-Turkey Deal as one of its outcomes
may be considered as an indicator that could point towards a scenario which implies a

⁷⁸ Yildiz, Ayselin Gözde (2016): *The European Union's Immigration Policy*, p. 41.

⁷⁹ At this point it is important to emphasize the diversification of the security term. With the end of the Cold War the security term experienced a re-conceptualization, opening it away from solely military threats to a more multi-faceted concept including amongst others societal, economic, and environmental threats (See Yildiz, Ayselin Gözde (2016): *The European Union's Immigration Policy*).

paradigm shift in the European migration policy towards the countries on their periphery exemplified here with the Turkish case.

In line with the given context given above, the research question of the thesis was articulated as follows: Which migration management techniques are identifiable in the EU-Turkey deal and how do they pursue short- and long-term goals of the European Union? By the help of further sub questions, the governmental rationalities behind the EU-Turkey deal are being brought to light. Further it will be asked to what extent it follows the logic of the European migration and asylum policies until now which have been highly shaped by security considerations, externalisation, but also more recently in possible benefits of migration. From the analysis of the deal it will be also assessed which long-term strategy the European Union applies to Turkey and whether any conclusions could be drawn from the Turkish case towards a change in European migration policy in general.

Whereas most of the research on the EU-Turkey deal and the European migrant crisis 2015 focused on the human rights related issues as discussed partly in the chapters above the identified research gap of this thesis lays in the actual implementation of the deal along the lines of reactionary short-term and supposed long-term targets of European migration management.

5.1 EU-Turkey Deal: General Conditions

In March 2016 the existing cooperation between the European Union and Turkey regarding the refugee crisis was further expanded. Before that, Turkey opened its labour market to Syrians under Temporary Protection and visa regulations in Turkey were eased for Syrians and people of other third countries.⁸⁰ The agreement that came into being and was later known as the EU-Turkey deal had at first glance a rather simple functionality. It contained the briefly mentioned ‘one-for-one-deal’ which implies that for every readmitted irregular migrant identified on the Greek islands in the Aegean Sea one Syrian from Turkey will be settled to the European Union. Prioritized for the reset-

⁸⁰ Europäischer Rat – Rat der Europäischen Union (2016): *Pressemitteilung: Erklärung EU-Türkei*, 18. März 2016, URL: <https://www.consilium.europa.eu/de/press/press-releases/2016/03/18/eu-turkey-statement/> (as consulted on 04.10.2021).

tlement to the European Union will be particularly those “who have not previously entered or tried to enter the EU irregularly.”⁸¹

Turkey in this agreement plays the role of the gatekeeper on the European border which takes care that people willing to migrate would not even get close enough to the European border to claim asylum as the asylum claims are supposed to be processed within the structures of UNHCR inside Turkey as part of the deal. The incentives for Turkey to be part of this deal were given through the outlook of liberalising the visa regulations for Turkish citizen to travel to the European Union. Further, a closer integration of Turkey within the European Union customs union was promised to be installed as well as the Turkish accession negotiations which experienced a deadlock within the years prior to the European migrant crisis were promised to be re-energised. Last but not least, the European Union committed itself to pay 6 billion euro within the frame of the Facility for Refugees in Turkey (FRiT) that aims to

“ensure funding of further projects for persons under temporary protection identified with swift input from Turkey before the end of March. A first list of concrete projects for refugees, notably in the field of health, education, infrastructure, food and other living costs, that can be swiftly financed from the Facility, will be jointly identified within a week.”⁸²

5.2 Dimensional Duality of the EU-Turkey Agreement

Looking more closely at the effects of the deal, one finds that a division of the content into two dimensions is appropriate. First, there are the measures that emerged from the situation as a short-term remedy to deal with acute difficulties. On the other hand, there is also a long-term financing strategy of humanitarian and development projects paid by European funds in Turkey. Assuming that a deal is characterized by a profitable situation for both sides, it is interesting to analyse how far the two dimensions, short-term remedy, and long-term financing of development processes are embedded in a political rationale of migration policy and which economic and political logics they follow. According to the argument of the thesis, both dimensions follow short- and long-term objectives of the European Union respectively.

⁸¹ Ibid.

⁸² Ibid.

At this point it must be mentioned that evaluating the efficiency of projects funded by the European Union does not fall into the scope of this thesis. It will be merely tried to unveil the reason and to make sense of the final configuration of the deal according to certain governmental rationalities.

5.2.1 Short Term Dimension of the EU-Turkey Agreement

The short-term rationale and implications of the agreement are apparent and were introduced above (see chapter 4). Overall, the European Union has seen the necessity for the deal with Turkey because of insufficient capacity for adequate reception of refugees, the unwillingness of some states refugee distribution according to the Dublin regulation, the lack of integration infrastructure, and the consequent rise of right-wing populist and eurosceptic parties in Europe.⁸³ Exemplary, the departure of the United Kingdom from the European Union was highly influenced by the happenings during the ‘Summer of Migration’ 2015 and so was the rise or empowerment of anti-refugee and anti-European political parties in almost every country of the Union.⁸⁴ It is these events that pose an existential threat to the entirety of the European Union and threaten to break it apart. In line with Nikolas Rose, moments, where certain happenings are problematized are the ones where ”mentalities and their forms of reason can be identified.”⁸⁵ The problematization which were faced in this context are evident and required a response in order to continue to guarantee the cohesion of the European Union. As a reaction to the problematization of the effects of massive migration to Europe the EU-Turkey deal accordingly offers a timely basis to explore the mentalities of governance.

Based on an economic model, the EU-Turkey deal is a pragmatic solution for the short-term remedy of a problematic situation. It can be seen as a trade-off between political costs and financial costs, where the political costs so far and those anticipated for the near future have been transferred to a trading partner through financial means. This is based on quasi-market logics in which purchasers and providers of services agree on a deal. The threatening scenarios within the European Union can be considered outcomes

⁸³ The Dublin Regulation establishes the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national

⁸⁴ Decker, Frank (2020): *Etappen der Parteigeschichte der AfD*, in: Bundeszentrale für politische Bildung, URL: <https://www.bpb.de/politik/grundfragen/parteien-in-deutschland/afd/273130/geschichte> (as consulted on 06.10.2021).

