


# (Non-)deport to Discipline: The Daily Life of Afghans in Turkey

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This study contributes to discussions on the politics of (non-)deportability by focusing on the case of Afghans, the largest migrant community without a right to protection in Turkey, itself the country hosting the most refugees. This article examines how the politics of (non-)deportation is shaped and practiced for Afghans and the types of everyday strategies they employ to deal with deportability. We first argue that the politics of deportation in Turkey is predominantly shaped by the needs of the informal labour market, which accounts for one-third of the total labour force. Our findings suggest that forced labour and the hyper-mobility of Afghans is both tolerated and hidden by the state, while Afghans' fear of deportability operates as a disciplining apparatus. Second, we argue that, when spectacles of deportation are performed, three crucial factors help Afghans avoid deportation, namely their qawm-based (ethnic or kinship) background, the involvement of Afghan associations, and street-level negotiations with the authorities.

Keywords: Afghan mobility, Turkey, deportation, discipline, informal labour

## Introduction

Afghan mobility, which represents one of the world's largest protracted migratory movements of people without a right to protection, has transformed a wide area, including Pakistan, Iran, Turkey, and Europe. Despite decades of increasing violence in Afghanistan, the international community has failed to provide a long-term protection and asylum regime capable of responding to the issue. This study investigates the governance of (non-)deportation in Turkey through an in-depth analysis of its Afghan population, primarily focusing on the interconnection

between the politics of (non-)deportation and the interests of Turkey's large informal labour market.

The literature on the politics of deportation and return reflects the varied characteristics of post-arrival enforcement regimes, although it primarily studies Europe and North America, with state practices in the Global South remaining largely unexplored. Turkey is a significant case that deserves deeper analysis to extend the spatial focus beyond the Global North. In particular, this would enable understanding of the politics of (non-)deportability in a country that currently hosts the world's largest refugee population as well as many undocumented migrants (over five million displaced people including registered Syrians and non-Syrians, and an unknown number of undocumented people).<sup>1</sup> Regarding immigration, Turkey has a multi-layered legal system in which persons originating from non-European geographies are not provided with refugee status (referring to Convention refugees) but are instead subjected to varied temporary statuses.<sup>2</sup> Within this broad temporal design, Syrians are provided with Temporary Protection Status (TPS), whereas registered non-Syrians (predominantly those from Afghanistan, Iran, and Iraq) are under International Protection Status (IPS) seeking third country resettlement. Apart from these non-European asylum seekers in Turkey, who have precarious temporary legal statuses, there are also many irregularized migrants,<sup>3</sup> who lack any legal status and whose exact number is unknown although likely still expanding due to cracks in the registration system that not only allows, but sometimes also such irregularity.

According to official figures, there are 170,000 registered Afghans (under IPS) awaiting resettlement to a third country.<sup>4</sup> However, the macro-level statistics indicate that the largest proportion of Turkey's Afghan population is those without legal status (*Mixed Migration Centre 2020*). For example, on 15 September 2021, the Migration Board Meeting of the Ministry of Interior (MoI) announced that 1,293,662 irregular migrants had been 'apprehended' in Turkey between 2016 and September 2021,<sup>5</sup> while 283,790 had been returned to their countries of origin during the same period. Afghans were the largest group within this figure.<sup>6</sup> Thus, even if we only consider official figures of 'apprehended but not-deported' persons, the number has already reached one million.

Given this background, our analysis is driven by the following two questions: (1) How are the politics of (non-)deportation shaped and implemented for irregularized Afghans in Turkey, and what constitutes the grounds for non-deportability in practice and lived experiences? (2) What kinds of strategies do Afghans adopt in their everyday practices to cope with deportability? The study adopts a bottom-up approach that critically analyzes the politics of (non-)deportation by focusing on practices on the ground. Studying post-arrival migration policies in countries like Turkey is challenging insofar as the country hosts thousands of irregularized migrants while its immigration system has manifestly arbitrary and informal characteristics due to the lack of official information. Through this analysis, the study can make a notable contribution to the literature by producing knowledge based on the hidden experiences and actual practices regarding deportation in Turkey.

Our field research indicates that although deportations are increasing in Turkey, echoing the existing literature on ‘deportation regimes’ (Peutz and De Genova 2010) and the ‘deportation turn’ (Gibney 2008), the government also tolerates the widespread presence and mobility of irregularized Afghans. Some scholars explain this deportation gap in terms of limited state capacity or difficulties with managing deportation procedures (Gibney and Hansen 2003; Ellermann 2008, 2009; Anderson *et al.* 2011; Leerkes and Van Houte 2020). Others, however, point to the symbolic role of detainability and deportability as a ‘spectacle’ of state enforcement, bolstering the power of the state in the eyes of the public (Mainwaring and Silverman 2016; Kaytaz 2021).

