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Analysing Türkiye's Return Policies and the Role of UNHCR Towards Syrian Refugees: A Biopolitical Perspective

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Abstract

The notion of biopower pertains to the regulation and governance of populations by state and institutional authorities, providing a means to influence migration flows and outcomes within borders. Türkiye[1] has long been actively engaged in providing humanitarian aid and hosting the largest population of Syrian refugees (SR). However, the extended presence of SR in Türkiye has raised concerns about its impact on the country's socio-cultural and economic consequences, prompting discussions on the feasibility of their return as a viable solution. That being the case, Türkiye has adopted biopower strategies, including the creating of a safe zone, the go-and-see approach, and legal measures. This research employs critical policy analysis to examine Türkiye's use of return strategies and its influence on SR' return. In tandem with the biopolitical analysis, the study investigates the role of UNHCR (United Nations High Commissioner for Refugees) in shaping and implementing return policies. It evaluates UNHCR's normative stance and operational constraints within the context of Türkiye's return policies. The study also reveals the intricate web of power dynamics that underpin these policies, while examining the pragmatic realities that influence UNHCR's role. This research advances our understanding of how biopolitics intersect with refugee management, and the findings offers valuable insights into the complex realities of managing refugee populations, underscore the tensions between security-driven motives and humanitarian aspirations within a geopolitically sensitive landscape.

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[1]At the behest of Turkey, the United Nations modified the foreign denomination of the nation, altering it from "Turkey" to "Türkiye." Since December 2021, Turkey has been adopting "Türkiye" rather than "Turkey" as its designation on international platforms. Thus, in this paper, the term "Türkiye" will be employed in lieu of "Turkey."

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1. **Introduction**

The global influx of refugees into host countries has instigated an atmosphere of uncertainty, causing a fracture in the bond between citizens and their respective states. This phenomenon has led to formidable challenges for both the refugee population and the host communities (Gallagher, 1994, p. 449). As many countries in the Global North refrain from collaborative responsibility-sharing, this empowers refugee-hosting states to independently determine the fate of refugees (Cassarino, 2004; Hansen, 2018, p. 145), thereby rendering the return of displaced individuals a pivotal element within the realm of global refugee governance (Mencutek, 2021, p. 2808-2809). Previously, return policies were primarily associated with forced displacement, founded on the assumption that those displaced would naturally yearn to return to their places of origin at the earliest convenience. However, the situation did not always align with the prevailing perception, then the management of return migration has now emerged as a significant facet within the broader framework of migration management (Fakhoury and Mencütek, 2023, p. 960), and has evolved into a pivotal and highly politicized component within the intricate landscape of global migration dynamics (Zetter, 2021, p. 10).

The policy of return in this context is intricately intertwined with key policy domains encompassing security, domestic politics, welfare in the host country, and the broader prospects of peace, security, and development in the home country. These intricate factors collectively influence policy makers and political actors (Mencutek, 2021, p. 2804), resulting in a complex and unpredictable decision-making process (Amnesty International, 2017). In the realm of return policy administration, countries employ biopolitical tactics to decide on the inclusion or exclusion of individuals within their boundaries, often overlooking refugees' humanitarian requirements and denying them protection and residency privileges (Davitti, 2018, p. 1181). Biopolitics encompasses diverse manifestations of disciplinary authority utilized by nation-states to adeptly manage their populations through distinct institutions and techniques (Adams, 2017).

This exercise of regulatory power is especially evident within Türkiye's circumstances, as the country is the global leader in hosting refugees, with a population of approximately 3.5 million SR. The prolonged and devastating Syrian conflict has propelled one of the most severe refugee crises in contemporary history, compelling millions of Syrians to seek refuge and safety in Türkiye (UNHCR, 2023b). From the onset of the Syrian humanitarian crisis, Türkiye has executed a policy of welcoming those seeking refuge by adopting an open-door approach (Dora,

2020, p. 508). SR were categorized by Turkish policy-makers as "guests" in technical terms rather than being labeled as refugees. Türkiye granted to Temporary Protection (TP) to them, a status that guarantees protection against return and imposes no time restrictions on their stay in Türkiye (Nielsen, 2016, p. 100).

Yet, the attitudes of Turkish citizens towards SR have grown increasingly unfavorable over time, primarily driven by apprehensions related to socio-cultural and economic consequences (Kınıklıoglu, 2020, p. 4). Similar to a guest who has extended their stay beyond the anticipated duration, the Turkish society has grown progressively restless and uneasy regarding the numerous privileges accorded to these 'guests', including access to education and healthcare. Syrians were no longer perceived merely as victims of a devastating civil war; instead, they were viewed as individuals unsettling societal tranquility and exploiting the Turkish government's provisions (Nielsen, 2016, p. 102). Given the strains between the Turkish and Syrian communities, policymakers in Türkiye perceived that the existing refugee policy could result in political ramifications (Ertan, 2022), consequently catapulting discussions surrounding the feasibility of their return as a resolution (Içduygu and Nimer, 2020, p. 420). This complex scenario has engendered a formidable predicament for the Turkish government, demanding a nuanced approach to refugee return management.

This paper aims to comprehensively investigate Türkiye's utilization of biopower strategies to manage the SR' population. Additionally, it delves into the extent of UNHCR's involvement in shaping the return process for SR in Türkiye. This central research objective is supported by several key sub-questions: What factors drive Türkiye's return policies, and how do they implement specific biopower strategies? Given UNHCR's role in refugee return, how is their functionality in SR' return in Türkiye? To address these inquiries, a critical policy analysis approach is employed, utilizing a variety of sources including academic articles, official policy documents, international agency reports, and reputable news websites to assess Türkiye's return policies.

The paper commences with a literature review, offering insight into the historical evolution of biopower strategies and concept of return policies as a biopolitical maneuver, predominantly examining instances related to SR within the Turkish context. Subsequently, the theoretical framework is introduced, providing the return policies applied to refugees, asserting the necessity of appraising these policies through a biopolitical lens. The methodology section outlines the critical policy analysis approach adopted. This segues into a background section,

presenting an overview of Türkiye's public opinion towards refugees leading up to the return of SR, along with UNHCR's role in refugee return.

The following two chapters provide an exposition of the study's discoveries. The initial chapter examines the patterns and themes that emerge from biopower strategies and the associated return migration context. It delves into Türkiye's chosen strategies and tools for return policies, emphasizing trends, critiques, and effectiveness. This segment draws from government reports, analyses by political experts, trustworthy policy news outlets, and reports from non-governmental organizations to unearth findings. The subsequent chapter closely examines the significant role played by UNHCR in the return process, utilizing UNHCR documents and scholarly papers as sources.

This study adopts an approach that centers on Türkiye's return strategies without delving into the individual factors that shape the return inclinations of SR or the circumstances of their voluntary or forced return. The amalgamated results of paper serve as a basis for contemplating the repercussions of these return policies on the Syrian refugee crisis. The paper culminates by summarizing the fundamental research objectives, outlining the analytical methodology employed, addressing encountered constraints, and unveiling pivotal discoveries. Prospects for future research directions are also suggested.

2. Literature Review

Despite the distinct evolution of the academic study of international migration within political science disciplines, it remains indisputable that state policies wield a substantial influence in shaping migration flows and outcomes (Brettell and Hollifield, 2014, p. 227). Migration has served as an indicator of geopolitical trends, encompassing displacement and containment strategies, underscoring that the concept of state-managed immigration is not novel. However, the interpretations of migration and shifts in predominant geopolitical discourses have undergone alterations across varying periods and spaces (Hyndman, 2012, p. 243). Building on this foundation, states are enacting measures that marginalize and limit the geographical mobility of refugees (Amnesty International Report, 2023, p. 15), including managing their populace, controlling entry to job markets and public resources, and upholding internal security (Adamson, 2006).

Foucault's concept of biopower (1978) offers valuable insights into understanding the strategies employed by governments to manage and control populations in situations of crisis, such as

refugee influxes. In essence, biopower can be comprehended as a political mindset focused on the governance of life and populations. This concept involves techniques that regulate the bodies and behaviors of individuals to ensure the functioning and stability of the state (Engels, 2016, p. 300). Consequently, diverse immigrant populations give rise to distinct geopolitical techniques, resulting in a variety of biopolitical approaches.

