

Irregular Migration and Trafficking in Women: The Case of Turkey



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Irregular Migration and Trafficking in Women: The Case of Turkey

by

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November 2003



IOM International Organization for Migration

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TABLE OF CONTENTS

EXECUTIVE SUMMARY	7
PART I: IRREGULAR MIGRATION AND TRAFFICKING IN WOMEN IN TURKEY	9
1. The International and Regional Context	9
1.1 Problems of definition	9
2. Irregular Migration to Turkey: What Do Statistics Reveal?	12
2.1 Changing patterns of arrivals	12
2.2 New tendency: Longer stays in Turkey	13
2.3 Irregular migration, illegality and deportation activities	15
2.4 Different types of illegality involved in irregular migration	17
2.5 Prostitution and deportation	18
2.6 The importance of Istanbul	22
3. Legal Framework	25
3.1 Legal framework concerning prostitution and trafficking in women	25
3.1.1 Regulations to control the spread of sexually transmitted diseases through prostitution	27
3.2 Recent changes in the legal framework	27
4. The Role of the Media in Influencing Public Opinion	28
PART II: SURVEY FINDINGS	31
1. Methodology	31
2. The Official Perspective	33
3. The Views of Embassy and Consular Officials	37
3.1 A brief review of countries of origin	37
3.2 Why do irregular migrants come to Turkey?	38
3.3 Does trafficking in women exist?	39

3.4	Who is being trafficked by whom?	39
3.5	Other issues directly related to trafficking	40
3.6	When do women contact their embassies or consulates?	41
3.7	What measures are being taken?	42
4.	The View From Istanbul	45
4.1	How is the problem perceived by public authorities?	45
4.1.1	Local administrators	45
4.1.2	Law enforcement agencies in Istanbul	46
4.1.3	The official approach to foreign illegal sex workers: The role of the police	47
4.2	The estimated scale and route of foreign prostitution	48
4.2.1	Organization of illegal foreign sex work and trafficking in women	49
4.3	Some other public institutions	51
4.3.1	Istanbul Dermatology and Venereal Diseases Hospital	51
4.3.2	The Directorate of Tourism in Istanbul	52
4.4	Local endeavours	53
4.4.1	The tourist industry	53
4.4.2	Travel agencies	54
4.4.3	Businessmen in Laleli	55
4.5	Organizations to combat and monitor trafficking in women	57
5.	Modes of Trafficking and Deception Activities and Testimonies	61
5.1	Trafficking and “trust relations”	63
5.2	Arrival in Turkey arranged through an intermediary	64
5.2.1	The clients’ views	65
5.2.2	The entertainment sector: A club owner and two showgirls	66
5.2.3	Two women in a “trust relationship”	67
5.3	Husband and wife as irregular migrants in Turkey	68
5.3.1	Women of foreign origin with Turkish citizenship	69
6.	Concluding Remarks	70
6.1	Policy implications	72
6.1.1	At the regional level	72
6.1.2	Further action	72
6.1.3	At the national level	72
6.2	Recommended further action	73

ENDNOTES	75
BIBLIOGRAPHY	78
APPENDIX 1: Interview List	80
APPENDIX 2: Questionnaires	82
APPENDIX 3: Article 201/b of the Turkish Penal Code	86

LIST OF TABLES

Table 1	Tourist arrivals in Turkey	12
Table 2	Annual arrivals of foreigners from selected countries ('000s)	13
Table 3	Foreigners living in Turkey with residence permits	14
Table 4	Foreigners with residence and work permits in Turkey (2001)	14
Table 5	Foreigners who obtained Turkish citizenship through marriage (1995-2001)	15
Table 6	Numbers of irregular migrants apprehended by country of origin (1995 - June 2002)	16
Table 7	Share of deportations in arrivals from the countries reviewed (2001)	16
Table 8	Deportation of foreigners (1996-2001)	17
Table 9	Causes for deportation of foreigners (2001)	19
Table 10	Deportation of foreigners for prostitution (1996-2001)	20
Table 11	Deportation of foreigners for STDs (1996-2001)	21
Table 12	Deportation of foreigners for prostitution and STDs (1996-2001)	22
Table 13	Istanbul's share of foreign arrivals	22
Table 14	Deportations from Istanbul (2001)	23
Table 15	Deportations from major cities (first half of 2002)	23
Table 16	Travel agencies in Istanbul operating for selected countries	54

LIST OF BOXES

Box 1	Cases that have come to the attention of the consulates	43
Box 2	Testimonies	62
Box 3	A sex worker in a trust relationship	64
Box 4	A sex worker who arrived through an intermediary	64
Box 5	Statements by two clients	65
Box 6	Nightclub owner and showgirls	66
Box 7	Trust relationship	67
Box 8	Husband and wife as irregular migrants	68

EXECUTIVE SUMMARY

As no previous research has been conducted in Turkey regarding this issue, it is the aim of the present study to investigate the trafficking of women into Turkey. The study reviews the legislative framework and relevant sociological aspects. As one of the principal destinations in Turkey, Istanbul has been selected as a main focal point for research into irregular migration and the trafficking of women into Turkey.

The first part of the report is mainly based on available data and legislation to give an outline of the actual situation. To that end, statistical data on arrivals and deportations are examined. Apart from quantitative methods, this study also looks at how information on irregular migration and related instances of trafficking in women into prostitution is relayed through the public media and its influence on public awareness and opinion.

In the second part of the report we present the findings of our survey. We conducted our exploratory research so as to provide as many different and relevant perspectives as possible from which to investigate and try to understand the phenomenon and its implications, both for the women concerned and the society in which it occurs.

For this purpose we conducted five sets of interviews: the first with Turkish government officials from a range of relevant areas of responsibility and rank, the second with embassy and consular staff from countries of origin and the third with representatives of interest groups who have direct contacts with irregular migrants, such as hotel owners and businessmen. The fourth set of interviews was conducted with the objective of revealing the actual and potential monitoring activities designed for irregular migrants and victims of human trafficking, such as various NGOs and aid agencies. Finally, the last set of interviews was aimed at gaining direct information through various first-hand testimonials. These describe the actual experience of different irregular migrant women.

In all, we conducted 88 interviews with 85 persons. Interviews were conducted between March and August 2002.

As the first survey of its kind in Turkey, it inevitably suffers from some limitations. It was designed to provide a comprehensive view of the mechanisms and institutions involved in the trafficking in women to gain a better understanding of the issue and to be able to propose necessary remedies and policy measures to effectively address this phenomenon. Thus, it was a conscious choice not to focus solely and directly on the trafficked women themselves. Rather, our study examines the environment and social contexts, private and public perceptions of, and attitudes to, the phenomenon of trafficking in human beings and of women, the role and attitude of intermediaries, of public officials, and the attempts to address the issue through legislative means by providing appropriate grounds for the indictment of the perpetrators and legal redress for the victims. While our efforts remain exploratory, we hope that they will provide a fertile base and encouragement for further research in this field.

There is no need to emphasize the complex character of this issue. As our research findings clearly reveal, as a destination country Turkey also reflects the various aspects of this complexity. Irregular migration is not new to Turkey and the authorities have been able to gain considerable experience of and insight into the workings of this activity, which depends, foremost, on the existence of local and regional networks. The nature and functioning of these networks in turn contribute to the complexity and ever changing characteristics and patterns of this phenomenon, which makes it so elusive and difficult to tackle.

In particular, there is a need to raise these issues to the level of national concern. In this context, considerable efforts have been undertaken, particularly at the legislative and institutional levels over recent years. In the period between the beginning and completion of this study (March 2002 and September 2003) Turkey took a series of remarkable steps. At the time we began work on this study, there was no legal framework directly related to the problem. At that time, we observed that the fight against trafficking in women was perceived as an issue falling within the scope of existing general policies. In other words, as each government agency approached the issue from its own area of interest and responsibility, and the policies and measures proposed or adopted were often inconsistent or even contradictory, leaving important gaps and loopholes. Thus, while the Ministry of Interior exercised control over the national borders, its priority area of concern was with national security issues and thus, to reduce irregular migration and to restrict the entry and the activities of irregular migrants. On the other hand, the objective of the Ministry of Labour and Social Security was to protect employment opportunities for Turkish citizens. As a result, there was no consistent or comprehensive approach, especially as regards the recovery of and assistance to victims of trafficking. Since September 2003, following the introduction of legislative and institutional measures concerning the trafficking in women, Turkey has at its disposal specific laws and administrative procedures, thereby accomplishing an important step towards mutual cooperation at the national, regional and international level. Over recent years, the country has thus witnessed important changes and the initiation of a dynamic and positive process in terms of legislative and administrative developments.

The initiating of these legal and administrative instruments is only one part of this effort, as the available instruments will now have to be put into practice. The manner in which this will be achieved is of crucial importance. It is hoped that recent trends towards a consistent and comprehensive approach at the policy making level will also be applied at the implementation stage. In that regard, there is a definite need for information campaigns to inform the media and the public in general of these recent developments and their policy objectives. Relevant NGOs will also have to be included in this process, as exemplified in recent attempts to involve the Human Resource Development Foundation and to benefit from their experience in the creation and implementation of protective measures and assistance for victims. Such initiatives are to be encouraged and extended to all women who have become victims of trafficking. At the same time, a more discerning attitude is needed to break down the stereotyping of, and the prejudices against, irregular migrant women, irrespective of whether or not they are victims of trafficking.

In addition to this ongoing positive process, there still remains the urgent need to raise public awareness and to heighten the sensitivity to this humanitarian issue of the general public and the national authorities, especially those charged with the implementation of the new policy measures, and to push for a consistent and comprehensive policy stance at the national and regional level, including the monitoring of the situation and the progress achieved.

PART I: IRREGULAR MIGRATION AND TRAFFICKING IN WOMEN IN TURKEY

1. THE INTERNATIONAL AND REGIONAL CONTEXT

As international irregular migration movements expand worldwide, they offer a fertile context for the equally growing phenomenon of trafficking in human beings. Under the cover of migration, regular or irregular, human trafficking activities are rapidly becoming one of the most widespread forms of human rights abuses, affecting an ever wider range of countries of both origin and destination involving increasing numbers of women, adolescents and children. Such activities are driven by networks, often, though not always, organized internationally, and intertwined with crime and violence both inside and across countries.

1.1 PROBLEMS OF DEFINITION

Since irregular migration and trafficking in human beings are interrelated issues, a discussion concerning definitions must begin with the different aspects, dynamics and driving forces of irregular migration. In the same way as trafficking in human beings is a complex issue to define, so is irregular migration (IOM, 2000a: 25). In this context, Ghosh's attempt provides a useful starting point. He argues that irregularity in migration movements may occur at various stages during the migration process either in the sending or receiving country or both, as well as in the destination country, viz. at the stage of entry, during residence or in the course of various economic activities, in the course of which the migrant may drift into and out of irregularity depending on chance and circumstances (Ghosh, 1998: 1-5). At the time of writing, the debate over a generally accepted definition for "trafficking", "smuggling" and "organized crime" continues (IOM, 2000a).

Despite such difficulties, there are many areas of agreement. International organizations and governments are unanimous in recognizing trafficking as a growing global problem and, by working towards a precise definition of both trafficking and smuggling in human beings, are striving to develop appropriate and specific measures to combat such activities and to establish policies and programmes aimed at raising public awareness of their nature and scope at both the international and national level.

An important step was taken towards a harmonized definition of trafficking when the United Nations adopted the following text in 2000:

Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction,

of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.¹

The distinction between the trafficking and smuggling of human beings is important and one which is still being discussed among scholars. As a case in point, in the study by Meese et al., “smuggling” is considered as a *migration*, and “trafficking of persons” as a *human rights* issue. This approach is significant in that it shows the distinction between the first, which has implications for the protection of the *State*, and the second, which implies the protection of the *individual* (cited in IOM, 2000a: 22).

One of the major concerns in relation to trafficking in women is the close relationship between trafficking activities and sex work. As Demleitner states, globalization and the increase in migration movements worldwide have dramatically expanded the range of possibilities and locations for women and children to be forced into prostitution. Given that the trafficking of women into prostitution can take various forms and involves moral, public order, labour, migration and human rights issues, as well as concerns over the proliferation of organized criminal activities (Demleitner, 2001: 257-259), the need for a specific definition of trafficking of women has been actively pursued within the European Union.² However, since being forced into prostitution is not the only form of exploitation to which women are exposed, some argue that research into and the combat of trafficking must also consider the broader interests of women and not be limited to prostitution only, but should make a distinction between trafficking and forced labour.³ According to Lazaridis, “the distinction made between ‘trafficking in women’ and ‘forced labour and slavery-like practices’ offers the possibility to differentiate between the act of recruitment and/or transportation for work/services and the actual work (and working conditions)”. Without underestimating the weight of prostitution, it should be stressed that trafficking does not necessarily always lead to prostitution and that prostitution is only one among the various possible consequences of trafficking (Lazaridis, 2001: 72).

The number of irregular migrant women from central and eastern Europe and the Commonwealth of Independent States (CIS) has risen sharply since the late 80s. As referred to by Zayonchkovskaya,⁴ the disintegration of the USSR, and the breakdown of the former regime and socialist system led to an acute economic crisis, with high inflation, falling living standards and massive unemployment. Moreover, with the independence of most of the former Soviet republics, ethnic factors began to assume crucial importance. This, together with the freedom of movement, generated new patterns of social conduct and mobility throughout the region of the former Soviet Union, caused various migration flows, including the return and repatriation of various ethnic groups, and forced, irregular and labour migration, to occur throughout the region. They included growing numbers of women, who were particularly severely affected by the social and economic disruption with resulting high unemployment even among the highly educated women.

As indicated by reports from EU countries, the number of women trafficked into Western Europe from central and eastern European countries is increasing (Europol, 1999, cited in IOM 2000a: 100). Women are recruited to work in sweatshops, as domestic or agricultural labourers, for “mail-order marriages” or are bought/sold to brothels and strip clubs (IOM, 1995 and 2000a). Women in post-conflict societies, such as Bosnia and Albania, have also been swept up into forced migration flows within the region.

Neither the volume nor the routes involved in this particular movement can be determined with any degree of confidence, beyond the fact that the ultimate destination is Western Europe. The flows include diverse nationalities and take different routes, depending on circumstances, affecting countries of origin, of destination and of transit.⁵

Geographical proximity, entry regulations and diplomatic and economic relations among countries are some of the elements determining such flows. Although the composition and volumes of such migratory flows to Turkey can only be guessed at, the country undoubtedly occupies an important position in the overall global spread of this phenomenon. In the absence of reliable research on this development, this report will make a preliminary assessment of this newly emerging issue.⁶

Various IOM reports and programmes have highlighted the situation of women who were trafficked, and thus raised international awareness of this pressing issue. Those reports also provided the major source of information on the trafficking of women to Turkey.⁷ They show that Turkey has not only become a destination country for migration in general, but also for the trafficking in women.

2. IRREGULAR MIGRATION TO TURKEY: WHAT DO STATISTICS REVEAL?

2.1 CHANGING PATTERNS OF ARRIVALS

Turkey's entry regulations, border control mechanisms and nationality laws reflect Turkey's development and relations with neighbouring countries. Moreover, since the 1960s, Turkey has been following an official policy to attract tourism to enhance its foreign currency reserves. Traditionally a country of emigration, Turkey increasingly became a point of attraction for irregular migration flows, and existing regulations were no longer sufficient or appropriate to deal with this situation effectively (Erder, 2000 and 2003).

Growing numbers of migrants from diverse backgrounds entered Turkey under the cover of tourism. As can be seen from Table 1, in 1988 the Balkans accounted for around 30 per cent of arrivals. But, following the collapse of the USSR, the composition changed and the former Soviet region became the main source of migrants targeting Turkey. Thus, an unintended effect of the liberal border policy was a mass influx of irregular migrants from ex-socialist countries. Although no reliable estimates of their actual share in the overall tourism to Turkey are available, they undoubtedly include considerable numbers of irregular migrants, refugees, transit migrants and circular or shuttle migrants.

TABLE 1
TOURIST ARRIVALS IN TURKEY

	1988		2001	
	(000)	%	(000)	%
Balkans	708.8	20.3	1,270.1	11.6
Middle East*	314.0	9.0	470.9	4.3
USSR**	4.5	0.1	2,260.5	20.7
Subtotal	1,027.4	29.4	4,001.6	36.7
Other	2,470.6	70.6	6,911.2	63.3
TOTAL	3,497.9	100.0	10,912.8	100.0

* Includes only Iran, Iraq and Syria.

** 2001 figures cover all countries of the former USSR.

Source: General Directorate of Security, Ministry of Interior.

Circular migration movements are short-term and voluntary migration movements involving a mix of informal traders and irregular workers. However, these can be used to conceal instances of trafficking in women. Unfortunately, available statistics, which are the only official source,

are not classified by gender, but our observations indicate that women account for the majority of arrivals from ex-socialist countries, with the exception of Bulgaria and Romania.

Various sources indicate that Turkey is one of the major countries of destination for trafficking in women from mainly Azerbaijan, Georgia, Moldova, Romania, the Russian Federation and Ukraine. Our research, therefore, focused on these countries.

TABLE 2
ANNUAL ARRIVALS OF FOREIGNERS FROM SELECTED COUNTRIES ('000s)

	1996	1997	1998	1999	2000	2001
Azerbaijan	112.1	93.5	125.0	122.6	182.1	189.3
Georgia	134.2	194.8	202.0	181.2	180.5	162.7
Moldova	*	50.6	61.8	77.3	65.1	46.9
Romania	188.7	338.7	506.2	481.5	267.1	179.5
Russian Fed.	1,163.1	980.0	636.3	423.2	680.5	753.0
Ukraine	44.7	100.5	138.3	127.6	153.7	214.0
Subtotal	1,642.7	1,757.9	1,669.4	1,413.7	1,528.9	1,545.3
Other	6,201.6	7,568.7	6,974.1	5,467.1	8,219.4	9,367.4
TOTAL	7,844.3	9,326.7	8,643.5	6,880.7	9,748.3	10,912.8
% Subtotal	20.9	18.8	19.3	20.6	15.7	14.1
% Other	79.1	81.2	80.7	79.4	84.3	85.9
TOTAL	100.0	100.0	100.0	100.0	100.0	100.0

* Not available.

Source: General Directorate for Foreigners, Ministry of Interior.

As shown in Table 2, the arrivals from six countries account for 1.5 million arrivals each year. However, as these movements may well be circular, the actual numbers of persons involved is probably considerably lower. Fluctuations in arrivals occur in response to prevailing economic conditions and any changes in visa policies in both Turkey and in the sending countries.

2.2 NEW TENDENCY: LONGER STAYS IN TURKEY

Even though the official policy encourages temporary arrivals, since the 1990s there has been a growing tendency to stay for longer periods. Table 3 compares the numbers of foreigners staying with the number of residence permits issued in 1988 and 2001. As this is a new development, it is being widely discussed among officials and social scientists with a view to creating appropriate means of regulation.

Even though there was no change in official policy or legislation, both the volume and composition of foreigners with residence permits have radically changed over the last decade. There may

be several reasons to explain this tendency to stay longer, such as arrivals for political reasons, to work or to retire, but this cannot be confirmed. Table 3 shows the change in the composition of arrivals, with nationals from within the region accounting for over 70 per cent of residence permits issued, the largest share from the Balkans. Though still insignificant in 1988, there was a considerable rise in the numbers of migrants arriving from the ex-socialist countries in 2001.

