THE RIGHT TO SEEK ASYLUM AS A MANIFESTATION OF RESPONSIBILITY TO PROTECT REFUGEES

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Building on the close connection between the right to seek asylum and the Responsibility to Protect (R2P), this article offers a critical analysis of the implementation of the right to seek asylum in Turkish judicial practices that relate to the principle of non-refoulement. Turkey is the second top refugee-hosting country in the world and the bottleneck between Europe and countries of origin for refugees, principally in the Middle East, Africa, and Asia. The state of judicial affairs in Turkey impacts more than three million refugees who are hosted there as well as regional and international practice. This article criticizes problematic practices detected in Turkish asylum jurisprudence through a comparative methodology based on the European Court of Human Rights (ECtHR) case law as an established point of reference. Essentially, Turkey's deviations from international standards around the principle of non-refoulement in the context of the right to seek asylum compromise its responsibility to protect refugees.

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