⁸⁵ Rose, Nikolas (2009): *Governmentality*, p. 3-4.

of the *political* and *social costs* of the Summer of Migration, as defined by Alexander Betts in his article published already in 2003 under the title *The political economy of extra-territorial processing: separating ‘purchaser’ from ‘provider’ in asylum policy*:

[...] the growing emergence of restrictive asylum policies is inextricably linked with public opinion and politician do respond to popular backlash. It is in the context of this wider political and media discourse that the median voter defines the perceived cost to the state. The most significant form this takes is in the cost to political capital. Asylum has increasingly become a major political and electoral issue, upon which many governments have opportunistically capitalised or strategically moved to the right to avoid losing ground to the far right’s challenge.”⁸⁶

The political costs are in that sense a parameter in parallel to the actual financial costs that every asylum seeker in the European Union creates for the receiving state through among others reception, registration, and accommodation in the asylum procedure, integration services such as language courses etc., or other social transfer services after the completion of the asylum claim.⁸⁷ As a result the incremental costs of an asylum-seeker is perceived

“not only as the financial cost of processing the asylum claim, but also the political and social costs of the presence of an asylum-seeker and all of the corresponding symbolic and mythological baggage held within the electoral imaginary.”⁸⁸

Consequently, when political, social, and financial costs outweigh the capacities of both the state infrastructure and the societal acceptance to receive migrants, states can through the formation of a contractual agreement pass their asylum burden to other states that accept to be compensated through financial or other diplomatic means.⁸⁹ The EU-Turkey deal is based on this logic. The agreement made the European Union according to the theoretical frame of Alexander Betts the ‘purchasing state’ outsourcing its own asylum obligation, whereas Turkey’s acceptance to take over the burden of the asylum processing and containing the influx to the European Union on the other hand made it a ‘providing state’. The EU-Turkey Agreement is therefore based on market-like logics between two states where the European Union outsources its migration bur-

⁸⁶ Betts, Alexander (2003): *The political economy of extra-territorial processing: separating ‘purchaser’ from ‘provider’ in asylum policy*, in: New Issues in Refugee Research No. 91, Geneva, UNHCR, p. 13.

⁸⁷ Statista (2020): *Höhe der Kosten des Bundes in Deutschland für Flüchtlinge und Asyl von 2020 bis 2025*, URL: <https://de.statista.com/statistik/daten/studie/665598/umfrage/kosten-des-bundes-in-deutschland-durch-die-fluechtlingskrise/#professional> (as consulted on 08.10.2021).

⁸⁸ Betts, Alexander (2003): *The political economy of extra-territorial processing*, p. 14.

⁸⁹ Due to its character of a political entity as a supranational union the European Union is treated as equivalent to a state in the classical sense.

den after revealing their willingness to pay not to deal with the given asylum seekers domestically and Turkey revealing their willingness to receive and being compensated through development aid or diplomatic exchange in return.⁹⁰ It serves the ends of preventing the threatening scenarios reflected in political and social costs in the European Union.

“Similarly, whether the means of payment is financial or non-financial, for example through diplomatic negotiation, the principle of contractual exchange remains the same. Extra-territorial processing is simply a form of quasi-market approach applied internationally, rather than domestically.”⁹¹

Additionally, the declaration of Turkey as a safe third country makes the agreement a very cost-efficient deal for the European Union. Cost-efficiency is defined here as the smallest cost (total of financial, social, and political costs) for a desired output. As an indicator for the desired output not only the avert of political and social costs but also the refugee protection must be taken into account.⁹² Contractual agreements between states regarding the outsourcing of asylum-burdens require a minimum compliance with the providing states towards the obligation of international refugee law. Through the declaration of Turkey as a safe third country the concerns about Turkey’s compliance with international refugee law, especially the Geneva Convention has been eliminated officially, although unofficial concern remain uphold (see chapter 4).

By the help of the EU-Turkey deal the short-term threats that the European Union was facing 2015 – 2016 could be successfully contained which is depicted in the decline of both the number of asylum claims and the approval for right-wing populist parties in the following years.⁹³ The European Union applied an approach based on economic reason, balancing out the political, social and financial costs of continuous migration influx with the financial costs of ‘outsourcing’ the burden to Turkey. Obviously, the European Union is making use of its financial and diplomatic leverage vis-à-vis Turkey on this

⁹⁰ Betts, Alexander (2003): *The political economy of extra-territorial processing*, p. 15

⁹¹ *Ibid.*, p. 9.

⁹² Refugee protection means the protection according to international law and standards that includes the 1948 Universal Declaration of Human Rights and the four Geneva Conventions (1949) on international humanitarian law, as well as an array of international and regional treaties and declarations [see UNHCR Refugee Protection: *A Guide to International Refugee Law*, URL: <https://www.refworld.org/pdfid/3cd6a8444.pdf>, (as consulted on 08.10.2021)].

⁹³ Jakob, Christian (2020): *Rechte Parteien in Europa: Und sie schwächeln doch*, in: taz.de, URL: <https://taz.de/Rechte-Parteien-in-Europa/!5656335/> (as consulted on 08.10.2021).

front. At the same time, however, the Turkish government is aware of its need to resume accession talks and of the importance of renewing the customs union, given that the EU is Turkey's most important trading partner. Considering the substantial financial resources flowing into Turkey on top of that, the situation becomes a win-win situation for the European Union and Turkey based to the quasi-market mechanisms that resulted in the deal as described above.

5.2.2 Long Term Dimension of the EU-Turkey Agreement

The long-term commitments of the European Union towards the situation are embedded in financial packages that are designed at first sight to relief Turkey with the humanitarian response to the refugee influx and to develop infrastructure which is supposed to lead to increased social cohesion between refugee communities and host communities of Turkey through supporting state and communal capacities and local initiatives.⁹⁴ The differentiation between humanitarian response and developmental response is of importance. Designed to cover the basic needs for saving lives and reduce suffering in the emergence or direct aftermath of an emergency, humanitarian aid is generally provided by states or non-state organisations to people in need if the local capacities are not enough to ensure measures to save lives or reduction of suffering. Development aid on the other hand responds to systemic or structural problems “that may hinder economic, institutional and social development in any given society, and assists in building capacity to ensure resilient communities and sustainable livelihoods.”⁹⁵ Within the financial commitments to Turkey in the frame of the Facility for Refugees in Turkey (FRiT) both a humanitarian and a developmental sphere are covered.⁹⁶ However, due to the short-term emergency response character of the humanitarian financial commitments it only makes sense to include the development project side in the analysis of the long-term objectives of the EU-Turkey deal, as development projects are by definition designed to improve conditions in a sustainable manner.