TABLE 3
FOREIGNERS LIVING IN TURKEY WITH RESIDENCE PERMITS

Origin	1988		2001	
		%		%
Balkans	8,868	19.9	73,393	45.5
Middle East (1)	8,210	18.4	13,361	8.3
Ex-USSR (2)	325	0.7	29,676	18.4
Subtotal	17,403	39.0	116,430	72.2
Other	27,241	61.0	44,824	27.8
TOTAL	44,644	100.0	161,254	100.0

(1) Includes only Iran, Iraq and Syria.

(2) Figures for 2001 cover all countries of the former USSR.

Source: General Directorate of Security, Ministry of Interior.

Table 4 shows that citizens of Azerbaijan and the Russian Federation accounted for the largest share of residence permits at the end of 2001. As applications and refusals are not classified by citizenship, the actual demand may be higher than these figures.

TABLE 4
FOREIGNERS WITH RESIDENCE AND WORK PERMITS IN TURKEY (2001)

	Residence	%	Work	%	*
	Permits		Permits		
Azerbaijan	10,044	–	866	–	8.6
Georgia	761	–	162	–	21.3
Moldova	855	–	268	–	31.3
Romania	1,304	–	354	–	27.1
Russian Federation	6,235	–	1,603	–	25.7
Ukraine	2,290	–	895	–	39.1
Subtotal	21,489	13.3	4,146	18.5	19.1
Other	139,765	86.7	18,270	81.5	13.1
TOTAL	161,254	100.0	22,416	100.0	13.9

* Share of those who have a work permit.

Source: General Directorate for Foreigners, Ministry of Interior.

It is worth noting that only 13 per cent of foreigners with residence permits also hold work permits. For the countries which are the focus of this study, the percentage is a little higher. Such figures point to the existence of a large informal labour market which absorbs the foreigners who have no work permit and are not allowed to work in Turkey although they have a residence permit. The effect of such limitations on the situation of foreign women arriving in Turkey in the hope of finding jobs will be discussed in the following chapters of this report. In general it can already be stated that this situation is driving the exploitation and deception of women.

Another indication of the growing tendency towards extended stays in Turkey is the growth in the number of marriages to Turkish citizens. In fact, before the recent amendment to the Turkish Citizenship Law, access to Turkish citizenship through marriage was easy. This did not fail to attract public attention and to be widely discussed. Some officials, such as police officers, consider that most of these are fake or paper marriages and demand new and stricter laws to regulate marriages with foreigners and the acquisition of Turkish citizenship through marriage.⁸

As shown in Table 5, nearly half of the new Turkish citizens are from the countries under review. This may be another sign of the eagerness of irregular migrants to settle in Turkey. Although it is not possible to determine the share of fake marriages, it may be safely assumed that some serve to avoid deportation of migrants who have no residence or work permits.

TABLE 5
FOREIGNERS WHO OBTAINED TURKISH CITIZENSHIP
THROUGH MARRIAGE (1995-2001)

Country	Numbers	%
Azerbaijan	3,876	15.9
Georgia	979	4.0
Moldova	1,292	5.3
Romania	2,894	11.9
Russian Federation	2,193	9.0
Ukraine	*	*
Subtotal	11,234	45.2
Others	13,066	53.8
TOTAL	24,300	100.0

* Negligible and included in other countries in the original data.

Source: General Directorate of Citizens and Citizenship Affairs, Ministry of Interior.

2.3 IRREGULAR MIGRATION, ILLEGALITY AND DEPORTATION ACTIVITIES

Irregular migration movements involve various types of illegality, depending on the respective national laws. In Turkey also the numbers and types of illegal migrants increased rapidly and became the focus of much debate and public concern. But, since the phenomenon of illegal

transnational activities, such as the smuggling and trafficking of human beings, is also new for Turkey, any data and reliable research are also extremely limited.

In order to estimate the trends, the volume and other characteristics of these irregularities we evaluated the available deportation data of the police in an attempt to gain better insight into this issue. Table 6 lists the numbers of migrants apprehended in Turkey since 1995. According to the data provided by the Ministry of Interior, there were nearly 400,000 deportations since 1995. One-fourth of these concerned the countries under review, with Moldovan citizens forming the major group, followed by Romanian, Russian and Ukrainian nationals.

TABLE 6
NUMBER OF IRREGULAR MIGRANTS APPREHENDED
BY COUNTRY OF ORIGIN* (1995 - JUNE 2002)⁹

Country of Origin	Numbers	%
Azerbaijan	6,352	1.8
Georgia	8,113	2.3
Moldova	29,333	8.3
Romania	13,946	3.9
Russian Federation	11,005	3.1
Ukraine	10,936	3.0
Subtotal	79,685	22.4
Other Countries	275,690	77.6
TOTAL	355,375	100.0

* Includes illegal entrance, illegal departure, illegal stay, expiration of visa and/or residence permit.

Source: General Directorate for Foreigners, Ministry of Interior.

TABLE 7
SHARE OF DEPORTATIONS IN ARRIVALS
FROM THE COUNTRIES REVIEWED (2001)

	Arrivals	%	Deportations	%
Azerbaijan	189,253	1.7	2,086	4.7
Georgia	162,671	1.5	2,527	5.7
Moldova	46,895	0.4	3,851	8.7
Romania	179,539	1.6	1,436	3.2
Russian Federation	752,997	6.9	1,254	2.8
Ukraine	213,969	2.0	1,741	3.9
Subtotal	1,545,969	14.2	12,895	29.1
Other	9,367,448	85.8	31,412	70.9
TOTAL	10,912,772	100.0	44,307	100.0

Source: General Directorate for Foreigners, Ministry of Interior.

Table 7 compares arrivals and deportations by country of origin in 2001. The percentage of deportations is high when compared to arrivals for the countries under review. Although their share in arrivals is around 14 per cent, their share in deportations is actually 29 per cent. The highest deportation rate is for Moldovans, even though their share in arrivals is the lowest. The deportation rate for Georgians and Azeris is also high relative to arrivals.

Table 8 gives annual deportation figures, beginning from 1996. It shows the relative decrease for Romanian citizens in 2001, although they were the major group before. In 2001, there is a sharp rise in the deportation rate for the “other countries” category. This may have been caused by a massive police operation to apprehend and expel “transit migrants” planning to migrate on to European countries, as the figure for “other countries” doubled in that year.

TABLE 8
DEPORTATION OF FOREIGNERS (1996-2001)

	1996	1997	1998	1999	2000	2001	Total	%
Azerbaijan	968	1,110	1,091	1,267	1,684	2,086	8,206	4.7
Georgia	1,639	1,422	1,722	1,690	2,670	2,527	11,670	6.6
Moldova	723	2,086	2,170	3,628	3,811	3,851	16,251	9.1
Romania	4,655	7,630	7,269	7,772	3,677	1,436	32,439	18.2
Russian Federation	1,077	1,428	821	958	981	1,254	6,519	3.7
Ukraine	737	2,102	1,473	2,069	1,996	1,741	10,118	5.7
Subtotal	9,799	15,760	14,546	17,384	14,819	12,895	85,203	47.9
Other	8,759	12,232	9,482	14,089	16,580	31,412	92,554	52.1
TOTAL	18,558	27,992	24,028	31,473	31,399	44,307	177,757	100.0
% ST	52.8	56.3	60.5	55.2	47.2	29.1	47.9	–
% Other	47.2	43.7	39.5	44.8	52.8	70.9	52.1	–
% TOTAL	100.0	100.0	100.0	100.0	100.0	100.0	100.0	–

Source: General Directorate Foreigners, Ministry of Interior.

2.4 DIFFERENT TYPES OF ILLEGALITY INVOLVED IN IRREGULAR MIGRATION

The particular illegality or the cause of illegality is also important to understand the difference between categories of irregular migrants. In general, there are three major types of illegality, which also reflect the different categories of the irregular migrant groups:

1. Illegal border crossings;
2. Illegal residence;
3. Illegal work.

Even though the act of deportation as such implies the same treatment for all irregular migrants in legal terms, it may result in sociological differences among the migrants. This is also the case in Turkey, where irregular migrants can be grouped according to their origin and the particular form of illegal presence in Turkey. Table 9 shows the major forms of “illegality” as a cause for deportation in 2001. As may be seen from the table, “illegal border crossing” activities are listed under “other” groups of migrants, who may be either political refugees or “transit migrants” from various countries.¹⁰

Normally, citizens from ex-socialist countries form a different category of illegal migrants, who enter Turkey legally and are deported for other offences. Thus, the most frequently observed reasons for deportation of citizens from ex-socialist countries are prostitution, sexually transmitted diseases (STDs) and the expiration of visas. From among the six countries under review, nearly 90 per cent of deportations are based on illegal sex business activities or STDs. Of the six countries, Moldova has the highest number of deportations contrary to public opinion, not for involvement in the sex industry. In fact, most Moldovan migrants are women working in an irregular situation as domestic servants.

2.5 PROSTITUTION AND DEPORTATION

As can be seen from the above, the most frequent reasons for deportation of citizens from the six selected countries concern either sex work, visa expiration or working illegally. Specific to trafficking in women offences, the following tables list deportation figures for prostitution and STDs separately for the period 1996-2001.

Table 10 lists deportation figures for prostitution, accounting for nearly 95 per cent of all deportations or 3,000 to 4,000 women annually, totalling 22,000 for the last six years.

As can be seen, Romanians, Moldovans, Georgians and Ukrainians are among those most frequently expelled for reasons involving prostitution.

Table 11 lists expulsions of women because of STD infections. Close to a thousand women were deported annually over the last six years for that reason. With 88 per cent of all cases, that was also the most frequent reason for deportation for the countries reviewed, reaching 6,000 for the period. During 1996-2001, Georgians and Romanians were the two major groups deported for STD infections, while Russian and Ukrainian women were relatively fewer, although their numbers have tended to rise over the last two years.

In the period 1996-2001, 77 per cent of women were expelled for prostitution, and 23 per cent for health reasons relating to STDs (Table 12). It should be noted that the share of Russians is the lowest in both cases. This is in contrast to the general stereotyping of “Russian women” as being involved in sex-related illegal activities as projected by the media and widely affecting public opinion in Turkey.

TABLE 9
CAUSES FOR DEPORTATION OF FOREIGNERS (2001)

	Prostitution and STD	%	Visa Exp.	%	Illegal Entry	%	Illegal Work	%	Other	%	Total	%
Azerbaijan	695	-	549	-	26	-	188	-	628	-	2,086	-
Georgia	813	-	768	-	114	-	70	-	762	-	2,527	-
Moldova	938	-	2,215	-	9	-	138	-	551	-	3,851	-
Romania	274	-	511	-	34	-	259	-	358	-	1,436	-
Russian Federation	615	-	296	-	14	-	33	-	296	-	1,254	-
Ukraine	872	-	489	-	3	-	28	-	349	-	1,741	-
Subtotal	4207	88.4	4,828	80.5	200	0.8	716	78.4	2,944	48.0	12,895	29.1
%	32.6	-	37.4	-	1.6	-	5.6	-	22.8	-	100.0	-
Other	554	11.6	1,171	19.5	26,300	99.2	197	21.6	3,190	52.0	31,412	70.9
%	1.8	-	3.7	-	83.7	-	0.6	-	10.2	-	100.0	-
TOTAL	4761	100	5,999	100	26,500	100	913	100	6,134	100	44,307	100
%	10.8	-	13.5	-	59.8	-	2.1	-	13.8	-	100.0	-

Source: General Directorate for Foreigners, Ministry of Interior.

TABLE 10
DEPORTATION OF FOREIGNERS FOR PROSTITUTION (1996-2001)

	1996	1997	1998	1999	2000	2001	Total	%
Azerbaijan	207	271	234	286	422	530	1950	8.6
Georgia	559	522	743	544	575	663	3,606	15.9
Moldova	187	602	849	708	975	729	4,050	17.8
Romania	1,385	1,339	1,949	1254	449	178	6,554	28.8
Russian Federation	317	417	332	206	231	495	1,998	8.8
Ukraine	214	726	650	530	642	662	3,424	15.1
Subtotal	2,869	3,877	4,757	3,528	3294	3,257	21,582	94.9
Other	200	206	163	115	235	251	1,170	5.1
TOTAL	3,069	4,083	4,920	3,643	3,529	3,508	22,752	100
% ST	93.5	95.0	96.7	96.8	93.3	92.8	94.9	-
% Other	6.5	5.0	3.3	3.2	6.7	7.2	5.1	-
% TOTAL	100	100	100	100	100	100	100	-

Source: General Directorate for Foreigners, Ministry of Interior.

TABLE 11
DEPORTATION OF FOREIGNERS FOR STDs (1996-2001)

	1996	1997	1998	1999	2000	2001	Total	%
Azerbaijan	140	124	121	97	221	165	868	12.7
Georgia	406	375	218	254	223	150	1,626	23.8
Moldova	52	31	58	265	268	209	883	12.9
Romania	462	264	370	218	158	96	1,568	23.0
Russian Federation	86	38	27	69	124	120	464	6.8
Ukraine	48	34	28	96	192	210	608	8.9
Subtotal	1,194	866	822	999	1,186	950	6,017	88.1
Other	40	41	25	213	191	303	813	11.9
TOTAL	1,234	907	847	1212	1,377	1,253	6,830	100
Subtotal (%)	96.8	95.5	97.0	82.4	86.2	75.8	88.1	-
Other (%)	3.2	4.5	3.0	17.6	13.9	24.2	11.9	-
TOTAL (%)	100	100	100	100.0	100	100	100	-

Source: Ministry of Interior, General Directorate for Foreigners.

TABLE 12
DEPORTATION OF FOREIGNERS FOR PROSTITUTION AND STDs (1996-2001)

	STD	%	Prostitution	%	Total	%
Azerbaijan	868	–	1,950	–	2,818	9.5
Georgia	1,626	–	3,606	–	5,232	17.2
Moldova	883	–	4,050	–	4,933	16.7
Romania	1,568	–	6,554	–	8,122	27.5
Russian Federation	464	–	1,998	–	2,462	8.3
Ukraine	608	–	3,424	–	4,032	13.6
Subtotal	6,017	88.1	21,582	94.9	27,599	93.3
Other	813	11.9	1,170	5.1	1,983	6.7
TOTAL	6,830	100.0	22,752	100.0	29,582	100
% TOTAL	23.1	–	76.9	–	100	–

Source: General Directorate of Foreigners, Ministry of Interior.

2.6 THE IMPORTANCE OF ISTANBUL

As already referred to in the Introduction, Istanbul was chosen as an area of research for the trafficking in women in Turkey, since, as Turkey's largest city it attracts all kinds of activities, including such related to internal and international population movements.

Table 13 presents Istanbul's importance regarding arrivals of foreigners either by plane or by boat, but also by rail or by road.

TABLE 13
ISTANBUL'S SHARE OF FOREIGN ARRIVALS

	Istanbul	Turkey	Istanbul's Share (%)
1998	2,166,805	8,643,457	25.07
1999	1,641,326	6,880,723	23.85
2000	2,310,263	9,748,338	23.70
2001	2,445,071	10,912,772	22.41

Source: General Directorate of Foreigners, Ministry of Interior.

Istanbul is a lively hub for business, trading, tourism and entertainment and large numbers of locals and foreigners are attracted not only to visit but also to work and trade in the informal economic sector. In addition, extensive informal solidarity networks provide housing, jobs and various forms of assistance to people living in Istanbul (Erder, 1999 and 2002).

These networks also affect irregular migrants who are willing to work or to do business in Istanbul in two ways. On the one hand, these networks facilitate informal work and trading

activities for foreigners and thus create an attractive environment for irregular migrants. On the other, they also contribute to an environment in which the exploitation and deception, especially of some groups of irregular migrants, are widespread. This is certainly true regarding cases involving the trafficking of women.

Not unrelated to the above, Istanbul accounts for the largest numbers of deportations from Turkey, reaching around one-fourth of the total in 2001. Broken down by the six countries under review, the figure is even higher at close to one half of the total (Table 14).

TABLE 14
DEPORTATIONS FROM ISTANBUL (2001)

	Total	%	Istanbul	%	Istanbul's Share
Azerbaijan	2,086	–	649	–	31.1
Georgia	2,527	–	169	–	6.7
Moldova	3,851	–	2,206	–	57.3
Romania	1,436	–	1,039	–	72.4
Russian Federation	1,254	–	219	–	17.5
Ukraine	1,741	–	713	–	41.0
Subtotal	12,895	29.1	4,995	46.3	38.7
Other	31,412	70.9	5,800	53.7	18.5
TOTAL	44,307	100	10,795*	100	24.4

* Of which 833 for prostitution, 595 for STDs and 2,443 for overstaying their visa entitlement.

Source: General Directorate of Foreigners, Ministry of Interior.

TABLE 15
DEPORTATIONS FROM MAJOR CITIES (FIRST HALF OF 2002)

	Trabzon	%	Antalya	%	Istanbul	%	Total	%
Azerbaijan	107		79		189		519	
Georgia	107		77		91		752	
Moldova	10		109		678		467	
Romania	4		65		373		111	
Russian Fed.	181		66		84		352	
Ukraine	96		68		336		234	
Subtotal	5,05	89.9	464	76.3	1,751	48.9	2,435	50.2
Other	57	10.1	144	23.7	1,831	51.1	2,417	49.8
TOTAL	562	100	608	100	3,582	100	4,852	100
%	11.6		12.5		73.8		100.0	

Source: General Directorate for Foreigners, Ministry of Interior.

In terms of countries of origin, the largest numbers of deportations from Istanbul concern citizens from Azerbaijan, Moldova, Romania and Ukraine. Russian nationals account for less than 20 per cent, indicating that Russian citizens are deported not only from Istanbul but also from other centres. Deportation figures for Georgians from Istanbul are also quite low and proximity may be presumed to play a role.

Table 15 concerns the other two major detention centres where irregular migrants from selected countries are concentrated. Although the figures only cover the first six months of 2002, they are indicative of a trend. In fact, 90 per cent of deportations from Trabzon involved nationals from the countries under review, and 76 per cent from Antalya. But, Istanbul's importance remains consistent throughout 2002, accounting for 74 per cent of the total.

3. LEGAL FRAMEWORK

It is not too much to say that in terms of its institutional and legal framework, Turkey was caught somewhat unawares by the current migration situation. Some laws that could have some relevance are over 50 years old and have only recently started to be adapted to the currently prevailing migration characteristics. Originally conceived for regular international migration movements, and for migrants of Turkish origin, they did not foresee the sudden and massive influx of people, nor do they constitute a coherent body of law, as there are over 70 different legal texts concerning foreigners.¹¹

In this context, the problems arising in connection with current irregular migration flows and patterns are not easily solved, as exemplified by the modern-day scourge of trafficking in human beings. As regards irregular migration, until recently the lack of a proper and systematic legal framework has been an important point repeatedly raised by the police, and it is this necessity that stimulated the attempts to develop appropriate laws and regulations in parallel with the ongoing international efforts regarding this issue.

