

Erder, Sema; Kaşka, Selmin

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Turkey in the new migration era: Migrants between regularity and irregularity

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Turkey in the New Migration Era: Migrants between Regularity and Irregularity

Sema Erder and Selmin Kaşka

in:

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edited by

Seçil Paçacı Elitok and Thomas Straubhaar

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Turkey in the New Migration Era: Migrants between Regularity and Irregularity

Sema Erder and Selmin Kaşka

A Troublesome Concept: “Irregularity” and “Irregular” Migration

Since the 1990s, Turkey has been facing new population flows, namely “irregular” migration movements, whose features have been markedly different from former experiences. These new population movements, both in and out, mostly are the unexpected consequences of various political and economic developments going on at the regional level, and not the direct choice of Turkey. The arrival of all kinds of migrants, such as asylum seekers, transit migrants and especially those who are willing to seek out their fortunes in Turkey, was an unexpected event, as Turkey had considered herself as a “sending” country. Nowadays, “irregular migration” from the regional countries has become a new challenge to both researchers and policy-makers in Turkey as for other countries around the globe. In this article, we will analyze the new migration flows to Turkey and then we will focus on the implicit position of new migrants in the Turkish informal labor market.

To begin with, we have to point out that “irregular” migration is a troublesome concept, one that is hard to tackle. In general, we consider the current massive migration movements to be a response of ordinary people to the globalization process. “Irregularity” in a way is repercussion of the failure of the current policies in dealing with this new global challenge. Restrictive migration policies and criminalization of entry, stay and employment accelerate the inter-country movements, which are realized without full compliance with national laws and regulations.¹

¹ Ghosh (1998), Castles/Miller (2003), Düvell (2006).

Current terminology used by the academics and policy makers is divergent and includes terms such as “undocumented migration”, “illegal migration”, “clandestine migration”, “unauthorized migration” and “irregular migration”. In social sciences, “irregular migration” or “undocumented migration” are terms usually used to prevent criminalization and stigmatization of migrants, whereas the term “illegal migration” is mostly used within the legal system and political discourse. In general, we claim that fair rules for trade and capital flows need to be complemented by fair rules for border-crossing movements; new rules for settlement and working would eliminate “irregular” migration and, moreover, exploitative practices of migrants.

As it is well known, declining costs of transportation and intensive communication on the one hand and economic and political collapse and unrest on the other hand resulted in the potential for considerable population movements around the globe. Thus, in some cases, this migration may hide in temporary tourism movements, while, in other cases, it may lead to seeking a safe place for permanent settlement. Thus, irregularity in population movements may occur at various stages and in various forms. In other words, irregularity depends on chance and circumstances a migrant may experience. When viewed from the perspective of a state, it here refers to regularity vis-à-vis the law rather than the migrants’ experience. Here we can also define irregularity in terms of migrants’ ability to access labor markets and other social services.

A full understanding of contemporary migratory movements will not be achieved by relying on existing tools and concepts. The complex and multi-faced nature of “irregular migration” requires a more interdisciplinary, comparative work that incorporates a variety of perspectives. The existing literature on “irregular” migration mostly reflects the experiences and perspectives of the West, where regulations both on the labor market and on migration are comprehensive and strict.² In this context, it is meaningful to discuss to what extent the term “irregular migration” is relevant in non-Western societies.

As we know, in Southern and Eastern countries, such as Turkey, where regulations on the labor market and migration are either lacking or loose, types of irregularity and thus, the meaning of irregularity within social life, may differ. Therefore, an articulation of irregular migrants within society may reflect different experiences. Thanks to the recent interest on the region where Turkey is located, the peculiarity of the migration patterns in this part of the

² Jordan/Düvell (2002), Düvell (2006), Düvell/Vollmer (2009), Jagersen et al. (2010).

world has been noticed by both Turkish and European researchers.³ In the first part of the article, we will attempt to give an overall insight into the general features of irregular migration in Turkey and then, in the second part, we will appraise existing research on the articulation of the irregular migrants within the labor market.