In order to contribute to this literature, we first argue that the politics of (non-)deportation in Turkey are closely linked to the needs of the informal labour market, which constitutes one-third of the total labour market<sup>7</sup> and predominantly employs the millions of displaced people living in the country. Thus, we propose that state capacity and symbolic power can only partly explain how Turkey’s large Afghan population is able to work in the informal sector, albeit in a highly mobile and irregularized manner, without being apprehended. As the testimonies we provide demonstrate, deportability serves as a disciplinary apparatus that (re)produces compliant bodies in accordance with the extremely cruel conditions of Turkey’s informal labour market, which ultimately constitute the grounds for non-deportability. This parallels what Peutz and De Genova (2010) argue in terms of how deportability reproduces docility, which in the case of Afghans in Turkey, reaches the extremes of precarity whereby 12- to 14-h working days, forced labour, and unpaid labour in the most dangerous sectors, in which injury or death is frequent, become common experiences. Although irregularized migrants are supposedly restricted from inter-city travel, the authorities tolerate their hypermobility in line with the needs of Turkey’s informal labour market. Likewise, the absence of identity checks experienced by Afghans in informal-sector workplaces makes clear the state’s intentions.

Our second main argument is that, under this general veneer of informal tolerance of irregularized migrants, large-scale deportations are performed whenever the authorities wish to show that they are regulating migration or that they are responding to political concerns (such as during election campaigns or following anti-refugee protests from opposition parties). During these deportation performances, our interlocutors’ testimonies indicate the key roles of qawm-based<sup>8</sup> associations and, relatedly, Turkish language proficiency, especially for Uzbeks and Turkmens, who have acquired a relatively privileged status among the Afghan community in Turkey. That is, qawm-based belonging, Afghan associations (founded by Uzbeks or Turkmens), and everyday street-level negotiations enable Afghans to generate various temporary solutions to prevent deportations.

This article is structured as follows: the first section explains the primary data collection process; the second presents the empirical findings in terms of the ways in which the politics of (non-)deportability operates as a disciplining apparatus for irregularized Afghans in Turkey’s informal labour market; the final section

discusses the hierarchies within the Afghan community based on qawn-based belonging and their daily solutions for evading deportation.

### **Methodology**

This study aims to unpack the ‘black box’ of deportation policies in Turkey through a bottom-up approach centred on the experiences of Afghans in Turkey and other non-state actors actively involved in the field. The research is based on primary data collected through field research between July and December 2020, specifically 50 in-depth interviews with persons from Afghanistan living in the Istanbul districts of Zeytinburnu, Esenyurt, Tuzla, and Beykoz Küçüksu. During the summer of 2020, most of the interviews were conducted in person because Covid-19 pandemic conditions had become somewhat safer. During the early fall of 2020, however, 12 interviews were conducted online via Skype or WhatsApp due to pandemic-related difficulties. Another nine online interviews were conducted with representatives of Afghan associations (via visits to their official buildings), NGOs, grassroots initiatives, journalists, and human rights organizations in Turkey.

Afghans without legal status in Turkey are largely invisible, isolated, and distrustful of those outside the Afghan community for fear of deportation. Therefore, as Turkish scholars, we needed a way to maximize our chances of contacting respondents and establishing trust with them. We collaborated with three Afghan assistants pursuing their education in Istanbul and having close connections to the Afghan community. Each interview was a single meeting conducted in Farsi before being transcribed and translated into both English and Turkish. Our Turkish assistant interviewed Turkmen and Uzbek Afghans thanks to their proficiency in Turkish. The interviews were conducted in various spaces, including the respondents’ workplaces (e.g. the Afghan Bazaar in Küçüksu), small cafes, or their residences. The latter were extremely crowded houses, generally referred to as ‘Afghan men’s houses’. All interviews were conducted after gaining the consent of our respondents, for whom we use pseudonyms throughout this paper to ensure anonymity and confidentiality.

Istanbul was the main venue for this fieldwork because it hosts Turkey’s largest Afghan population and the largest informal employment sector and transit network. Overall, five of the most important categories of Afghan migrants reside in Istanbul: (1) undocumented Afghans without a valid visa or passport; (2) Afghans who have applied for international protection in various satellite cities but are residing in Istanbul informally; (3) Afghans who plan to cross into Europe; (4) oldcomers who have already acquired either a residence permit or citizenship; and (5) Afghan migrants who are in Turkey on official visas for education or business.

Reflecting the macro-level statistics ([Mixed Migration Centre 2020](#)), the overwhelming majority of our respondents (42 out of 50) fell into the first three categories (34 undocumented with no passport, seven registered in different cities, and one with overdue registration). Eight participants fell into the fourth and fifth categories. The sample also reflected the qawm-based (kinship-based/ethnic)

cleavages within Turkey's Afghan community. Of the 50 respondents, 16 identified as Uzbek, 16 as Tajik, 9 as Pashtun, 5 as Turkmen, 1 as Hazara, and 1 as Arabic, while 2 refrained from specifying.