No legal regulations directly related to the smuggling and trafficking in women existed in Turkey before August 2002. Until then, relevant articles from a variety of different laws and regulations had to be applied to combat the problem, as will be outlined below. But, on 3 August 2002 the Turkish Grand National Assembly passed two amendments to the Penal Code which specifically concerned the issue. One concerns human smuggling and the other the trafficking in women.¹² These amendments came into force on 9 August 2002.¹³ This represents a very dynamic and positive process in terms of the preparation and enactment of a consistent and comprehensive legal framework with which to address the issue of trafficking. The following is a brief outline of the laws applied by Turkish authorities to deal with trafficking in women, and of the recent changes introduced on this issue.

3.1 LEGAL FRAMEWORK CONCERNING PROSTITUTION AND TRAFFICKING IN WOMEN

Most of the existing laws and regulations in place to combat irregular migration and control illegal prostitution are also applied to combat trafficking in women in Turkey,¹⁴ such as Article 8 of the Passport Law, Articles 313, 435 and 436 of the Turkish Penal Code and Article 201/b of the Penal Code which came into force after August 2002, as well as Articles 1, 2, 6 and 7 of the Law on Combating Criminal Organizations. On the other hand, since licensed prostitution is not a crime in Turkey, we will briefly comment on the regulations dealing with that subject.

Article 8 of the Passport Law prohibits prostitutes and other people who earn their living by inciting women into prostitution, and who are involved in trafficking in women and other trafficking activities, to enter Turkey.

Articles 313, 435 and 436, Penal Code.¹⁵ Under the Turkish Penal Code the incitement into prostitution and the trafficking in women constitutes a criminal offence. Irrespective of the nationality of the perpetrators or of the place of the offence, both are investigated *ex officio* and punishable in Turkey. Article 313 of the Penal Code concerns organized criminal activities. Anyone who establishes an organization with the intention of committing a crime, or is involved in such an organization, shall be punished. This includes the incitement to and mediation of prostitution.

Articles 435 and 436, Penal Code, cover various forms of incitement or the forcing into prostitution of children, minors, women and men alike. Under Article 435, incitement to prostitution carries a prison sentence of six months to three years, or a fine, depending on the age of the person incited and the degree of acquaintance between the perpetrator of the act and the victim.

Article 436 provides that:

A person who rapes, or provides for, or sends, or transports for a third person a girl or a woman under the age of 21, irrespective of her consent, or who rapes, or provides for, or sends, or transports for a third person a girl or a woman over the age of 21 by the use or threat of force, violence or by trickery or influence, is to be sentenced from one year to three years imprisonment and a heavy fine.

If this crime is committed against a girl or a woman under the age of 21 by rape, the use or threat of force, violence or trickery or influence, or by her husband, her relative, the person who adopted her, her parent, teacher, guardian, governess or servant, the sentence shall be between two and five years imprisonment.

Prior to the amendment to the Penal Code, the Law Against Criminal Organizations for Profit (No. 4422) of 1999 constituted one of the most effective legal tools to combat trafficking. Since trafficking and prostitution activities include an element of “organization”, the Ministry of Interior issued a Circular in August 2002 following which this Law was also to be applied in combating trafficking in human beings.

The most recent amendment to the Turkish Penal Code (Art. 201/b) makes trafficking in human beings a criminal offence, pursuant to the UN Convention against Transnational Organized Crime and its additional protocols, and punishes traffickers with up to 5-10 years imprisonment.¹⁶ This amendment will undoubtedly enable Turkish law enforcement agencies to act more effectively in trafficking cases. This amendment brings some important novelties: First, it introduces a definition of trafficking in human beings; second, it introduces the concept of victim into the Turkish legal system. Art. 201/b of the Penal Code presents the main instrument to combat the crime of trafficking in human beings in the Turkish legal system. In July 2003, The Ministry of Interior issued a Circular to the police to the effect that all investigations into crimes of trafficking in human beings are to be carried out in accordance with Art. 201/b.¹⁷ Depending on the case (the elements and seriousness of the crime), the Prosecutor General decides on the appropriateness of the law to be applied. Therefore, in cases relating to “organized crime”, Law No. 4422 is to be applied.

3.1.1 Regulations to control the spread of sexually transmitted diseases through prostitution

Turkey allows licensed brothels to operate under the strict control of the relevant authorities. The Regulations against the spread of sexually transmitted diseases through prostitution and the Provisions regulating prostitutes and public houses of 1961, and amended in 1973, concern the control of prostitution, the identification of prostitutes, medical examinations, the closing down of unregistered brothels to prevent the spread of STDs and the protection of public morals and health.

The police can arrest persons involved in covert prostitution in the interest of public morality and health, but not for a criminal offence. Therefore, a foreign woman involved in prostitution and detained by the police will be checked for STDs, and possibly deported, as provided for under the General Public Law (Art. 106). Therefore, women are subject to administrative sanctions and immediate deportation, while the middlemen involved in the incitement and procurement or trafficking of women into prostitution are subject to criminal procedures before being deported themselves. Once deported, they are not allowed to enter Turkey again.

3.2 RECENT CHANGES IN THE LEGAL FRAMEWORK

The Amendment to the Turkish Citizenship Law (No. 4866): This amendment, enacted by the Parliament on 4 June 2003, introduced some changes to the Turkish Citizenship Law (Law No. 403 of 1964). Before being amended this law played an important role in the sharp increase of paper marriages and this led to calls for amendments to prevent further abuse. The amendment has made it more difficult for a foreigner to acquire Turkish citizenship through marriage, by imposing a three-year waiting period before a foreign spouse may obtain Turkish nationality. Anyone not living in the same household, will not be eligible for Turkish citizenship.

The Law concerning Work Permits for Foreigners (No. 4817): This law, enacted by Parliament on 27 February 2003, provides for a system of work permits and the related rules which will make it easier for foreigners to work in Turkey. It represents the first systematic legislation which specifically addresses the employment of foreigners in Turkey. While earlier various ministries and government institutions could grant work permits, Law No. 4817 designates the Ministry of Labour and Social Security as responsible for issuing work permits to foreigners. Under this law, foreigners may be employed in domestic service,¹⁸ which was not possible before. In addition to these recent legislative changes, amendments to the Passport Law are also being prepared to combat illegal migration more effectively.

4. THE ROLE OF THE MEDIA IN INFLUENCING PUBLIC OPINION

As the principal source of information and an important means of raising public awareness, the media plays a prominent role in bringing certain issues before the public. Often, non-typical cases receive particular attention and emphasis and thus play an important role in influencing public opinion. In order to gauge the influence of the media concerning the subject under review, we reviewed relevant articles and events presented in the media. More particularly, two popular Turkish daily newspapers, *Sabah* and *Hürriyet*, were systematically reviewed between 1999-2001, in addition to internet searches of related web sites and relevant TV programmes.

We found that the subject of women from former communist countries involved in irregular migration to Turkey received wide attention in the media. Prostitution and trafficking are an important part of the news about irregular migration. As the issues of prostitution and trafficking and irregular migration overlap, the new migration movements may easily conceal trafficking cases. Our media review confirms this. In the early 1990s, media attention was mostly directed at the *Natashas* in the Black Sea region of Turkey. Even the term *Natasha* used in news items to refer to women from ex-Soviet countries and their involvement in prostitution was reproduced by the media. Such reports also mention cases of deception and false offers of employment, and the trading of “dancers” to nightclubs.

Although cases of trafficking were already reported in the mid-90s, it became an important news item only after 1999, when the fight against the infiltration of foreign prostitutes began to be recognized as an important public issue and to be treated as such by the police.

Unsurprisingly, in “ordinary” prostitution cases, most of the news concentrated on deportation and venereal disease statistics, as the media obtained the news directly from the police department (Public Order Section – *Asayis Subesi*) which is mainly interested in these two issues. Depending on police controls and apprehension practices, news about deportation and venereal disease cases are a regular occurrence. One of the striking features is the relatively high level of education and professional achievement of many foreign women engaged in prostitution in Turkey. One of the explanations is the economic and social hardship suffered by the women in their countries of origin that drives them to look elsewhere to earn a living.

Most news related to trafficking refers to women who say they have been deceived and forced into prostitution, where they are at the will of the traffickers. Since their passports were confiscated by their “bosses” they cannot go to the police, and often they are kept under lock and key. Some women break down and attempt suicide, and sometimes succeed, others are severely mistreated or even murdered by their traffickers or clients. There are also cases involving women who, while they actually hold a formal job, are not paid and driven to prostitution to earn their living.¹⁹

Undoubtedly, the most important trafficking case for the media was the case of *Natalie Karakus*, a Russian woman involved in large-scale trafficking activities. This was widely reported at the time, since it involved the first and biggest trafficking organization so far. It was aimed at upper-

class clients and the women involved were highly educated, chosen for their good looks during beauty contests in their home countries, and potential clients accessed through the internet. Because of its scale, this has become the most memorable case for the police. The leaders were arrested and sentenced under the Law Against Organized Crime (No. 4422). However, other cases have been found to actually involve police officials in trafficking for prostitution and the trading in foreign women.²⁰

Significantly, our research showed that, although such media reports dwell on irregular migration and prostitution, generally they rarely report on the deception, dire working conditions and other hardships suffered by the women involved. There is a total lack of sensitivity and sympathy for the women as victims rather than as guilty parties, nor is there any feeling of responsibility to raise public awareness of this issue. While they dwell on the risks of the spread of STDs as a public health issue, and warn men to be “careful in their affairs”, such reporting is merely sensational, instead of recognizing and informing on the seriousness and legitimate concerns of the issue in a responsible manner.

Undoubtedly, many journalists in the Turkish media are sensitive to the humanitarian issues involved, and a small step would be enough to activate this group for the issue to change its place within the newspaper from the sensational or lurid, to serious reporting on a situation that calls for urgent attention and action.

PART II: SURVEY FINDINGS

1. METHODOLOGY

As this research concerns an issue that was not previously examined, it is presented as an “exploratory study”, intended to explore some main tendencies and raise issues for further research. Thus, this survey collected data through qualitative research, and primary data through semi-structured in-depth interviews and/or in-depth interviews.²¹

For the semi-structured interviews we used two sets of guides for interviews.²² The first was intended for government departments in Turkey, such as the relevant sections of the Ministry of Foreign Affairs, Ministry of Interior, Ministry of Justice, Ministry of Labour and Social Security and the Ministry of Tourism. The main objective of these interviews was to gain information and insight on the main approach and policy measures pursued by the principal government institutions of Turkey.

The second set was used to conduct interviews in the embassies or consular departments of embassies of known countries of origin for irregular migration as well as trafficking operations, from within the region. In all, nine interviews were conducted with representatives from Azerbaijan, Belarus, Bulgaria, Lithuania, Moldova, the Russian Federation, Slovenia, the Ukraine and Uzbekistan, instead of the 12 originally planned, since some countries declined to participate.²³ As Armenia does not have a consulate in Turkey, a community leader of Turkish Armenians was interviewed.

Furthermore, three sets of in-depth interviews were conducted. The first set addressed public officials with responsibility for the particular issue and who have direct contact with immigrant women – such as policemen working in detention centres, a medical doctor specialized in venereal diseases, and social workers, as well as three mayors and two district headmen from areas where such activities are concentrated. The overall objective was to gain a better understanding of the mechanisms employed to deceive the women, and of the possibilities to monitor such activities through appropriate institutions. We also interviewed an official from the branch office of the Ministry of Tourism to see how working permits were obtained for the women working in the entertainment sector. Thus, we were able to obtain first-hand information on the operation of public institutions and to select key informants to construct the profile of immigrant women in general, and those who had become victims of trafficking in particular.

The second set of in-depth interviews was conducted with representatives of Istanbul’s economic and social infrastructure involving a concentration of immigrant women. Besides workers and traders, this group also included hotel staff, lawyers and members of charity organizations, among others. The data obtained provided insights into the daily experiences of immigrant women themselves, as well as of the general public perception in their regard, including stories and rumours which were rife in that area. Researchers had the possibility of being in contact with

people with direct experience of the situation, as well as women who were themselves victims of trafficking.

The third set of in-depth interviews concerned immigrant women and key informants, both Turkish and foreign, who were directly involved in this process. Our findings only reflect the tip of the proverbial iceberg, and further work on this particularly complex issue is required.

2. THE OFFICIAL PERSPECTIVE

It should be stated at the outset that the emergence of various types of mass migration movements, such as refugees, irregular and illegal migrants, took Turkey unawares and was quite unexpected by the authorities. For example, in 1989, 230,000 Bulgarian migrants arrived in Turkey, and during the 1991 Gulf crisis, 460,000 refugees and asylum seekers from Iraq entered Turkey. From 1987 to 1992 the number of arrivals from Bosnia and Herzegovina reached 20,000, and in 1999, 17,600 refugees arrived from Kosovo.²⁴ Apart from this influx, illegal border crossings by transit migrants is another issue to be solved by the Turkish authorities, in addition to the irregular migrants crossing into Turkey from within the region as informal traders or workers, all of whom contribute to the growth of these unexpected movements. In recent years, most detected cases ended in deportation. According to police records, between 1995 and 2002, the number of deportations²⁵ of irregular migrants, which includes illegal entries, illegal departures and unauthorized stays such as overstaying visa or residence permit entitlements, reached 355,375.

In 1997, this development led to the creation of a new department in the Ministry of Interior responsible for illegal migration (Illegal Migration Office in the Bureau for Foreigners, Borders and Asylum). Besides, the Ministry of Foreign Affairs also established a unit for combating illegal migration in 2001. Deportation issues, the fight against irregular transit migration and trafficking in human beings now fall within the area of responsibility of these two units and are dealt with at the national level. The growing international sensitivity regarding this issue is a further incentive driving Turkey's search for appropriate responses. Turkish officials responsible for the development of an effective national policy to address these issues are aware that Turkey is rapidly turning into an immigration country, and the necessary adjustments and improvements in national policies and legislation are being discussed and implemented to take account of this development.

Although the national authorities are also aware of the worrying incidence of trafficking in women, their priority attention is directed at the control of illegal border crossings. Cases of trafficking and smuggling in human beings that involve illegal border crossing are part of this priority drive, particularly in connection with illegal migration movements to European countries. But, without neglecting the recent important attempts on trafficking, it can be said that irregular migration flows within the region and, consequently, trafficking in women, have been treated as a secondary issue, as the movement of women occurs mainly on a temporary basis and seldom involves illegal border crossings.

For instance, officials from the Ministry of Foreign Affairs take the view that a distinction should be made between trafficking in women and human smuggling/trafficking activities. They consider human smuggling/trafficking activities as a major issue to be solved in Turkey.²⁶ However, they also believe that this problem can only be handled effectively at the international level.²⁷ For them, international and regional cooperation and implementation of the existing treaties are urgent needs.²⁸ The official in charge did not feel that trafficking in women was a frequent occurrence in Turkey and that this should not, therefore, be considered as "a legal issue" only, since it was also "a humanitarian and social issue", and that relevant laws and administrative measures were either already in place or were being prepared in Turkey to deal with this prob-

lem. Some officials also felt that the women entering Turkey in large numbers to work in the sex industry do so voluntarily, and point to Turkey's liberal visa policy as a factor in actually avoiding trafficking in women. Solutions to this humanitarian problem were, therefore, to be sought at a different level.

On the other hand, officials at the Ministry of Interior were more aware of the problem of trafficking in women, as they themselves have had to deal with such issues directly. They also distinguished between the problem of illegal border crossings and other types of illegalities, such as working illegally or unauthorized residence. The police officials stated that although they had witnessed some slavery-like situations in connection with forced prostitution, this had not been frequent. They were quite firm in affirming that they had not come across any cases involving the trafficking of children into prostitution, and pointed to Turkish values and traditions as a natural barrier to such practices. They felt that prostitution was an affair organized at the international level and that the changes to the existing legislation to combat trafficking would also serve to reduce trafficking in women. Thus, it is felt that the amendments to the Citizenship Law, the changes in the regulations for foreign workers and the amendments to the Turkish Penal Code regarding the trafficking and smuggling in human beings, were three major tools with which to combat these problems effectively.

Thus, the Ministry of Interior stimulated a change in the Turkish Citizenship Law in response to the sharp increase in the acquisition of Turkish citizenship through marriage. As already mentioned earlier, although Turkish labour laws are (or were until the recent changes) very strict regarding the issuing of work permits for foreigners, until the recent change that barrier could easily be bypassed by acquiring Turkish citizenship through marriage. According to Ministry of Interior statistics, 24,300 naturalizations through marriage were registered between 1995 and 2001, 45 per cent of which involved Azeris, Georgians, Romanians and Russians. It is widely believed that the rise in the number of such marriages is directly related to circumventing Turkish labour and residence laws, and that the majority are purely paper marriages. In response, a new law which makes it more difficult to obtain Turkish citizenship through marriage by extending the period before citizenship could be obtained was enacted.

Meanwhile, Ministry of Interior officials stressed the importance of cooperation among the countries of the region, especially as regards the combat of trafficking in women. Although there had already been some cooperation, such as the conclusion of bilateral agreements and/or closer cooperation with some countries such as the Ukraine and Moldova, they also felt that much more had to be done to achieve broad and comprehensive cooperation within the region, and expressed their own willingness to contribute to the encouragement and development of necessary cooperative activities.

The Ministry of Labour and Social Security plays an important role in the organization and regulation of working life in Turkey. But, until the recent changes, legislation was very restrictive concerning the employment of foreigners, which, moreover, fell mainly within the competence of the Ministry of Interior.

However, the extensive informal economy provides ample opportunities for foreigners without work permits. That situation has led the Turkish authorities to enact the Law concerning Work Permits for Foreigners in 2003 (Law No. 4817) to regulate and control the employment of foreigners. It is widely believed that the stiff penalties for employers will reduce the number of

foreign workers and, by the same token, their exploitation. The Ministry of Labour and Social Security seems to be willing to adopt appropriate measures to limit the illegal hiring of foreigners, not least under pressure from the Turkish labour unions which widely oppose and protest the illegal hiring of foreigners.

Even though there is no specific policy regarding illegal prostitution, this new legislation will have some effect, at least to the extent of bringing the sex workers and domestic workers who are concealed in the informal labour segment into the open. The most notable attempt is the above-mentioned law which came into force in 2003. Although it introduces stiff penalties to dissuade the illegal hiring of foreigners, the situation and conditions of sex workers of either Turkish or foreign origin do not seem to be high on that Ministry's agenda, and trafficking in women is not a subject for special attention from the Ministry of Labour and Social Security.

In contrast, the Ministry of Justice is highly sensitive to this issue. The reason for this is related to Turkey's process of adaptation to the EU *acquis*. Since the prevention of smuggling and trafficking forms part of that *acquis*, the Ministry of Justice is most interested in adjusting Turkish laws and regulations accordingly.

The Ministry of Tourism also plays a role as it is responsible for the regulations and certification of tourist and entertainment establishments, and for the issuing of work permits for foreign "entertainers", all aimed at encouraging tourism in accordance with national policy objectives. However, in some cases, this prerogative may also have the effect of limiting the competence of the Ministry of Interior by restricting the scope of the police to enter and control hotels and other tourist establishments under the control of the Ministry of Tourism. Moreover, the right to issue work permits to foreign "entertainers" removes them from the control by the Ministry of the Interior, even though it must approve such permits.