⁹⁴ Integration has been commonly replaced by the term social cohesion because integration has a potentially one-sided connotation that places the pressure to succeed exclusively on the community to be integrated.

⁹⁵ Humanitarian Coalition (2021): *From Humanitarian to Development Aid*, URL: <https://www.humanitariancoalition.ca/from-humanitarian-to-development-aid> (as consulted on 11.10.2021).

⁹⁶ European Commission (2021): *EU Facility for Refugees in Turkey List of projects committed/decided, contracted, disbursed*, URL: https://ec.europa.eu/neighbourhood-enlargement/system/files/2021-09/facility_table.pdf (as consulted on 11.10.2021).

The overall commitment of the European Union to Turkey in the frame of the Facility for Refugees in Turkey is 6 billion euros out of which roughly 3.5 billion euros are allocated in developmental projects and 2.5 billion euros in humanitarian assistance (see figure 1). It can be seen that throughout the years of fund allocations the financial tools for humanitarian response have decreased whereas development assistance has increased and will prospectively do so in the future as has been announced by the European Commission. For the years 2021-2023 the European Council on 24-25 June 2021 agreed to allocate 3 billion euros in additional EU assistance to refugees in Turkey.⁹⁷ The allocation of financial commitment within the next payment to humanitarian respectively development aid is not decided upon yet but it is likely that the amount for humanitarian projects will further decrease and focus will be laid on additional development project following the same evolution as the one observed between the first two tranches.

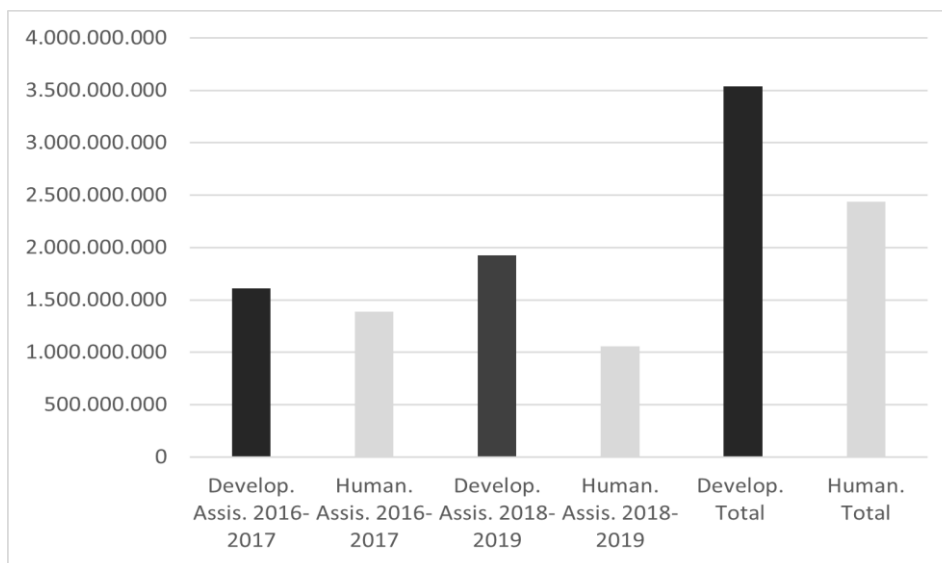


Figure 1: EU Financial Commitment to Turkey⁹⁸

The European Union itself describes the Facility for Refugees in Turkey as:

“[...] the answer to the EU Member States’ call for significant additional funding to support refugees in the country, and manages a total of €6 billion, mobilised in

⁹⁷ European Commission (2021): *Mid-Term Evaluation of the Facility for Refugees in Turkey: EU support made a significant contribution to the welfare of Syrians and others fleeing conflict in the region*, URL: https://ec.europa.eu/commission/presscorner/detail/en/IP_21_3438 (as consulted on 16.10.2021).

⁹⁸ Own figure based on data from the *EU Facility for Refugees in Turkey List of projects committed/decided, contracted, disbursed*, URL: https://ec.europa.eu/neighbourhood-enlargement/system/files/2021-09/facility_table.pdf (as consulted on 11.10.2021).

two tranches. The first tranche serves to fund projects that ran until mid-2021 latest (extensions excepted). The second tranche serves to fund projects which run until mid-2025 latest (most projects will finish earlier). The main focus areas are humanitarian assistance, education, health, municipal infrastructure, and socio-economic support.”⁹⁹

Moreover, although the cited quotes refer to an exclusive support to refugee communities or refugee related projects the target group of the Facility for Refugees in Turkey include Turkish host communities as well, which indicates a comprehensive approach towards both communities in developmental terms as recognizable through statements by Ambassador Nikolaus Meyer-Landrut, Head of the EU-Delegation to Turkey:

“Today marks the finalisation of the contracting of EUR 6 billion in EU support to refugees and host communities in Turkey. I am happy to announce that we put an important milestone behind us and now focus on making sure that the refugees and host communities will benefit from our projects. [...] The EU will also be prepared to continue providing financial assistance to Syrian refugees and host communities in Turkey.”¹⁰⁰

Development assistance serving both host communities and vulnerable groups is subsumed as an ‘integrated approach’ of development aid. Integrated assistance which focuses on projects and programmes within which refugees and citizen benefit from the same sets of services, infrastructure, labour market, training, and livelihood opportunities has potentially the capacity to overcome horizontal inequalities through equal opportunities and service provisions.¹⁰¹ Furthermore, it serves a broader approach to serve both refugees and host communities, which could be a conceivable condition of the Turkish government, but which could potentially also benefit the European Union prospectively. While the Turkish government has a short-term interest in ensuring the care of refugees and social peace in their country through the provision of funding, in order to improve overall conditions for Turkey in the long term, host communities must also be included in the development assistance approach.

⁹⁹ European Commission (2021): *The EU Facility for Refugees in Turkey*, URL: https://ec.europa.eu/neighbourhood-enlargement/system/files/2021-09/frit_factsheet.pdf (16.10.2021).

¹⁰⁰ Delegation of the European Union to Turkey (2020): *EU Completes Contracting under the EUR 6 Billion Package in Support of Refugees and Host Communities in Turkey*, URL: <https://www.avrupa.info.tr/en/pr/eu-completes-contracting-under-eur-6-billion-package-support-refugees-and-host-communities> (as consulted on 16.10.2021).