Within this framework, for instance, Lisa Bhungalia (2012) employing Foucault's concept of biopower, examines strategies for managing populations in the Gaza Strip following Israel's apparent "withdrawal" from the region, unveiling a more intricate management involving the modulation of life-sustaining and life-disrupting flows as they enter and exit the region. She links mobility to the methods by which human existence is activated, curtailed, or negated. From a different perspective, Michael Collyer (2012) interlinks geopolitics and biopolitics while investigating the role of deportation as a fundamentally biopolitical mechanism for the global management of populations, specifically focusing on the expulsion of Sri Lankans from the UK. Collyer scrutinizes the growing obligations of "receiving countries" to accept immigrants from the UK and the evolving tactics of the deportation process, subsequently fostering increased diplomatic negotiations.

Given Türkiye's geopolitical context through a biopolitical lens, the manner in which Türkiye enacts a return policy to facilitate the return of SR to their home countries emerges as a pivotal query in need of resolution. It can be asserted that the Turkish government has employed biopolitical approach capable of influencing the population patterns of SR. This approach diverges from the initial Türkiye's policy during the onset of the Syrian crisis, which has endured for several years, has compelled a substantial number of Syrians to seek refuge in Türkiye (UNHCR, 2023b).

The protracted nature of the conflict led to extended stays for many SR in Türkiye, contributing to the emergence of a refugee population that requires comprehensive support and protection measures (Içduygu and Nimer, 2020, p. 418), posing significant challenges to the country's welfare, socio-culture and public order (Kınıklıoglu, 2020, p. 2; Kaya *et al.*, 2021, p. 187; Ertan, 2022). Turkish society has witnessed the emergence of anti-immigrant attitudes, as the duration of their presence extended (Koca, 2016, p. 73; Yavuz, 2021), prompting discussions on return policies (Içduygu and Nimer, 2020, p. 420; Mencutek, 2022, p. 54). While Türkiye faces the challenge of balancing domestic, regional, international, ethnicity, and safety politics further complicate the return discussions in the region (Içduygu and Nimer, 2020, p. 425).

These unfolding events, combined with the temporary protection status granted to Syrians (TRP, 2014), created complexities in altering their population movement. Additionally, the Turkish public sentiment regarding SR exerted influence on the government to initiate their return. As a consequence of political motivations arising from the majority's demand (Ertan, 2022), the focus on the return of SR within Türkiye has become increasingly prominent and accentuated (Şahin-Mencütek *et al.*, 2023, p. 119). As a result, Türkiye launched the "National Strategy on the Voluntary Return and Reintegration of Syrian Nationals" to facilitate their return (PMM, 2023a). According to Turkish Foreign Affairs (MFA) over 550,000 SR have returned to Syria from Türkiye since 2016 (MFA, 2023a).

The academic literature surrounding the return of SR in Türkiye demonstrate the complex and multidimensional nature of the refugee crisis. Although return often emerges as the preferred durable solution to address the refugee protection in the international refugee regime among three primary approaches: integration, resettlement in a third country, and return to the country of origin (Gallagher, 1994, p. 429), refugees' displacement and responses are intertwined with critical aspects of refugee protection (Betts and Loescher, 2011). Returning to Syria is not without its challenges. SR are confronted with limited and unsatisfactory choices and they essentially have three alternatives: returning to Syria, enduring a life of uncertainty in host countries, or embarking on a perilous journey to Europe (Yahya, 2017). The hardships endured during their departure, coupled with the continued existence of a regime accused of committing crimes against humanity, greatly complicates their ability to return (Yahya, Kassir and El-Hariri, 2018, p. 53).

Among the factors influencing the decision to return, safety and security stand out as of paramount importance, particularly in the case of SR in Türkiye (El Gantri and El Mufti, 2017, p. 4). In September, the UN Syria Investigation Commission once again reached the conclusion that Syria is not a safe environment for people to return to (Human Rights Watch, 2022). Furthermore, several reports issued by global organizations have concluded that existing circumstances make the return of SR to their homeland unattainable, leading to deep concerns about uncertainties for themselves and their children (Nebehay, 2017).

Nevertheless, as a key international actor in refugee protection, UNHCR plays a crucial role in managing the return (UNHCR, 2023a). Although more than half million SR have opted to return to their homeland in Türkiye (MFA, 2023a), the involvement of UNHCR in facilitating returns has been complex, given the challenging conditions and safety concerns in Syria. On this basis, there is limited understanding of how host countries, countries of origin, non-state actors, and

refugees collaborate and compete in governing returns across different geopolitical contexts, in particular in the context of SR in Türkiye. Similarly, we have limited knowledge of how these dynamic factors of attraction and repulsion influence the conditions, practices, and timelines that shape the process of returns in Türkiye (Fakhoury and Mencütek, 2023, p. 960). Over half a million SR in Türkiye have undertaken return, which contrasts with the focus of international organizations on the improved safeguarding of Syrians within Türkiye.

The noteworthy statistics related to the return of SR have prompted an investigation into the formulation and implementation of Türkiye's return strategies. Within a biopolitical framework, this is especially relevant when considering whether Türkiye's biopolitical strategies potentially mold the dynamics of the SR' population. This research gap underscores the importance of conducting further studies and analysis to comprehend the motivations of Turkish policy-maker and its impact on SR. Türkiye's return policies encompass various measures aimed at managing their potential return and gaining insights into the factors driving return among SR in Türkiye and implementing essential support and protection measures are vital steps in addressing the continuous refugee crisis. Additionally, questions arise concerning the extent of UNHCR's influence in managing the return process amidst Türkiye's domestic policies and the broader dynamics of regional geopolitics.

Moving forward, further research is necessary to better comprehend the motivations and experiences of Syrian returnees and to develop effective support and protection measures in addressing the ongoing refugee crisis in the region. By understanding and addressing the political factors, Türkiye can play a critical role in facilitating a sustainable return process for SR, contributing to regional stability and humanitarian responsibility. This academic introduction sets the stage for further research and analysis, aiming to shed light on the intricate interplay of biopower strategies shaping the return of SR in Türkiye.

3. Theoretical Framework

3.1 Foucauldian Perspectives On Biopower

Throughout an extended period, the conventional understanding of power revolved around the notion of "the sovereign's authority to determine life and death." Power was wielded by the ruling monarch, who possessed the prerogative to determine the fate of his subjects, including their lives and deaths (Foucault, 1978, p. 135). Foucault's perspective highlights the 18th century as a pivotal era, when states began to consider the population as an object of biopolitical

concern, managing aspects such as birth, death, health, disease, race, and sexuality to sustain life. The emergence of biopower led to a shift from "the right to take life or let it live" to the authority to promote life or prevent it from persisting until death (Foucault, 1978, p. 138). Consequently, state actions extend beyond legal strategies, incorporating methods focused on enhancing the quality of life for the population. The attainment of biopower empowers the state to construct social classifications and consequently shape a compliant society that secures a 'vital population' (Roach, 2009, p. 157) - a community endorsing an ideology that bolsters and justifies the state, molding it as desired.

This innovative power framework emerges with distinct methodologies, entirely fresh tools, and a distinct array of apparatus. The core purpose of this power mechanism lies in fostering, cultivating, and disseminating effective strategies or capacities for regulating and overseeing all aspects of existence. For instance, Foucault accentuates that the primary function of this power is "to elicit, consolidate, monitor, optimize, and organize the forces beneath it": a power that is oriented towards generating, amplifying, and governing forces rather than being exclusively designed to hinder, suppress, or obliterate them (Foucault, 1978). This novel authority governing life is encapsulated by Foucault as "biopower". Through biopower, individuals adhering to societal norms are preserved and invested in, while those labeled as 'abnormal' may be marginalized through the withdrawal of support and simultaneously subjected to legal force (Foucault, 1978, p. 144).