Turkey and New Population Flows: Tourism, Circular Migrants and Irregularity

Turkey's relatively liberal border policy, vast informal sector, extensive communal networks, unregulated migration regime and restrictive rules for foreigners for longer staying may be considered as the peculiarities of the Turkish case.

As far as migration policies are concerned, it would be accurate to say that "conventional" Turkish migration policy has, for the most part, been shaped by "ad hoc" rules and practices, influenced by changing daily political or economic concerns. Thus, we may claim that a comprehensive migration policy has never been developed.

Conventional migration policy is mainly based on two major institutions, which reflect the Turkish migration history. The first one was established at 1930s, during a nation-building period, to allow admission only for the Turkish and Muslim communities who steadily fled to Turkey from Balkans and to control immigration from other countries. The second one was established during 1960s for "exporting labor" to Europe, which was mitigated the restricted border policy.

We may state that Turkey was (and is still, in terms of rules and regulations) a relatively closed society, not only in accepting immigrants, but also for allowing long-term residence or work permits to foreigners. Thus, we have to

³ Zeybekoğlu/Johansson (2003), Berggen et al. (2007), Erder/Yükseker (2009). Being participants of the IMILCO network (International Migration, Informal Labor and Community in Europe: Swedish-Turkish Initiative for Research and Policy), we have to state that the Turkish-Swedish research initiative, which was active during 2001–2006, also stimulated comparative research among a wider circle of experts working on this issue. IMILCO organized four workshops and conferences in Istanbul and several workshops in Stockholm with the participation of researchers from across Europe. These two publications referred to above are products of this network.

The conference "The Critical Reflections in Migration Research", organized by Koç University in October 2009, was also another attempt to develop a dialog among researchers working on the peripheral countries. A paper presented by Erder and Yüksek reviewed migration research from a critical perspective (Erder/Yükseker 2009).

mention that the tourism policy, which was developed in the 1960s, has encouraged the opening up the borders to foreigners only for short periods.⁴ That was the beginning of the so-called “liberal border policy” for short-term arrivals.

After the 1990s, Turkey became a stage for new diversified types of population entries, such as shuttle traders and circular migrants from Eastern Europe, asylum seekers from the region and transit migrants from countries as far away as Afghanistan, Pakistan and Sub-Saharan Africa. The dissolution of Iron Curtain on the one hand and formation of Fortress Europe on the other had formed two different border regimes; rules for inward mobility are relatively liberal from all directions, however rules for outward mobility are strict for the Western border. Ironically, Fortress Europe, which was an abstract term, is becoming a concrete phenomenon, not only by the application of the Schengen regime but also by the construction of a Turkish-Greek border wall which will be guarded by Frontex. The “gatekeeper” position has loaded a heavy burden on Turkey by pressing it to function as a “waiting room” for the transit migrants.

Table 1 illustrates the overall change in the “legal” entries of foreigners to Turkey during 1988–2009. As one may easily observe, the share of arrivals from neighboring countries increased, whereas the share of EU countries decreased in this period. As we mentioned before, a “liberal” visa regime provided a convenient milieu for legal entries not only from the region but also from other countries. Citizens from regional countries can easily obtain a “touristic” visa on arrival and can stay in the country from one to three months legally, whereas a visa is not applied for some of the neighboring countries, such as Syria.

The most striking change is the growth in the arrivals from the “ex-Soviet” countries, where all relations had been interrupted since the Soviet Revolution. More than five million arrivals were reported in 2009, compared to only 4,5 thousand in 1988. Even though the “ex-Soviet” countries differ among themselves in terms of their economic, cultural, social and historical backgrounds, their migration patterns have some similarities, being short-term and circular.

⁴ Erder (2003).