¹⁰¹ Betts, Alexander (2009): *Development assistance and refugees - Towards a North-South grand bargain*, in: *Forced Migration Policy Briefing*, Oxford, University of Oxford.

The allocated funds within the facility for projects on the developmental side desire a long-term influence on people's living conditions and thus on the people themselves. The main areas for project activities are located in protection, health, socio-economic support, municipal infrastructure, migration management and education (see figure 2). From the figure, we can also detect that the sectoral priorities – at least according to the amount of funding allocated – are given to education, socio-economic support, and health. Financially less supported sectors were municipal infrastructure, migration management and protection.

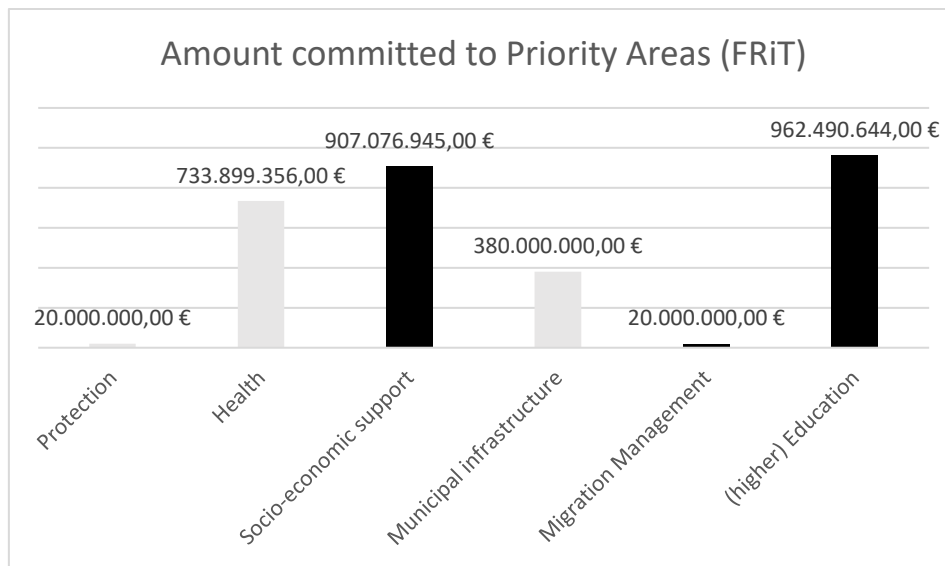


Figure 2: Amount committed to Priority Areas FRiT¹⁰²

Particularly interesting for the argument of this thesis are the sector of education and socio-economic support because they directly aim at increasing the human capital and productivity within the targeted populations and can be considered as an intervention with participation of European political interests into the population of Turkey. The following subchapters analyse exemplary the economic ends of both priority areas.

5.2.2.1 Education

The fund allocation within the Facility for Refugees in Turkey aims at two distinct targets within the education sector. The first, aiming primarily at the refugee population, is enrolment of refugee youth into formal primary and secondary education through ad-

¹⁰² Own figure based on data from *the EU Facility for Refugees in Turkey List of projects committed/decided, contracted, disbursed*, URL: https://ec.europa.eu/neighbourhood-enlargement/system/files/2021-09/facility_table.pdf (as consulted on 11.10.2021).

addressing the barriers to education access and therefore increasing the number of refugee youth situated in formal education. The second target includes the host-communities into the development target and is defined as capacity building measures in the sector. Capacity building measures mean here opening ways of employment for more teaching personnel through the take-over or stock-up of the salaries, offering trainings to teaching personnel to increase the quality of education, or improving the infrastructure through procurement of equipment, such as educational supplies, furniture or similar.¹⁰³ Education is the basis for the accumulation of human capital and consequently for economic growth. Research by Alexander Betts on has given evidence, that the return for each year in primary, secondary, or tertiary education increases the expected returns of economic income by a remarkable amount:

“For each year their income goes up on average 3.3% per year [...] for primary education it is a 2.4% increase per year, for secondary education a 4.5% increase and for tertiary education you get a 6.2% higher income per year of your career as a result of each year in the university system.”¹⁰⁴

Noting that these figures have been collected in a geographical context that is not Turkey, it can nevertheless be assumed that the basic scientific insight from them points universally towards the same direction. The greater the educational opportunities of the refugees are the bigger is their economic output in the long-term. The same is applicable to host communities. Even though access to education is widely available in Turkey increasing the quality and capacities of education may simultaneously increase the economic productivity overall.

Beneficiaries of education of increasing quality get not only economically more productive but also become prospectively less dependent on the help of the state. They can support themselves independently and at the same time contribute to the economy of the host community. The integrated approach of the projects covered by the Facility for Refugees in Turkey makes it possible that host communities benefit equally from the educational programmes leading prospectively to a simultaneous outcome of increased economic productivity.

¹⁰³ European Commission (2021): *Mid-Term Evaluation of the Facility for Refugees in Turkey*, p. 27.

¹⁰⁴ Betts, Alexander (2016): *Refugees as a Resource*, recorded at Oxford University's Saïd Business School 13th Skoll World Forum on Social Entrepreneurship, 15. April 2016, URL: <https://www.rsc.ox.ac.uk/news/alexander-betts-speaks-at-the-skoll-world-forum-on-2018refugees-as-a-resource2019> (as consulted on 18.10.2021).

Looking at the targeted promotion of educational opportunities against the theoretical background, one can answer the three fundamental questions of governmentality studies 'How should we govern? What should we govern and why should we govern' and identify thereby the basic rationale behind this particular development cooperation between Turkey and the European Union. The answer to all those questions is related to the anticipated higher economic output through educational opportunities. This also resembles the Foucauldian definition of government per se when it is being tried to shape the calculated direction of people in a certain direction and ways of life which is being supported by comprehensive provision of education. Furthermore, biopolitical characteristics come to light through the integrated assistance in that it aims at a cultivation of the population, which is designed to enhance the quality of life and economic prosperity.

5.2.2.2 Socio-economic support

Similar conclusions can be drawn from the socio-economic support dimension of the Facility for Refugees in Turkey which targets officially at “vocational education and labour market integration programmes”.¹⁰⁵ The projects are designed to increase the skills, entrepreneurial activity, or capacities of private sector companies (see figure 3) situated in a position in which the benefit of the targeted people and private sector partner is expected to be mutually reproductive. Eventually, the projects aim at increasing self-reliance and economic livelihood for each beneficiary of the targeted groups and host communities alike in the sectors in a sustainable manner.

