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Trafficking in Persons Report 2018 - Country Narratives - Turkey

TURKEY: Tier 2

The Government of Turkey does not fully meet the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated increasing efforts compared to the previous reporting period; therefore Turkey remained on Tier 2. The government demonstrated increasing efforts by identifying more victims and referring them to assistance. The government adopted multiple regulations that improved victim-centered prosecutions, and increased the staff of the Directorate General of Migration Management, the lead agency on combating trafficking. The government also continued cooperation with international organizations to train first responders, judges, and prosecutors. However, the government did not meet the minimum standards in several key areas. Some first responders lacked an understanding of trafficking, and there were reports of inconsistent victim identification which may have resulted in the detention and deportation of victims. Interagency coordination remained problematic, and law enforcement and judicial resources were strained as a result of dismissals of personnel under the state of emergency following the July 2016 coup attempt. Civil society remained largely excluded from anti-trafficking efforts, and specialized support services for victims were limited to a government-run shelter after several NGO-run shelters closed in 2016; critics asserted civil society's diminishing role hindered the identification and specialized care of victims.

RECOMMENDATIONS FOR TURKEY

Vigorously investigate, prosecute, and convict traffickers, including those complicit in forced labor; establish a multi-disciplinary framework for victim identification and provide specialized care for all victims, including Turkish citizens, children, and male victims; provide stable funding for shelters and expand partnerships with NGOs, and civil society representatives to better identify victims and provide specialized victim services; increase training to first responders and staff at provincial offices of the Directorate General of Migration Management on victim identification, including recognizing the signs of non-physical methods of control used by traffickers; increase proactive victim identification efforts among vulnerable populations, such as refugees and asylum-seekers, migrants awaiting deportation, Turkish and foreign women and girls in prostitution, and children begging in the streets and working in the agriculture

and industrial sectors; train investigators, prosecutors, and judges on victim-centered approaches to trafficking cases, including advanced training on trafficking investigations and prosecutions; allocate adequate staff and resources for law enforcement to effectively combat trafficking; improve interagency cooperation and adopt a national action plan; and make trafficking-related data, especially disaggregated statistics on victims and prosecution and convictions of perpetrators, available to the public on a regular basis.

PROSECUTION

The government maintained law enforcement efforts. Article 80 of the penal code criminalized sex and labor trafficking and prescribed penalties of up to eight to 12 years imprisonment, which were sufficiently stringent and, with respect to sex trafficking, commensurate with those prescribed for other serious crimes, such as rape. The Ministry of Justice (MOJ) prosecuted 41 new trafficking-related cases with 291 defendants in the first three quarters of 2017 (53 new cases with 257 defendants in the first three quarters of 2016). MOJ continued to prosecute 174 cases with 1,624 defendants from the previous year (187 cases with 1,594 defendants in 2016). Courts convicted 44 traffickers (40 in 2016); all convicted traffickers received prison sentences and 42 traffickers also received a fine. Courts acquitted 93 suspected traffickers in the first three quarters of 2017 (272 in 2016).

The Department of Combatting Migrant Smuggling and Human Trafficking (DCMH) within the Turkish National Police (TNP) conducted specialized investigations. DCMH consisted of 28 officers (50 in 2016) at headquarters and operated branches in 22 provinces. Observers reported law enforcement in some cases lacked sufficient resources to fully investigate trafficking cases involving refugees, and the OSCE reported misperceptions about trafficking among law enforcement authorities, including confusion about the distinction between trafficking and the aggravated form of encouragement of prostitution (Article 227). A lack of experience and specialization within the judiciary regarding trafficking also limited the ability and willingness to prosecute complex crimes like trafficking. The government did not report any investigations, prosecutions, or convictions of government employees complicit in trafficking. Some civil society groups remained concerned about corruption and official complicity in trafficking crimes, though authoritative evidence to corroborate or dispute these concerns remained elusive. The government, independently and in cooperation with international organizations, provided anti-trafficking training for law enforcement, coast guard, labor inspectors, social workers, and immigration officials. The government did not conduct international investigations or extradite traffickers in 2017.

PROTECTION

The government increased victim protection efforts. The government identified 303 victims (181 in 2016); 186 were victims of sex trafficking, 52 of forced labor, and 65 of forced begging (143 were victims of sex trafficking, 30 of forced labor, and eight of forced begging in 2016); 212 were female and 91 were male (163 females and 18

males); 98 were children (29 in 2016). All were foreign victims in 2016 and 2017. Law enforcement conducted preliminary interviews and referred potential victims to the Directorate General for Migration Management (DGMM), which officially recognized victims; DGMM interviewed approximately 5,000 potential victims (1,930 in 2016) and increased staff at headquarters from nine to 15. However, DGMM staff's ability to accurately identify victims varied among provinces and, in some cases, staff were reportedly reluctant to act on cases referred by civil society groups. Some observers reported a general lack of understanding and awareness of trafficking among some first responders and a lack of attention towards internal trafficking. Experts reported problems with authorities recognizing non-physical methods of control by traffickers. In some cases, weak interagency coordination on referral procedures may have resulted in some potential victims not receiving official victim status and the government services such status affords. The Ministry of Health and the Ministry of Family and Social Policies (MOFSP) continued to deploy specialized staff to government-operated migrant and refugee camps to screen camp residents for indicators of trafficking; however, observers reported the government did not make sufficient victim identification efforts in the highly vulnerable refugee and migrant communities outside of camps, or provide sufficient protection resources to address trafficking in these communities.