Table 1: Arrival of Foreigners in Turkey (ooo)⁵

| | 1988 | 1988 | 2000 | 2000 | 2009 | 2009 |
|--------------------|---------|------------|----------|------------|----------|------------|
| | Numbers | Percentage | Numbers | Percentage | Numbers | Percentage |
| Balkans | 708.8 | 20.3 | 1,180,6 | 11.3 | 2,781,2 | 10.3 |
| Middle East | 314.0 | 9.0 | 524.0 | 5.0 | 2,178,2 | 8.0 |
| (F)USSR | 4.5 | 0.1 | 1,403,8 | 13.5 | 5,634,5 | 20.8 |
| Sub-total | 1,027,4 | 29.4 | 3,108,4 | 29.8 | 10,593,8 | 39.1 |
| EU 4 | 1,955.3 | 55.9 | 5,537 | 53.1 | 12,801,5 | 47.3 |
| Other | 515.3 | 14.7 | 1,782,8 | 17.1 | 3,681,8 | 13.4 |
| TOTAL | 3,497,9 | 100.0 | 1,0428,2 | 100.0 | 27,077,1 | 100.0 |

Source: Calculated from the data provided by the General Directorate of Security. Unpublished data provided by the GDS (1988), Türkiye İstatistik Kurumu (2000, 2009).

In general, we have to state that it is a really hard task to estimate the amount or the share of irregular migrants within these arrivals, even though research and observations indicate that there are “many”. The arrival of circular migrants, either for trading or for working from the regional countries, has become a social reality in daily life, even though these migrants are registered as “touristic” arrivals. In order to make a rough estimation, we are representing the results of periodic research conducted by the State Institute of Statistics, which is designed to follow the developments in the “tourism” sector in the Table 2.

⁵ Balkans: Greece, Bulgaria, Romania, Albania, (F)Yugoslavia; Middle East: Iran, Iraq, Syria; (F)USSR: for comparison, members of USSR are recalculated; EU4: for comparison, Greece, Bulgaria, Estonia, Lithuania, Slovenia, Latvia and Romania are excluded as they are calculated in other categories.

Table 2: Reasons for the Arrival of Foreigners in Turkey (ooo)

| | 2001 | 2001 | 2009 | 2009 |
|--------------------------|-----------------|--------------|-----------------|--------------|
| | Numbers | Percentage | Numbers | Percentage |
| Excursion, travel, etc. | 6,276,3 | 55.7 | 15,680,3 | 57.4 |
| Visiting relatives | 794.7 | 7.1 | 2,826 | 10.4 |
| Business, shopping, etc. | 2,072,6 | 18.4 | 2,539,8 | 9.3 |
| Other | 2133 | 18.8 | 6,268,1 | 22.9 |
| Total | 11,276,5 | 100.0 | 27,314,2 | 100.0 |

Source: Calculated from the data collected from "Survey on Foreigners" conducted at borders during departures. Türkiye İstatistik Kurumu (2001, 2009).

According to this survey, nearly 40 % of the entries were made for non-touristic purposes. Unfortunately, we do not have the data on a country basis. But still, we may claim that a liberal visa regime is providing not only touristic or cultural interactions but also other social and economic ones within the regional countries.

As we mentioned before, in spite of Turkish "liberal" border policy, legislation for foreigners for longer staying (and thus for having access residence or work permits) is very restrictive and reflects the characteristics of a "closed" society.⁶ Moreover, as Turkey is applying the original geographical limitation of the 1951 Refugee Convention, refugees from non-European countries cannot obtain refugee status, even though they can wait in Turkey until the UNHCR's final decision.⁷ Thus, for a foreigner, even though to enter is relatively liberal, to settle and/or to enter the working life through formal ways is not an easy task. Within these conditions, "irregularity" for some of the foreigners, mostly for circular migrants, is a common situation they will face after arrival.

The amount of foreigners living in Turkey within "formal" regulations is presented in Table 3. According to the official records, there are nearly 175,000 registered immigrants, whereas only 11 % are staying with working permit, 16 % are students and 73 % are falling into "various" categories including fam-

⁶ Erder (2007), Güzel/Bayram (2007). For a more detailed analysis, see the report on the research project (UGİNAR- International Migration, Labor Force and Population Movement) sponsored by Marmara University, which investigated the conditions of foreigners in the formal and the informal labor market in 2000–2001 (Arı [2007]).

⁷ Kirişçi (2002).

ily members (spouses and children) and asylum seekers waiting for the UN-HCR's final decision.

Table 3: Foreigners Living with a Residence Permit

| | 2000 | 2008 |
|---------------------|---------|---------|
| Work permits | 24,198 | 18,900 |
| Students | 24,574 | 28,597 |
| Other | 119,275 | 127,429 |
| Total | 168,047 | 174,926 |

Source: General Directorate of Security, unpublished data (2000), Emniyet Genel Müdürlüğü (2008).