¹⁰⁵ European Commission (2021): *Mid-Term Evaluation of the Facility for Refugees in Turkey*, p. 27.

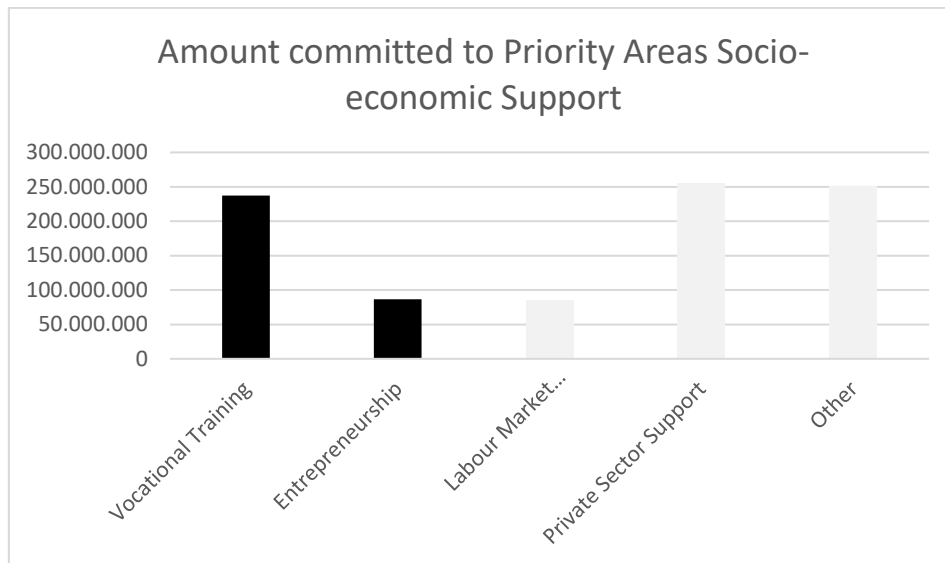


Figure 3: Amount committed to Priority Areas Socio-economic Support¹⁰⁶

The allocation of funding for projects in this sector depicts a neoliberal approach in the composition of development projects. Vocational trainings, the associated acquisition of professional knowledge, and ways of working reflect a reproduction of certain market principles, which are organized on the basis of productivity-enhancing rationalities. This becomes even more visible through the targeted improvement of entrepreneurial opportunities as entrepreneurship represents a fundamental idea in the neoliberal economic order according to the lines of self-responsibility, self-reliance, and the appreciation of entrepreneurial activity.¹⁰⁷ According to Foucault neoliberalism is a political rationality to which the subjects and the state have to organize themselves along the lines of a specific form of market rationality. By supporting and conducting entrepreneurial activities the targeted population may change individual behavioural patterns through the incorporation of market-like mentalities and behaviours as well as the educational and cultural cultivation of a new, self-promoting and self-controlling entrepreneurial individualism.¹⁰⁸

The composition of development aid in the socio-economic dimension reproduces the rational which assigns the state a role as protector of the market, leading to a profound

¹⁰⁶ Own figure based on data from *the EU Facility for Refugees in Turkey List of projects committed/decided, contracted, disbursed*, URL: https://ec.europa.eu/neighbourhood-enlargement/system/files/2021-09/facility_table.pdf (as consulted on 11.10.2021).

¹⁰⁷ Virchow, Fabian (2008): *Der neoliberale Staat, die private Produktion von „Sicherheit“ und die Transformation der Bürgerrechte*, In: Butterwegge, C. [et.al.]: *Neoliberalismus*, Wiesbaden, Verlag für Sozialwissenschaften, p. 224.

¹⁰⁸ Ibid.

and transformation of social spheres that are economised and reshaped in a way that maximises the economic opportunities of the population for the benefit of the population as a whole. The developmental projects in Turkey suggest that they attempt not only to solve the problem of massive migration to Turkey but turn it into an advantage through the application of techniques shaped by underlying governmental rationalities.

6. Analysis and Discussion

The following subchapters discuss the covered contents and conditions of the EU-Turkey deal against the background of the elaborated theories of chapter two. The main research question of this thesis was, which migration management techniques are identifiable in the EU-Turkey deal and how do they pursue short- and long-term objectives of the European Union? Based on the qualitative literature and document analysis the rationale behind the EU-Turkey deal for the European Union towards the state of Turkey and the people residing in Turkey can be interpreted along the following three statements which are discussed in the subchapters below: (1) European migration policy follows a biopolitical rationale in their techniques of government, (2) Governmentality of development partnership based on neoliberal considerations, (3) Making Turkey a migration hub on the European Union's periphery maximizes the benefits of migration to the European Union now and in the future.

6.1 Biopower and Disciplinary Techniques over Mobility

The biopolitical rationale within the EU-Turkey deal does not only come to light through the fact that migration and asylum policies are by definition targeting at the body and composition of populations but more so through the idea of what an optimized population body should look like. The European Union follows a general policy of selective migration which differentiates between 'good' and 'bad' migrants. While 'good' migrants, the ones who meet the conditions for entry into the Schengen area, either through financial arguments or because they can enter either through educational programs or recruitment agreements, 'bad' migrants without relevant arguments for entry remain outside the borders of Europe. The idea of a certain social development of populations - also effected through migration - is constructed through political reasoning based on economic decision-making. Economic decision-making is in this sense not limited to financial costs but also political and social costs such as popular sentiment

regarding intake of people. Where migration is facilitated, such as in tourism or education and recruitment programmes the potentially beneficial factors for the economy are being emphasized. In that sense, migrants are being seen as commodity potentially cultivating the receiving economy. Migration of migration-willing people that do not - or not evidently – have the abilities to cultivate the receiving economy is not facilitated but prevented.

