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TURKEY: Tier 2

Turkey is a destination and transit country, and to a lesser extent 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, and Morocco. Georgian men and women are subjected to forced labor. Foreign victims are offered cleaning and childcare jobs in Turkey and, upon arrival, traffickers force them into prostitution in hotels, discos, and homes. Turkish women may be subjected to sex trafficking within the country. The Government of Paraguay reported working with an international organization to repatriate Paraguayan trafficking victims from Turkey. The government and NGOs report traffickers increasingly use psychological coercion, threats, and debt bondage to compel victims into sex trafficking. Transgender persons may be particularly vulnerable to trafficking, suffering from lack of protection by authorities and alleged police violence.

Displaced Syrians, Afghans, Iraqis, and Iranians are increasingly vulnerable to trafficking in Turkey, particularly as an estimated one million Syrians and 100,000 Iraqis arrived in Turkey during the reporting period, with little or no access to legal employment. An increasing number of Syrian refugee children engage in street begging and also work in restaurants, textile factories, markets, mechanic or blacksmith shops, and agriculture, at times acting as the breadwinners for their families; some are vulnerable to forced labor. Syrian refugee women and girls are vulnerable to sex trafficking by prostitution rings, including those run by extremist groups in Turkey. Some Syrian girls have been reportedly sold into marriages with Turkish men, in which they are highly vulnerable to domestic servitude or sex trafficking. International organizations report extremist groups increasingly recruit through fraud or coercion foreign men, women, and children from Central Asia, Indonesia, and Trinidad to join extremist fighters in Syria; some of these individuals may willingly join the Islamic State in Iraq and the Levant militants, including some girls who were reportedly forced to remain in Syria against their will after offering to marry fighters. Reports indicate youth, sometimes under coercion, participate in Kurdistan Workers' Party forces, a group designated as a terrorist organization by the United States and Turkish governments.

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 increased law enforcement efforts against traffickers, identified significantly more victims than the previous year, including a small number of Turkish citizens and Syrian refugees, and passed a new

regulation providing added legal support to its fight against trafficking. Efforts to protect the growing and highly vulnerable refugee and migrant communities in the country remain inadequate, and the government continued to face capacity constraints in addressing the increasing challenges. The government approved a regulation in January 2016 establishing a work-permit regime for Syrians under temporary protection in order to reduce their economic vulnerability. The government also stated that it screened for trafficking indicators in all migration and asylum-related interviews. The government continued to train front-line responders in victim identification, prosecution, and protection measures. However, the government did not convene its interagency trafficking taskforce or renew its national anti-trafficking action plan, which was created in 2009. Some officials, including police, downplayed the seriousness of the crime and failed to recognize the need for increased vigilance to combat trafficking among the refugee population.

RECOMMENDATIONS FOR TURKEY:

Vigorously investigate, prosecute, and convict traffickers, including forced labor offenders, and provide comprehensive law enforcement statistics to demonstrate such efforts; formalize the national referral mechanism and significantly increase victim identification efforts among vulnerable populations, such as refugees, women and girls in prostitution, and children begging in the streets; provide specialized care for all victims, including children, Turkish, and male victims; conduct interviews with potential victims identified by NGOs; provide victims unhindered access to protection services, including through the funding of NGO-led shelters; continue to train law enforcement and other first responders on victim identification, including recognizing the signs of non-physical methods of control used by traffickers and increase cooperation with NGOs and international organizations in victim identification and referral to assistance; establish a victim-centered framework for victim identification and assistance with stable funding and institutionalized partnerships with NGOs; ensure the interagency anti-trafficking taskforce convenes regularly and provides effective policy implementation; develop a national action plan to combat trafficking; and increase incentives for victims to voluntarily assist in the investigation and prosecution of traffickers, including the use of victim advocates.

PROSECUTION

The government demonstrated increased law enforcement efforts to combat sex trafficking, but did not take direct action to address forced labor. Article 80 of the penal code prohibits both sex and labor trafficking by use of force, threats, or abuse of power and prescribes penalties of eight to 12 years' imprisonment. Article 227(1) prohibits the facilitation of child prostitution and prescribes penalties of four to 10 years' imprisonment. Penalties under both articles are sufficiently stringent and commensurate with those prescribed for other serious crimes, such as rape. The 2013 "Foreigners and International Protection Act" provides a legal definition of trafficking and establishes trafficking victims' eligibility for a special type of residence permit that can be renewed for up to three years.

The Ministry of Justice reported prosecuting 238 suspects in 50 new sex trafficking cases under article 80 in the first three quarters of 2015. It did not provide the details of these cases. In addition, the Ministry continued to prosecute 188 cases from the previous year with a total of 1,484 suspects, completing a total of 75 cases during the first three quarters of 2015. Courts convicted 37 traffickers under article 80. All convicted traffickers received prison sentences, and 35 were also fined. The government acquitted 306 suspected traffickers, resulting in a 90 percent acquittal rate for criminal cases. The prosecutions and convictions reported in 2015 marked an overall increase from 2014, when the government prosecuted 749 defendants in 71 cases and convicted 25 traffickers. Observers criticized the government's inefficient handling of victims' statements, which were recorded during victim identification interviews and again during the early

stages of the investigation, but often disregarded by judges, who required new statements, even post-repatriation, placing an unnecessary burden on victims. The government reported no new prosecutions or convictions of government employees complicit in trafficking offenses. The government reported entering into anti-trafficking cooperation agreements with various countries in Central Asia and Eastern Europe, and it began criminal processes against 87 alleged traffickers in cooperation with Georgian authorities during the reporting period, compared with 26 in the previous reporting period. The government provided anti-trafficking training to 3,673 officials, including law enforcement, prosecutors, judges, and deputy governors in 2015.