Foucault's conceptualization of biopower delineates the governance and control of human life both at the individual body level and within the broader population, representing a type of authority directed towards the populace (Rogers, Castree and Kitchin, 2013, p. 48). This framework proves valuable by linking identity to authority and elucidating how societal classifications are employed for legislating and authorizing state actions, particularly on specific matters. Biopower is characterized by two contrasting power dimensions - the disciplinary control over individual bodies and the biopolitical strategies governing entire populations. Disciplinary power shapes "docile bodies" that can be subdued, utilized, transformed, and healed (in settings like schools, prisons, and hospitals) (Foucault, 1978, p. 136), whereas biopolitical power "governs life" (Foucault, 1978, p. 138), aiming to foster the well-being of populations (Foucault, 1978, p. 139). Biopolitical regimes also partake in dividing practices that establish hierarchies within populations. As an instance, racism is identified by Foucault as a systemic form of division deeply integrated into the biopolitical era.

While Foucault lays the foundational understanding of biopower, Giogio Agamben (1998) extends Foucault's notions of biopower and biopolitics (Srinivasan, Kasturirangan and Driessen, 2020, p. 340), asserting their presence beyond the modern era; he contends that this principle pervades Western intellectual history. He traces back to Aristotle, spotlighting the distinction between "polis" and "zoe." Essentially, he posits that biopower and biopolitics emerge when biological life transitions into the sphere of politics, thereby initiating a trajectory of development. Agamben's trajectory eventually leads him to the contention that all forms of power can be classified as biopower, given their role in creating circumstances of "state of exception," sovereignty's totalitarian control, where individuals hold the authority to decide who lives and who perishes (Agamben, 1998).

In the pre-modern context, monarchs were beyond legal constraints, exempt from the rules that governed the common populace. Essentially, they represented an exception at one end of the spectrum of vulnerability. Conversely, this power could establish exceptions at the opposite end, a classification of entities that could be subjected to harm or death without contravening the law. These marginalized exceptions are like reflections of the sovereign's supremacy. While historical monarchs could employ absolute authority to suppress challenges to their power, modern rulers exploit population-controlling surveillance technologies to render entire communities as exceptions, as seen in instances like the Nazi concentration camps. This camps function as the physical and conceptual platforms for biopolitical intervention and represent the spatial embodiment of biopolitical norms, where the ruler transforms political existence (bios) into mere bare life (zoe), which can be terminated without legal violation (Foucault, 1978; Agamben, 1998). Through the confinement of an entire population or a segment of it, the camp becomes a biopolitical space characterized by extreme exceptional violence (Srinivasan, Kasturirangan and Driessen, 2020, p. 341).

Apart from the Nazi camps, there are various research studies elucidating how biopolitics manifests itself in the contemporary global context. Case in point, Lisa Bhungalia's (2012) scrutiny of the biopower strategy for population control in Gaza, where the idea of population mobility is interconnected with biopolitical strategies that shape the potential life prospects of individuals within a specified area. Another illustration can be found in Collyer's (2012) research concentrates on dimension of deportation, expanding on studies that perceive deportation as an essentially biopolitical process within the governance of populations.

3.2 Return Policies from the Lens of Biopolitics

While states have engaged in both multilateral and bilateral relations and ratified joint conventions and agreements to manage immigrant populations globally, the actual implementation of these agreements has often been slow and disproportionately enforced among different nations. Consequently, there is a growing adoption of power technologies by governments, especially in Western countries, to exert control over migrants (Nyers, 2003). These power technologies manifest as deportation practices, detention centers, and restricted access to job opportunities, healthcare, housing, and education, with the aim of marginalizing migrants (Tyler, 2006). Simultaneously, humanitarian efforts, despite their apolitical nature, tend to reduce human life to a state of "bare life" (Agamben, 1998), a life that can be easily endangered in foreign territories. This concept of "bare life" is closely associated with vulnerable immigrants residing on international borders more than any other demographic group (Ticktin, 2006).

Refugees are frequently depicted as a disruptive element challenging the traditional framework of the sovereign state system, and their arrival has the potential to impact and reshape the state's structure, especially in times of crisis. States tend to view refugees as issues requiring state intervention and resolution (Foucault, 1984), thus adopting return policies (Van Hear and Crisp, 1998, p. 8). The global refugee framework has evolved from granting long-term asylum in foreign countries to providing temporary protection within "safe zones" located near specific border regions within the refugees' countries of origin (Macey, 2022, p. 1475). These safe zones aim to dissuade refugees from crossing international borders by creating secure areas within their home countries (Hyndman, 2003, p. 169). Additionally, they serve the purpose of enabling the return of refugees who have already crossed into neighboring countries (Chimni, 2004, p. 73).

Safe zones are not only practical measures for safeguarding refugees but also powerful political and diplomatic tools employed within the realm of international politics (Turan, 2021, p. 55). Foucault denotes these actions as technologies of governance or technologies of power. The fundamental logic underlying these governmental tools of power is not solely to expel the migrant population from the area, but rather to bolster and uphold the socio-economic and political welfare of the composite body (citizens) (Foucault, 1978). It is crucial to note that these zones often encompass broader contextual dynamics that extend beyond this initial definition, although safe zones are traditionally defined as areas created to safeguard civilians

during armed conflicts and mass refugee movements (Demiryontar and İçduygu, 2023, p. 11-12). The justification for returns to safe zones is often rooted in an illusion of "security," leading to ongoing debates surrounding their suitability under varying conditions (Long, 2013b, p. 472).

In this context, the most efficient and preferred method to achieve this goal is by closely monitoring and controlling the influx of immigrants into their nation. The exclusion and regulation of immigrants are considered necessary measures aimed at ensuring the safety and stability of the societal framework. For instance, deportation serves the purpose of removing undocumented immigrants and acts as a deterrent for potential asylum seekers and those without proper documentation (Gibney and Hansen, 2003). In theory, any undocumented immigrant can be subject to deportation by the state, although not all individuals can be forcibly returned to their country of origin in practice (Paoletti, 2010, p. 13). This strategy reinforces the constitutionally granted rights of citizenship, encompassing access to employment and social services. These actions, encompassing practices like deportation and visa denial, are more closely aligned with the concept of "biopower" (Foucault, 1978). Biopower concerns itself with "the well-being of the population, enhancing its circumstances, augmenting its prosperity, longevity, health, and so forth" (Lemke, 2015, p. 100).

In essence, the key biopolitical reasoning revolves around the idea that if immigrants pose a threat to the collective well-being and communal welfare, their exclusion becomes necessary to protect the overall welfare of the nation. Consequently, the refusal of immigrants is justified as a means of preserving the stability and prosperity of the societal structure. The analysis of immigrant populations serves as a unique subject of study primarily to establish a more nuanced perspective and understanding of contemporary sovereignty and the state's exercise of biopower. Therefore, amidst the various conflicting perspectives that significantly contribute to the ongoing discourse and knowledge frameworks concerning refugee return policies, examining these approaches from a biopolitical standpoint will enrich our understanding of governmental strategies for return.

4. Methodology

This academic dissertation seeks to examine Türkiye's return policy through a biopolitical lens, shedding light on its motivations and strategies in managing the SR' populations. Concurrently, the role of UNHCR introduces complexities that underscore the challenges of reconciling humanitarian obligations with political realities. As the international community pursues lasting solutions to the Syrian refugee crisis, adopting a holistic approach that considers the interplay

of biopolitics, state interests, and humanitarian imperatives is crucial for formulating effective and ethical return policies.

4.1 Data Collection

To address the main research questions explored in this dissertation, three Türkiye's return policies were chosen as the primary subjects for data analysis. These policies include the creation of a safe zone, the "go and see" approach, and the introducing of legal instruments. While Türkiye possesses alternative return policies, the rationale for focusing on these specific three lies in their capacity to drive significant returns. The first two policies work in tandem, reinforcing each other, and the third policy acts as a supportive element to the overall repatriation strategy.