Until the EU-Turkey deal, asylum seekers who had to flee violence in their countries of origin were excluded from this market-oriented type of migration management. Their status and protection are covered by the Geneva Convention and therefore generally not taken into the equation of maximizing the outcomes of migration. With the EU-Turkey deal the right for asylum is undermined (see chapter 4.5.2) and refugees in Turkey are pushed to the side of unwanted migration based on considerations of the political and social costs it would cause in the European Union (see chapter 5.2.1). The fact that many migrants which are willing to migrate to the lands of the European Union risk their lives during the dangerous travel from Turkey to Greece is an indicator for a governmental rationale that takes life and death into the equation. The regularization of mobility of asylum seekers in Turkey is a matching illustration of the famous quote by Michel Foucault which states that modern concepts of sovereignty do not take life and let live but rather consist in making live and letting die. European live is being “made” with the exclusion of many asylum seekers with a righteous claim for refuge. The exclusion of the latter takes place in a way in which the European border regime minimizes the incentives for onward migration to Europe which has been made illegal by the EU-Turkey deal and by means of biopower and thus enforcing compliance with the European migration regime. Michel Foucault describes leaving someone to die as the most extreme of all forms of exclusion which makes the precarious situation to which irregular migrants are exposed on their way to Europe a means of pushing exclusion to the extreme.¹⁰⁹ In addition to the extradition of the threat of death in the crossings from the Turkish mainland to the Greek islands in the Aegean Sea, other disciplinary techniques complement the discouragement of irregular migration. On the one hand, there are the disastrous conditions in the Greek hotspots, which were described above (see chapter 4.5.1). Here, too, a price is demanded for the onward journey to Europe, which corre-

¹⁰⁹ Foucault, Michel (2003): *Society Must Be Defended*, p. 249.

sponds to the abandonment of the preservation of the integrity of life. Additionally, the governance of the behaviour of willing migrants is added by privileging obedient migrants who did not attempt to enter the European Union through irregular channels in accordance with the statement of the European Commission for prioritization of those for the resettlement to the European Union which “have not previously entered or tried to enter the EU irregularly.”¹¹⁰ This technique complements state incentives and illustrates the targeting of subjugating human behaviour in the European migration regime.

That the interplay of biopolitical considerations and disciplinary techniques for certain behaviours achieve their purpose in terms of the European Union's migration regime is shown by the numbers of cross-sea migrations from Turkey to Greece before and after the EU-Turkey deal was made. The undermining of the right to asylum has significantly reduced the number of irregular migrants crossing the border from Turkey to Greece, from around one million in the months before the establishment of the agreement to around 26,000 in the twelve months after. In the same period, the number of those who died during the sea passage fell from around 1,100 to 81 people.¹¹¹ Interestingly, at the same time, the number of highly qualified regular immigrants from Turkey - for a variety of reasons, the analysis of which would exceed the scope of this thesis - multiplied, as exemplified by a study from 2020 on the migration of highly qualified migrants to the German capital city of Berlin.¹¹² This does not prove a causal relationship, but it does reflect the extent of the neoliberal governmentality, which focuses on the cultivation of economic competitiveness and opposes those who are considered both being useless or unnecessary for the economic market and to produce social costs, by the means of the most extreme forms of exclusion.

One could argue that the biopolitical rationale behind the EU-Turkey deal is not an accurate description of European governmentality because it grew out of an exceptional situ-

¹¹⁰ Europäischer Rat – Rat der Europäischen Union (2016): *Pressemitteilung: Erklärung EU-Türkei*, 18. März 2016, URL: <https://www.consilium.europa.eu/de/press/press-releases/2016/03/18/eu-turkey-statement/> (as consulted on 04.10.2021)

¹¹¹ Seufert, Günter (2021): *Die Türkeiipolitik der künftigen Bundesregierung: Konfliktlinien und Kooperationsfelder*, in: *SWP-Aktuell NR. 65*, Stiftung Wissenschaft und Politik, p. 3., URL: https://www.swp-berlin.org/publications/products/aktuell/2021A65_Tuerkeipolitik_Bundesregierung.pdf (as consulted on 23.10.2021).

¹¹² Okumuş, Mehmet Oğuzhan (2020): *How Berlin Attracts the Turkish “New Wave”: Comparison of Economic and Socio-Cultural Pull Factors for Highly Skilled Immigrants*, in: *Working Paper, No. 142/2020*, Hochschule für Wirtschaft und Recht Berlin, URL: <https://www.econstor.eu/bitstream/10419/217223/1/1698136617.pdf> (23.10.2021).

ation and thus does not represent the paramount rationality of political action. However, Giorgio Agamben, described it already as early as in the year 2004 that the state of exception as a right in which legal validities are suspended becomes increasingly the dominant paradigm of governance in contemporary politics¹¹³, of which the EU-Turkey Deal becomes a further indicator.

6.2 Neoliberal Fundaments of the Development Partnership

Turkey is not a conventional development country. Responses to refugee flows are generally addressed through short-term emergency humanitarian aid rather than long-term development policies, which take a different approach (see chapter 5.2.2). Moreover, Turkey did not receive any development aid in the years preceding the refugee crisis, as it already has a developed infrastructure and state structures and, due to these characteristics, finds itself in the circle of the G20 and OECD countries (both organizations are characterized by their member countries being important industry or emerging economies or having a high per capita income).¹¹⁴ On the contrary, Turkey itself has become one of the world's largest donor countries.¹¹⁵ Nevertheless, there is a development partnership between the European Union and Turkey in the face of the refugee crisis, which is based on a supposed win-win situation that reconciles the agenda of both actors. The benefit of the situation for Turkey is rooted in the financial support for the integration of the refugees, but also of the host communities, whose level of education, access to the labour market, opportunities for entrepreneurship or the like are facilitated consequently. On the one hand they improve the expected economic contribution of the supported people and, on the other hand, serve the neoliberal premise of self-discipline, self-responsibility, and self-reliance, thus following the Foucauldian example in which the 'reason of state' is trying to utilize the subjects in a way in which they become obedient and preferably a useful part of the society (see chapter 2.1.2). The composition of development cooperation between the European Union and Turkey thus follows the ra-

¹¹³ Agamben, Giorgio (2004): *Ausnahmezustand: Homo sacer*. Frankfurt am Main: Suhrkamp. p. 9.

¹¹⁴ Hoffmann, Sophia and Samuk, Sahizer (2016): *Turkish Immigration Politics and the Syrian Refugee Crisis*, in: *Working Paper Research Division Global Issues, 2016/No. 01*, Stiftung Wissenschaft und Politik, p. 22, URL: https://www.swp-berlin.org/publications/products/arbeitspapiere/Working_paper_Hoffmann_Turkish_immigration_policy.pdf (as consulted on 25.10.2021).