### **Producing Tamed Bodies: Deportability as a Disciplining Apparatus in the Informal Market**

Before the 1980s, migratory movements of Afghans to Turkey were limited to a small number of students and businesspeople. The early 1980s marked a change in Afghan mobility, when Turkey welcomed and settled those fleeing from the Soviet regime in Afghanistan—so long as they were Turkmen and Uzbek Afghans, who were considered of 'Turkish descent and culture' (İçduygu and Karadağ 2018).<sup>9</sup> This first generation of this Afghan community (4163 families), which were settled in several provinces, gained residence permits (and subsequently citizenship) (İçduygu and Karadağ 2018). This first group's emerging network dynamics promoted the expansion of Afghan immigration during the 1980s and 1990s. Many of the Afghan associations in Turkey are products of this period, as will be explored in the last section.

The first years of the 2010s witnessed a pivotal surge in the number of Afghan migrants to Turkey, which peaked in 2018 and 2019 (Mixed Migration Centre 2020). When Afghan arrivals jumped dramatically in 2018, the MoI reported that 29,899 people had been intercepted in the first quarter of that year, although only 10 per cent were deported (BBC Türkçe 2018). In 2019, 200,000 Afghans were intercepted, of whom only one-third were deported (Anadolu Ajansı 2019). These two years also coincide with the UNHCR's withdrawal from registration and the Refugee Status Determination (RSD) in Turkey. Since then, the sole body responsible for migration matters in Turkey has been the Presidency of Migration Management (PMM). Research indicates that under its authority institutional barriers to registration have become more systematic, the lack of transparency has become routine, and hence the level of irregularization and informality has increased (ECRE 2020).

The 2014 Law on Foreigners and International Protection (LFIP), a long-awaited law of protection in Turkey, states that non-Syrian (also non-European) asylum seekers can apply for International Protection Status (IPS), which formally allows a person to remain in Turkey while awaiting resettlement in a third country. To access international protection, Afghan asylum seekers are expected to register with the authorities after entering the country. They are then assigned to a satellite city where they must reside and regularly sign in with the authorities as proof of continuous residency. While waiting for resettlement, these applicants can benefit from public education and one year of healthcare access in their provinces of registration. Critically, however, even if they are registered, they are not provided with a work permit, so they have to find jobs in the informal market on their own initiative. Additionally, since inter-city travel is forbidden, they cannot leave their provinces of registration.

As of 2018, following the institutional shift in which registration, RSD, and resettlement were moved entirely under the PMM's mandate, the vast majority of satellite cities have been closed to new registrations (ECRE 2020; Karadağ and Üstübici 2021). There is also no public information about which satellite cities are open for registration, so applicants must endlessly travel from one city to another. Even if they successfully register, applicants find themselves in an assigned small city without any guidance regarding accommodation, jobs, or aid. Furthermore, they then become trapped in 'prolonged waiting' for resettlement, as Khosravi (2014) nicely puts it, which is often unattainable due to the frozen quotas of countries in the Global North. As a result, the number of irregularized Afghans in Turkey has increased significantly since 2018.

Ironically, the years when the discourse of 'importing Afghans'<sup>10</sup> into the informal labour market coincided with the closure of registration and the irregularization of Afghans. For example, during 2018 and 2019, the president of Central Union of Sheep and Goat Breeders of Turkey gave a striking speech on the immense number of Afghans in the livestock industry, in which he said: 'We want to import 150,000 Afghan shepherds since they are the most resilient to shepherding conditions. We communicated our demand to the MoI, and they responded positively'.<sup>11</sup> Since then, numerous Instagram and Facebook pages have been marketing 'commodified' Afghan workers under taglines like 'Are you looking for cheap Afghan labor?' or 'They will not give you any trouble'.<sup>12</sup>

One focus of research has been the gap between the number of apprehensions and deportations, particularly regarding how deportation works as a symbol and mechanism of 'routine statecraft' (De Genova and Peutz 2010), a way to reassure the public that the state is 'managing' the migration 'crisis', and a 'performative and discursive (re)enactment of the making of' citizens (Hedman 2008: 383). This suggests that, rather than singular acts or events, deportation is a 'constitutive practice' of citizenship (Walters 2002), creating distance between citizens and 'unwanted' bodies, who are potentially detainable and deportable at any time (De Genova 2002; 2004; Mainwaring and Silverman 2016). Symbolically, it illustrates that the state is in control of the 'crisis' of mobility by taking 'necessary' actions against 'rule-breakers' (Silverman 2012). For some, the politics of (non-)deportability and detention works as a spectacle that reinforces sovereign control while producing criminalized and 'unruly' bodies whose incarceration and removal are normalized in the eyes of citizens (Yuval-Davis *et al.* 2005; Hernandez 2012; Mountz *et al.* 2013; Andersson 2014; Mainwaring and Silverman 2016).