State authorities consider a foreigner who breaches migration legislation (passport, visa, residence and work permit) to be an “illegal migrant”. However, there is no information or systematic estimation on the number of “illegal migrants”, apart from the statistics on the total number of migrants apprehended. Those “illegal migrants” are mostly arrested for violating either passport legislation or entered into or exited from the country illegally. As it is known, enforcement operations for the violation of residence or work permits are not strictly applied, unless they are related with “criminal” activities.

Table 4: Total Number of Illegal Migrants and Human Smugglers Apprehended in Turkey

| Year | Illegal Migrants | Human Smugglers |
|------|------------------|-----------------|
| 2003 | 56,219 | 937 |
| 2004 | 61,228 | 957 |
| 2005 | 57,428 | 834 |
| 2006 | 51,983 | 951 |
| 2007 | 64,290 | 1,242 |

Source: Türkiye Cumhuriyeti Dışişleri Bakanlığı (2010).

According to the official data, more than 50,000 migrants are apprehended yearly in Turkey and more than 700,000 migrants were apprehended during 1995–2007. Table 4 outlines yearly apprehension numbers of the “illegal” mi-

grants and human smugglers in Turkey. Since 2003, Turkey has considered human smuggling and human trafficking activities as “organized crime” and has started to apply an active policy for combating these activities.⁸

In general, it is obvious that there is no methodologically reliable estimation on the real volume of “irregular” migrants. However, some statements frequently appearing in the media, reflecting the rough guesses of experts or bureaucrats and/or media myths, are within the range of from 150 thousand to two million. In general, these figures, besides the “rumors”, stigmas and other media-generated prejudices, reflect the contradictory reactions to the arrival of foreigners in the Turkish labor market. Mostly, trade unions and employee organizations have anti-immigrant tendencies, and they are very effective in the formation of the rules of the formal labor market as being organized by pressure groups. Trade unions consider foreign “irregular” workers as “rivals” to native workers, as they are weakening the struggle against the “informal” economy and sustaining the subsistence of insecure working conditions. Employee organizations are also against “irregular” foreign workers, as they are enlarging the “informal” job market and creating a milieu for the continuation of unfair competition by exploiting “cheap” labor. In a way, some of the exaggerated estimations are used for lobbying to force government and for taking severe measures against their employment,⁹ whereas some of them are reflecting the xenophobic tendencies.

In general, we may claim that the irregular migrants from regional countries are finding their way in the “informal” labor market, which is quite large and vivid in Turkey. Table 5 outlines some major indicators of the Turkish labor market. As may be seen from this table, the Turkish labor market consists of a young and male-dominated population working mostly in the non-agricultural sectors. More than 40 % of the employment is informal. In general, we may argue that the informal economy and the informal labor market are some of the major characteristics of the Turkish economy which reflect the structural difference from the West.

In this article, we are not going to discuss the reasons or the impacts of the informal economy in Turkey. We only want to point to this difference, which will help us to understand the relative position of the irregular foreign

⁸ Erder/Kaşka (2003).

⁹ For example, in a recent article published in the journal of an employer organization (TUSIAD-Türk Sanayicileri ve İşadamları Derneği), the total number of “illegal” foreign workers is estimated as two million, which is the topmost (Karaarslan [2011]).

migrants in Turkey. In the following part of this paper, we will describe the major areas of employment of migrant labor by reviewing the findings of the research.

Table 5: Some Indicators on the Turkish Labor Market (ooo) (2009)

| | |
|-------------------------|--------|
| Population Age + 15 | 51,686 |
| Participation Rate | % 47.9 |
| Male | % 70.5 |
| Female | % 26.0 |
| Employment | 21,277 |
| Agriculture | 5,254 |
| Non Agriculture | 16,023 |
| Rate of Unemployment | % 14.0 |
| Agriculture | % 1.8 |
| Non-agriculture | % 17.4 |
| Undocumented Employment | % 43.8 |

Source: TÜİK Household Survey from Annual Report of Central Bank of Turkey (2009).