Firstly, the creation of safe zones aimed to address the security concerns of SR in their homeland. Secondly the "go and see" policy represents the return policy introduced and implemented by the Turkish government between 2016 and 2019. This policy complements the creation of safe zones and functions as a novel and ad hoc measure. These two policies are interconnected and interlocking, leading to changes in the architecture of SR in Türkiye, as they facilitated and supported their return to their home country. Lastly, in addition to these policies, the government introduced new regulations that played a crucial role in shaping and regulating the SR' population. Consequently, these policies constitute pertinent case studies for investigating the utilization of biopower strategies aimed at controlling and regulating SR within Türkiye's borders.

Around 90 to 110 primary sources were thoroughly examined, encompassing official government policy documents, legislative analyses, reports issued by international organizations, and articles penned by political experts, all focusing on the three identified policies. This collection of documents also encompasses policy declarations from the Turkish government, operational guidelines, and public declarations. Access to all Turkish documents was obtained through official government websites and digital archives, such as the Ministry of Interior, the Presidency of Migration Management (PMM), and the Turkish Ministry of Foreign Affairs. In order to pinpoint applicable materials concerning the initiation and execution of the three policies, I primarily employed Google Scholar, Scopus, and the Sussex University library. I directed my search towards documents that were published subsequent to 2015. This choice was influenced by the fact that discussions regarding the return of Syrians had started to gain momentum since 2015.

In addition to these documents, I have incorporated findings from two survey research studies conducted by UNHCR and the University of Bilgi to show Turkish public opinion towards SR and obtain a comprehensive understanding of the motivations and drivers behind the return policies. Certain official documents were obtained and examined in Turkish, subsequently being translated and interpreted by me. Meanwhile, other documents were directly acquired and analyzed in their official English versions.

4.2 Analytical Approach

The data analysis was conducted using a critical approach to policy analysis. This interpretative methodology delves into the explicit objectives of a policy and its broader implications. It views policy making as a fundamentally political activity influenced by beliefs, thoughts, and disputes (Yanow, 2000; Am, 2020). Therefore, it is essential to acknowledge that the information in datasets is shaped by specific actors within the broader political context. Consequently, the information officially announced and particularly included in the policy makers' analysis is regarded as a framework that necessitates interpretation and critique, rather than being accepted as an objective, empirical truth. This approach to policy analysis proves to be convenient and valuable in analyzing data as it provides an interpretative evaluation of aspects such as the adopted biopower strategies, key actors, targeted populations, and the impetuses underpinning policies.

Data analysis was conducted using a qualitative analysis (Busetto, Wick and Gumbinger, 2020) focuses on understanding the employing of biopower strategies, influential agents and targeted populations in the context of Türkiye's policies concerning SR' return. Through an interpretive lens that presents contrasting viewpoints while avoiding personal biases, the analysis examines how nations utilize biopower strategies to govern and control the mobility of refugees. This includes identifying the mechanisms of control and governance utilized by states to influence migration flows and outcomes within their borders. Biopower strategies are examined in relation to specific policies implemented by Türkiye, such as the creation of safe zones the "go and see" approach, and legal regulations.

On the one hand, the data analysis seeks to identify the key actors and stakeholders involved in shaping and driving the adoption of biopower strategies in refugee return policies. This involves studying the roles of government agencies, international organizations, non-governmental organizations (NGOs), and organizations responsible for return execution in particular PMM and UNHCR. The analysis explores how these influential agents interact and collaborate in the

formulation and implementation of policies. On the other hand, the targeted population refers to the group of individuals to whom the policies are directed – in this case, the SR in Türkiye. The data analysis investigates how return policies are applied to influence the returning of the targeted population. It explores the factors that drive SR' return, and how the return policies impact their mobility.

The qualitative data analysis adopts a critical approach, acknowledging that policies are inherently political activities driven by beliefs, meanings, and argumentation. It recognizes that the information presented in datasets may be influenced and framed in certain ways by the actors within the political environment (Bhandari, 2020). Therefore, the analysis interprets the data, offering insights into the motivations, implications, and effectiveness of the biopower strategies used by countries to address refugee return issues. By comprehensively examining the interplay of biopower, influential agents, and targeted populations, this analysis aims to shed light on the complexities surrounding the return of SR.

Although the critical analysis of policy datasets yielded valuable and pertinent findings, there was a limitation that needed to be addressed. The analysis was constrained to the information officially disclosed in policy documents, taking into consideration that these documents were intended for a general audience. Consequently, it is highly likely that the findings do not offer a fully transparent depiction of both the motivations behind the policies and the intricacies of their implementation. This limitation was anticipated and considered normal for this methodology, given the sensitive and discreet nature of extraterritorial tools (FitzGerald, 2019). Despite this limitation, the available data still offered sufficient information to derive significant findings and valuable insights. The analysis managed to provide important understandings despite the inherent challenges in accessing comprehensive and unfiltered data related to the policies in question.

5. Background

An illustrative instance of biopolitical reasoning related to return policies is evident within the context of Türkiye. To thoroughly examine the biopower strategies influencing population mobility, including the safe-zone creation, the go-and-see approach, and legal regulations, for the scope of this research, it is essential to take into account the public discourses of Türkiye in which these return policies are formulated.

Starting from 2014, Türkiye has taken on the responsibility of overseeing the largest population of the world. As of August 28, 2023, the number of Syrians under temporary protection has exceeded 3.3 million, with nearly half of them being children and approximately 46 percent being women and girls (PMM, 2023c). The legal framework in Türkiye for the legal stay, registration, documentation, and access to rights and services for foreigners is established by the Law on Foreigners and International Protection (LFIP), enacted in 2013, and the Temporary Protection Regulation (TRP) (3RP, 2023, p. 5).

In the early stages of the Syrian crisis, Türkiye exhibited a positive response to the arrival of SR, viewing it as a humanitarian issue. The official narrative emphasized that Syrians were considered 'guests,' shaping the discourse. In 2013, Türkiye described Syrians as both guests and brothers, explicitly stating that denying them entry was not an option. By 2014, the government framed the act of hosting refugees as an expression of 'Ansar' (helpers). The presence of Syrians was perceived as potentially beneficial for future relations between Türkiye and Syria (Içduygu and Nimer, 2020, p. 418).

The prolonged Syrian crisis has resulted in a lengthened stay of SR in Türkiye. As the economic slowdown emerged, the initial feelings of solidarity towards SR transformed into disappointment, adversely impacting their welfare and socio-culture. The quality of public discourse have deteriorated, leading to a rise in xenophobic attitudes and a heightened perception of discrimination. Turkish citizens have started perceiving Syrians as "competitors" vying for scarce resources within the country and as an economic burden (Erdogan, 2022, p. 321). Consequently, the rights granted to Syrians in Türkiye have come under public scrutiny and criticism, particularly as economic challenges in the country have intensified (Içduygu and Nimer, 2020, p. 420). As Türkiye's economic situation continued to deteriorate, politicization of migration was on a rise (Yanaşmayan, Üstübici and Kaşlı, 2019, p. 48), prompting public demands for the return of refugees to Syria (Erdogan, 2022, p. 158).

Two comprehensive researched conducted supported this sentiments. One important discovery from the 2018 research conducted by the Istanbul Bilgi University Migration Research Center, titled "Dimensions of Polarization in Türkiye," revealed that 86.2% of individuals who express their support for the return of SR to their home countries. Among Turkish citizens surveyed, 37.4% advocate sending Syrians to secure regions within Syria, while 28.1% insist on keeping them in separate camps away from the Turkish community. Additionally, 25% support the deportation of Syrians, while a smaller percentage, 2.4%, believe that establishing dedicated cities for Syrians is the appropriate approach (İstanbul Bilgi University, 2018). Furthermore,

Syrians barometer survey conducted by Erdogan in 2021 for UNHCR, supports that research that although 98% of Syrians reside in urban areas with Turkish community, a substantial majority of Turkish people (81.8% in 2017 and 87.2% in 2019) expressed their reluctance to live alongside SR (Erdogan, 2022).