Another cluster of scholarly work highlights the limits of deportation policies by taking into consideration anti-deportation struggles, costly budgets, insufficient personnel, and differences in infrastructural capacities (Gibney and Hansen 2003; Ellermann 2008, 2009; Anderson *et al.* 2011; Leerkes and Van Houte 2020). This approach is helpful to address the diverse politics of (non-)deportability in different geographies. It also helps to understand these dynamic processes and coercive mechanisms, in which the costly and work-intensive nature of

deportation practices leads to notable variations in its governance depending on state interests and capacities (Leerkes and Van Houte 2020).

To contribute to both these two lines of research, we argue that the case of Afghans in Turkey indicates that the country's politics of deportation hinges on a balance. That is, the needs of the informal employment market, which generally runs through daily paid jobs with high circulation, are prioritized unless a security concern or macro-level political issue arises, when the act of deportation becomes a spectacle. Thus, the threat of deportation serves as a disciplining apparatus that constantly (re)produces tamed bodies and souls who comply with the extremely cruel working conditions of Turkey's informal labour market. However, the forms of exploitation and coercion differ among displaced communities. In particular, the majority of Syrians have a legal status in Turkey, albeit temporary, which enables them to negotiate for better pay and conditions. In contrast, the majority of Afghans are neither registered nor even have any official identification document like a passport. The resulting threat of deportation provides a powerful tool for employers to enforce extreme levels of exploitation, including non-payment of wages, long working hours, and life-threatening working conditions.

### **Forced Labour, Obscured Hypermobility**

Our findings reveal that perceptions about Turkey's Afghan population predominantly revolves around the rhetoric of their asceticism and resilience. This resonates with Afghans' everyday struggles since their birth in Afghanistan to survive in an environment characterized by extreme deprivation and prolonged conflict. Aside from the first generation of Uzbeks and Turkmens, who already have small shops and restaurants, the majority of Afghans in Turkey provide a significant manual labour force across different sectors of the informal market, such as construction, repair shops, manufacturing, transportation, vehicle workshops, sheep-herding, and garbage/paper collection. Except for two respondents who are skilled labourers with work permits, our interviews showed that Afghans are constantly moving between jobs and locations under immensely precarious circumstances. This was well described by a field manager of a grassroots initiative, specifically a multicultural solidarity platform operating in Istanbul's ghettos to bring undocumented migrants and subaltern citizens together:

Afghans represent an exceptional community; they are not like anyone else ... [They] do not acquire a mentality of business, trade, or entrepreneurship, which is the case for many refugees. Rather, they have a mentality to earn only through their manual labor ... There is always something, a potential energy or psychology in their bodies that keeps them standing in the face of incredibly desperate conditions. (Interviewed on November 30, 2020).

Similarly, a 19-year-old Afghan, Ishak, commented: 'Turkish people say that Afghans are hard-working people, unlike Pakistanis or Syrians', while another respondent from civil society, a journalist, human rights activist, and politician specialized in migration, pointed out that:

In Afghanistan, the social fabric is based on a constant survival under the circumstances of protracted war and conflict. They do not know what peace or rights mean. Their bodies are very resilient because they usually begin to work at the age of eight or nine, and they can do any kind of manual labor . . . When they come to Turkey, they encounter such heavy exploitation mechanisms in the informal labor market, which is a race to the bottom. (Interviewed on October 15, 2020).

Our interviews with Afghans confirmed the observations of these civil society respondents. There were several patterns to their responses. First, all the irregularized interviewees listed a wide spectrum of bodily labour for which they are paid extremely low wages for long working hours, and at times no payment at all. They constantly have to change jobs due to non-payment or exploitative treatment by employers who take advantage of their irregularized status. Second, as they constantly shift between different sectors, they also move between cities despite the travel restrictions. These anecdotes indicate that the state tolerates both their ruthless treatment within the informal sector and their hypermobility between cities. Third, if they reject these working conditions or ask for unpaid wages, then their employers can always threaten them with deportation. The only remaining option is to find any other available paid job. Zabi, a 22-year-old Pashtun-Afghan commented on the state's tolerance of this situation:

Our house is ten minutes away from the restaurant; we go on foot. Police cars pass by, but they do not say anything. Everyone has been working here for 2 to 3 years. Sometimes officials come to the restaurant, check the quality of the cleaning and food, but do not say anything to us. (Interviewed on September 27, 2020)

Another respondent, Raz, a 26-year-old Uzbek-Afghan man, reported similar experiences:

When I face a police check, I explain my problem logically and calmly. I give the name of the place where I work and my boss's phone number, and then they do nothing. (Interviewed on September 26, 2020)

All the interviewees without legal status stated that they never encountered police interceptions in their workplaces unless there was a fight or legal case. As many noted, the names or contact information of their employers generally provides a crucial reference indicating that despite being undocumented, they are 'registered' in the informal labour market. Our respondents remarked that daily checkpoints are generally located in urban centres, crowded squares, and state facilities, rather than their workplaces. Han, a 27-year-old Pashtun, described urban centres as 'sensitive places they stay away from'. Other interlocutors expressed similar concerns, such as this 22-year-old undocumented Tajik:

Yes, there are police checks, but it happens sometimes not always. It happens at train stations on the way to Gebze from Tuzla. The police stopped me 4 or 5 times and asked where I was from and what I was doing. I said I was Afghan and had no identity card. But I told them my workplace. They just told me to get registered and then left. (Interviewed on August 18, 2020)

One of the most repeated phrases during our interviews was ‘We only work’, implying a life with no social or recreational activity. Indeed, the constant fear of deportation and long working hours prevent any social life in urban spaces, whereas the only place where they do not feel the fear of deportation is their workplace. None of the respondents could recall a police officer check in which their employer was fined for employing them informally.