The Position of New Migrants in the Turkish Labor Markets

The existing information on the new migratory movements shows that apart from regular migrants, there are two different categories of irregular migrants directed to Turkey. The first category consists of transit migrants, who violate the rules when crossing the borders. They aim to obtain refugee or asylum-seeker status in Turkey or in other countries. The second includes circular migrants, who aim to work in Turkey by keeping their ties close with their home countries. It is clear that these two categories are different from each other in terms of origin, migration pattern and access to the labor market in Turkey.

The Limits and Potentials of Legal Framework

As it is pointed out above, in terms of the institutional and legal framework, Turkey was caught somewhat unawares by the new migration flows. In other words, the legal framework did not foresee the sudden and massive influx of people. In this context, immigrants try to find a place by using Turkey's "liberal border policy", the informal labor market and its incoherent migration regime.

With regards to irregular migration, until 2003, the lack of a proper and systematic legal framework had been an important point repeatedly raised by the authorities, and it was this necessity that stimulated the attempts to develop new laws and regulations in parallel with the ongoing migratory flows.

Although the migration regime of Turkey has been and will be changed, though slightly, according to the ongoing developments (for instance the new bilateral visa regulations for Syrians, Russians, etc.), there are two main pieces of legislation that may have significant effects on irregular migrants.

Firstly, in 2003, the Turkish Parliament introduced some changes to the Turkish Citizenship Law. As we mentioned before, the acquisition of Turkish citizenship for a foreigner particularly with a non-Turkish origin is a hard assignment. Before being amended, the Turkish Citizenship Law played an important role in the sharp increase of acquisition of citizenship through marriage. The amendment has made it more difficult for a foreigner to acquire Turkish citizenship through marriage by imposing a three-year waiting period before a foreign spouse may obtain Turkish nationality. Therefore to become a "regular" migrant through marriage has become more difficult. Nevertheless, marriage may still seem to be an option in "regularizing" a migrant's status.

Secondly, in the same year, the Parliament enacted the Law Concerning Work Permits for Foreigners. This law provides for a system of work permits and the related rules that will make it easier for foreigners to work in Turkey. (Please see Table 3, which gives information on the total number of foreigners with residence and working permits). While earlier various ministries and government institutions could grant work permits, this law designates the Ministry of Labor and Social Security as the main responsible official institution for issuing work permits. On the other hand, this law opened up an opportunity for some of the irregular migrants to be formally employed, which was not possible before. However, the impact of this law is quite limited considering the fact that only a small portion of migrants with resident permits hold work permits, for instance in domestic work. Therefore, we should emphasize

that this institution issues work permits predominantly for highly qualified laborers who are employed by local and global companies.

The Possibility of Becoming Regular or Irregular: Migrants in a Spectrum

As we have noted above, since the beginning of 1990s, Turkey has become a receiving country for migrants with different characteristics in terms of origin, ethnicity, gender, skill and expectations.

We have to state that even though Turkey is considering herself to be a country of “migration”, migration studies is a relatively neglected area in the social sciences. Recently, after the experience of “new” migration flows, migration studies has started to be a challenging area. Nowadays, the literature on migration to Turkey is increasing; researchers from different methodological backgrounds have started to focus on certain aspects of migration. However, some of them are descriptive and for some areas no data is available. Besides, we have to rely on rough estimations since official statistics are either lacking or not easily accessible for researchers. In this part of the article, we try to draw a picture of the relative position of migrants in the labor market, from the most advantageous to the most vulnerable ones, within the limits of the available data.

A “Special” Group of Migrants: Migrants with a Permit

As one may follow from the earlier arguments, formal channels for migrants are rather restrictive and thus, an overwhelming majority is pushed to remain “irregular” in one way or another. Thus, it is no exaggeration to define the group of migrants with residence and/or work permits as a “special” group. The available literature on migration is mostly concentrated with “irregular” migrants in Turkey. Luckily, there are few exceptions, which describe the origins, experiences and expectations of a “special” group of migrants.