PROTECTION

The government increased protection efforts. The government identified 108 trafficking victims, including two Turkish victims and nine Syrian refugees, during the first three quarters of 2015, compared with 50 in the previous year. Ninety-one victims were female, 17 victims were male. Twenty-six victims were children, a significant increase from two children identified during the previous reporting period. The government did not report a breakdown of the number of victims exploited in sex or labor trafficking; however, sex trafficking remained the most common form of trafficking, despite an increase in the number of labor trafficking victims. Fifteen of the 17 male victims were Afghans subjected to forced labor, including 14 children. Thirty-five victims were between ages 18-25; 40 were between the ages of 26-35; and seven victims were over age 36. The victims were predominantly from Central Asia, Eastern Europe, Georgia, Ukraine, and Syria. Ninety-eight victims accepted support services and 84 elected immediate repatriation, which the government facilitated. The government reported using its national referral mechanism for victim identification and assistance, which included law enforcement, civil society groups, embassies, and international organizations. During the reporting period, the government approved a new regulation that further defines the roles and reporting lines across government agencies in the national referral mechanism. Although there were no reports that the government punished trafficking victims for unlawful acts committed as a direct result of being subjected to human trafficking, NGO contacts report that front-line police officers often failed to identify sex trafficking victims, particularly among women in prostitution, and deported them without providing them access to victim assistance. NGOs reported providing shelter and services to 89 trafficking victims, including 7 children. Most victims were repatriated; however, 32 sex trafficking victims, most of whom were single mothers exploited in Turkey, remained in Turkey after receiving protective services. Observers expressed concern that law enforcement for Syrians was handled differently than for other foreigners, noting Syrians might not be channeled through the national referral mechanism. NGOs continued to report some front-line responders and police officers were not trained in victim identification and assistance, and police and prosecutor re-assignments and firings made it difficult for NGOs to coordinate effectively with law enforcement officials.

The government reported budgeting 1.2 million Turkish Lira (\$400,000) for three NGO shelters offering assistance to trafficking victims, including psychological and medical care, legal counseling on humanitarian visa and residence permit issuance, and counseling on their rights to return home; however, it did not specify the timeframe for this budget. The government also reported providing an additional 190,000 euros for these shelters via a partially donor-funded project. As in previous years, NGOs noted their biggest challenge was ensuring consistent funding to operate shelters and provide protective services. The government did not offer specialized facilities for Turkish, male, or child trafficking victims; however, during the reporting period several child and male victims were placed in shelters run by the Ministry of Family and Social Policies (MOFSP). The Directorate General for Migration Management (DGMM) and MOFSP drafted an operating protocol during the reporting period to guide their coordination in placing child and male victims in MOFSP shelters. The government continued to grant any identified foreign trafficking victim automatic residency status for 30 days, which could be extended for up

to three years; victims were not repatriated unless they requested it. Observers reported the distribution of DGMM's social workers and psychologists throughout the country was uneven, although the government hired 45 social workers and 45 psychologists to work on trafficking cases in the provinces. In addition, NGOs alleged that the government delegated significant authority for victim identification interviews to newly-hired migration experts who lacked specialized trafficking experience. This reduced the quality of victim identification efforts and potentially re-traumatized victims. NGOs reported significant hurdles for victims in the work permissions process, including a requirement that victims move out of trafficking shelters to be eligible.

PREVENTION

The government increased some prevention efforts; however, efforts on key national-level coordination mechanisms were stalled. The government did not convene its interagency taskforce on combating human trafficking during the reporting period; however, it convened working groups to discuss interagency cooperation and the referral mechanism. DGMM's Department for the Protection of Victims of Human Trafficking, which has the primary responsibility for coordinating the government's anti-trafficking efforts, hired a new director, engaged and trained new staff, and drafted a regulation that will provide greater legal definition to national efforts to combat trafficking in persons, including interagency cooperation. The government did not update its 2009 national action plan. The government took over operational control of the hotline for trafficking victims and law enforcement tips, and it publicized the phone number on pamphlets and posters in airports and other ports of entry around the country. The scope of the hotline expanded in 2015 from trafficking to include all migration-related issues, which increased the complexity of staffing the line with persons qualified to handle trafficking allegations. DGMM opened offices in all 81 provinces and tasked them with coordinating with law enforcement in identifying trafficking victims. The government also conducted public outreach on human trafficking in mid-2015. In January 2016, Turkey ratified the Council of Europe's Convention on Action against Human Trafficking, which has an independent monitoring mechanism. In January 2016, the government adopted a regulation allowing Syrians registered for temporary protection to work legally in the country. The government registered more refugees in the country, which made them eligible for protective services. The provincial offices of the DGMM reportedly screened for trafficking indicators in all migration and asylum-related interviews. The government funded an expert to analyze the effectiveness of the referral mechanism. In September 2015, the government conducted field research on potential trafficking cases in media reports, although the scope of this effort remained unclear. The government neither made efforts to reduce the demand for commercial sex acts or forced labor, nor demonstrated efforts to prevent child sex tourism by Turkish nationals traveling abroad; furthermore, it denied child sex tourism occurred within Turkey or involving its nationals abroad. Turkish armed forces participated in anti-trafficking training prior to their deployment abroad on international peacekeeping missions. The government did not provide anti-trafficking training for its diplomatic personnel.

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