Considering the survey outcomes and the public demands placed on politicians, the potential for SR' return are increasingly becoming a subject of focus within political discussions (Içduygu and Nimer, 2020, p. 425). There has been a shift in the discourse surrounding SR, with the initial emphasis on "hospitality" giving way to an increasing focus on the necessity for SR to return to their home country. The Turkish policy-makers chose not to adopt a discourse of integration as they believed that emphasizing the discourse of return would yield greater political benefits (Kaya *et al.*, 2021, p. 191). Pre-election campaigns leading up to the presidential and parliamentary 2023 elections prominently centered on the return of SR in Türkiye. These campaigns, along with the racist and hateful speeches made by certain opposition parties and figures, evoked negative reactions among the Turkish public, particularly towards the presence of SR in major cities. Any incident involving SR was excessively sensationalized by the media, leading to violence and even death against Syrians (Jamous, 2023).

In May 2023, President Erdogan unveiled a project aimed at facilitating the "voluntary return of a million SR to their homelands." During a video message at the inauguration of briquette houses for SR residing in Idlib, a region in northern Syria, Erdogan expressed that the plan would be extensive and cover 13 districts along Syria's northern border (Hardan, 2022). This initiative can be interpreted as a form of government communication directed at the domestic audience ahead of elections, given that the Turkish public has concerns regarding the presence of refugees in the country. However, it can also be seen as an indication of Türkiye's geostrategic considerations, serving as a message to the international community about the country's strategic capabilities in engaging in negotiations with Syria, including addressing the urgent refugee issue (Levkowitz, 2023).

6. Return Policies of Türkiye Concerning Syrian Refugees

Given the evolving situation within Turkish society and driven by political considerations, the Turkish government initiated measures related to the return of SR. As Foucault (1978) mentioned the governments use biopolitical strategies to govern targeted populations by using the disciplinary power to regulate refugee movement to enhance the prosperity of their citizens.

Within this framework, Türkiye primarily utilized three distinct biopower strategies: Creating a safe zone, go and see approach, and legal regulations. The various roles and perspectives on the issue of return mirror the unique national context in which Syrian refugee migration unfolds. It involves a complex interplay between security, humanitarian, and socio-economic aspects, and is influenced by the multifaceted relationships among a growing number of state and non-state institutions (Memişoğlu and Ilgit, 2016, p. 1). The government's policies concerning Syrians frequently receive prominence and backing through the strategic use of political narratives and powerful metaphors that outline roles and scenarios (Rottmann and Kaya, 2021, p. 479).

6.1 Creating a Safe Zone

In conflict-ridden scenarios, implementing governance reform is a lengthy and demanding process in Syria, particularly given the intricate interplay of domestic and international politics in some situations (Yahya, Kassir and El-Hariri, 2018, p. 49). The discussions surrounding UN intervention, foreign involvement, security measures within safe zones, return processes during conflict, post-conflict returns, and returns in times of peace in Northern Syria are highly contentious and even paradoxical in nature (Demiryontar and İçduygu, 2023, p. 12). The Turkish government gradually crafted a strategic narrative that strategically combines border security concerns with the power vacuum in northern Syria, linking it to the issue of refugee returns (Içduygu and Nimer, 2020, p. 415). This narrative of return is further strengthened by a survey conducted by UNHCR. Syria Barometer survey showed that a majority (61%) of the Syrians interviewed in Türkiye would be inclined to return to Syria once the war ends and a favorable environment is established (Erdogan, 2022, p. 17). By leveraging these connections, the government aimed to make the narrative of return more strategic, seeking to gain support for its cross-border military offensive and the creating of a 'safe zone' for the resettlement of returnees in northern Syria (Mencutek, 2021, p. 2807), while also portraying Türkiye as a compassionate humanitarian actor, using the Syrian refugee crisis as a demonstration of its benevolence (Içduygu and Nimer, 2020, p. 418). Under these conditions, Türkiye become increasingly impatient with the existing situation and ultimately seeks large-scale return of refugees sooner or later (Kayaoglu, Şahin-Mencütek and Erdoğan, 2022, p. 579) and justified deploying military operations and security forces in northern Syria with the aim of facilitating the return of a significant portion of the settled refugees, thus alleviating the burden on Türkiye (Secen, 2021, p. 9).

Importantly, both integrating humanitarian efforts with a political strategy to creating a safe zone and attempts at facilitating returns are not exclusive to Türkiye; these practices have been prevalent since the 1990s (Adar, 2020, p. 2). For instance, Türkiye favoured the idea of establishing a safe zone to manage the influx of approximately half a million Iraqi Kurds at its borders after the First Gulf War in 1991. On April 5, 1991, the UN Security Council Resolution 688 authorized the United States to lead the establishment of safe zones and a no-fly zone on the Turkish border (Ihlamur-Öner, 2022, p. 306). Türkiye also attempted a similar approach in response to the Syrian refugee crisis since the beginning of the Syrian war in 2012, as a potential solution for return (Adetunji, 2012). When Türkiye was unable to receive a response to its initial request in 2012, it made a subsequent request through visiting to Brussels in 2015. The government has urged the UN Security Council to approve the creation of a safe zone in northern Syria (Kalantaryan, 2015; Adar, 2020, p. 1), while facing the challenges in gaining international support for the Syrian case (Ihlamur-Öner, 2022, p. 306). On this basis, the Turkish government implemented various military operations and strategic narratives to encourage self-organized returns of Syrians refugees in 2016, 2018 and 2019 (Mencutek, 2021, p. 2806).

Commencing in 2016, Türkiye initiated operations in Northern Syria, with Operation Euphrates Shield successfully securing an area of 2,000 square kilometers. Following the conclusion of the Euphrates Shield Operation, numerous Syrians were observed returning to the Jarablus region (Shaheen, 2016). The 2018 Olive Branch Operation targeted Afrin province with the objective of pushing the terror organisations away from Türkiye's borders. As a result of this operation, the area under Türkiye's control expanded to 3,500 square kilometers. Following this, on October 9, 2019, Türkiye commenced Operation Peace Spring. During this time, President Erdogan stressed the interconnectedness between combating terrorism, safeguarding Syria's territorial integrity, and facilitating the return of SR to Syria (Aliriza and Yekeler, 2018). Also, the Turkish Foreign Affairs reiterated its firm commitment to eradicate all terrorist elements located east of the Euphrates River. Operation Peace Spring had a specific objective of creating a safe zone extending 30 kilometers (20 miles) into Syria's northeast, with the intention of returning up to one million SR in this area (MFA, 2023b).

Nevertheless, following the military operations, Turkish-led safe zone lacked international recognition (Fakih, 2019; Demiryontar and İçduygu, 2023, p. 11). SR in Türkiye remained vulnerable to return, raising concerns that Turkish authorities might relocate large numbers of

refugees to the so-called "safe zone" in northern Syria (Amnesty International, 2020). Human Rights Watch points out that "safe zones" created during other conflicts are rarely safe and that the creation of a zone cannot justify the return of refugees (Human Rights Watch, 2019). It is worth noting that even the United Nations Security Council and UNHCR don't endorse the creating of safe zones, as it believes such zones jeopardize the right to seek asylum (Demiryontar and İçduygu, 2023, p. 12). Despite the lack of international backing, the concept of creating a safe zone emerged as a top priority on Türkiye's agenda (Schuringa, 2016, p. 46), and it persisted with its military operations (ICMPD, 2021, p. 2). The majority of those returning are originally from areas under the control of the Syrian government, but it's worth mentioning that the same government has been responsible for generating over six million refugees and has been involved in numerous riots and severe human rights violations against its own citizens (Human Rights Watch, 2022).

Besides the military operations, the latest indications from Türkiye and other governments suggest that they are contemplating restoring diplomatic ties with Syrian President Bashar al-Assad and approved its intentions to relocate one million refugees to northern Syria, specifically in regions outside the government's control (Michaelson, 2022). While numerous Syrians appear reluctant to return as long as President Assad remains in power, Turkish authorities believe that reaching an agreement with the regime could facilitate the return of SR (Levkowitz, 2023).