According to Ulukan’s calculation, EU citizens and citizens of the neighboring countries, such as the Middle East and the Commonwealth of the Independent States, formed a majority of those applying for work permits.¹⁰

¹⁰ Ulukan (2007).

We have to admit that the most advantageous and therefore “special” group consists of EU citizens. Kaiser’s research on EU citizens to date has been one of the few studies conducted on this “special” group.¹¹ Kaiser estimates that between 100,000 and 120,000 EU citizens live in Turkey, in which Germans constitute the largest group, amounting to approximately 60,000.¹²

Apart from the EU nationals in Turkey, migrants who work in some specific sectors, like tourism and domestic work, can obtain a “regular” status according to the 2003 Law we mentioned above. We still do not have evidence to measure the impact of the law on the tourism industry.

As it is known, tourism is one of the most important sectors in Turkey in terms of its contribution to the national income and employment. Like domestic work, the tourism industry is one of the most popular sectors for women migrants in Turkey. It is also a sector where migrant women are not in an open competition with Turkish workers. In these two sectors, the supply of local labor is limited. A migrant woman might work as a masseuse or as an animator, jobs which are not preferred by the Turkish women.

According to Dedeoğlu’s and Gökmen’s research findings, most of the migrant women interviewed in Marmaris, a popular holiday site, have formal jobs. They interviewed women from Russia, Azerbaijan, Ukraine, Kyrgyzstan, Georgia, Uzbekistan, Turkmenistan and Chechnya who have formal jobs, as they attained Turkish citizenship through marriage.¹³ Apart from that “special” group, we are certainly aware that there is quite a large number of women employed in the tourism sector without a permit. However, it is almost impossible to know their exact number.

¹¹ Kaiser (2003).

¹² Kaiser classifies the EU citizens in Turkey as follows:

- (1) EU spouses of Turkish citizens, most of whom are women (more than 95 %).
- (2) Descendants of EU spouses of Turkish citizens, most of whom have double citizenship.
- (3) Retired EU citizens particularly living on the Southern coast of Turkey.
- (4) Alternative life-style seekers.
- (5) EU citizens of Turkish origin, most of whom are “pink card” holders.
- (6) Descendants of Western European immigrants to the Ottoman Empire.
- (7) Posted personnel whose majority is male and often accompanied by their spouses and children.

¹³ Dedeoğlu/Gökmen (2010).

Migrants in the Informal Labor Market

As mentioned before, despite the restrictions for foreigners to have work permit, the large and vivid informal labor market and liberal visa regime provide them opportunities to participate in the labor market through informal relations. The intention to employ foreigners in the Turkish labor market is a new debate among social scientists in Turkey. The most common argument follows the lines of “exploitation of cheap labor” and “competition with native labor”. However, some of the research points out that they actually fill gaps in the labor market. In certain sectors of the labor market, they fill gaps deserted by natives, either due to the lack of necessary qualifications or due to cultural thresholds. Thus, we may claim that, in some sectors, there is almost no room for competition, while in other sectors there certainly is.

Even though it is a necessity to undertake further research, we may claim that there is a division of labor among migrants by origin, by gender and by purpose of stay. The migrants are not placed in the labor market haphazardly. At the first glance, we observe that irregular migrants mostly occupy certain areas of the informal labor market, such as agriculture, construction, small industry, domestic work and informal trading.

However, irregular migrants do not form a homogenous group. Circular migrants from regional countries, for instance, have relatively better positions in the labor market compared to transit migrants. Circular migrants do have possibility to construct trust relations with their employers, one that is crucial for survival in informality. In the following, we will try to describe these variations.

In a society in which informality is extensive, one of the niches that migrant women discover in the labor market is domestic work. Global care-givers (made up of women from the neighboring countries in the Turkish context, particularly the Moldovans) is the group whose migration and work patterns are well-known not only by the researchers but also by the public.¹⁴

Domestic work is absolutely one of the most common job opportunities for unskilled native women in Turkey and it constitutes an important and gendered part of informal labor market. Therefore, it is not possible to estimate an exact number. However, if one considers the fact that to employ a “servant” has always been a common practice in Turkey in middle-class houses, it is pos-

¹⁴ Akalin (2009), Kaşka (2009).