The law entitled equal services to all trafficking victims, including shelter, medical and psycho-social services, work options, education, translation services, temporary residency, repatriation assistance, and legal counseling. The government provided support to 151 victims (approximately 100 in 2016). The government covered funding for victims' services through various funding streams and did not make available the total amount of funding specifically allocated for anti-trafficking efforts. The government allocated 3.5 million Lira (\$923,970) to international organizations for anti-trafficking and migration-related efforts; it did not provide funding to domestic NGOs. A DGMM-run shelter had the capacity to and did accommodate 20 female sex trafficking victims and provided psychological support, health care, access to legal aid, and vocational training. One hundred and two MOFSP-run shelters also provided accommodation for victims of violence, including men and children, and 32 locally-administered shelters offered general support services to trafficking victims. The DGMM-run shelter and MOFSP-run shelters required victims to have an escort to leave the shelter during their initial stay but allowed victims to leave the shelter voluntarily once security officials completed an assessment and deemed conditions safe, which generally took a few days. Government-operated Monitoring Centers for Children provided support to child victims of violence, including trafficking. DGMM reported negotiating agreements with four municipality-run shelters to provide specialized services to trafficking victims. Observers expressed significant concern about the general lack of inclusion of civil society groups in the government's victim protection efforts and the government's increasing removal of them from identifying and providing services to victims. Three NGO-run shelters that provided the majority of specialized support services to trafficking victims since 2004 closed operations in 2016 for various reasons. One NGO-run shelter chose to close due to security concerns, the second chose to close in response to funding shortfalls, and the third was closed by DGMM.

The government likely deported and detained some trafficking victims due to inadequate identification efforts. Law entitled victims to a temporary residence permit for 30 days, which could be extended up to three years with the option to apply for a work permit; the government issued 145 residence permits (141 in 2016). NGOs reported significant hurdles for victims in acquiring work permission, including a requirement that victims move out of trafficking shelters to be eligible to work. DGMM reported assisting 193 victims’ repatriation. The government granted DGMM the right to participate in court proceedings as a formal party to provide victim support efforts. Additionally, the government adopted a new regulation on “legal interview rooms,” which allowed victims to testify in private rooms in order to reduce re-traumatization. The government did not report how many victims participated in criminal investigations or legal procedures. The law entitled victims to pursue restitution from their trafficker through civil suits and regulation entitled victims to one-time compensation but it did not define the amount or procedures to access it.

PREVENTION

The government maintained prevention efforts. The government drafted a national action plan but had not adopted it at the end of the reporting period. A senior-level national committee to coordinate interagency anti-trafficking efforts convened in March 2017 and February 2018. DGMM assumed the management of a national hotline that also handled trafficking calls from an international organization and trained new employees on trafficking issues, although observers reported a decrease in capacity to handle trafficking cases, possibly due to budget shortfalls to maintain the hotline. The government continued to prepare and distribute brochures on trafficking in six languages. DGMM issued its first annual report on trafficking and continued to publish annual data reports on its website for 2013-2017; however, observers reported the government did not share detailed statistics on a regular basis and OSCE reported discrepancies in the statistics of the different databases managed by various state institutions, such as the Ministry of Interior, MOJ, and courts. DGMM organized a workshop on anti-trafficking and hosted a meeting with national journalists to explain Turkey’s efforts to combat trafficking. The government continued to implement comprehensive migrant registration protocols by registering more than three million Syrians and providing birth registrations for newly-born refugee children and reported efforts to naturalize approximately 50,000 Syrian refugees under temporary protection. Many observers reported the country’s approximately 1,000 labor inspectors remained insufficient to monitor and inspect for child labor. Government efforts to reduce the demand for commercial sex acts or forced labor remained uneven. The government did not provide anti-trafficking training to diplomatic personnel.

TRAFFICKING PROFILE

As reported over the past five years, Turkey is a destination and transit country and, to a lesser extent, a source country for women, men, and children subjected to sex trafficking and forced labor. Trafficking victims in Turkey are primarily from Central and South Asia, Eastern Europe, Syria, Indonesia, and Morocco. Of the 303 victims identified

in 2017, Syrians continued to make up the largest number of victims (86 in 2017 and 36 in 2016) from a single country, followed by Kyrgyz (31), Moroccans (25), Afghans (21), Moldovans (20), and Uzbeks (19). Some Georgian men and women are subjected to forced labor. Foreign victims are commonly promised jobs in entertainment, modeling, or domestic work, but upon arrival are forced by traffickers into labor or prostitution in hotels, discos, and homes. Some Turkish men are subjected to trafficking in Azerbaijan and Israel. Roma and refugee children are vulnerable to trafficking while working on the street collecting garbage, selling flowers and other items, or begging. Reports indicate some youth in Turkey joined the Kurdistan Workers’ Party (PKK), a U.S.-designated terrorist organization under circumstances that remain unclear.

Turkey continues to host a large refugee population that is increasingly vulnerable to trafficking: approximately three and a half million displaced Syrians, 145,000 Afghans, and 140,000 Iraqis resided in Turkey during the reporting period. Syrian refugee and other children engaged in street begging and also reportedly worked in agriculture, restaurants, textile factories, markets, shops, and other workplaces, at times acting as the breadwinners for their families. Some are vulnerable to forced labor. Experts reported children worked long hours, with low wages, in some cases in substandard working conditions. Some reports claimed some Syrian and other girls were sold into marriages in which they were vulnerable to domestic servitude and sex trafficking.

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