Presently, Turkish-controlled regions in northern Syria house over four million individuals, including a significant number of internally displaced people. The fact that Turkish authorities have control over these areas serves as a buffer, effectively preventing the emergence of new refugee flows (Chulov, 2022). On May 25, 2023, the Ministry of Interior announced that during 2018 and 2019, there were two significant migratory surges, involving nearly 2 million individuals moving northward in Syria. It was highlighted that the implementation of safe zones played a crucial role in preventing these migration waves from escalating into a crisis (Hurriyet, 2023). Also, partnership with the Syrian National Coalition forces enables Turkish authorities to exert economic, social, and political influence over Northern Syria. Consequently, their involvement extends beyond military presence and encompasses comprehensive administrative restructuring and deployment efforts. For instance, all local councils in Northern Syria collaborate directly with Turkish authorities, Turkish lessons are integrated into the primary school curriculum, Turkish post offices operate, and the use of Turkish currency is prevalent in the region (Aslan, 2019, p. 56). Türkiye actively participates in the reconstruction of

infrastructure, schools, hospitals, mosques, and universities in collaboration with local partners. Turkish media and government agencies reported that the areas under Turkish control are considered safe (Mencutek, 2021, p. 2813).

Consequently, although there have been some improvements like this, the prospect of achieving a sustainable return of refugees to the established safe zone appears questionable (Demiryontar and İçduygu, 2023, p. 11), with issues such as inadequate security, a lack of rule of law, limited access to basic services, challenges in restructuring, and overall uncertain circumstances undermining the feasibility of facilitating safe, voluntary, and enduring returns. In the current situation, a return to Syria would likely result in internal displacement and exacerbate instability and human suffering in the region (Demiryontar and İçduygu, 2023, p. 12). Enhancing livelihood opportunities through investments without adequately addressing security concerns, movement restrictions, or the underlying causes of forced displacement could endanger returnees or even lead to new displacements. Ensuring a voluntary and secure return requires holding those responsible for crimes accountable through criminal prosecutions and providing victims with redress and justice (Sullivan, 2019, p. 5; Human Rights Watch, 2023).

6.2 Go and See Approach

The notable development in the north-western Syria prompted Türkiye to revise its approach towards to encourage SR return. In this sense, another complementary biopower strategies, known as the "go and see" approach, was implemented during the Eid holidays from 2017 to 2021. This authorization pertains to the permit granted by the PMM, enabling voluntary of SR to celebrate their religious holidays within the created safe zone in Syria. This permit allows them to depart from Türkiye and reside in Syria for a duration of up to three months (PMM, 2021). By means of these visits, SR was able to meet their relatives and loved ones, assess the conditions in their home country and make informed decisions about their return while retaining their temporary protection status during their stay in Syria, with the requirement to inform the authorities about their safe return (Mencutek, 2021, p. 2813). However, it is essential to mention that Syrians holding Turkish citizenship were not eligible for this permit (PMM, 2021). If Syrians failed to return within the specified timeframe, their temporary protection status was revoked by the PMM (PMM, 2021).

During the Eid visits in 2017, 40,000 Syrians, constituting 15% of the returnees, opted to stay in Syria. Similarly, in 2018, out of 252,000 Syrians who visited Syria, 57% chose to stay. In

total, around 150,000 Syrians did not return from their Eid holiday (AA, 2022). Eid visits by Syrians, who last ventured to certain areas of Syria like Azez, Mare, Afrin Jarablus, and Al Bab. These regions were the places where safe zone operations by the Turkish military were conducted (PMM, 2022b). As a result, the primary factor contributing to the notable success in the increase of returns, particularly in terms of numbers, was the created of safe zones within Syria. This led to the creation of living spaces and significant structural changes in areas where security was ensured (PMM, 2022b).

Nevertheless, the act of SR returning to their home countries to celebrate their Eid holidays sparked debates regarding the principle of "non- refoulement". In the view of certain analysts, the opportunity for SR to travel to and remain in their places of origin for Eid celebrations implies an improvement in conditions there, thus implying that they may not need to return to Türkiye. This perspective challenges the credibility of the non-refoulement principle, which prohibits the return of refugees to locations of persecution (Euronews, 2022).

Selim Sazak, a scholar at Brown University, suggests that the permission for SR to return to their homelands during Eid signifies the diminishing relevance of the refugee status. From this perspective, Sazak further emphasized that the obligation lies in not returning those who flee from danger, but there is no obligation to readmit those who voluntary return. The concept of part-time asylum doesn't apply in this context. İbrahim Vurgun Kavlak, General Coordinator of the Association for Solidarity with Asylum Seekers and Migrants, as an alternative viewpoint distinct from the preceding perspective, states that "not breaking ties during holidays ensures that conditions for voluntary return are created in the future for Syrians (Euronews, 2022).

As per the convention, the act of a refugee or asylum seeker returning to their country of origin leads to the termination of their legal status or application (Convention, 1951). The existence of the "Eid visiting permit" introduces a contradiction in the proper adherence to the principles of non-refoulement and emergency protection outlined in the Convention. On this basis, this incentive lacked a legal basis and was solely a governmental decision executed through the PMM and border authorities responsible for granting temporary travel permits (Mencutek, 2021, p. 2813). The manner in which Türkiye implements the non-refoulement principle highlights the interplay between international law, state interests, and the refugee population management, all of which involve the exercise of biopower. Turkish policymaker exerted their biopower and the tradition of Eid holiday permission continued.

6.3 Legal Regulations

The Turkish Government has adopted a stringent approach towards SR apart from "creation of safe zone and go-and-see approach". Türkiye initiated a reconsideration of its border strategies, and imposed visa restrictions in 2015 for Syrians entering the country in response to the ongoing refugee crisis (Human Rights Watch, 2015). Subsequent year, post-2016, Türkiye de facto discontinued the open door policy, opting instead to construct a barrier spanning over 900 km along the Syrian border (Erdogan, 2019, p. 3). Syrians are now allowed to enter legally only in cases of medical emergencies, such as arriving by ambulance. Once the medical emergency is resolved, they are promptly sent back to their country of origin (Al-Kanj, 2021). Upon crossing the border, they are required to sign a document labeled as a 'voluntary return' form. This process, coupled with the confiscation of their documents, effectively bars returnees from being able to re-enter Türkiye (Norwegian Refugee Council *et al.*, 2018, p. 10).

In addition to the border gate procedures resulting from the end of the open-door policy in 2016, SR were granted the privilege of obtaining work permits in the same year. However, their ability to participate in the labor market is subject to certain limitations within Türkiye. These restrictions include confining work permits to particular cities and geographic regions. This regulation also imposes specific quotas, such as capping the Syrian workforce at no more than 10 percent of the total workforce within a workplace. Moreover, smaller businesses with fewer than 10 employees are restricted to hiring only one SR (Ineli-Ciger, 2017, pp. 561–562).

The following year, in 2018, Türkiye announced its intention to close all refugee camps within a year. These camps had provided refuge to over 100,000 Syrians, comprising 4% of the total refugee population, since 2012 due to a lack of alternative options. With the closure of these camps, refugees faced two difficult choices: either relocating to cities with expensive housing or considering returning to Syria (Gurcan, 2019). Moreover, in 2021, the introduction of the address verification application aimed to validate the accuracy of address details and monitor the residences of Syrians under temporary protection. As a result, approximately 600,000 SR had their temporary protection status deactivated in 2022. Although the status of over 160,000 people was later reinstated, a significant number were required to return to their initial province of registration or risk residing in their region without legal status, losing access to public services and formal employment opportunities (3RP, 2023, p. 8). As an illustration, in cases where SR express the desire to travel from their designated city without a valid travel permit and are identified by law enforcement units, thereby potentially initiating administrative

measures that could lead to their return. Naturally, these incidents have generated apprehension among other SR within Türkiye (Holleis and Knipp, 2022). The following year, policies were implemented in areas where the density of Syrians exceeded the Turkish society, leading to the suspension of new temporary protection in approximately 1,200 neighborhoods. Hereafter, new registrations for Syrians under temporary protection are now required to be conducted in temporary shelters (PMM, 2022a). As a result, their mobility and areas of registration were constrained.