In recent years the majority of entertainers came from eastern European countries. It seems that the Ministry of Tourism is in favour of granting them work permits and to be more flexible in its approach compared to other institutions. As stated by a ministry official, "there is a huge demand and we just fulfil it". Such divergent interests seem to be the source of some areas of conflicts and tensions between the two ministries. According to police officials, that situation is creating an environment where illegal prostitution activities can be concealed, thus hindering countervailing measures by the Turkish police. On the other hand, tourism officials claim that police operations interfere with tourist activities in Turkey.

In general, it may be stated that the combat of human smuggling/trafficking activities is an urgent priority for the Turkish government as part of its overall objective of adjusting its legal framework in accordance with international norms and standards. The approval in 2002 of relevant regulations by the Turkish National Assembly may therefore be acknowledged as a success for the government. Among these, the approval of the Palermo Convention on the combating of trafficking and smuggling in human beings has been the most important development.

However, such developments still fall short of raising the issue of illegal employment of foreigners in general, and the growth in voluntary or forced prostitution, in particular, to the level of national concern. It should, however, be stated that during and after conducting this research, remarkable efforts have been undertaken at the legislative and institutional levels. Before the introduction of the recent legal and administrative measures, the combat against trafficking in

women was perceived as an issue to be addressed within the scope of existing general policies. As during that time each government agency approached the issue from its own area of interest and power, the policies and measures proposed or adopted were often inconsistent or even contradictory, leaving important gaps and loopholes. Thus, while the Ministry of Interior has control over national borders, its priority area of concern has been with national security issues and thus, to reduce irregular migration and to restrict the entry and the activities of irregular migrants. On the other hand, the objective of the Ministry of Labour and Social Security has been to protect employment opportunities for Turkish citizens. As a result, there was no consistent or comprehensive approach, especially as regards the recovery of and assistance to victims of trafficking and of deception. However, during and after the signing of the United Nations Convention Against Transnational Organized Crime and its three protocols, a dynamic process was initiated regarding the creation of an appropriate legal basis. This consisted of three important steps: (1) The legal framework. The Penal Code was amended by introducing Article 201/b, which defines trafficking and introduces the concept of victim; a new law was enacted which, for the first time, systematically regulates the employment of foreigners in Turkey, and the Turkish Citizenship Law was amended. (2) The second step involved the introduction and implementation of appropriate administrative measures and relevant training programmes by the different ministries to reflect current developments and requirements. (3) The third step concerns the appropriate coordination and cooperation with NGOs to provide protection and assistance to victims.²⁹

The prompt implementation of these measures now depends on the close coordination and cooperation between the policy making organs and those responsible for the implementation. A consistent and comprehensive approach is to be ensured on the basis of an integrated programme, which should also aim at the public opinion and the media, NGOs and the women concerned. The efforts to raise and maintain awareness of this humanitarian problem and to sensitize the public and the national authorities to its implications and dimensions should be maintained and strengthened, as well as to push for and monitor a comprehensive policy stance at both the regional and national level.

3. THE VIEWS OF EMBASSY AND CONSULAR OFFICIALS

3.1 A BRIEF REVIEW OF COUNTRIES OF ORIGIN

In order to present a comprehensive picture, interviews were conducted with representatives of the countries of origin of the region in their embassies in Ankara or consular sections in Istanbul. In addition to the available statistics and observations on arrivals and deportations, the IOM country reports on trafficking, and the US State Department Report on Trafficking in Persons (US Department of State, 2001 and 2002) were also consulted. As the main countries of origin, we selected Armenia, Azerbaijan, Georgia, Moldova, Romania, Russia and the Ukraine.³⁰ Belarus, Bulgaria, Lithuania, Slovenia, Tajikistan and Uzbekistan were also included to obtain a broader view on trafficking in women in the region. The interviews with representatives from Azerbaijan, Belarus, Lithuania, Moldova, Slovenia, Ukraine and Uzbekistan were held at embassy level in Ankara, and from Bulgaria and the Russian Federation at consular level in Istanbul. Since no diplomatic relations exist between Turkey and Armenia, it was decided to interview a Turkish Armenian community leader in Istanbul.

No interviews could be conducted with the representatives of Georgia, Romania and Tajikistan at either embassy or consular level. In order to compensate for this, an interview with a former Romanian official who is manager of a tourist agency in Istanbul was also included. Unfortunately, it was not possible to obtain any official view from either Georgia or Tajikistan.

Before presenting the findings of this section, we should mention some major distinctions regarding these countries which are of relevance for our research objective. In many respects, they are very diverse and this is reflected in mutual official relations and, by extension, the situation of immigrant women, and affects the possibility of developing an institutional framework for the common aim of combating trafficking in women. Their main common feature is their communist past, even though their respective historical, cultural and diplomatic relations with Turkey are quite distinct. Turkey's relations with ex-communist countries were limited even though some of them were neighbouring countries. Thus, no diplomatic relations exist with Armenia, while relations with, for instance, Bulgaria and Romania were more frequent even during the communist period.

They also differ in terms of cultural, religious and ethnic composition. This makes practically each migration experience unique. Thus, there are long-standing relations between Bulgaria and Turkey through Bulgarian citizens of Turkish ethnic origin and muslim faith, and their descendants form a large community in Turkey. As to Armenia, even though there are no diplomatic relations between the two countries, the existence of a Turkish-Armenian community with similar ethnic origin and language in Turkey makes this migration experience quite unique.

Migrants from the other countries also differ in terms of ethnicity, religion and language, even though some of them may have some links to Turkish culture as, for example, the Gagauz Turks who are of Christian origin, or Azerbaijanis. Apart from these examples, the majority of irregular migrants are of a completely alien cultural background to the Turkish community.

Considerable variations exist also in respect of mutual international obligations under existing international treaties and alliances. Many of the countries of the region are part of the CIS with no cooperation regarding irregular migration. However, Slovenia and Bulgaria, both EU-candidate countries, have to harmonize their regulations in line with the European Union *acquis*. Bulgaria has already started to implement Schengen rules, and Slovenia is also starting to harmonize its regulations. Such diversity regarding their respective international obligations also affects their position and their response to irregular migration in general, and trafficking in women in particular.

3.2 WHY DO IRREGULAR MIGRANTS COME TO TURKEY?

According to the representatives of the above-mentioned countries, such movements to Turkey are temporary for the purpose of tourism, trade and/or for temporary work, without any intention to settle. Turkey's proximity and its liberal border policy³¹ in contrast to western countries were referred to as major factors encouraging the movement of their citizens. In their view, only a small number actually intends to settle in Turkey.

The major driving force for migrants to come to Turkey and to engage in informal trading activities or informal work was the painful economic and social transformation process in the respective countries of origin. The situation in Moldova was particularly severe, driving Moldovans to work in restaurants, in shops or as domestic servants in Turkey.

However, nearly all respondents believed that the situation would change when the economic and political transformation process was completed. As stated by the Bulgarian diplomat, even though after 1990 many Bulgarians had come to Turkey, as economic conditions improved in the country that movement had slowed down considerably. The respondent from Azerbaijan expressed similar views and foresaw that the number of Azeris arriving in Turkey would level off as the economy strengthened and wages rose back home.

The second-most important motive was tourism. Ex-Soviet nationals whose freedom of movement had been severely limited for decades were particularly keen to travel to other countries. Such movements could result in temporary stays to work or to trade in the informal sector. The citizens of the countries of the region already have a tradition of circular or shuttle migration, and this is reinforced by the new freedom of movement and relatively liberal border policies. In general, governments did not hinder such movements, although Romania had begun to apply some restrictions on travel abroad.

However, the diplomats interviewed were hesitant to discuss the issue of women migrating, or the trafficking of women, for prostitution, even though they were aware of the problem and acknowledged it as a social fact. They felt that this issue had been exaggerated by the media and that it would diminish as the respective national economies improved and offered more employment opportunities.

The high number of young women among circular migrants was acknowledged, although it was also noted that the composition of migrants from Armenia, Bulgaria and Romania was more diverse including variable proportions of men and women and a much larger age bracket. As for

Romania, the composition of suitcase traders, illegal workers and prostitutes of the early 1990s had given way to mostly men travelling for business and trade fairs. Armenia stood out for the high proportion of women aged between 30 and 50 coming to Turkey, preferring not to be too far away from their home base as they usually had some family obligations, while the younger generation tended to target the USA, Canada or France.

3.3 DOES TRAFFICKING IN WOMEN EXIST?

The representatives of the countries from the region interviewed stated that although prostitution was illegal in their countries, it was acknowledged as a social fact and social problem. They were equally aware of the growing problem of trafficking in women, but were unanimous in that trafficking in children did not occur in their countries.

While for Moldova trafficking in women was considered a major problem still waiting for an effective solution, the representatives of Azerbaijan, Belarus, Russia and Ukraine felt that the authorities were successful in controlling the problem and that it was diminishing. According to the representatives of Armenia, Bulgaria and Uzbekistan the issue of trafficking in women had never been very serious, partly because of the existence of communal networks in Turkey which protected women from such activities (Armenia), the moral standards of local women (Bulgaria) and distance (Uzbekistan) which acted against the proliferation of trafficking activities in their countries. As prostitution is illegal in these countries, trafficking in women for prostitution and prostitution as such are perceived as closely interrelated and the two terms tended to be used interchangeably in the replies received. Thus the replies concerning “trafficking” in women often instead reflected the rapid expansion of prostitution as such, rather than actual trafficking activities, as networking was a common and necessary element in both.

3.4 WHO IS BEING TRAFFICKED BY WHOM?

As stated above, the answers in relation to the trafficking in women often referred to women who, while they were forced into prostitution, had not been actually trafficked. Nevertheless, the replies to our questions generally revealed similar backgrounds and motives as driving women into prostitution, such as: bad family situations, village or rural towns background (Russia); low educational background, lack of economic prospects (Ukraine); low social and educational background, lack of economic prospects, broken families, delinquency (Uzbekistan).

Although some women had a professional or at least working background, generally they were divorced or single, without a profession or economic means, from both rural and urban areas (Moldova); from rural areas, low educational background and often from single-mother families (Belarus); low social and economic background, from single-mother families, without family or family support, and women who were left alone to fend for themselves after the war, from rural areas and villages deserted after the war (Azerbaijan). The response from Bulgaria stated that the problem of trafficking did not exist, as educated women had no difficulty in finding a job.

In summary, therefore, all regional country representatives cited ignorance, lack of work and economic means, social isolation and the absence of family or of family support as the main factors playing into the hands of traffickers. However, given that this is not a new phenomenon and that it had been going on for over a decade at least, *deception* and *forced prostitution* were two important issues on which the diplomats did not readily agree. Thus, the Russian representative stated that deception did not play a major role as Russian citizens were forewarned and made aware of the problem. He therefore concluded that women who came to Turkey were informed about the conditions they could expect. No cases involving deception had come to the attention of the consulate. The Uzbek representative agreed. Only one case of deception had come to the attention of the representative of Belarus. The answer from the Ukrainian representative was mixed. While most knew the jobs they were coming to, there have been some cases of deception and forced prostitution. As for Azerbaijan and Moldova, deception was acknowledged to be a problem and many women were tricked into prostitution through false promises of jobs in Turkey.

As no uniform pattern could be discerned from the statements, we asked ourselves whether the incidence of forced prostitution through “deception” and actual trafficking differed by country of origin; whether over time the problem was becoming less, or whether it was instead evolving into an organized international sex-trade business, where the involvement in prostitution had also become more voluntary. How and to what degree was Turkey affected by such activities, and did traffickers or their organizations vary with the geographical range of their activities? Our respondents gave different assessments and described patterns not only between but also within countries of the region. While all depended on the interaction of networks, their size, nationality, composition and areas of interest were different. Thus, trafficking in women could involve loose local networks to larger, organized mafia-type gangs operating at the regional level. As stated by one of the respondents, mafia-type organizations were operating everywhere. When the Soviet regime collapsed, organized crime certainly did not. It was a big business.

3.5 OTHER ISSUES DIRECTLY RELATED TO TRAFFICKING

Economic transition, unemployment and low or no wages at all were among the main forces driving this migration movement. Turkish liberal border policies and the access to petty trade and other activities provided further incentive. For those willing to work, the Turkish informal economy offered possibilities to find gainful employment, even though they had no social or economic security, which were strictly reserved for foreigners with valid work permits and legal employment, and Turkish citizens. Irregular migrants and workers were in a particularly vulnerable situation and, if caught, faced deportation.

That and the limited access to formal work created an environment in which trafficking in women could thrive, as migrants ignored the regulations and limitations and were easily deceived. As stated by the Russian respondent, while it was relatively easy for Turkish nationals to obtain work permits in Russia, it was much more difficult for Russians to work legally in Turkey. Russians were unaware of their rights and work contracts were often not complied with in Turkey. Moreover, the vulnerability accompanying such precarious situations did not seem to be limited to foreigners with no legal status, as foreigners working legally could be similarly

affected. Bad working conditions and the absence of a responsible agency or public institution functioning on behalf of foreigners were issues referred to by foreign representatives. Thus, entertainers in nightclubs could be either deprived of their wages or paid considerably less than originally agreed. As stated by the representative from Ukraine, his government warned its citizens and stressed the importance of proper labour contracts, and the risk that even where they existed, they could be fictitious.³² However, the need to work and to earn money were so great that they were prepared to take the risk.

To summarize, therefore, the difficulty of accessing the formal labour market in Turkey creates an environment in which the trafficking of women could easily emerge and establish itself. While the restrictive policies on foreign labour paradoxically accelerated this phenomenon, the vast informal economy provided ample cover for such activities to thrive. Women who were either misled by fictitious labour contracts or otherwise cheated, often ended up in the sex business involuntarily. Illegal agencies active in Turkey and throughout the region further accelerated the exploitation of the willingness of foreign women to find work and to earn money in Turkey.

The difficulties encountered by the women in turn created a fertile ground for the proliferation of fake marriages to overcome the strict labour regulations, and marriages between Turkish and foreign citizens have been on the increase since 1995. Even though no research data are available to quantify the phenomenon, both Turkish authorities and foreign diplomats widely believed these to be marriages of convenience to gain easier access to the labour market and eliminate the risk of deportation. That situation led to the amendment of the Turkish Citizenship Law in June 2003, which introduces a three-year waiting period before a foreign spouse may obtain Turkish citizenship. It is still too early to be able to judge the effects of this new law. However, even under the old legal regime where some migrant women became Turkish citizens by marriage and were able to stay and work in Turkey, it was not without its own problems, since, depending on the regulations in effect in their countries of origin, their new citizenship might either not be recognized, or they may have to give up their original nationality. Either way, new problems may arise with the authorities of their countries of origin if the women want to return. Moreover, even while citizenship protects the women from deportation, they remain exposed to other risks and dangers. Cultural differences also pose problems, and foreign wives often face difficulties, neglect and exploitation in their new families. Such problems may arise even when marriages are not pure marriages of convenience. Often the foreign wives are not sufficiently informed, or are discouraged to register their marriage with their consulates with the result that if they should run into difficulties, their status is not regularized. Although Turkey does allow double nationality, their former national authorities might not and therefore refuse their assistance as they no longer recognized the women involved as their nationals.

3.6 WHEN DO WOMEN CONTACT THEIR EMBASSIES OR CONSULATES?

As welfare institutions are very weak in Turkey, family and kinship relations are of special importance in the daily life of Turkish citizens. Thus, they turn to communal solidarity networks if they need help. Some communal networks are also available for some groups of irregular

migrants. For Bulgarian Turks, large communal and NGO networks actively provide help in times of crises to newcomers. In the absence of diplomatic relations between Turkey and Armenia, Armenian nationals can turn to the Turkish Armenian community for help. However, such assistance is much less forthcoming for Armenian women who have become involved in prostitution as this is considered shameful. For others, who are either not familiar with or have no connections to such networks, the existence of formal institutions to rely on for assistance is becoming increasingly necessary. The availability of effective services and guidance from consular sections for their citizens play an important role in the daily lives of the migrants living in Turkey.

During the interviews conducted with the consulates, it was noted that irregular migrants frequently applied to their consulates because they had lost their passports, had visa problems or needed documents, but also for financial assistance, for example to return home.

Regarding the trafficking in women, the “loss of passport” takes on a particular significance, as their passports are frequently confiscated by the traffickers. In general, the reasons for the loss of passports are not recorded, and victims of trafficking and of forced prostitution are particularly hesitant to disclose their situation. The diplomats confirm that few speak openly, either because they are ashamed or afraid, or because they think that they will not receive any protection. Often they are brought by the police and the consulate issues the necessary travel documents before they are deported. No depositions are made for prostitution.

Shame is certainly an important factor. However, women who are victims of trafficking, deceit and forced into prostitution also avoid applying for assistance because they fear reprisals at the hands of the traffickers. They are also afraid of being treated as the guilty party and not the victim, especially in view of the illegality of prostitution in former Soviet countries. The more open approach adopted by the Belarus authorities bears this out, as more of their nationals who became victims of trafficking have the courage to speak of their situation openly to their consular officials in the hope of receiving assistance and without being afraid of being punished instead.

Naturally, even though consulates are willing to assist their citizens, especially if their safety and health are at risk, applications for financial assistance are treated with some suspicion as investigations often revealed that allegations of having become victims of deception or the withholding of wages or other misfortunes were unfounded, and the applicant merely wished to obtain funds for the return trip. However, requests for money are often the direct outcome of the precarious working conditions for foreigners in Turkey, and not necessarily related to cases of forced prostitution. To that extent they reflect a more general and widespread problem caused by the working conditions and helplessness of some foreign workers in Turkey.

3.7 WHAT MEASURES ARE BEING TAKEN?

Based on the information received from the respective representatives, it seems that all the countries of the region are actively cooperating with the Turkish authorities, especially with the Ministry of Foreign Affairs and the Ministry of Interior, to combat trafficking in women. All have introduced measures, or are in the process of doing so, to combat the problem already at home by conducting information campaigns to warn their citizens against deception and the dangers of

trafficking. Through, e.g. newspaper articles and radio broadcasts, their citizens are made aware of the risks of fictitious work contracts and are informed of existing restrictions and labour regulations in Turkey. For those intending to marry in Turkey, information is made available on Turkish family life and traditions, and in respect of potential difficulties caused by cultural and ethnic differences.

Such individual information campaigns notwithstanding, they remain partial and haphazard while a systematic and coordinated regional approach to combat trafficking activities and forewarn potential victims, and to seek out and prosecute criminal gangs, is still lacking, despite the real concern over this growing problem in the respective countries as confirmed by the representatives interviewed.

Box 1 – Cases that have come to the attention of the consulates

Case 1 (Russian Consulate):

Only few applications are made to the consulate, and the genuine cases are limited to two or three. Once a 16-year-old girl applied claiming that she had been forced into prostitution. We applied to the Turkish police. The man who deceived her was found and arrested. In another case we helped four Russian women who had been deceived and forced to work in unacceptable conditions.

Case 2:

The wages paid to entertainers in Moscow and in other big Russian cities have increased and those working in the entertainment business receive at least as much if not more than other wage earners in Russia. Therefore, there is no need for them to go to Turkey. Those who go do not even know how to dance. The only qualification they have is that they are young and good looking. Competent dancers do not come to Turkey. If working conditions and regulations change, more skilled dancers may come to Turkey.