¹¹⁵ Hausmann, Jeannine (2014): *Turkey as a donor country and potential partner in triangular cooperation*, in: *Discussion Paper / Deutsches Institut für Entwicklungspolitik*, Deutsches Institut für Entwicklungspolitik gGmbH, p. 3.

tional of neoliberal governmentality whose desired effect is to have certain development prospects on the groups targeted. At the same time, the benefits of the partnership for the Turkish government are based on the promise of the European Union to lower the obstacles for mobility of Turkish citizens in the Schengen area, for example by facilitating visas applications. At this point, it is worth recalling the image given by sociologist Steffen Mau, discussed above, which speaks of a recurring simultaneity of the lowering of barriers in one place with the raising of barriers in another place. With the EU-Turkey deal, the geographical dimension of this observation cannot be proven, but the simultaneity of the raising and lowering of barriers for different population groups within the same country is emblematic for the same phenomenon.

For the European Union the benefit from this situation is not limited to the fact that irregular migration is prevented alone neither but is also reflected in the expected social development of Turkey's inhabitants. In the context of the situation in Turkey, as a country on the periphery of Europe, the approach of 'integrated assistance' for refugees and host communities can be interpreted ambiguously when considering the long-term maximization of migration potential. On the one hand, integrated assistance obviously helps to remedy the so-called root-causes, however, in the current constellation, this does not aim at combating the causes of flight in the countries of origin, but at combating the causes of further migration in the transit country. By easing migration pressure with developing sufficient infrastructure, education possibilities and labour market support the European Union supports actively the idea of unmaking Turkey a transit country for refugees. Simultaneously, the composition of the integrated assistance concept also reveals the governmentality in the European approach, which aims to direct the overall development of Turkey's population to a positive extent by regulating, controlling and shaping the productivity, educational level and self-reliance of the inhabitants towards specific ends (see chapter 2.1.2). International organizations such as the UN agencies, the World Bank or national development aid organizations such as the German Corporation for International Cooperation (GIZ), Credit Institute for Reconstruction (KfW) or Expertise France, which are entrusted with the implementation of the development targets and have sophisticated monitoring and data collection instruments,

serve the achievements of the development goals.¹¹⁶ Given the certainty which those institutional organizations represent in terms of effective control and implementation of development goals, a comprehensive approach of creating educational opportunities through school, vocational training, lifelong learning, and entrepreneurship support is possible. The fact that the provision of services such as education and labour market programs is cheaper in Turkey makes the European Union reduce not only its social and political costs at home but also the financial that are needed to increase human capital of the targeted groups in a third country compared to what it they would be within the EU.

6.3 Making a Migration Hub

Combining the discussed findings from the previous two chapters, one can anticipate the following for Turkey's future role in migration-related issues against the backdrop of the demographic development in the European Union. Due to its sensitive geopolitical situation between two continents and position directly on the external border of the European Union, Turkey serves not only as a gatekeeper for the European Union to prevent irregular migration, but also as a 'transformation pool' for migration of all kinds. Transformation is selected as a description because the original three categories - sending, receiving or transit - country cannot be longer applied to Turkey in the initial sense. The EU-Turkey deal, as analysed in the previous chapters and interpreted along the underlying theory, transforms Turkey into both a receiving and a sending country at the same time. Only the function of transit is no longer applicable because the people that migrate to Turkey are only in exceptional cases those who continue their migration journey to the European Union. Emblematically, Turkey has received in the past and will continue to receive in the future - due to increasing migration pressure from third countries caused by political instability, lack of economic prospects, violence, or climate change - irregular migration on the one side, but on the other transmits primarily regular migration to the 'European' side. With all this in mind, the transformation takes place by filtering, sorting, and prioritizing the people who can and may migrate to the European Union. This is not due to the extra-territorial processing of the asylum procedure alone, which was outsourced to Turkey by the EU, but to a more holistic approach,

¹¹⁶ For a list of implementing agencies in the framework of the Facility for Refugees in Turkey see: *the EU Facility for Refugees in Turkey List of projects committed/decided, contracted, disbursed*, URL: https://ec.europa.eu/neighbourhood-enlargement/system/files/2021-09/facility_table.pdf (as consulted on 11.10.2021).

in which Turkey is being developed with the help of development funds in a direction in which the classic root-causes are reduced, but also targeted school and vocational training measures are offered alongside other labour market programs to increase the total of qualified human capital in Turkey. For all intents and purposes, in addition to the extra territorial processing, the long-term integrated assistance approach has also outsourced the training of people to Turkey, an approach that goes beyond regular humanitarian aid and the coverage of basic needs such as shelter, health, and food for the refugees.

In this logic, the EU uses its economic superiority and diplomatic leverage to follow the goal of preventing ‘bad migration.’ This works through extra territorial processing, the (illegitimate) declaration of Turkey as a safe third country and disciplining of refugee mobility. At the same time, the European Union benefits from its intrinsic pull factors for skilled and wanted ‘good’ migration. This is not only due to the attraction of high economic appeal, but also social security, political stability, high educational standards, freedom of travel or relative safety from natural disasters, but is also actively facilitated by initiatives such as the German Skilled Immigration Act, the EU Blue Card or educational programs and scholarships. Against the backdrop of demographic change in the European Union and the long-term dependence on ‘wanted migration’, the EU-Turkey deal represents an investment in the ‘quality’ of migration to Europe in the short- and long-term based on economic considerations. In the short-term, ‘unwanted migration’ is prevented by alleviating root-causes and preventing asylum seekers; in the long-term, the aim is to develop the country on the European periphery in order to increase the human capital of the population and thus establish better ground conditions for targeted migration incentives and legal migration routes. This approach places Turkey in the role of a migration hub that follows the overall tendency of European externalizing and selective migration policies. Turkey is both the recipient of externalization techniques and the ground for enabling selective migration incentives. Thus, Turkey in its role as a migration hub is being utilized in minimizing the disbenefits of migration and maximizing the benefits of migration on behalf of the European Union.

From the point of neoliberal theory, the European Union is also trying to create the best economic framework here by intervening directly in the composition of the European population by simultaneous prevention and enabling of selected migration. From this

demographic strategy it can be concluded which utilitarian values increasingly dominate the understanding that neoliberal governmentality applies to the topic of migration.