Local authorities also engaged in the return process of SR through the implementation of various initiatives. The Esenyurt municipality in Istanbul conducted a return campaign that facilitated the return of over 3,000 Syrians, encompassing a total of 30 trips to the Syrian border in 2018 (Hürriyet Daily News, 2022). Each return journey was presented in the national media as a ceremonial event, depicting it as a moment when 'our guests return home' (Seibert, 2018). Bolu province's Mayor Tanju Özcan, known for expressing xenophobic views against Syrians, placed banners in the province with a message calling on Syrians to return to their country. The banners, titled "Last call from Bolu Municipality to temporary refugees," conveyed a message that "it's time to depart as you arrived. Your presence is no longer desired; please return to your homeland." He also enacted a municipal law that led to an eleven fold surge in water charges and a significantly inflated rise in fees for marriage ceremonies specifically targeting them (DailySabah, 2022). Similarly, on August, 2021, the Mayor of Sungurlu in Türkiye's Çorum province made comments aimed at SR and stressed that Syrians would not be permitted to reside in the Sungurlu region. He also remarked, "One without a homeland has no dignity." Notably, the Turkish government remained passive in response to these hostile statements and media instigations against SR, opting not to intervene (CIHRS, 2021).

In spite of Türkiye's legal enforcement for the return of Syrians, it has faced criticism from several international organizations (Adar, 2020, p. 3). Human Rights Watch (2022) observer stated that the PMM lacks the capacity to oversee the well-being of SR upon their return to Syria. Those returned to northern Syria felt trapped, as they could not return home or establish a stable life amidst the ongoing conflicts in the northern part of Syria. Also, the Syrian Observatory for Human Rights reported that Turkish authorities execute return 50 to 100 SR daily, using various pretexts, and sending them to regions in northern Syria controlled by the Syrian opposition, through the border crossings between Syria and Türkiye (Jamous, 2023). Plus, Amnesty International's brief report (2019, p. 5) revealed that hundreds of SR were apprehended, detained, and returned against their will across Türkiye in mid-2019. Many of

these refugees did not fully understand the documents they were asked to sign, as they were often in Turkish. In a similar vein, Human Rights Watch, through a letter dated October 26, 2021, shared the findings of their report, stating that some of Syrians who were returned reported being coerced by Turkish authorities them into signing return documents at removal centers and an immigration office (Human Rights Watch, 2022).

In response to these claims, the PMM, stated on November 21, that HRW's statements were unfounded, and Türkiye complies with international law and domestic regulations, exclusively returning foreigners to their country of origin or a secure third country. Türkiye reaffirmed its commitment to upholding the principles of non-refoulement and ensuring voluntary and secure returns (PMM, November 17, 2022c). Up until now, Türkiye has not conducted any large-scale or coerced return of SR to Syria. The returns that have taken place have been on an individual, case-by-case basis, often referred to as "spontaneous returns." (Kaya *et al.*, 2021, p. 191) Professor Talip Kucukcan (2022, p. 189) from University of Marmara added that although Türkiye encountered accusations of returning Syrians and engaging in demographic engineering, after the operations Euphrates Shield in 2016 and Olive Branch in 2018, there have been no apparent demographic changes, despite the challenges posed by limited resources and inadequate financial support from the international community.

7. Role Of UNHCR in Refugee Return

In practical terms, the exercise of power concerning territory, norms, discourses, and resources significantly influences the arrangements for return. Within this context, both state and non-state actors become politicized, leading to conflicts revolving around the principles guiding the process of return (Zieck, 2004, p. 47). On this basis, the notion of return gives rise to several inquiries that are still awaiting an appropriate answer. Such as, what should be the role of UNHCR? (Chimni, 1998, p. 365) UNHCR's involvement in return operations has been a contentious issue in practice (Long, 2013b, p. 1). UNHCR faces a lack of clear legal guidance in these matters (Chimni, 1998, p. 366), although the UNHCR charter mandates UNHCR to facilitate the "voluntary repatriation" of refugees. Interestingly, the (1951) UN Refugee Convention does not mention voluntary repatriation. The 1969 OAU Refugee Convention is the only treaty that explicitly incorporates the concept of voluntariness as an essential aspect of repatriation. Article 5 of this convention emphasizes that "the essentially voluntary nature of repatriation shall be respected in all circumstances, and no refugee shall be returned to his country against his will." (OAU, 1969, article 5) Nevertheless, the current UNHCR policy

continues to stress that voluntary repatriation is the preferred solution only when feasible, and it encourages the simultaneous exploration of local integration and resettlement options for refugees who cannot or choose not to return to their countries of origin (UNHCR, 2005).

In theory, the phrase "voluntary return in safety and dignity" is widely recognized as a fundamental aspect of UNHCR's protection norms (Long, 2013a, p. 1). The organization of return processes necessitates close coordination among the host state, country of origin, and refugees on the ground. UNHCR have crucial responsibilities in terms of coordinating, monitoring, and offering financial support (Koch, 2014, p. 913). In UNHCR-organized repatriation, it offers transportation and additional support to facilitate the return of refugees (UNHCR, 1996, p. 19) and maintains responsibility for both spontaneous and organized returns. For instance, in situations where spontaneous returns take place during times of conflict, UNHCR is obliged to deliver prompt and effective protection and assistance to the affected individuals (UNHCR, 1996, p. 19). Although these returns are often meticulously planned and organized, they differ from UNHCR's structured or assisted returns. Moreover, a significant number of individuals who are citizens of their country of origin and may have chosen not to register as refugees, or who might have established camps or left official protection settings, are likely to return to their home country once conditions become safe (Long, 2013a, p. 17).

7.1 UNHCR's Challenges in Syrian Refugees' Return in Türkiye: Coordination and Contradictions

UNHCR's role in safeguarding the protection of SR in Türkiye involves supporting the temporary protection regime by offering technical guidance (UNHCR, 2017, p. 7). From 1960 onward, UNHCR has engaged in a collaborative effort with Türkiye to address asylum and refugee matters. The cooperation between Türkiye and UNHCR was further formalized and reinforced through the signing of a Host Country Agreement on 1 September 2016. This agreement solidifies their existing partnership. UNHCR's presence in Türkiye is substantial, constituting one of its largest global operations, with offices in Ankara and field teams stationed in İstanbul, İzmir, and specifically operates in southeastern region of Türkiye such as Gaziantep, Hatay, Şanlıurfa, and Van. Their teams routinely visit all refugee camps, providing technical assistance in various areas, including registration, camp management, identifying vulnerabilities, facilitating voluntary return, education, health and nutrition, water sanitation, and site planning (UNHCR, 2023d). In return procedural terms, UNHCR offers return

consultation first, and subsequently facilitates returns by organizing logistics for reintegration support (Mencutek, 2022, p. 53).

The process of return concerning SR in Türkiye involves numerous procedural steps and collaboration with international organizations and local stakeholders to facilitate a safe and transparent return (Ihlamur-Öner, 2022, p. 306). The PMM is responsible for coordinating returns from Türkiye to Syria, with the goal of independently preparing the necessary conditions for a significant return of Syrians in the coming times. Syrian under temporary protection who express a voluntary desire to return to their home country can submit their applications to the Provincial Directorates of Migration Management located in their respective regions of residence. This step marks the commencement of the procedures for their voluntary return (PMM, 2023b). Before return operation, the voluntary return form must be signed by four parties to facilitate their return: the returnee, a government official, a translator, and either a UNHCR representative or a recognized non-governmental organization representative. However, as UNHCR declined involvement in the return process, citing Syria is not safe for returns (Mencutek, 2022, p. 53), instead, representatives from the Turkish Red Crescent are signing the documents. At the border, two Turkish agencies are responsible for transporting SR to towns in Syria under Turkish military control. It's important to note that once the returnees complete the process, they forfeit their temporary protection status and are not allowed to return to Türkiye (PMM, 2023a).