When we visited the main street of Küçükusu (situated in Istanbul’s Beykoz district) early in the morning, there were hundreds of Afghans all waiting for overseers who might give them a day-wage job. The street has become known as the ‘Afghan Bazaar’, with Turkish overseers picking up dozens of Afghans (especially newcomers and those without legal status) and transporting them to different work sites, including factories, construction sites, greenhouses, sweatshops, transportation hubs, and garbage collection centres. During one visit to this location, a 19-year-old Tajik, Cafer, noted that:

When I first arrived in Istanbul, it was so hard to find a job. I went to the Afghan Bazaar with a friend of mine and there I got a daily job for the first time. The job paid 140 TL [6.9 Euros as of March 2023]. (Interviewed on September 20, 2020)

The daily wage for workers recruited from the Afghan Bazaar is around 100–150 TL (4.9–7.5 Euros as of March 2023) for approximately 12–14 h. Each worker helps another to find such daily jobs, as Salih, who arrived in 2017 and remains undocumented, noted:

Friends find jobs for one another. That is how it works. Till now, I have arranged a job for 4 or 5 people in textiles or construction. When the boss says there is a need, next day we bring our friends. [Salih did four different jobs in one year in construction, textiles, a budget goods shop, and a signboard sticking job. He was also a shepherd in three different cities]. (Interviewed on August 31, 2020)

The respondents repeatedly mentioned that they are constantly moving between jobs and cities, as dictated by the needs of their sectors within the informal market. As already explained, without permits, such inter-city journeys are invisible and risky. Beryalay, a 20-year-old Uzbek-Afghan who arrived in Turkey two months before we interviewed him in 2020, reported having worked in two different cities in that time without getting paid:

When I first came, I got a job as a shepherd in Konya. A friend of mine found this job. I worked there for a month, I had to leave when they did not pay my money. Then I came to Istanbul. I got into the carpentry business here, but I still have not received any pay. (Interviewed on September 20, 2020)

Bahram, who lacks any identity document, mentioned that he was on his way to Istanbul from a forestry job in Rize because he had not been paid and had to buy a bus ticket using his friend’s passport. At a police checkpoint during the journey, he merely showed his bus ticket and the police let him pass. Another migrant, Osman, a 25-year-old Pashtun-Afghan who has remained in Turkey without legal status

since 2014, well described the constant mobility between cities, despite the travel restrictions, because of forced labour and cruel working hours:

I've lived in Konya, Tekirdağ, and Ankara. After staying in Istanbul for a month, I went to Tekirdağ and worked for 5 months on a chicken farm, but they did not pay my salary. Then I went to Konya, where I was working on a cow farm and since I knew how to drive a truck, I was also working on the grounds as a farmer. There I was getting paid, but I was working from sunrise till 8 or 9 at night. The working hours were a lot and tiring. I worked there for a year; then I moved to Ankara as a friend of mine found a job in iron storage. I lived in Ankara till 2017 but could not get all my pay and came back to Istanbul again . . . I have been working as a welder in construction in Istanbul. (Interviewed on August 29, 2020)

In 2017, Osman was deported to Afghanistan, not because he had done several jobs in different cities, but because of a violent workplace incident, when a fight broke out and his uncle got stabbed: 'The boss called the police, and they took the whole group of 25 Afghans to the removal center without any explanation'. They were not only deported to Afghanistan but also had to leave without getting paid a total of 45,000 TL (2245 Euros as of March 2023) owed by their employer. Osman told us that after saving enough money for the journey, he returned to Turkey in 2018.

Overall, these anecdotes reveal that employers can use various strategies to exploit their Afghan labour force and force them into cruel working conditions [(see Bales 2004; Lerche 2007; Andrees 2008; Burnett and Whyte 2010; Lewis *et al.* 2014; Morgan and Olsen 2015)]. As the interviews indicated, employers withhold wages or refuse to pay, retain workers' passports or identity documents if they have any, avoid responsibility for and benefit from impunity from work accidents, and threaten workers with denunciation to the authorities if they object. An Afghan without legal status that suffers exploitation, forced labour, or a work accident cannot go to the police, complain to the authorities, or even receive hospital treatment. On the contrary, the fear of deportation acts as a disciplining apparatus in the informal market to condition and (re)produce Afghans' dependency on their employers' mercy. This disciplinary mechanism of deportability compels Afghans to abstain from all forms of social life in the urban space and instead completely devote themselves to work, their only allowed or tolerated existence in Turkey. Ultimately, the more irregularized they are, the more they are subject to the whims and mercy of their employers. Kemal, a 27-year-old Pashtun who arrived in 2019, exemplifies this mechanism:

We cannot call it a day until the job is done. For instance, if the work takes 10 hours, you cannot say 8 hours is up, I am off. The employer would not pay then. So, you figure, work another two hours, and get paid at least. It is up to him if he pays for the extra hours. If he does not, nobody can make him. It is better than not getting paid at all. You continue to work either way. They give us the hardest work; that is obvious. That is how it is . . . When my finger got injured at work, I went to the doctor, but he did not treat me [*since he lacks an identity document*]. I came home and wrapped it in plastic. I could see the bone and there was so much blood. That scared my boss, so he

disappeared [meaning that Kemal could not get his pay]. (Interviewed on September 10, 2020)

This section has shown how the politics of non-deportability serves the interests of the informal labour market. In enabling this, the state not only turns a blind eye but also plays an active role in creating the cruel working conditions described here. In contrast, when public opinion and electoral support take priority, particularly during election campaigns, the authorities may conduct spectacularized deportations. During these episodes, Afghan migrants turn to various everyday strategies to avoid deportation, as described in the next section.

### **Daily Strategies against Deportability: Qawn-Based Hierarchies, Commodified Residence Permits, and Street-Level Negotiations**

The findings show that the social capital of ethnic kinship and the level of Turkish language play a significant role in the strategies used to avoid being detained at police checkpoints. During our field research, both civil society and Afghan respondents commented frequently on the extremely high level of deportations in the summer of 2019, which appears to be an episode of spectacularized deportation. The anecdotes also overlap with the existing literature, pointing out that the number of police checkpoints dramatically increased across Istanbul at that time (ECRE 2020; Karadağ and Üstübcü 2021). As officially announced, many unregistered Syrians and non-Syrians were detained, with some sent back to their original provinces of registration and many being deported. This spectacularized deportation event corresponds to the electoral defeat of the ruling party, AKP, in Istanbul's municipal election for the first time since 1994. Among the reasons for this defeat was growing public unease over the overwhelming mobility of displaced people in the city. In response, the authorities reversed previous de facto policies of toleration overnight.

The testimonies of our respondents show that, during such tense times of spectacularized deportations, as in the summer 2019, qawn-based differences play a role in non-deportability. For example, all of the 16 Uzbek and 5 Turkmen respondents said that they avoided detention by conversing with the police in Turkish or Uzbek (a similar language to Turkish).

Qawn-based differences, particularly through Afghan associations, generally founded by Uzbeks and Turkmens, also play a role in acquiring humanitarian residence permits (*insani ikamet*) to become non-deportable. A person that can present such a permit at police checkpoint can generally avoid the risk of deportation. The humanitarian residence permit is one category of residence permits. Of our respondents, six persons held residence permits, of which three were the humanitarian residence permit. All were Uzbeks or Turkmens who had gained the document through their connections with Afghan associations. However, as the humanitarian residence permit is not permanent,<sup>13</sup> it needs to be renewed every six or twelve months, adding to the uncertainty of their status in Turkey.

Article 46 of the LFIP provides details about access to humanitarian residence permits, usually given by the PMM for humanitarian reasons. Unlike for other types of residence permits, the authorities never officially disclose the statistics and the beneficiaries of this category. As our respondents noted, the MoI and the PMM occasionally authorize Afghan associations to distribute a specific quota of humanitarian residence permits. However, the lack of formal criteria for their distribution encourages patrimonial distribution of resources to Afghan associations based on their proximity and loyalty to the government. As one of our respondents, who is a member of a grassroots initiative, noted: ‘In 2018, these Afghan associations helped more than 2,000 persons to get humanitarian residence permits’. When we interviewed three representatives of these Afghan associations, each accused the others of corruption and commercialization. Particularly interesting was that each association specifically underlined their own transparency and adherence to the law in contrast to the others. The representatives also repeatedly stated that their Uzbek ethnic identity had a ‘Turkish origin’ and that their conservative-nationalistic thinking was the same as the government’s.

Many Afghan respondents complained about the high levels of corruption and fraud in some of these associations, which they accused of duping fellow Afghans with false promises of providing humanitarian residence permits or other benefits. Such testimonies reflect the general problem of corruption and commercialization in migrant organizations in Turkey in the absence of formal rights advocates. Indeed, irregular Turkish-Bulgarian immigrants faced similar circumstances during the post-1990 period in their encounters with associations founded by their co-ethnics who were already Turkish citizens (Kasli 2016).