The European migrant crisis 2015 has unveiled the wider rationality which guides the political decision-making in Europe. Just as Walters and Haahr have pointed out, it can be argued that the crisis yielded a suitable entry point to conduct an investigation into the governmentality of European migration policy.

”It is in acts and moments of problematization that mentalities and their forms of reason can be identified. It is in all those sites where a given policy or practice is called into question, identified as deficient, failing, too costly, unethical - it is in these places that mentalities of government lend themselves most readily to our scrutiny.”¹¹⁷

7. Conclusion and Limitations

The aim of this thesis was to present an alternative, new perspective on the governmental rationality behind European migration policy, taking the EU-Turkey deal as a case study and to explore it through the lens of neoliberal and biopolitical governmentality in a Foucauldian sense. In summary, the approach behind the EU-Turkey deal can be divided into two, a short-term and a long-term dimension, which seem to follow an objectively different rationale, but both can be embedded in being a subject to a wider regime of European neoliberal and biopolitical governmentality. Based on this subdivision, it was discussed how, based on biopower, the incentives for irregular migration from Turkey to Europe are minimized and how even death is utilized as a means of disciplining on the side of the European Union for the exclusion of irregular immigrants. At the same time, an integrated approach to development aid is taking place in a country that is itself one of the largest development aid donor countries in the world. The projects supported by European development aid may primarily aim to promote educational opportunities, labour market integration, vocational training and entrepreneurship, id est a general enhancement in the economic prospects of refugees and host communities. As a result, it can be concluded that the European Union turns Turkey into a migration-transforming country in the long-term prospectively. This serves to fulfil sufficiently good conditions that, on the one hand, direct transit migration is prevented by reducing root-causes and by Turkey's gatekeeping of the European external border, and, on the

¹¹⁷ Walters & Haahr: *Governing Europe*, p. 6.

other hand, economic prospects are improved through comprehensive access to education, vocational training, and labour market programs, so that regular migration in the future can counteract demographic change and its effects on the economic outlook of the European Union.

The creation of the most effective preconditions abroad for migration to the European Union is something that is observable in various forms for the recent past. An example of this are the so-called pre-integration courses, which have been offered worldwide by the German Goethe Institute since 2020 and promise the best possible integration into Germany long before the actual migration to Germany takes place.¹¹⁸ The German approach to pre-integration is underscored by the federal government's 'skilled labour strategy', which states, among other things, that in order to increase the influx of qualified skilled labour from third countries in a targeted and sustainable manner, it is necessary not only to adapt and open up the legal framework, but also to take a coherent approach on the part of the federal government with a variety of accompanying and practical measures that interlock and build on each other.¹¹⁹ Whether this now represents a paradigm shift towards training people abroad long before they migrate to Europe cannot be conclusively determined based on the applied method and theoretical framework. However, the results of this thesis and the exemplary ambitions of the German government, could point towards a paradigm shift in which a comprehensive approach addresses the needs to handle the demographic problem of the European Union in foreign countries. In fact, there is a correlation of purpose in applying migration pull effects, pre-integration courses and developing a classical transit country like Turkey into a country that would serve the migration strategy of the European Union in the best possible manner. The correlation of purpose is that these policies and programs are all based on active engagement with human capital abroad. One could speak here of a shift in power rationality, which points to a structural change towards training people abroad, including a mode of early investments into the cycle of prospective migration through

¹¹⁸ Goethe Institut (2020): *Annäherung, die im Heimatland beginnt – Vorintegrationsangebote für Erwerbsmigrant*innen – Analyse und Handlungsempfehlungen*, URL: https://www.goethe.de/resources/files/pdf194/gi_bro_216x279_mwnd-screenes.pdf (as consulted on 28.10.2021).

¹¹⁹ Die Bundesregierung (2018): *Fachkräftestrategie der Bundesregierung*, URL: https://www.bmas.de/SharedDocs/Downloads/DE/Pressemitteilungen/2018/fachkraeftestrategie-der-bundesregierung.pdf?jsessionid=D1FC56E54485EC71813D983015CD1AE8.delivery1-replication?__blob=publicationFile&v=1 (as consulted on 28.10.2021).

development aid in countries on the EU periphery exemplified here through Turkey. In this context the classic meaning of externalization in migration policy takes on a new dimension as it is no longer just the control of migration movements but directs human development which takes place externalized in countries outside the European Union today. All in all, the externalization approach of the European Union remains the same but becomes sophisticated and further expanded by additional dimensions and particular techniques.

In addition to the externalization, the selective approach of the migration policy remains in place, too. The aspect that differs is that asylum is being taken into the selectivity equation through its prevention, which is made clear by the EU-Turkey deal and reflects the priorities of the European Union's migration policy. Just as migration in general, asylum is subject to economic considerations and either prevented or not according to the social, political, and economic costs that it holds or promises.

This thesis aimed to give a new perspective to the analysis of mentalities of European migration policy through its critical examination of the EU-Turkey deal in its entirety. Most research and academic contributions situation between Europe and Turkey regarding migration is limited to the short-term dimension of the deal with highest focus on the human rights consideration that it holds. This thesis, with its alternative focus on the long-term prospective consequences of the EU-Turkey deal, tried to contribute a further perspective to the wide academic debate around migration management.

Finally, the approach of analysing the EU-Turkey deal through the lens of neoliberal and biopolitical governmentality offered a different starting point that allowed a fruitful discussion and the development of an alternative scenario. Nevertheless, due to the Foucauldian reading of the mentioned theories, this approach tends to offer a merely anticipated scenario of how the situation could look like and which governmental rationalities could support this depiction. It is therefore limited in its explanatory significance but serves to stimulate a critical engagement with the future prospects of the European migration regime.

Concluding this thesis and in summary for the results of this work and representative for the European Union's neoliberal migration policy oriented towards the optimal compo-

sition of populations for its economic market, is a quote from Fabian Georgi with which I would like to end this thesis:

“The project called ‘migration management’ was not an isolated reaction to changing migration processes. [...] it can be described as an attempt by the dominant industrialized countries to align the migration policy aspects of the neoliberal political-social mode of regulation in a way that is more advantageous for them with the conditions of the current capitalist accumulation regime.”¹²⁰

¹²⁰ Georgi, Fabian (2009): *Kritik des Migrationsmanagements - Historische Einordnung eines politischen Projekts*, in: *Juridikum*, 2009/2, Wien, Verlag Österreich, p. 83.

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