In the lights of this return process, UNHCR possesses limited authority and capabilities to oversee voluntary returns. The difficulty arises from return decisions often being made at night, with return taking place the following morning before the monitoring efforts of these organizations can be effectively conducted (Mencutek, 2022, p. 53). According to UNHCR norms, when returns occur, it is required to provide immediate and efficient protection and support to the impacted individuals (UNHCR, 1996, p. 19), however, UNHCR's limited field capacity prevents them from effectively monitoring return processes. Besides, although UNHCR Türkiye website states that UNHCR teams routinely visit all refugee camps, providing technical assistance in voluntary repatriation (UNHCR, 2023d), on the contrary, UNHCR officials seldom visit immigration offices, and when they do, they primarily review the files without providing much advice or essential information about the consequences of returning. Also, UNHCR refrain from participating in returns to Syria, as they firmly believe it is not safe for returns (Mencutek, 2022, p. 53).

It's worth noting that although UNHCR did not consider the situation in Syria to be favorable for voluntary returns and declined involvement in the return process (UNHCR, 2019), one of the principles outlined in the UNHCR's Comprehensive Protection and Solution Strategy from 2018, titled "Protection Thresholds and Parameters for Refugee Return to Syria," highlights the significance of ensuring the safety and dignified return of SR who willingly opt to return to their home country. This report delves into the changing situation on the ground through two distinct phases: self-organized returns and a large-scale facilitated return operations. The initial phase involves self-organized returns from Lebanon and Türkiye, while the second phase is envisioned to occur with the support of the international community, the UN, non-governmental organizations, host governments, and the Syrian Government. Furthermore, the report incorporates regions within Syria that are identified as "possible return areas" (UNHCR, 2018, p. 4).

Despite the UNHCR's non-participation in the signing of voluntary return agreements due to safety concerns in Syria, it is intriguing that they possess a document detailing potential areas for return and the enhancement of conditions in certain regions within Syria. This situation inherently gives rise to a contradiction within the UNHCR's policy concerning SR. Additionally, according to the UNHCR, voluntary return is regarded as the most effective durable solution when compared to resettlement and integration policies (Pearson, 2021, p. 439). The Syrian Association for Citizen's Dignity (SACD) also raises concerns over the UNHCR's return papers. It stated that dissemination of "misleading and hazardous" content regarding Syria, specifically statements like "conditions are challenging but improving." This criticism stems from the fact that UNHCR lacks access to all regions within the country and cannot ensure the safety of those returning. Consequently, such information may result in "misinformed returns," particularly in areas controlled by the Assad regime, potentially undermining the effectiveness of UNHCR's mission (SACD, 2022).

Another contradiction is that as per UNHCR data, there were approximately 51,300 returns of SR in 2022. In the previous year, around 36,000 returns were registered, which marked a decline from 38,000 in 2020 and a significant drop from 94,000 in 2019, possibly due to difficult conditions within Syria (UNHCR, 2023c). In total, about 220,000 returns from Türkiye to Syria have been officially documented. This sharply greatly contradicts the figures of 550,000 returnees reported by the Turkish Ministry of Interior in March of this year (Holleis and Knipp, 2022). According to Mencutek's (2021, p. 2820) viewpoint, the government's reported figures are higher, potentially because UNHCR's data might not include all the returns.

8. Conclusion

The management of refugee populations has become an increasingly complex and contentious issue in the modern global landscape. Within this context, Türkiye's approach to return policies for SR stands as a significant case study that can be comprehensively examined through the theoretical framework of biopolitics, while also considering the role of the UNHCR. The amalgamation of these factors offers a multifaceted understanding of how state interests, population management strategies, and international humanitarian mandates intersect in the realm of return policies.

At its core, biopolitics (1978), as conceptualized by Michel Foucault, elucidates the ways in which power operates to control and regulate populations. In the case of Türkiye's return policies, the biopolitical lens highlights the state's efforts to optimize the composition and functionality of its population through strategic measures. Biopower strategies, as Foucault describes, aim to manage life itself, encompassing various mechanisms that govern the well-being, reproduction, and productivity of the population. This notion of governance extends to the realm of migration and return policies, where the state seeks to regulate and shape the movement of individuals within its borders.

Türkiye's return policies exemplify the application of biopower strategies to manage its SR population. For example, the creation of safe zones, serves not only to provide security for civilians but also aligns with the Türkiye's goal of controlling the movement of refugees. By designating certain areas as safe and encouraging SR to return, Türkiye exercises biopolitical control over the composition of SR' population. Thus, Türkiye can manage the inflow and outflow of Syrians, thereby preserving the socio-political equilibrium and maintaining its citizens' well-being. On the one hand, the "go-and-see" approach aligns with Türkiye's biopolitical strategies and serves multiple motivations. By encouraging SR to assess the conditions in their home country firsthand, Türkiye aims to gather information that can influence their decisions about returning. This approach also contributes to the optimization of the population composition, as it empowers SR to make informed choices that align with their individual circumstances. The "go-and-see approach" holds significant implications for Türkiye's return policies and the broader discourse on return. This approach aligns with the principles of human agency and informed decision-making, which are fundamental to ethical return. It underscores the importance of considering SR as active participants in the return process, rather than passive recipients of the Turkish government directives. Legal regulations,

on the other hand, function as a regulatory framework to dictate the conditions under which SR can remain or return. Such legislation is instrumental in demarcating the boundaries of the SR and delineating who belongs and who does not, reinforcing the Türkiye's biopolitical prerogative.

The interplay between biopolitics and the role of the UNHCR in Türkiye's return policies creates a delicate balancing act between Türkiye's interests and humanitarian imperatives. The Türkiye's biopolitical strategies may conflict with international humanitarian standards, particularly when the prioritization of its own citizens clashes with refugee protection principles. The UNHCR's challenges in reconciling its commitment to refugee well-being with the realities on the ground underscore the complex ethical dilemmas inherent in return operations. This complex landscape raises fundamental questions about the role of state sovereignty, ethical responsibility, and the pursuit of national interests. It highlights the need for nuanced policy approaches that address the imperatives of both state security and humanitarian protection. Achieving this balance requires active collaboration between state authorities, international organizations, and civil society actors, all working together to ensure that return policies uphold the dignity and rights of refugees.

The UNHCR's presence and involvement in Türkiye are significant. Its technical guidance to support Türkiye's temporary protection regime reflects its commitment to providing expertise in managing SR. The collaboration between Türkiye and the UNHCR exemplifies an effort to strike a balance between state interests and humanitarian concerns. However, The UNHCR's engagement in facilitating voluntary returns is constrained by limitations in field capacity and the urgent of return decisions. These constraints inhibit the organization's ability to effectively monitor and coordinate return processes, highlighting the challenges of aligning normative principles with practical realities.

One another challenge arises from the UNHCR's possession of documents outlining potential return areas and improved conditions within Syria. While the organization's refusal to sign voluntary return forms due to safety concerns underscores its dedication to safeguarding refugees' interests, the existence of these documents reveals a dissonance between policy pronouncements and operational realities. This paradox underscores the intricate interplay between normative principles and the practical challenges of implementing return policies in complex environments. Moreover, the discrepancies between official return figures reported by the Turkish Ministry of Interior and the UNHCR highlight the complexities in tracking Syrian

returnees. These discrepancies suggest potential gaps in data collection, revealing the challenges of comprehensively monitoring return operations and assessing their impact.

In navigating these tensions, several considerations emerge for future policy development. First, the biopolitical aspects of return policies necessitate the exploration of ethical boundaries such as force or voluntary return. Balancing population management with respect for refugee rights requires careful deliberation to avoid discriminatory practices or undue hardships for vulnerable populations. Second, the UNHCR's role demands increased collaboration with host states, including timely and effective monitoring mechanisms that align with the organization's protection norms. Additionally, efforts should be directed towards addressing the challenges of data collection and tracking returnees accurately to inform evidence-based policy decisions.

In conclusion, a clear path forward necessitates a critical examination of the ethical boundaries within biopolitics, enhancing collaboration with organizations like UNHCR, and devising robust monitoring mechanisms. Ultimately, as Turkiye grapples with the Syrian refugee crisis, a comprehensive perspective acknowledging biopolitics, state desires, and humanitarian obligations is vital for the creation of effective, ethically grounded return policies. As the international community seeks durable solutions for the Syrian refugee crisis, a holistic approach that considers the interplay of biopolitics, state interests, and humanitarian imperatives is essential for crafting conducive return policies.

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