Case 3 (Embassy of Azerbaijan):

Most of the women who come to Turkey are deceived. They are the women who lost their fathers in the war. Their economic situation is bad and there is no one to protect them in Azerbaijan. There is no family support at home, and the men have gone. They come mostly from rural areas, from the villages that were emptied after the war. The intermediaries find them and promise them a good life. But the problems start when they arrive in Turkey.

Case 4 (Embassy of Ukraine):

We helped a Ukrainian woman who had been in Turkey for some five to six years. We found her in Samsun, but she had been in Trabzon before. She was quite ill and disturbed as a result of her situation. The embassy paid her medical treatment and she was repatriated and accompanied by a nurse with the help of IOM. She recovered. Our budget is limited and we sometimes face very big problems. However, many people back home in the Ukraine also face serious problems, not only abroad.

Case 5:

There are almost no cases of trafficking in children below the age of 18. Once the police brought in a girl of 15, who insisted that she wanted to work as a prostitute. But such cases are very rare. We always receive letters from the families of the women in Ukraine, who claim that their daughter is lost. We apply to the Foreign Ministry. The women are normally found quickly. Kidnapping is not usual. What happens is that the women do not inform their families of their whereabouts.

Case 6 (Embassy of Belarus):

Two months ago, two sisters came here. One had been forced to use drugs. She hardly understood where she was. She had first been taken to Ankara and then to Istanbul. She did not know how she came to be in Antalya. Then she regained consciousness and phoned her sister who then brought her here. The girl was without her passport or any other documents. She had been forced into prostitution.

Case 7:

Early last year a girl tried to escape. Her passport was taken away. She wanted to go back to Belarus. She came here. She said that she just escaped from her boss. But she could not go home because her boss and a friend of his claimed that she had stolen US\$ 2,000 from them. It is easy to make such a claim. I knew that she was not guilty. But the police had the statement from these men that she had stolen the money. And they brought witnesses. How would it have been possible to have a witness for her?

Case 8:

I sometimes receive the coffins of some ladies. They have no money, nobody. I am supposed to help to send these coffins back home. But nobody from her family contacted me. She was the one who was responsible for helping the family with the money she earned. These are the problems. We took the coffin from Bodrum last summer. No money, nothing. I do not know what to do. She was living with a Turkish guy there, but he was already married to a Turkish woman. He had just been stringing this lady along.

Case 9:

There was a so-called Madame in Gomel who supplied women. She had lots of friends among the bosses of the hotels and casinos here. She had been working in this market for about 10 years. She knew exactly what girls to send, their looks, hair colour, etc. Then we finally caught up with her and now she is in a jail in Belarus.

4. THE VIEW FROM ISTANBUL

Istanbul's importance regarding irregular migration and the related deportation activities was already referred to earlier in this report. We therefore selected Istanbul as a focal point for the trafficking in women activities to conduct interviews to gain more evidence. In the first part, the perceptions, activities and the countervailing measures adopted by the public authorities are reviewed on the basis of the available data and observations and the interviews with local administrators, mayors, headmen, police department officials and medical service staff.

In the second part, the perceptions and the activities of the relevant economic agents, such as hotels, disco-bars, industrialists and travel agencies who have direct contact with foreign women from ex-socialist countries are presented.

In the third part, we examine the availability of communal and cultural networking activities and of NGOs, and whether women victims of trafficking or otherwise at risk are, in fact, aware of these. For this purpose we conducted interviews with monitoring agencies, such as religious centres, representatives of women's organizations and others such as the Women's Rights Enforcement Center of the Istanbul Bar Association.

4.1 HOW IS THE PROBLEM PERCEIVED BY PUBLIC AUTHORITIES?

4.1.1 Local administrators

Concerning women from ex-socialist countries, their presence and visibility in Istanbul is mostly limited to one area: Laleli. This is a well known area, located in Eminönü, a traditional commercial centre and the historical site of Istanbul, where regular commercial activities, suitcase trading, hotels and pensions and other entertainment activities are concentrated.

In other parts of the city the women from ex-Soviet countries are not seen during the day, as they may be either in Beyoğlu as "entertainers" after midnight, or anywhere else as clandestine workers, including in the sex trade.

To get a first-hand impression and to gauge the attitude of the local administrators, we interviewed the mayor of Eminönü where Laleli is located, the mayor of Beyoğlu, where the entertainment business is concentrated and the Mayor of Bağcılar, a peripheral lower-income area of Istanbul. The headmen of two Laleli sub-districts were also interviewed.

It should be stated at the outset that the local administrators were embarrassed to discuss this issue. Since three of the mayors were members of the Islamist parties, they approached the issue from a conservative angle and considered not only trafficking, but also the entertainment sector as such, and the sex industry in particular, as an ethical, social and humanitarian problem. But they did not monitor the problem, either concerning Turkish women or foreigners and for them, the problem of "forced prostitution" or "prostitution" was a topic not openly talked about or discussed.

They were particularly concerned about the spread of prostitution among Turkish women. For them the problem was the result of poverty and the injustices brought about or exacerbated by the uncontrolled economic regime. Besides, they referred to the availability of modern communication means which had diminished the importance of the former brothels and was causing the prostitution to spread into every district of the city, even into residential areas and decent neighbourhoods. However, it was not part of their responsibility to either monitor or combat the problem. On the other hand, each mayor had in fact introduced some programmes such as the distribution of food and essential goods for the survival of the poor and to stem the spread of poverty and destitution. Such measures may also be intended to protect destitute Turkish women from falling victim to the sex trade.

During the interviews it became clear that the mayors were indeed aware of trafficking in women and prostitution involving foreign women in their regions. Each had witnessed some incidents, but they had never actively dealt with the issue. Besides, none of the victims had ever approached them for help. They believed that small local gangs organized these activities together with corrupt local police officers.

However, the mayor of Eminönü was very sensitive to such rumours affecting the reputation of Laleli. For him, even though some such activities were going on in his district, it was no more so than in other parts of Istanbul. He felt that the unfavourable image projected by the media prejudiced not only women from the former communist countries, but also harmed tourism and trade in his district. Since he had closer contacts with foreign women, he was also more aware of the cultural differences influencing gender relations compared with Turkey, and that this played an important part in creating such prejudices.

All mayors were aware of the increasing trend in marriages between foreign women and Turkish men in recent years. But they had also seen many cases of genuine marriages where foreign women converted to Islam. However, in the wake of police and media reports alleging the rise in the number of fake marriages, or marriages of convenience, they had become more vigilant and examined papers more carefully, and collaborated with local police departments to obtain more information concerning the applicants.

Although at the start of our interviews they were quite firm that to combat the trafficking in women or the monitoring of victims were not issues falling within their area of responsibility, as they began to speak more openly it became obvious that they were all aware of the importance of this humanitarian issue and that they felt that their municipalities could do something. Indeed, as important social and political institutions, municipalities can play a significant role in raising public awareness and the consciousness of foreign and local women, as well as to monitor and combat such activities.

4.1.2 Law enforcement agencies in Istanbul

As one of the most attractive points of destination for migrants in the region, Istanbul has many features related to irregular migration. For instance, suitcase trading is concentrated in Istanbul's Laleli district, there is a thriving informal economy, and a lively and large entertainment sector that attracts a wide range of pleasure-seeking people. Thus, for any one living in Istanbul, it is

not easy to distinguish a genuine tourist or trader from an illegal worker, or those involved in prostitution or other illegal activities.

The police in Istanbul is responsible for controlling activities related to irregular migration and therefore also for the trafficking in women and forced prostitution, and to do so in this chaotic atmosphere within the limits of legality, proportionality and non-discrimination. As virtually the only official institution active in this area, they have considerable experience in dealing with the issues involved, the other is the hospital, to which we shall refer to later.³³

4.1.3 The official approach to foreign illegal sex workers: The role of the police

It is for the Istanbul Security Department to identify transit migrants and to enforce deportation orders. However, the most serious problem for them is to deport illegal migrants who have neither passports, identification cards or money, or illegal migrants who arrived from very distant countries. This poses a major challenge not only for the police and their resources, but also to the existing legal framework, which is not adapted to deal with such developments and is in need of urgent adjustment to provide the legal and institutional framework to cope with large numbers of irregular migrants and the necessary enforcement procedures.

In addition, the growing phenomenon of trafficking in women and the prostitution of migrant women are also issues dealt with on a daily basis. Under the current legal framework the involvement of foreign women in prostitution is illegal in Turkey. Therefore, women found working without a valid work permit are treated as any other illegal worker. Moreover, as licensed brothels in Turkey are subject to special health and public order regulations, the police are responsible not only for controlling the conformity of work permits but also the observance of health and sanitary regulations. In the absence of specific regulations concerning the trafficking in human beings, until August 2002 any indictments were treated on an individual basis. However, as there was mounting evidence that the trafficking of women for the purpose of prostitution in Turkey was operated by organized criminal gangs, the police began to treat such cases under the law concerning the combat of profit-oriented criminal organizations (Law No. 4422 of 30 July 1999).

Normally, the police apprehended illegal prostitutes during their routine controls in the city. With the advent of cellular phones and the ease in communication, the importance of licensed brothels in the city began to decline and the sex business spread into surrounding rural areas, beyond the control of the urban police, making it more difficult to track it down and to detect the involvement of irregular migrant women. This caused the police to redirect their routine controls to discotheques, pubs, bars and hotels where they suspected prospective clients to concentrate. Sometimes they themselves posed as clients to gather the evidence needed to indict the persons involved.

However, their work was seriously hampered by the restrictions imposed on their inspection of hotels and centres of entertainment falling under the authority of the Ministry of Tourism which regulated these establishments and largely excluded them from police controls.

Given the clandestine nature of prostitution, it is difficult to verify and to collect evidence. If such evidence is found, the indictment is normally for “illegal work” or for violating the sanitary

laws concerning sexually transmitted diseases through prostitution, and the provisions regulating prostitutes and public houses. If the police detain immigrant women suspected of involvement in the sex business they are sent to the Istanbul Dermatology and Venereal Diseases Hospital (*Istanbul Zührevi Hastalıklar Hastanesi*) for a medical examination. If there is no infection, they are released; otherwise they are sent to the Foreigners Department of the police for deportation.

The second most frequent indictment is for overstaying, and false or missing passports. Most of the police interventions were limited to combating illegal foreign prostitution on an individual basis. With the recent creation of a legal basis to fight organized crime, it may be hoped that police actions will no longer be limited to individual cases of prostitution but also serve to arrest the organizers.

4.2 THE ESTIMATED SCALE AND ROUTE OF FOREIGN PROSTITUTION

The massive arrival of foreign illegal women migrants for the purpose of illegal prostitution is mainly a result of their dire economic and social conditions at home. They come to Turkey to earn money and improve their living conditions. The police confirmed that most of the women were from rural backgrounds. However, that did not mean that they were also uneducated. In fact, they often had a considerable degree of education and it was not rare for young foreign women, aged between 20 and 25, with different professional backgrounds to be found working as prostitutes in Turkey. The police were astonished to find even highly qualified professionals, including medical doctors, among them. This social decline could only be explained by the socio-economic and political collapse in their home countries.

It is very difficult to arrive at a reasonably accurate estimate of the actual numbers of foreign women involved in illegal prostitution in Turkey. Although one official put the number with some confidence at around 5,000, with about half concentrated in Istanbul, their numbers could vary considerably from month to month, or show seasonal fluctuations. Estimates of the women who entered Turkey with the intention of entering the sex business as a proportion of total irregular arrivals also varied. One official stated that out of total arrivals at any one time, only about 5 per cent were genuine tourists, 20 per cent came for trading and business purposes, 10 per cent came for work and the rest came to work in the sex business. Another estimate put the proportion of female migrants from ex-socialist countries entering Turkey for prostitution at a staggering 98 per cent.

All officials concurred that the principal reason for this state of affairs was the relative ease with which irregular migrants could enter and engage in illegal activities in Turkey, especially compared with EU countries. For them, onward migration to Europe was insignificant. In their view and based on their experience, such movements were circular and temporary in nature, even though some irregular women migrants had begun to remain for longer periods with the help of fake marriages. Once the women involved had obtained Turkish citizenship through fake marriages, it was practically impossible to combat uncontrolled prostitution, a cause of considerable concern for the police officials. They were therefore anxious for new legislation to restrict such marriages to be finalized and approved.

4.2.1 Organization of illegal foreign sex work and trafficking in women

The legal framework within which the police department can act to deal with this issue has already been referred to above. They could prosecute foreign women engaging in prostitution on an individual basis for violating Turkish immigration, labour and sanitary regulations, even when no trafficking was involved. With the increasing evidence of the involvement of organized criminal activities and networks, the police started to prosecute them under the law against organized crime (Law No. 4422). Our interviews were conducted with officials from three different departments that are directly involved in handling these activities: the Foreigners Department (*Yabancılar Subesi*), the Vice Squad (*Ahlak Masası*) and the Public Order Department (*Asayis Subesi*). Of these, the Foreigners Department is mainly responsible for the deportation of illegal migrants, while the other two deal with illegal activities generally in the city. Thus, as they are involved at different stages of the procedures, the respective experience and observations of these departments may differ. However, the women detained were extremely hesitant to admit their involvement in such organizations, probably out of fear of reprisals. Instead, they tended to accuse the police of discriminating against them.

Concerning trafficking in women, the officials of all departments agreed that most of these activities, even if they were organized, should not be considered as involving trafficking in women as the women involved were all well educated adult women, who could be presumed to have been informed about the job they were going to and did so willingly. According to the officials from the Foreigners Department, responsible for deporting undesired foreigners:

(...) prostitution is an individual activity; connections are made through mobile phones. They do this job to earn money. In other words, there is no deception... Besides, it is difficult to identify the situation as a case of forced prostitution since each woman has her own mobile phone. These women's claims concerning deception and force in Turkey are not genuine.

On the other hand, the police departments responsible for prosecuting these activities did have some evidence of deception and trafficking. For instance, the police officials from the Public Order Department claimed that although the women involved may have come to Turkey willingly, they were then sometimes confronted with unexpected events that rendered their situations dreadful. Often they were powerless to refuse or to change their condition or to extricate themselves. For the officials of this department it is very difficult to gather sufficient evidence on the reality of their situation and the degree of deception and forced prostitution involved, as the women are prone to withdraw their evidence and to change their stories, probably out of fear of reprisals from their "bosses".

For the police officials from the Vice Squad (*Ahlak Masası*)³⁴ the most important problem are the "networks" which organize the sex trade between the countries of origin and Turkey. One official confirmed that he had some evidence of forced prostitution. However, none of the victims had come to the police department for help. The women's fear of disclosing their situation was one of the most important obstacles for the police to come to grips with such networks. If the women were more willing to talk and give evidence against the traffickers, the police would be able to gain access to these networks much more rapidly and crack them. As one official related:

We arrested a woman from a discotheque. Her passport had been taken away. She was extremely happy when she saw the police. She said that she had been trafficked some time ago. Then she had been sold on. She had been locked in a house for some time. She was a clever woman. She gave us an address. On the basis of the information she gave us we were able to rescue 16 women and catch the traffickers. Nine of them were arrested, but four escaped.

According to the police officials, the steps towards forced prostitution are already set up in the sending countries through debt bondage and deception through the mediators who promise them jobs as, e.g. cleaners, housekeepers, vendors, waitresses or nannies. One police official interviewed described the mechanisms of a typical sex-business network based on the cases he had investigated:

There is a group leader, his/her assistants, a “cashier”, a person who is responsible to prevent women from escaping and a driver who is responsible for transportation. Generally, at the top of the organization is a foreigner. They are generally women who had earlier been prostitutes themselves. She knows Turkey and speaks Turkish. She either brings women from her own country or gathers them in Turkey. The scale of the network varies.

In each trafficking network there is a female “boss” who is from the sending country and who is referred to as “mama”. They are different from the earlier “mama” in that they are younger. They generally have a Turkish assistant. This person acts as “intermediary for an intermediary”. Each woman in this position has approximately 10-15 women around her. In many cases the women were all educated, whereas the intermediaries were not. The nationality and gender of these networks are mixed.

According to the information gathered by the police, these women work for the intermediary for a certain time, generally the first months after their arrival. During that time the intermediary provides them with food and shelter. Afterwards, they are allowed to keep 40 per cent of money they earn with the rest going to the intermediary. Although some women succeed in extricating themselves, this was very difficult and the majority of the women continued to be exploited.

Thus, the officials who are directly concerned with the issue were aware of and had themselves witnessed cases of trafficking. They were aware that much of the sex business in the city was organized by regional networks and that this was a very large business involving huge sums of money. They were equally aware of the blame and the criticism directed at them, and the rumours accusing them of corruption and/or of mistreating the victims. But they emphasized that given the existing legal and institutional limitations for the police departments to combat the problem, other measures were urgently needed as it was not possible to combat the problem only through police measures. One of the most effective solutions would be the improvement of social and economic conditions in the home countries themselves.

Even though they disagreed on the extent of actual trafficking in women and deception and forced prostitution in Turkey, they acknowledged the reality of extensive illegal sex activities of foreign women in Istanbul. As the women had no place to go to when they needed legal or medical assistance, the officials had witnessed many cases testifying to the extreme vulnerability of foreign women. They confirmed that this was principally a humanitarian issue involving also serious public health problems.

4.3 SOME OTHER PUBLIC INSTITUTIONS

4.3.1 Istanbul Dermatology and Venereal Diseases Hospital

Istanbul Dermatology and Venereal Diseases Hospital in Istanbul (*Istanbul Deri ve Zührevi Hastalıklar Hastanesi*), colloquially known as CANCAN, is a specialized public hospital for sexually transmitted diseases. The hospital conducts routine controls and provides medical treatment, especially for the sex workers in officially licensed brothels. The clinic has a medical team specialized in venereal diseases and a laboratory and operates under the control of the Ministry of Health. A certain amount is charged for these services, but women who are unable to pay are also treated.

Its very nature and specialized field of activity and direct relations with the police departments in Istanbul, involved in combating illegal prostitution activities in the city, make this hospital exceptional. During our visit to this hospital we observed that its small cafeteria was full of foreign women who had been brought there by the police for engaging in illegal prostitution, waiting for the results of the medical tests. The medical staff reported that today only few native illegal sex workers were brought to the hospital. They noted that even though the native licensed women sex workers (*vesikalı*) were subject to routine controls and considered “safe” in medical terms, with the arrival of foreign women the number of their clients had dropped. The hospital’s medical staff was concerned over the potential rise in STDs as a public health risk caused by the illegal sex business, a concern fully justified by the number of confirmed cases.³⁵

But they also described the foreign sex workers as more conscious of the risks and ready to seek treatment compared to the native illegal sex workers who were less educated and ignored the medical risks. Asked about trafficking in children and forced prostitution, the medical team working in this hospital affirmed that they had never come across child prostitutes. It was their impression that foreign prostitutes were mostly professionally engaged adults who were not under any pressure or coercion. There was some evidence that local men were among their regular clients and that they helped them and offered services and protection. The hospital staff had never been approached for help. Undoubtedly the main reason for this reticence was the hospital’s well known cooperation with the police department. As the foreign women had no regular status they were afraid to attract any attention to themselves, in particular as CANCAN was known as a starting point of deportation procedures of many women who entered the hospital. Not surprisingly, foreign irregular women migrants and sex workers were very critical of the hospital. The medical doctors working in the hospital were also aware of the rumours. They dismissed them by emphasizing that they worked to protect public health, rather than as a branch of the police department, and pointed to their limited resources as preventing them from offering more than minimum services.