sible to predict its significance. The novelty in this area is the attempt to formalize this area only by including a small portion of domestic workers performing their jobs in cleaning companies. Therefore, it is not surprising that the total of registered local domestic workers was 3204 in 2010.¹⁵

Since the 1990s, migrant women have been employed in middle- and upper-middle-class houses for cleaning, cooking and caring. Like the tourism sector, it is impossible to estimate their number. However, it can be easily predicted that their number will increase owing to trends in changing demographic patterns and the Turkish welfare regime, which depends on informal institutions like family. Women from different countries (like Moldova, Bulgaria, Armenia, Georgia, Azerbaijan, Turkmenistan, Uzbekistan and the Philippines) work informally in domestic works.

The 2003 Law has made it possible to obtain a work permit for domestic workers. Nevertheless, since this date, the total number of work permits issued has been negligible, namely 48 in 2005.¹⁶ Therefore, it is obvious that domestic work is informal both for locals and migrants. However, as Akalin (2009) points out, migrant domestic workers are “shuttling regularly between documentedness and undocumentedness” in being shuttle or circular migrants.

The construction sector, like domestic work, offers informal jobs to unskilled men, both to rural migrants and migrants from the neighborhood countries. Akpınar’s research provides information on male migrants in Turkey working in the construction sector. He interviewed migrants from Azerbaijan, Georgia, Turkmenistan and Afghanistan. Migrants from Afghanistan are transit migrants, who have to wait in Turkey during their search for finding a channel to enter European countries. We have to state that the degree of irregularity differs among migrant groups; whereas migrants from neighboring countries shuttle with a tourist visa, most of the Afghan migrants enter illegally. Therefore, transit migrants are working in the waiting room.¹⁷

The textile sector, like tourism, is another important industry in Turkey in terms of its share in the national income and employment. The sector mainly depends on small-scale workplaces and it offers informal jobs in the cities particularly to male, female and child migrants from rural Turkey. Now this sector also offers informal jobs to the migrants from neighboring countries.

¹⁵ Karadeniz (2011, p. 111).

¹⁶ Kaşka (2009).

¹⁷ Akpınar (2009).

Dedeoğlu's and Gökmen's research (2010) gives some information on migrants working in the textile industry in Turkey. The research is conducted in Istanbul and focus on a specific migrant group: Azeris. This research clearly shows that Azeris are working, particularly in small-scale workshops, which is the main feature of the Turkish textile industry. Not only Azeri women but also their children work in the textile ateliers in the periphery of Istanbul.

The migration pattern of Azeris seems to be determined by gender. Dedeoğlu and Gökmen emphasize that Azeri women stay in Turkey after their tourist visa is expired but Azeri men fit in to the pattern of circular migration. Dedeoğlu and Gökmen explain this by looking at their position in the labor market: if women migrants have relatively permanent jobs, they stay in Turkey irregularly. But, men work in marginal and temporary jobs while they are in Turkey.

Although there is only limited knowledge on the migrants working in agriculture, their existence particularly in the Northern part of Turkey is visible. In the Black Sea region of Turkey, seasonal jobs in agriculture have been becoming common in the last decade since the labor force remained insufficient. According to Pelek's recent research, most of the seasonal workers are coming from the Eastern and Southern Eastern Anatolia, whereas Georgians are also becoming new-comers to this area. Pelek observed that Georgians living in the neighborhood are circulating through tourist visas and working as seasonal workers, just like ethnic Kurds. Pelek observed a hierarchy among the seasonal workers: at the bottom are women and children who are ethnically Kurdish, then come male workers of Kurdish origin, Georgians and local workers subsequently. For Pelek, employers prefer Georgians, since they are evaluated as more hard-working employees and because of cultural similarities.¹⁸

Migrants in Informal Trade: An Umbrella Activity for Circulars

A complete novelty brought by the new migratory flows represents itself in another area: informal trade.

Since the 1990s, thousands of migrants from the Eastern European and former Soviet Union countries have begun to come to Turkey for trade activities. This activity is called in Turkey "suitcase/luggage trade", which implies both its small-scale nature and the vague legal status of the transactions.

¹⁸ Pelek (2010).