Of our respondents, the only one holding Turkish citizenship was a 31-year-old Uzbek pre-school teacher, Merve, whose family settled in Turkey in 1994. As she noted, ‘among both presidents of associations and the members of Afghan consulate, there are many bribe-takers’. She also highlighted the different approaches in these associations regarding qawn-oriented belonging, in which Uzbeks and Turkmens are privileged: ‘Although people spend months and years attempting to gain a permit, some acquire it just a day after they arrive. That’s why the associations were established’. Thus, for Afghans without legal status, it seems that these Afghan associations are the only actors filling the gap caused by the lack of civil society and international protection. Osman, a 25-year-old Pashtun, shared his experience with an Istanbul-based Afghan association:

I heard there is one association of Uzbeks in Istanbul, and they help people to get residency in Turkey. When I went, they directly told me that either my father or mother should be Uzbek so that they can register me for residency. I did not meet their conditions, so I never went again. You may know better that the Turkish people now call the Uzbeks brothers because they speak their language; I guess this is why the government gives them this right. (Interviewed on August 29, 2020)

On some occasions, people try to acquire residence permits by declaring themselves to be Uzbek or Turkmen. As one respondent recounted:

I wanted to get registered, but I did not speak Turkish back then. My friends told me about an association that takes money, but one does not usually get an ID [*residence permit*] in return. They said the association takes 300 TL [14.9 Euros as of March 2023] for registration, gets our names, fills in the registration form based on our ethnicity as if we were Uzbeks or Turkmens, and says that is how we would get a residence permit. My friends said all of this, so I did not register. An Uzbek friend of mine applied to the association and he got a permit. (Interviewed on September 13, 2020).

These accounts highlight an institutionalized pattern in which ethnic kinship plays a significant role in Afghans' attempts at inclusion. Beyond this, however, economic capital is critical because Afghans must pay to renew their humanitarian residence permit every 6 months. The role of ethnic privilege and the associations in the case of Afghans echoes previous studies on Turkey's other migrant communities, such as Iraqis and Bulgarians (Danş and Parla 2009; Kasli and Parla 2009; Parla 2011). In the Afghans' case, the anecdotes reveal the level of commodification of access to legal status, even temporarily, given the absence of formal protection.

For those Afghans who are neither Uzbek nor Turkmen or lack the economic and social capital to access Afghan associations, the only solution to avoid detention and deportation involves negotiating with the police or removal centre personnel. Our respondents' accounts indicate that proficiency in Turkish is critical for persuading state officials. Here again, Uzbeks and Turkmens have an advantage as their own languages are very close to Turkish, as the following accounts demonstrate:

Police checkpoints are everywhere. One day in Üsküdar [*a district of Istanbul*], the police asked for my ID. I had a fake ID given by smugglers. I showed it; the police tore it up and threw it in the trash because it was fake. I tried to explain my problem to the police. I said there is a war in Afghanistan. I tried to explain my problem by speaking in Uzbek, and they left. (Interviewed on July 25, 2020).

I have only been pulled aside once for a *kimlik* [ID] check since I arrived. The policeman threatened to send me back to Afghanistan. I told him there is a war there. He was speaking in Turkish, and I was in Uzbek. After a while he let me go. Yes, there are cases of deportation. It depends on the person. If you explain yourself, some police officers would let you go. But if you have bad luck and run into a bad cop, you will get deported. (Interviewed on August 2, 2020).

If these everyday, street-level negotiations fail, persons are first taken to the police station for identification. The PMM's decision of deportation or administrative detention should then be issued within 48 h (Karadağ and Üstübcü 2021). As noted by our respondents in the legal profession, the removal centres are stratified based on the target groups. For example, the Tuzla removal centre, Istanbul's largest, targets young, single, and undocumented Afghans together with the Pakistani and African communities. In the case of Afghans, deportation is conducted with charter flights coordinated by the PMM and IOM. It should be noted

that not all persons are deported from the Tuzla removal centre; some are released without any deportation decision. Several respondents reported staying in the Tuzla removal centre for several weeks or months before being released without a deportation decision. Unfortunately, it is very difficult to observe the internal selection mechanism in these removal centres due to the secrecy and arbitrariness of their decision-making processes.

By shedding light on the case of Afghans in Turkey, this study has drawn attention to the politics of (non)deportation through the lenses of labour exploitation and forced labour in a country that has been navigating an economic bottleneck by capitalizing on its migrant labour force by channelling it into informal economic sectors. Afghans with no legal status, who have become a sizeable group in the country, have suffered the extremes of these exploitative conditions, including forced labour. However, their legal precarity disciplines them due to a fear of deportation.

### **Conclusion**

This study has demonstrated that Afghans in Turkey have a certain degree of non-deportability, predominantly shaped by the needs of an informal labour market that constantly seeks to extract their bodily labour. This is despite the authorities deporting increasing numbers of Afghans while deportation statistics are spectacularized by state officials in the media. Afghans are forced to work for long hours in the most dangerous jobs and sometimes without being paid. Our bottom-up research approach allowed us to interpret the inner logic of the politics of (non-)deportation through the experiences of these Afghans to reveal the state's tolerance of their informal employment and hypermobility although they are supposedly restricted from inter-city travel within Turkey.