By stressing health as a public issue they were mostly concerned with the spread of STDs through the growth of the uncontrolled sex business. But there was no policy or programme for the protection of the victims as individuals, or for psychological support to the women in the hospital. Deportation was just another instrument with which to combat the growth of the uncontrolled sex industry and the spread of STDs. The medical staff also expressed concern over the rise in fake marriages to obtain Turkish citizenship as preventing deportations as an ultimate measure to circumscribe the spread of STDs in Turkey, and pointed to the fact that in recent years most of the women brought to the hospital were naturalized Turkish citizens who could not be deported.

To conclude this section it should be noted that this clinic is the only public institution providing health service to foreign women working in the sex business. Therefore this institution is of special significance and, if the current regulations were to be adjusted accordingly, it would be able to monitor the victims and to play a significant role in assisting and protecting women from abuse, as well as limiting the spread of STDs.

4.3.2 The Directorate of Tourism in Istanbul

The promotion of tourism is an official state policy in Turkey and the government supports a number of measures and initiatives designed to advance that objective. It has adopted a dual approach and issued two sets of regulations regarding foreign and local tourism, respectively. In accordance with these regulations, hotels and other tourist establishments intended for foreign tourists are the responsibility of the Ministry of Tourism, while establishments catering to local tourists are within the competence of local administrations. The main distinction is that the regulations governing tourist establishments catering to foreign tourists offer a certain degree of freedom and limit the control and access of the local police departments, so as not to inconvenience the foreign tourists. However, this dual system has actually produced the unintended effect of separating clients not only by origin, but also according to paying power. Foreign tourists from ex-socialist countries, for instance, tend to target “local” establishments since they are much cheaper.

The main objective of the Ministry of Tourism (MT) is the promotion of tourism to boost foreign currency revenues to improve the country’s balance of payments and, thus, the Turkish economy. It also falls to the Ministry of Tourism to issue work permits for foreigners to work in the tourist sector. According to figures obtained from the Ministry, some 10,000 foreigners are working legally in the Turkish entertainment sector as, e.g. dancers, showgirls or waitresses.

As Istanbul is a major point of attraction for both international and domestic tourists, it offers a high concentration of both types of tourist establishments. According to Ministry of Tourism statistics, 254 tourist hotels and 349 entertainment establishments operate under the control of that Ministry in Istanbul. The number of establishments operating under the control of local administrations is even higher. For example, there are 300 hotels in Eminönü, 81 in Beyoglu and 97 in Fatih under the control of the local municipality.

Our interviews revealed that the Tourism Directorate in Istanbul Province was mainly concerned with the implementation of administrative directives received from Ankara. They took no independent decisions and had no interest in cases of alleged deception or the employment conditions of the foreign women whose work permits had been issued by the Ministry of Tourism.

Although the official interviewed was aware of the rise in the numbers of foreigners working illegally in the entertainment sector in Istanbul, her interest in this issue was primarily at promoting the tourism and entertainment industry. For her, the administrative procedures involved in issuing work permits were too complicated and hindered the development of this sector. She had no interest in the situation of the foreign women who had been deceived and were being exploited in this sector.

4.4 LOCAL ENDEAVOURS

4.4.1 The tourist industry

Even though the local branch of the Ministry of Tourism focused mainly on the routine activities of its area of interest, hotels and hotel owners are directly involved in the issues as they risk accusations of “being a part of the illegal sex industry”.

Police operations focus particularly on hotels in their effort to combat illegal prostitution, illegal presence in Turkey and illegal work. As the “tourist hotels” are largely immune from police operations, it is the hotels operating under municipal control that are mostly affected. To understand the issue from their perspective, we conducted interviews with representatives of the associations of hotel owners. The first interview was with the representative of the Turkish Hotel Owners Association that represents the interests of the owners of tourist hotels regulated by the Tourism Ministry; and the second with the chairman of the Hotel Owners Association representing hotels regulated by the municipality.

Both respondents were disturbed by the negative image created for the hotels by the police and the media. Unsurprisingly, they were most concerned over the identification of their hotels, especially in Laleli region in Istanbul, with illegal prostitution. They complained about the prejudice targeting women from former East Bloc countries, which implied that they were all involved in prostitution activities. They felt that biased broadcasting played an important role in propagating that negative image. Based on direct contacts with the foreign women from ex-socialist countries, the representatives of the hotel owners were better placed to judge their activities. According to them, 90 per cent of foreign women come to Turkey for trade. Some of them looked for jobs as shop assistants, clerks or translators, activities which were related to the export activities conducted in Istanbul. Besides, some Moldovan women worked in domestic services. Thus, clearly not all of them were “immoral”, even though they were frequently portrayed as such.

The hotel representatives concurred that the main difficulty stemmed from the rigid labour regulations for foreigners which often prevented employers from hiring them legally. Yet, to work without a working permit exposed them to possible exploitation and deception and caused the women to live in constant fear of being apprehended by the police.

The representatives of hotel owners talked more freely about the issues of “trafficking in women”, “forced prostitution” and “illegal prostitution”. All were aware of activities of “trafficking” and “forced prostitution” in Istanbul. They knew hotels that operated as illegal brothels. However, they felt that the situation was being exaggerated and that a different approach should be adopted by the police when investigating them so as not to disturb the hotel industry as a whole. They were equally firm that no hotel under the responsibility of the tourist industry was involved, contrary to those regulated by the municipality, where 25 hotels had been closed down in 2001 for abetting illegal prostitution in Istanbul. They felt that cases of illegal prostitution occurred generally without the knowledge of the hotel owners and were organized by some other networks which used the hotels as the last link in their operations. Thus, the associations warned their members to be vigilant as they risked being closed down by the police. On the other hand, they obviously also felt that it was a delicate and difficult issue and that it was not their job to follow and check on their clients, as “hotels are not the guardians of morals” and that to uncover

illegal prostitution was not their business. They estimated the number of cases involving illegal foreign prostitutes between 200 and 500 in Istanbul, and as not exceeding 1,000 even in the high season. Besides, as police officials were experienced in this matter, they could easily identify and deport the women involved. They also offered some ideas on how to overcome this problem in Turkey, and proposed the creation of a “modern brothel” where foreign women could work legally. If they had work permits they would not be working illegally in the streets, without any control. Moreover, such an approach would enable the hotel industry to operate properly and without being disturbed.

4.4.2 Travel agencies

Here we present the observations of the travel agencies operating with major sending countries. As already mentioned, Istanbul is a major point of attraction for travellers arriving by air or by sea, and from neighbouring countries by train or by bus. Unscheduled bus tours, shuttles and trains are most frequently used for arrivals from Bulgaria, Moldova and Romania as the cheapest form of travel. Trafficking in women activities can be easily concealed among these mass shuttle transports.

Although the licensed travel agencies operate as regular transport and tourist enterprises, their shared experience of arrivals from neighbouring countries of the region could shed some light on the incidence of irregular migration movements and their characteristics. Table 16 gives data obtained from the Association of Turkish Travel Agencies (*Türkiye Seyahat Acentaları Birliği – TURSAB*). The number of the regular travel agencies specializing in travels from various countries from the region varies considerably depending on the regularity of excursions, the number of travellers and the proximity of the respective countries. For instance, nearly half of the travel agencies organize travels from the Russian Federation, while only four organized trips from Georgia.

TABLE 16
TRAVEL AGENCIES IN ISTANBUL OPERATING FOR SELECTED COUNTRIES

Country	Number
Azerbaijan	9
Georgia	4
Moldova	55
Romania	55
Russian Federation	149
Ukraine	34
TOTAL	306

Source: Association of Turkish Travel Agencies (TURSAB).

Interviews were conducted with travel agencies organizing travels from Azerbaijan, Moldova, Romania, Russia and Ukraine, selected on the basis of information from TURSAB, and their modes of travel, customer profiles, the estimated tendency in arrivals for sex business and their experience during border crossings were discussed. According to the information obtained, travel arrangements are settled in the countries and the agencies interviewed have a consistent profile

of customers. It may be presumed that some “irregular” travels have assumed the form of routine movements and become an established economic activity, with some variations between the countries.

The agencies interviewed transported their passengers mainly by air (e.g. Azerbaijan, Moldova and Russia). Travels from Romania were also arranged by bus in addition to air travel, while trips from the Ukraine were operated only by sea using passenger and cargo vessels. The following is a summary of the accounts received concerning the main countries under review:

Azerbaijan: This agency arranges travels not only from Azerbaijan but also from Kazakhstan, Turkmenistan and Uzbekistan. The travellers come mainly for trading activities, with some passengers also coming for tourism during the summer.

Moldova: The passengers are mostly women, who come for shopping or trade, or to look for work in domestic services, but also for prostitution. They generally stay for six months or more, and work mostly illegally.

Romania: Up to the year 2000 they came for work and were mostly women. Today the travellers come mainly for tourist activities. Men and women are mixed. The presence of sex workers among them is believed to be decreasing.

Russia: Most of the travellers come for tourism. Men and women are mixed.

Ukraine: This agency also works for Moldova. 80 per cent of their passengers are women. The majority comes for trade, and a very small number for prostitution.

The agencies noted a fall in the trend to travel for sex-related activities among their clients and felt that the majority came for business or tourism. Only in travels from Moldova was there evidence of women travelling for sex work.

On the other hand, the travel agencies complained of the existing prejudices and double standards as disturbing their customers. For them, tourism was a market already well established in the region as improving economic conditions made it possible for people to travel and to spend money. However, because of the prevailing prejudices in Turkey, their customers were often not treated in the same way as tourists from western countries.

Regarding border crossing procedures, the agencies working for Azerbaijan, Moldova and Ukraine reported that they were still frequently refused entry at the border. The reasons concerned mainly false documents, earlier indictments for criminal offences committed in Turkey or lack of sufficient financial means to stay in Turkey. In contrast, the agency working for Romania and Russia stated that they encountered fewer refusals than before. However, these agencies also complained of the suspicion directed at their young women customers and reported that young and attractive women continued to be frequently regarded as potential prostitutes.

4.4.3 Businessmen in Laleli

Until the 1950s, Laleli, a neighbourhood within walking distance of the historical centre of Istanbul used to be a residential area favoured by public officials (Keyder, 1999: 173-186). With

the development of tourism, the area was transformed into a commercial district which catered to tourists visiting Istanbul, such as from the Balkans or Arab countries. After the collapse of the Soviet Union, informal trade started on a small scale, mainly as suitcase trading in textiles to sell in the retail market at home. A decade later this had developed into big business: “By the mid-1990s, Laleli, with its less than two dozen small city blocks, was said to account for between US\$ 5 and 10 billion worth of informal exports” (Keyder, 1999: 178).

During that transformation process, the former middle-class families deserted Laleli. Today, some parts of Laleli are lower-class rental areas, where both irregular foreign migrants and the poorest sections of internal migrants live and where the turnover rate is very high. As a result of these transformations, Laleli became a unique and well-known district where hotels, shops, malls, restaurants, nightclubs, bars, warehouses and lower-class residential areas exist side by side. It is an export market operating under its own regulations and the authorities found it convenient to treat such export activities as *suitcase trading*, although it probably accounts for a third of Turkey’s formal exports.

Our interviews with the representatives of this sector confirmed that businessmen working there were very keen not to have their activities disturbed or disrupted. They were concerned over issues of “trafficking in women”, “forced prostitution” and “illegal prostitution” as they felt that this image interfered with their business activities in Laleli.

As the owner of a restaurant stated: “In the past, when this business had just started, it was true that the streets were filled with prostitutes openly searching for clients (...). That was in the beginning. Nowadays, everything is settled, but the attitude of police is still the same. They frighten our clients, who mostly come for trade or for work. They just want to make money for a living. They continue to come to Turkey, even though they are not treated well.” The suitcase traders are worried and feel that a distinction should be made between suitcase traders, those who come to look for a job, and the sex workers.

According to the representative of the businessmen association of the area (Association of Laleli Businessmen – *Laleli Sanayici ve Isadamları Dernegi* – LASIAD), prostitution is a minor but a damaging activity for this area. For that reason, he had made great efforts to organize a joint activity with the Istanbul Province and Istanbul Municipality for the reorganization of the trading activities and the renovation of the area. But despite his efforts the prejudice concerning the women from ex-socialist countries persists. He reported that traders locked themselves into their hotels and hesitated to go outside to eat or to enjoy themselves, afraid that they might be picked up and taken to the police station. Drawing on his long-standing experience and contacts with the women traders, he commented on the cultural aspects of this issue. He referred to the radically different gender relations in the ex-Soviet countries compared to Turkey, which was a much more conservative society. Their outlook and manners were completely different from the traditional Turkish values of “decent” women. Thus, any foreign woman may be considered as “inappropriate” for any Turkish man even from the lower social level.

Businessmen working in the area look on *illegal prostitution* as a problem, but they also consider this issue to be a very sensitive one, which needed to be clearly defined and analysed for appropriate solutions to be found. For example, for them “trafficking” and “forced prostitution” activities were humanitarian problems and the means for combating them should be looked for first in the sending countries. For them, the activity no longer existed in Laleli, as the pressure

from both the businessmen and the police had pushed these activities to the outskirts of the city. However, illegal sex business as an organized economic sector may be still alive in Laleli, as much as in other districts of Istanbul.

They were very anxious about the measures to be taken to combat the illegal sex business and felt that this could only be achieved through appropriate legal regulations. During police raids, such regulations should be properly observed without disturbing other people. They acknowledged that it was a problem if prostitution were to become institutionalized as a sector and force was needed to combat it. Therefore, appropriate and effective regulations to control and combat illegal prostitution were needed that also preserved the flourishing business and trading environment and not interfere with the traders involved.

Only one respondent referred to the existence of double standards regarding this issue. The director of LASIAD had seen the vulnerability of the women involved in the sex business. For him prostitution was as much a moral as a legal issue and he was critical of the general approach of categorizing only the women as shameful and lawless. For him, regulations should not only focus on the prostitutes but also on their Turkish clients.

4.5 ORGANIZATIONS TO COMBAT AND MONITOR TRAFFICKING IN WOMEN

To investigate the available institutions able to combat the illegal sex business and to monitor foreign women who become victims of trafficking and deception in Istanbul, various channels were examined. The first concerned public institutions, as outlined above. Even though there are no public institutions that specifically focus on the issue, there is increasing general awareness of the importance of the problem. Therefore, there is sufficient potential to establish a public institution if a viable and realistic “programme” could be developed. For instance, the municipalities could play an active role in this regard, especially as the mayors interviewed had demonstrated great interest in this issue and confirmed their readiness to participate in a monitoring programme.³⁶

On the other hand, traditionally urban public welfare institutions are still very weak in Turkey, even for Turkish citizens. The family and kinship relations have traditionally been regarded both by the individuals and the state as one of the most respected and reliable institutions in Turkey. For instance, researches found that family and kinship relations are still the most important solidarity network for rural migrants in urban areas (Erder, 1999 and 2002). However, there is a growing awareness of the insufficiency of this traditional institution and the need for either commercial or voluntary organizations (NGOs). The institutions active in social life and in promoting women’s rights have therefore increased.

For our research we investigated not only public institutions, but also potential informal networks and NGOs. As already referred to earlier, for some irregular migrant groups, such as Bulgarian Turks or others arriving from the Balkans or the Caucasus, such as Circassians and Chechens, informal solidarity networks established by earlier immigrants from those regions who settled in Turkey, are already available. Since Armenians are a native group in Turkey, their native community provides these networks. The existence of such networks may protect women

from “trafficking and deception”, but their availability is not assured in each case. As those networks are communal and governed by traditional values, for most groups *sex work*, whether forced or voluntary, may be considered as bringing “shame on the group” and the victims of trafficking and deception may actually be penalized and excluded from the solidarity networks. Moreover, in some instances the communal networks have themselves turned out to be a trafficking network and a source of deception. As shown by some examples from neighbouring countries, such as Azerbaijan, Georgia, Moldova and Ukraine, many victims of rural origin relied on their communities and trusted them, only to be trafficked and deceived by them through their networks.

In general, the conservative attitudes and prejudices that label sex work as immoral and reprehensible, increase the victims’ vulnerability as they remain invisible to and isolated from the official, public and communal view and, therefore, assistance. An additional difficulty lies in the fact that neither the victims nor governmental institutions, including consulates, are willing to come in contact with each other, as this may create new problems for the parties involved.

Thus, the efforts of NGOs are one of the most important channels in the combat of trafficking and deception of human beings in Turkey, as in Europe and elsewhere. Many country reports on trafficking in women clearly reveal that national and/or international NGOs are of great importance in tackling this issue. They may play an active role at different stages in this struggle, beginning with the protection of potential victims through awareness-raising programmes, to rescuing and monitoring the victims after they have been trafficked.

However, NGOs are still not very active or strong in Turkey, even though public awareness of their importance has been steadily rising since the 1980s. This may be explained by the dominant state tradition in Turkey, but also the existence of communal networks. In a society in which the public sphere is mostly dominated by the state, and where there is a strong and well-established conservative tradition, NGOs cannot find a suitable climate in which to establish themselves and to be active. Nevertheless, since the 1980s, NGOs began to be active in many areas of public life, including women issues. NGOs concerned with gender issues have made great efforts to fight against the subordinate position of women in Turkey, such as by conducting campaigns to raise awareness against violence, or by establishing shelters for women victims of domestic violence. Therefore, although their number is small and their power is relatively weak, they do exist and are starting to gain importance.

According to the records of the General Directorate on the Status and the Problems of Women,³⁷ there are 126 formal NGOs active on women’s issues in Turkey. Besides, there are 16 research centres in Turkish universities devoted to academic research and the implementation of women’s issues. Istanbul hosts 34 such NGOs and two of the centres. The activities dealing with women’s issues are not limited to these institutions; there are numerous other women’s networks and platforms active in various related fields. However, our research found no NGOs specifically dealing with trafficking in women and the problems of irregular women migrants. This situation should not be understood as an indication of their reluctance to become involved in or their ignorance of this issue. In order to gain a better insight into the activities, experience and the degree of awareness of NGOs, we conducted a number of interviews with some of them. We did not limit ourselves only to women’s organizations. On the contrary, we selected NGOs from a large spectrum that had gained some experience in monitoring various groups. Thus we

interviewed the Association for the Solidarity with Asylum Seekers and Migrants (ASAM), the Women's Rights Enforcement Center of the Istanbul Bar Association, the Human Resource Development Foundation and some charity organizations.

ASAM is a new organization and provides assistance to refugees and asylum seekers.³⁸ It was established with the initiative of UNHCR³⁹ in 1995 and is located in Ankara. It tries to develop better understanding of and solutions to the problems of asylum seekers, migrants and refugees and to raise public awareness and obtain support through media events. It also helps asylum seekers by providing clothing, shelter and medical assistance. However, recently they encountered some financial and administrative difficulties and some disturbances of their activities. Nevertheless, our interview with the ASAM representative and their monitoring experience offered some ideas on how the combat of trafficking in women and the assistance to victims of trafficking and deception could be organized.