Although the term implies small-scale trade activities, it consists of a considerable amount of foreign trade income for the Turkish economy.¹⁹ Although its volume is fluctuating, “suitcase trade” is a very important aspect of migration. This activity also represents the peculiarity of the Turkish case as a product of a liberal visa regime and an informal labor market.

Yükseker’s innovative research gives very detailed information on this trading activity.²⁰ In this research, Yüksekser explores the complexity of trading activities, serving as an umbrella also for those who are employed in different sections of the labor market, including sex work.

Yükseker indicates that undocumentedness is the most important aspect of the shuttle trade: production, transportation and sales are mainly unregistered. A district in Istanbul, Laleli, is the most visible site of this activity. Migrants from the former Soviet Union and rural migrants from East Anatolia have developed interactions socially, economically and personally in this district.

The Dark Side of Irregular Migration: Trafficking and Sex Workers

As we repeatedly argue in this article, the new migration movements have been experienced for more than 20 years in Turkey in an overwhelmingly informal context. Informality with its many aspects may provide some benefits for some migrant groups. It is that reason that this flow continues in an accelerated manner. However, informality may have harmful, risky and threatening consequences for some other migrant groups. In other words, trafficking in human beings appears as the dark side of irregular migration. Irregular migration, by nature, contains in itself exploitation, deception, insecurity and threats from official institutions, mostly fear of police, for all groups of migrants and for both women and men. However, those who are working in the sex industry are particularly the most vulnerable migrants.

The serious attempts and activities of the International Organization of Migration (IOM) in Turkey have brought this issue into the official institutions’ agenda, and into public opinion. Moreover, it stimulated and supported research activities.²¹

¹⁹ About ten million USD in the 1990s, while the official export income amounts to 25 million USD.

²⁰ Yüksekser (2003).

²¹ Erder/Kaşka (2003), Ayata et al. (2008).

According to Turkish legal regulations, although licensed sex work is not a crime in Turkey, it is prohibited for foreigners. However, our research confirmed the growing importance of the sex industry in Turkey and the involvement of foreign women. The activities related to “trafficking in women” between Turkey and the Eastern European countries are intermingled with massive irregular migration movements and are concealed in tourist activities, entries for irregular work, the sex trade, regular and irregular trade and migration with the intention to settle.

Conclusion

The Turkish migration experience reflects the interaction of a vivid and large informal labor market and a liberal visa regime. In this context, some “irregular” migrants have learned about the specific rules of informality and created relatively “regular” trust relations. These are crucial for surviving in the informal labor market, not only for foreigners but also for the natives. For some of the employers, the legal situation of migrants vis-à-vis the state authorities do not have much importance, as they are more interested in the rules of the informality. Thus, the term “irregular”, in Turkey, like for the other peripheral countries, does not refer to the same feature observed in societies, where informality is negligible.

We have to note that the “informal” labor market has also stratifications, conflicts and competitions within it, just like other markets. Thus, irregular migrants find themselves in different positions according to gender, origin and legal status in this market. Circular migrants, who are involved in the trading activities, may have a better position in the informal labor market compared to the transit migrants struggling to survive in the “waiting room” or trafficked women as the most vulnerable ones. It should be noted, however, that the welfare system is too far to reach all irregular migrants.

The Turkish liberal border policy provides rich examples of the effects of circular migration, on migrants and countries on both sides of the borders. However, some trade unions, industrialists and xenophobic circles have some reservations and reactions to this policy. But still, Turkish authorities consider this policy as a “win-win” policy and do not take measures to discourage the entries from regional countries. Meanwhile, as we know, the Schengen visa regime will not allow the continuation of this “flexible” border regime.

For future prospects, we may predict that if Turkey will be a part of Schengen regime, the relative position of Turkey in the global migratory flows will change dramatically. Turkey will continue to be a hub for refugees and asylum seekers coming from regional countries; however, for circular migrants it will lose its attractiveness and will not be a convenient destination anymore.

If it happens without fundamental reforms in the welfare regime, migration policy and burden-sharing implementations with European countries, the situation of the transit migrants will be worsened. And, moreover, if it happens, the term “irregular” may have the same content as it has in the European countries.

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