Our research approach also revealed the importance of ethnic kinship during the authorities' spectacularized deportation events motivated by various domestic or international political factors. More specifically, we showed that ethnic kinship claims can give individuals a privileged status with Turkey's Afghan community, particularly for Uzbeks and Turkmen. This hierarchy within the marginality of Afghans echoes the Turkish state's attitudes, which have historically been shaped around the logic of nationalist sentiments. However, even kinship ties do not guarantee access to humanitarian protection because the mechanisms of protection are deeply corrupted and commercialized.

Since the beginning of 2022, another episode of deportations has been underway in the context of the approaching national elections in 2023. The hopelessness and deprivation due to recent hyperinflation and the economic downturn in Turkey have provoked collective anger towards non-citizens and arbitrary government policies. Anti-refugee rhetoric has escalated through widely circulated social media campaigns to 'send migrants home' or about 'silent occupation'. In response, the government is making deportation statistics hyper-visible in the media to convince the Turkish public that the government has migration under control. Accordingly, official figures in the PMM's website claim that 101,574

people were deported in the first 11 months of 2022. Of these, the number of Afghans increased by 212 per cent compared to the same period of 2021.

To conclude, the international community has failed to acknowledge the difficult conditions facing irregularized Afghans in Turkey despite their four-decade-long displacement and dispossession. While thousands are constantly deported, many more remain on the move in long and often deadly journeys. The survivors who reach Turkey find themselves in the grip of cruel market conditions while the most 'privileged' ones wait to be resettled in third countries. This long *durée* of precarity will continue and even intensify unless legal and structural pathways of protection are laid out.

This Special Issue seeks to explore broad perspectives on the characteristics of post-arrival migration enforcement regimes in a comparative and comprehensive manner that includes the experiences of both the so-called Global North and South. Within this context, a major objective is to identify specific durable solutions for displacement (integration, resettlement, return) in different geographies. The case of Afghans in Turkey, the largest group of irregularized humanitarian migrants in the country without a right to protection, indicates that non-deportability is closely linked to the interests of the labour market. Currently, given the absence of structural protection mechanisms, 'durable solutions' tend to hinge on commercialized, personalized, and kinship-based transactions and networks. In line with the theme of this Special Issue, we argue that any durable solution should consider policies that include the interests of the people that demands to unite their physical needs with the political realities of displacement. As described in our study, the Turkish state's current approach towards Afghans is characterized by an absence of formal protection mechanisms or formally defined 'solutions'. Instead, it has adopted a rather informal approach that is very problematic from a human rights perspective.

## ENDNOTES

1. IOM Turkey Migrant Presence Monitoring—Situation Report (March 2022), available at: <https://dtm.iom.int/reports/turkey-%E2%80%94migrant-presence-monitoring-situation-report-march-2022>
2. It is important to underline that Turkey, while party to the 1951 Refugee Convention and its additional 1967 Protocol, maintains the principle of geographical limitation, so that the refugee status is granted only to persons originating from European countries. For non-Europeans, the law has a dual structure: 3.7 million Syrians are provided with Temporary Protection Status, whereas non-Syrians apply individually for International Protection Status to be resettled in a third country.
3. Throughout this article, we will use the term 'irregularized migrants' rather than 'irregular migrants' to refer to the structural circumstances reproducing irregularity and illegality.
4. DGMM (2020).
5. The numbers are provided by the current report of Murat Erdoğan (2021), 'Suriyeliler Barometresi 2020'.
6. Erdoğan (2021), 'Suriyeliler Barometresi 2020'.

7. Even official figures (that are criticized for using techniques to hide the real picture) indicate that, in 2020, 32.9% of total employment was informal: <https://data.tuik.gov.tr/Bulten/Index?p=Isgucu-Istatistikleri-Agustos-2020-33792>.
8. Qawm refers to ethnic, religious, or kinship-based cleavages in Afghanistan, where Pashtuns make up nearly half of the country's population. The other significant groups are Tajiks (27%), Hazaras (9%), Uzbeks (9%), Aymaks (4%), Turkmens (3%), and Balochis (2%).
9. The legalization processes of persons from Bulgaria well depict how the fragile notion of "Turkish descent and culture" changes over time, and how even persons considered under this notion are treated differently. See [Kasli and Parla \(2009\)](#) and [Parla \(2011\)](#).
10. This phrase refers to irregular ways of bringing thousands of Afghan workers as potential cheap workers in the informal shepherding sector. The timing of this demand to the authorities coincided with a new peak in Afghan migratory movement to Turkey in 2019.
11. He also noted that the Ministry of Interior welcomed their request for Afghan shepherds as this is the only way for them to survive: <https://www.turkiyegazetesi.com.tr/ekonomi/660409.aspx>
12. <https://www.evrensel.net/yazi/86595/afganistanli-cobanlar>.
13. The only group who has received permanent humanitarian residence permits is Uyghurs, following regulations announced by the Ministry of Interior.

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