The Women's Rights Enforcement Centre of the Istanbul Bar Association is a monitoring office formed by a group of women attorneys, to assist women with legal problems. They had received 10 new applications for help from immigrant women in 2001, mostly from foreign women married to Turkish men and mainly concerning domestic violence. Because some of these marriages had been concluded according to religious rites only, they were not recognized by the civil courts. The victims of violence could not apply to the police or to women shelters for protection out of fear that their husbands would carry out the threat to denounce their illegal status and that they would be deported. The Women's Rights Enforcement Centre could offer legal assistance only to those who had no other legal recourse. The staff confirmed the seriousness of some of the cases that had come to their attention. They were well aware of the deception and other problems faced by some foreign women in Turkey and were ready to do more to assist.

The Human Resource Development Foundation (HRDF)⁴⁰ had a special medical assistance programme for sex workers. The programme was developed and implemented as a European Union project and was particularly aimed at preventing the spread of STDs. As part of this project, research on sex workers, training programmes and the establishment of a centre as a contact base for native sex workers, known as "Woman Gate" (*Kadın Kapısı*) were realized. The medical staff confirmed that the situation of foreign sex workers was alarming but that so far only one Romanian woman had contacted "Woman Gate" for assistance. However, they were confident that on the basis of their information and experience regarding this issue, programmes could be developed and implemented to assist victims of deception and foreign illegal sex workers. Based on recent cooperative efforts between the national authorities and NGOs, there are signs that HRDF's experience will be called upon in relation to trafficking cases. In September 2003, the Ministry of Interior, the General Directorate of Security and HRDF signed a protocol to provide protection and assistance to victims of trafficking.⁴¹

The Istanbul Inter-Parish Migrants Programme (IIMP) is a further example of a monitoring organization. Even though this programme has a religious background, it assists irregular migrants regardless of their religion, among them many from Iran and Africa. IIMP does not deal with Iraqis who receive assistance through Caritas.⁴² Likewise IIMP and Caritas and the International Catholic Migration Commission (ICMC)⁴³ also assist those who have official asylum seeker or refugee status. IIMP provides medical help and food for irregular migrants and assists voluntary returnees. So far, only one irregular migrant from eastern Europe has sought assist-

ance under this programme. Thus, irregular migrants in Istanbul may receive assistance from a number of projects and programmes and religious institutions, as referred to above, but they must be made aware of them.

No information was available regarding the assistance available from local churches. However, our visit to the local Turkish Orthodox Church and two Russian Orthodox churches, St. Pantheleimon and St. Andrea, in Istanbul showed that they were not actively involved in assisting victims of trafficking or deception. The two Russian churches are small and weak charity organizations that render some services to the small Russian community who settled in Turkey long ago, and do not deal with newcomers. Thus, these churches are not visited by irregular migrants nor by other temporary visitors. Besides, the clerics of the Orthodox churches were very isolated and had either refused or were reluctant to give interviews. In contrast, the priest of the Turkish Orthodox Church was more receptive. He reported that although he made some attempts at the governmental level to get access to the people from Moldova, particularly to Gagauz Turks, who are a non-Muslim group, he had received no response. Therefore, although there are no NGOs working specifically on this issue, potential support may be available from various local groups, including professional and public support. However, to be able to access the victims and for assistance to be effective, it is necessary to bring the issue into the open. Awareness raising programmes concerning the victims of deception and the vulnerable situation of foreign women would mobilize potential support necessary to combat these practices and to facilitate the monitoring activities. On the other hand, the border-crossing characteristics of these situations also call for transnational cooperative programmes, which operate not only at the local level but also in sending countries. In this connection, the experience gained by some international NGOs, such as La Strada,⁴⁴ may be helpful.

5. MODES OF TRAFFICKING AND DECEPTION ACTIVITIES AND TESTIMONIES

Before we begin this section we should stress that no cases of forced migration, such as the kidnapping of women or children before migration were discovered during the course of this study. Women migrants in Turkey are generally young adult women who are willing to engage in circular migration and accept temporary work to earn money through various jobs.

On the other hand, even though the actual scale is not known, cases of forced prostitution have been observed. In this connection, cases of deception are frequent, as those women are mostly willing to migrate and work in the extensive informal labour market. Thus, forced entry into sex work has been observed among women who migrate for the first time, who have no connections in Turkey, live in relatively isolated environments such as in small towns or villages at home and have been given false accounts regarding migration outcomes and, especially, their initial stay in Turkey, when, in fact, they are subjected to slavery-type conditions and the confiscation of their passports. Such occurrences were particularly frequent in the period immediately following the opening of regional borders for citizens of ex-Soviet countries and were organized by local intermediaries with contacts in Turkey. Other women arrive in Turkey either through an agency or an intermediary or on their own. Although they may not have been deceived into working in the sex trade, they are misled in other ways, for instance by being employed illegally. They work as, e.g. cleaners, models, translators, in the entertainment business or as industrial workers and are often cheated out of their wages, or have their passports confiscated. Deprived of money, without contacts or access to help, such women are at a high risk of ending up in the sex trade, even if they did not start out there. A third group of women, who may be termed “professionals”, come to Turkey with the intention of working in the sex trade, or decide to do so after their arrival.

During our research into the organization of the sex business in Turkey we found that this was a very diversified field where highly organized international syndicates, relatively small networks working through intermediaries and local pimps, as well as independent sex workers all interacted, characterized by illegality and various degrees of deception, mistreatment and exploitation.

In order to estimate the scale of this business we interviewed some people who were either directly involved in or had pertinent information concerning such activities. We also gained access to the police records containing the statements of the traffickers.

These interviews were conducted with (1) a former Turkish police officer who, after his retirement, became the owner of two nightclubs in Istanbul, (2) a woman from Tajikistan who works as a physiotherapist and is married to a Turkish man, and who has lived in Turkey for a long time. She had witnessed many cases and was willing to actively help the victims, (3) a Moldovan woman, aged 24, who has been living in Turkey for three years, (4) two Turkish men involved in trafficking activities, arrested during a police raid on a taxi driver who was driving three girls to customers for 300 million Turkish Lira in Üsküdar, a district of Istanbul. These are their accounts:

Box 2 – Testimonies

(1) Former police officer, owner of two nightclubs employing foreign entertainers with legal work permits:

Of all prostitution activities going on in Istanbul, only 5 or 10 per cent can be termed forced prostitution controlled by organized criminal gangs. These are local gangs who control small districts. They follow the powerless, poor and lonely women in their areas, mostly in rural areas or small towns. They either deceive or force those women into prostitution. They are not part of big international organizations. They are usually small local groups with connections in Turkey. Anyone who knows a small hotel owner and has the ability to control five or ten women can do this job. The remaining prostitution business in Istanbul is voluntary. Generally, while still at home they learned that they could earn more money in Turkey. Some of them come to work in other jobs such as housekeeping or cleaning, where they may earn US\$ 300 per month. As wages are only around US\$ 20 in their home country they prefer to come to work in Turkey. They work in discos, bars and nightclubs, which can be found all over the city and the surrounding resort areas. There are some places in the upper-class districts too. But in that case, either the locations or their clients are “untouchable”, and the police will not disturb them.

(2) Tajik woman in her forties, who lost her husband when she was pregnant during the local war in Tajikistan. She and her parents moved to Moscow, where she graduated from a medical school. She married a Turkish man who had been working as an accountant in a Turkish construction firm in Moscow. They lived four years in Moscow, before moving to Turkey. She is now a Turkish citizen and has lived in Turkey for 10 years. She works as physiotherapist and a translator for a Ukrainian firm. Her daughter returned to Moscow to study:

I have contact to some Russian and Ukrainian women who are settled in Turkey. Each group of women has its own networks. We are aware of and also affected by the situation of women involved in the sex business. Some of them are really in a miserable situation. Somebody has to help them. We can only help our friends. My information concerns only Russian girls. They are not all the same either.

We hear of special tours for prostitutes. They come to Istanbul for a week or more and then they move to another country. There are special organizations catering to the wealthy. On the other hand, the majority of the Russian women arrive here just to look for a job. Entry into Turkey is relatively easy and it is always possible to find a job. The risk of non-payment of wages and of exploitation is just as great for them in Russia. Therefore, even though they are aware of the risks, they make effort and try. Some of them consider marriage to a Turkish man to be the best solution. Besides the fake marriages, real marriages are also concluded. They like Turkish men, and think that they protect and care for their women, unlike Russian men who are usually drunk and unemployed. Besides, they all have a profession and are willing to work. This attitude of Russian women may be attractive to Turkish men.

Some Russian women have gone through difficult times. Some could not find the jobs they expected and had no money to go back. Others were cheated by their employers. Especially during summer, in resort places like Antalya, many are exposed to exploitation. Such girls are at risk of being pushed into prostitution against their will, or deceived. Those who are exposed to exploitation and/or deception have no place to go to for help. They are afraid of the police and of what may happen to them if they asked for help. Nor do they contact their consulates as they are afraid of being put on their consulates’ “black list” and that this would restrict their travels abroad. On the other hand, the consulates are not very willing to help them either as they consider these girls as trouble makers, especially in their relations with the Turkish government. Thus, the victims

do not know what to do and they do not know their legal rights. Many of them are in urgent need of either medical or legal assistance.

(3) Two Turkish men involved in trafficking activities, arrested during a police raid on a taxi driver who was driving three girls to customers for 300 million Turkish Lira in Üsküdar, a district of Istanbul. Their accounts are taken from their statements in the police records:

(a) Intermediary: Girls are brought either via Ms. N. from Moldova or Ms. M. from Ukraine. We take the girls from the airport, keep their passports and promise them that we will find them a place to work. Afterwards we sell them to other pimps. Sales are conducted like auctions. The pimps are in charge of organizing the marketing of the girls.

(b) Pimp: I have been involved in these activities since 1986. I worked mostly with a foreign woman, named T. We worked together with a hotel owner in Aksaray. I have been working with these girls for a month. V., a Moldovan woman, brings girls from Moldova. She usually calls to ask whether I need some girls. She knows my cellular phone number but I do not know hers. I paid US\$ 1,000 for each girl. I find customers by my cellular phone. The taxi driver, A., does the transportation. He is also involved in money collection from the customers. Besides, he is responsible for bringing the girls back. Customers pay the taxi drivers' charge. We share the money half and half with the girls.

(4) Trafficking victim:

My two sisters and my mother live in a small town in Moldova. We are Gagauz Turks. Three years ago, two men from our town asked whether I wanted to go to work in Istanbul. At that time, I knew that many people from our town had gone to Turkey and earned a lot of money. The men told me that I was going to work in a hotel laundry in Istanbul and would get US\$ 300 a month. We were 10 girls from surrounding towns and villages and were taken to Istanbul in a minibus.

We got a monthly visa at the border and the men took our passports away. When we arrived in Istanbul three Turkish men appeared. They put three of us in a house in Çekmece. I don't know what happened to the other girls. They gave us something to eat. One of the men told me that there was much money in the sex business, then he raped me. Some other men started to come to the house and forced us to have sex with them. The men said we were their property and we learned that the Moldavian guys had sold us to them. During that time we changed houses in Istanbul three times.

This situation lasted for a year. I got used to this situation. I was afraid to go to the police as the men had told me that they would kill my mother and my sisters. However, one day the police assaulted the house and sent us to the hospital and then we were deported. However, there was no possibility for me to stay in my home country. It is a small place and everybody knew what I had done. I returned to Turkey. They did not want to allow me to enter at the border. I paid 100 dollars and passed the border. Nowadays I am working for myself.

5.1 TRAFFICKING AND "TRUST RELATIONS"

The following is an example of on-going trafficking activities that depend on local trust relations in the region, where the availability of an ethnic community network in Turkey was able to provide some assistance to the migrant. The situation involved a sex worker from Daghestan,

21 years old, who had arrived in Turkey one and half years earlier. She had primary-level education and no professional training. She was interviewed in a restaurant while she was with her client, who also acted as an informant for this survey:

Box 3 – A sex worker in a trust relationship

Four years ago my parents divorced. My mother came to Istanbul. My arrival in Turkey was a sudden affair. A woman friend of my mother, who had brought her to Turkey, came to our house one morning. I accepted her offer and came to a village near Yalova where former migrants from Daghestan were living. Then we moved to Istanbul. My mother was selling clothes and other things by visiting houses in Yalova. Then she had to move to Istanbul. I joined her in Istanbul and started to work in a leather shop as a sales assistant. Then I decided to enter into a fake marriage to receive a Turkish ID. I married a man of Daghestan origin, and promised him to pay 1,000 dollars. I worked one year to pay him. I am still married and he never disturbs me as I paid him.

I don't have a pimp. I am regularly hanging around in discos in Aksaray to find clients. I bargain myself with my clients in the disco. I take 150 US dollars per night. The police have taken me to the hospital twice. No disease was found and as I was married and had Turkish documents they did not deport me. I have never come across a case of forced prostitution.

5.2 ARRIVAL IN TURKEY ARRANGED THROUGH AN INTERMEDIARY

The intermediaries take an active part and maintain connections on both sides. Some of them may be pursuing some commercial activity and their intervention does not necessarily result in forced prostitution and/or slave-like confinement. As in the case below, some intermediaries warn their clients of the dangers and actually establish trust relations with their clients. In many cases women arriving in Turkey through intermediaries were not deceived and were aware of what they would be doing on arrival, even if they had not been involved in sex work before coming to Turkey.

The following is a case in point, involving a 24-year old Romanian girl who has been living in Istanbul for eight years. She was interviewed in a disco-bar where she worked.

Box 4 – A sex worker who arrived through an intermediary

My mother and father are workers of Turkish origin. I decided to do this job when I was a teenager. For that reason I married a Romanian man, who had many connections. He brought me to Istanbul and settled me in a hotel, which had a disco-bar. He introduced me to the hotel and we divorced. I have been doing this job ever since. It is not hard to find clients as Turkish men are eager for sex.

I earn 100 to 150 dollars per night. As I have no pimp the money I receive is mine. I usually have three or four clients a week. Some of my clients have my mobile phone number and they call me if they want.

5.2.1 The clients' views

The above testimonies reveal the diversity of the irregular migration pattern and the various degrees of deception and coercion involved, even though the actual volume can still only be guessed at. In order to complete the picture, this section will focus on the escort activities usually reserved for upper-class clients. As they remain in Turkey only for limited periods and arrive only on demand, it was nearly impossible to obtain direct statements from the women involved. Therefore we turned to some of the clients, and interviews were arranged through the network of our informants. The first is a Turkish businessman who has connections with Ukraine and Russia; the second one is a manager in one of the media institutions.

Box 5 – Statements by two clients

(1) A Turkish businessman, 35 years old, university degree, organizes trade activities with Ukraine and Russia since 1995. Frequent visits to Kiev and Moscow. Married but living apart from his family:

When I visit Moscow and Kiev, I habitually rent a flat and usually pick a woman to accompany me. I do not remember how many women I have met. Undoubtedly, their sex relations are completely different from what they were during the communist regime. Now they feel more free. Besides, they want better living conditions. They are mostly interested in wealthy men who are either western-looking, or have a western life-style. The women with whom I lived were not prostitutes. I pay all the expenses during our relation. I also buy some gifts for them and give them pocket money for their daily expenses. Nowadays, Russian and Ukrainian women have arrived in Turkey. I believe that they are mostly working under the control of syndicates, even though they are neither deceived nor trafficked. However, as they are not working for themselves they are mostly exploited and living in bad conditions.

(2) A top-level manager of a Turkish media corporation, aged 53, interviewed in a restaurant in Istanbul catering to upper-middle class clients:

Formerly it was necessary to go to Europe for these kinds of affairs. Nowadays the best is to be found here, you can find everything you want. I personally prefer the women from the North, Russian, Ukrainian or Romanian women. They are good looking, clever and educated.

Two years ago we began bringing them to Turkey. I did it at least five or six times. We bring two girls, one is for me and the other for a friend. They stay for a week or ten days and then they go back.

This is how it is arranged: You contact an agency in Moscow that organizes these affairs. You describe what you want, such as the age of the girls. The price depends on the age, beauty and the duration of stay of the girls. It ranges between 3,000 and 10,000 US dollars for a week. Nowadays, it is a fashion among the affluent people to do this, it is the way rich society entertains.

Usually the Russian mafia uses Azeris as middlemen, because they can speak Turkish. You have to send your driver to the airport and pay the intermediary in cash. You do not have to pay the girls, you will spend money while you are hanging around with them. However, during that week you become friends and you want to buy something for them or to give them money.

A yacht trip is much better and safer. Three or four men with girls on the boat have fun. The girls are also happy. As they told me, they could only get three or four hundred dollars from every trip.

5.2.2 The entertainment sector: A club owner and two showgirls

Although this group constitutes only a small share of total arrivals, a group of foreign women who work in the entertainment sector get their working permits from the Ministry of Tourism. They work mainly in the disco-bars of tourist hotels that are under control of that Ministry. In order to assess their situation, several visits were paid to one of those clubs, during which the club owner and two dancers were interviewed. The nightclub we visited is located in the centre of the city, Taksim. The visits took place late at night at around two and three o'clock in the morning, while the dancers were going through their programmes:

Box 6 – Nightclub owner and showgirls

Nightclub owner:

I have been in this business since 30 years. My club is one of the first-class nightclubs and I have a licence from the Ministry. I employ 18 girls who perform in two shows: one from Russia, the other from Ukraine. All girls have work permits. Unfortunately, those who come to Turkey are less qualified...I certainly have connections in Moscow. I choose the groups from the agencies' brochures. Then we apply to the Ministry in Ankara, who then checks on the members of the show whether they have a clean police record. If so, they issue the work permits. The girls stay for three to six months. They all have insurance. I keep their passports at my office. This is for their convenience, as they can be sure not to lose them. I certainly give them their passport at any time they want, but I have to be informed before. Girls may accompany the clients in the club, but it is not allowed to leave the club with one of them.

(a) First showgirl: Russian, 24 years old, has worked in this club since three months. She already worked for eight months in one of the other nightclubs in Ankara before:

I am a trained veterinarian. I earned 20 dollars a month in Moscow. It was not enough for a decent living, and I decided to enter the show business, as I had taken ballet classes since I was 14 years old. This is my second time in Turkey. I worked in Ankara before.

We find jobs through our agencies. I have a six-month work permit. We work hard, six days a week. The programme starts at 12 o'clock at midnight and continues until morning.

The boss keeps our passports in his office. It is really hard to issue a new passport if we lose it. We use our work permit as ID. I get 10 million Turkish liras per night. Our employer pays our hotel and other daily expenses. We have health insurance and may go to one of the private hospitals if we become ill. I am satisfied with these conditions. I would like to work for longer periods.

(b) Second showgirl: Russian, 23 years old, has worked in this club since three months. She had also worked in Ankara before. She did not speak Turkish fluently:

I am staying in the same hotel with the other girls. I am happy to be here and to work in Turkey. As I heard from my friends in Moscow, in some of the European countries, like Italy, the clients are more demanding. They told me that showgirls there had to do strip-tease, which I would not like to do.

I trained in pedagogy in Russia, but don't want to work in that field. My dream is to save enough money to open a small shop in Moscow, get married and have children. We have not had any problems as our boss protects and helps us in many ways. I earn 30 million Turkish liras a day. Our agency keeps 5 million Turkish liras from this amount. As I have no other expenses I can save all the money.

It is frequently stated that formal employment and the official control by the Ministry may protect the foreign women from exploitation and deception. Besides, the protection and guidance of a boss who has experience in the Turkish entertainment business may also provide a secure environment for them. However, it is necessary to conduct further research on this topic before one can arrive at conclusions as such relations may also conceal cases of exploitation. As these interviews were conducted in the nightclubs where showgirls were working, and moreover the employer was present during the first interview, these interviews may not reflect their real situations.

5.2.3 Two women in a “trust relationship”

During our field research we witnessed some other forms of protective mechanisms that also acted to guide foreign women who, in the event of an emergency, had no place to go to for help during their stay. The following case offers some insights into such situations:

Our informant was a Turkish man in his fifties, married with two children and owner of a ready-made garment export company. He arranged interviews with two women from Belarus who were close friends and who were involved in the informal sex business in Istanbul. One of the women also worked for him in his business by modelling and size-testing his garments. A mutual trust relationship had developed between them and he helped them if they were in trouble. He was aware that they were also working as prostitutes, but the two women did not want to talk about their involvement in the sex business. The interview was held in a coffee house in a public park:

Box 7 – Trust relationship

First woman: 34 years old, widowed with a son. She had studied economics at a technical school. She has been travelling in and out of Turkey for three years. She complained of her ex-husband, who was an alcoholic and an irresponsible father. When she was in Turkey, her son stayed with her family in Gomel. She did not want to talk about her involvement in prostitution. She spoke Turkish, though not fluently. She has a steady Turkish boyfriend in Istanbul and had no trouble either with the police or with the others, as she had learned to deal with them.

Second woman: In her thirties, widowed with a daughter living with her family in Gomel. She studied engineering in Belarus and worked in a factory for a while, before it closed down. Ms. L. has been coming to Turkey for five years. She also made frequent visits to Cyprus, but did not want to talk about that.

She also has a steady Turkish boy friend, but does not plan to settle or to marry in Turkey. She plans to go back and settle in her home country. She would prefer to settle in Germany if she could.

She told us that she had never faced any serious trouble in Turkey. She also has good connections with her consulate, and has no problems with them either. She has also learned to deal with the officials.

5.3 HUSBAND AND WIFE AS IRREGULAR MIGRANTS IN TURKEY

Here we present the case of a woman who migrated as part of a family. In a conservative country as Turkey, the family is one of the principal social institutions. Hence, the social status of foreign women living in a family is higher and more secure. It also acts as a protective mechanism, for instance to diminish the prejudice among Turkish society against foreign women. As shown below, compared to other irregular migrant groups, Azeris enjoy a more advantageous position since their own culture is similar. The following accounts offer some insights into the experience of married women from different cultural backgrounds:

Azeri woman, 22 years old married to an Azeri man (25). They came to work in Turkey four years ago. The wife works in a garment sweatshop, on the outskirts of Istanbul. The husband works for the same company as a salesman in one of the retail shops, located in Laleli, as he speaks Russian. The interviews were conducted in their house in the district where the wife works:

Box 8 – Husband and wife as irregular migrants

Wife:

I have been in Turkey for four years. We came here because we lost our jobs. I am a worker in this atelier and get 50 million Turkish liras per week. I work hard, six days a week, 10 to 12 hours a day. But I am happy since I have a respectable job. We are praying for our bosses as they hired us and pay our money regularly. Any time our boss needs workers he asks my husband to bring workers from Azerbaijan.

We do not have work permits. We came to Turkey on a one-month visa. But we usually stay for a year and pay the amount charged at the border for the expired visa. We can buy anything we want, we can eat anything we want and we can save a certain amount every month.

The situation at home is very bad. There are no jobs, and wages are low. My sister who is a teacher only gets 20 dollars a month, my parents are retired and only get 10 dollars a month. We feel wealthy as it is possible to buy a house in Baku for 650-700 dollars. Life is comparatively cheap there, and you can live well on 60 dollars a month. But there are no jobs.

Husband:

After the collapse of the Soviet Union, thieves, bandits and all kinds of mafia activities emerged in the streets. Corruption and killings between groups were daily events everywhere. In the early days, we could not find anything in the shops, the borders were closed and we could not even find bread to eat.

As I know Russian, I found a job in Turkey. I am working as a translator in the district where Russian traders, mostly women, are concentrated. Some of them work in the sex business. However, I believe that they are all working voluntarily, and are neither trafficked nor deceived. I met some Azeri women also. One of them told me that as her husband was killed during the war, she had to enter this business to look after her daughter.

5.3.1 Women of foreign origin with Turkish citizenship

We interviewed three middle-class Russian women living in Istanbul who have Turkish citizenship. They were close friends, around 30 years old and had been living in Turkey for some four to five years. Two of them were housewives, married to Turkish men with children. The third was not married and had some relatives in Istanbul. They all spoke Turkish fluently. The interview took place in a coffee house in a public park in one of the upper-middle class areas of Istanbul: They were all from the upper-middle class families and maintained close relations with their parents in Russia. They were aware of the *Natasha* phenomenon and ready to help Russian women who were in trouble, but did not know how. They appeared to be observing, reading, exchanging books and discussing the issue among themselves.

They referred to the prejudice by the Turkish people and the police who considered that all Russian women were prostitutes. They lived quite isolated, meeting in either their houses or in crowded public places where mostly upper-class Turks lived, and only during the day. Laleli was a place they would never go to. They were afraid to go out without their husbands at night, as they could be treated as prostitutes. Their husbands' families gave them instructions on how to behave, how to dress and how to talk to avoid such situations. Nevertheless, they related many instances of insults by taxi drivers and ordinary street salesmen. They regretted the lack of information regarding their rights and the institutions they could go to in case of an emergency.

Their husbands had warned them against approaching the police, even though they were Turkish citizens and had a clean police record. They live in fear of being picked up and sent to the Hospital. They were aware of the women working in the sex business, and acknowledged that many were indeed quite willing to work there. They were mainly concerned to help the women who had been deceived and abused, even if they were not prostitutes. They had witnessed many such cases and wanted to create an association for the Russian community living in Istanbul. However, they had not yet been successful in their attempt. They continued to investigate various ways to actively address and deal with the problem.

6. CONCLUDING REMARKS

As is the case with all international migration phenomena, irregular migration in Turkey is a dynamic process, shaped by the interaction of the characteristics of migrants and the receiving societies. Thus, each migration experience has its own peculiarities. In this regard, the new irregular migration movements generated in the ex-socialist countries are shaping and are themselves shaped by the different institutional and social environments prevailing in both the sending and receiving countries. These shall now be briefly recalled:

The relatively liberal border policy, geographical proximity, the large and strong informal Turkish economy, widespread communal solidarity networks as well as the lack of formal social service institutions are some of the major characteristics of the Turkish society. This distinguishes the Turkish case from the migration experience in western countries where relevant institutional frameworks are well developed and effective. As regards the sending countries, although they all fall within the group of ex-socialist countries, they differ widely among themselves in terms of their economic, social, cultural and historical background, and their relations with Turkish society.

The activities related to “trafficking in women” between Turkey and the countries concerned are intermingled with massive irregular migration movements and are concealed in tourist activities, entries for irregular work, the sex trade, regular and irregular trade and migration with the intention to settle. Despite their different motives, their common feature was the apparent legal entry into Turkey, which distinguishes this movement from other types of irregular migration.

This complex situation leads to two contradictory consequences. On the one hand, this particular feature makes it difficult to observe, analyse and develop tools and institutions with which to combat trafficking in women. On the other hand, as these movements are voluntary, temporary and circular, they may contribute to the development of economic, social and cultural relations among the regional countries. Thus, there is an interest that any measures taken to combat trafficking in women should not interfere with such beneficial relations.

As far as our research findings are concerned, we found little evidence of forced migration, such as kidnapping of women or children before migration, in Turkey. Irregular migrant women are young adults, who are willing to migrate on a temporary basis to work and earn money in Turkey. However, the data and information gathered also point to the existence of various types of trafficking in women; but such instances are not part of the major characteristics of irregular migration movements to Turkey. There is also evidence that although cases of deception before arrival are becoming less, deception and coercion are still common occurrences after arrival. In contrast to the situation during the early migration movements, deception now occurs most frequently in the rural areas of the countries of the region, where women are less educated and informed, and more isolated. As we know, irregular migration movements and the occurrence of “trafficking in women” activities are not new. Over time, both the government agencies and the citizens in the relevant countries have gained experience and a greater awareness and consciousness of trafficking activities, and this should contribute to curbing the problem.

Nevertheless, it remains very difficult to gauge the actual scale of trafficking of women into Turkey. Because of Turkey's liberal border policy it does not seem relevant to focus on the trafficking routes, especially as concerns neighbouring countries. Therefore, we concentrated on the mechanisms of trafficking as offering a more meaningful approach. However, it should be stressed once more that it is easy to cross the borders and criminal gangs are hardly seen. Instead, deception activities are common. Regarding deception and exploitation after arrival, they mainly result in being forced to work long hours, in passports being confiscated, lack of freedom of movement and wages that are either reduced or withheld altogether.

Both the promises and constraints of the Turkish labour market seem to be important factors. The vast informal labour market, the wage differentials between regional countries and Turkey, the willingness of Turkish employers to employ foreign illegal workers and the successful experience of some gainfully employed foreign workers and/or traders all combine to create an environment conducive to deception and racketeering. On the other hand, the legal restrictions on the employment of foreigners in Turkey (though now eased following the introduction of the recent legal changes), xenophobia towards foreign workers, the negative image of women from former socialist countries as coming only for prostitution projected through the media, further heighten the vulnerability of the women and the possibilities of being deceived.

Our research confirmed the growing importance of the sex industry in Turkey and the involvement of foreign women and it seems that the number of women involved in sex work is increasing. The organizers of this industry who may be traffickers or not, may not themselves be involved in deception but merely organize the industry for economic or other benefits. Their modes and scale of operation vary considerably. The traffickers and their intermediaries have, over time, established well organized informal networks, whereas the formal institutional response to combat trafficking did not develop at the same rate. Those involved in such informal networks learned how to deal with the constraints, established connections, developed trust relations and strategies for more efficient activities. New technological devices such as cellular phones and the Internet are widely used and some of those activities have developed into an important economic sector. However, the limited scope of our research did not enable us to investigate the complex relations inherent in this industry and to draw a line between trafficking, deception and exploitation activities. Further research focusing especially on these and the women involved will therefore be necessary.

Last but not the least, it should be borne in mind that socio-economic imbalances among the countries involved are among the main causes of irregular migration and, closely related thereto, of trafficking activities. Therefore, the solution of the latter depends in large measure on finding effective responses and solutions to irregular migration itself. Research should, therefore, focus on these interlinkages in order to understand the wider context of the problem, and provide useful inputs for effective policy decisions. To this end, a more rigorous and analytical approach to research in this field and greater awareness of the existing methodological weaknesses and at times exaggerated ethnocentric approach, which obscure rather than illuminate the problem, are recommended. A clearer and objective grasp of the human dimension and the policy issues involved would assist in the development of constructive and cooperative actions to combat the problem by all concerned.

6.1 POLICY IMPLICATIONS

6.1.1 At the regional level

The complex and often contradictory situations outlined above call for a careful analysis and sensitivity on the part of the authorities anxious to combat these activities. A flexible and more humanitarian approach towards the victims of deception and trafficking by their consulates could help to create a favourable atmosphere not only to monitor the victims, but also to remove the “grey area” within which the traffickers, deceivers and exploiters may act with impunity. For instance, women reporting “lost passports” could be considered as a target group to gauge the scale and the mechanisms of trafficking activities. Moreover, international organizations such as IOM and UNFPA⁴⁵ or NGOs such as La Strada, and their experience in this area can be instrumental in organizing awareness campaigns as well as the formulation of a regional treaty framework within which to curtail and combat the trafficking in human beings and the preying on vulnerable and gullible women who are then deceived into the sex trade or otherwise exploited.

Moreover, to determine and implement specific policies and to ensure their effectiveness in tackling the problem of trafficking in human beings in the region and beyond, a more analytical and self-critical approach to research and comparative studies concerning the causes and effects of this issue is recommended, not only in Turkey but also in the other countries of the region.

6.1.2 Further action

- The problem should not be treated as a national issue either for receiving or sending countries. Countervailing measures need to be developed in a cooperative manner.
- The struggle against trafficking in women must acknowledge the women as victims of trafficking and focus attention on the traffickers and organizers at the regional level as the perpetrators of a crime. It is a human rights issue and this should be the overriding principle guiding regional governmental bodies in their endeavour to combat trafficking in human beings.
- In order to accomplish this aim, regional awareness campaigns at the governmental level in all countries of the region is urgently needed.

The particular features of this irregular migration movement recommend the creation of a regional treaty regime to address the specific issues and to harmonize and strengthen the law enforcement mechanisms in the region.

6.1.3 At the national level

It is clear that for quite a long time the “trafficking” and the “deception” of foreign women into illegal prostitution activities have not figured very high among the concerns of public agencies, which are mostly concerned with other migration irregularities. However, the authorities are aware of the evidence and are actively working to control the problem as far as the legislative system allows. As the law forbids prostitution by foreign women, their primary focus had been on combating “foreign illegal prostitution”. As has been referred to in this report, there have

been concerted efforts to adapt the existing legal framework to address these issues and to have a coherent and effective legal basis available to combat trafficking in human beings and, more specifically, in women. Thus, an important step has been made to treat the trafficking of human beings under the heading of “organized crime” and not as an individual offence, and to recognize the women as victims. Before these changes, most official bodies considered the deportation of women as the only effective tool at their disposal. Now that there is growing recognition of the fact that it is organized networks that mastermind and drive the hugely profitable criminal activity of trafficking in women and the illegal sex businesses, the concerted fight against trafficking should particularly target the networks, instead of concentrating on the foreign women involved in the sex business.

This is also relevant in regard to women active in other segments of the informal job market, or who have been deceived by false marriages. Although the recent changes to the Citizenship Law should be effective to prevent migrant women from being deceived through false marriages, it is also true that many women are uninformed about the Turkish legal system, and their fear of deportation or punishment at the hands of members of the networks makes their vulnerability and isolation even more acute. They should therefore be informed about the changes made to the laws which affect them, particularly as regards Art. 201/b of the Penal Code, the changes to the Citizenship Law and the new regulations governing work permits.

The lack of public institutions involved in the examination and monitoring of foreign workers should also be addressed, as even legally employed foreigners are vulnerable and frequently cheated by their employers, who often either disregard the terms of the employment contracts, or issue fictitious ones. This is particularly true of women active in the “entertainment” sector. Although some administrative measures have already been adopted regarding the entertainment sector, there remains the need for a public agency to act specifically on behalf of foreign workers and that operates on different lines than the police.

Until recently, no monitoring agency for the victims of mistreatment existed either at the level of official institutions of the relevant countries concerned, or the civil organizations in Turkey. The protocol recently signed by the Ministry of Interior and the Human Resource Development Foundation regarding the recovery of and assistance to victims of trafficking is the first and most important step in that direction. On the other hand, we are also aware that there are many groups with the potential and the will to help and to monitor victims. For instance, there are numerous journalists active in the Turkish media who are fully aware of and sensitive to this humanitarian issue. A small step would be sufficient to activate this group, and modest initiatives can engender positive action and policies; thus, even the present research has been instrumental in stimulating initiatives such as the Blue Line service created in Eminönü Municipality. For details, see FN 36.

6.2 RECOMMENDED FURTHER ACTION

To provide the effective means with which to address the various forms of deceptions used and protect the women involved, it is recommended to establish a comprehensive and integrated programme involving several governmental bodies, including some branches of the Ministry of Interior, the Ministry of Tourism, the Ministry of Labour and Social Security, the Ministry of Foreign Affairs, the Ministry of Health and the General Directorate on the Status and Problems

of Women. The creation and activities of the “National Task Force on Combating Trafficking in Human Beings” is a case in point. Information should be made available on the existing legislation concerning employment, citizenship, marriage, as well as information campaigns conducted in sending countries targeting women before they decide to leave. An information and support centre for legally employed foreigners, the reorganization of detention centres and free and confidential health services for foreign illegal sex workers are only some of the items to be addressed.

Thus, there is a continuing need for:

- Awareness raising campaigns in Turkey concerning the deception of foreign women.
- The creation of and/or support for already existing NGOs to monitor and support victims of trafficking and deception.
- Establish shelters throughout Turkey for the protection of victims of trafficking in which legal, social, medical and psychological assistance will be provided as required.
- Set up a return mechanism to allow the return in dignity to their home countries of trafficked women who have escaped their ordeal.
- Cooperation and collaboration with relevant international organizations, such as IOM, UNFPA and NGOs, such as La Strada.
- Special programmes aimed at raising the awareness of the local media in both Turkey and the countries of origin.
- A special project to mobilize the local governments to initiate monitoring services for victims in their districts, such as, for example, information centres in the localities where foreign women are mostly concentrated, or hotline services or reception desks, as well as marriage guidance to prevent false marriages.

ENDNOTES

1. United Nations (2000): Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention Against Transnational Organized Crime, Art. 3.
2. See the *Plan of Action of the EU*, cited from Wijers and Lap-Chew, 1997: 26 in Lazaridis, 2001.
3. See Wijers and Lap-Chew, 1997: 36, cited in Lazaridis, 2001: 72.
4. Zayonchkovskaya, Z., 2000, "Recent migration trends in the Commonwealth of Independent States", in *International Social Science Journal*, Blackwell Publishing, UNESCO, September 2000, Vol. V(165): 343-357.
5. See IOM report on the Balkans for the heterogeneity of this movement (IOM, 2001d). Regarding receiving countries, see IOM report on Austria (IOM, 1996a) and Italy (IOM, 1996b).
6. Among the limited attempts which brought the issue to the public agenda, the conference on Trafficking in Human Beings, Particularly in Women and Children, organized by the International Women Lawyers Federation, in Istanbul in September 2001 should be mentioned. The second conference on the issue was organized by the General Directorate on the Status and Problems of Women, with the contribution of UNFPA at the end of 2002 in Ankara. It was an important attempt since representatives from both ministries and the local NGOs participated in this conference.
On the other hand, the Institut Français d'études Anatoliennes (IFEA) prepared a report on Romanians in Istanbul (IFEA, 2002). Among the few published works on female child prostitution, see Erginsoy, 2000. Among the few publications on sex workers, Yıldırım's work, which contains interviews with sex workers, including two foreigners, should be mentioned (Yıldırım, 2002). On the other hand, medical professionals who are working on sexually transmitted diseases researched 300 Romanian prostitutes in Istanbul in 1992 (Genç, Agacfidan, Gerikalmaz, et al., 1995).
7. See, e.g. IOM, 2000b; IOM, 2001a; IOM, 2001b; IOM, 2001c; IOM, 2002a; IOM, 2002b. See also GSN, 1997, www.towson.edu/~hofstet.
8. These considerations led to Turkish Parliament to make an amendment to the existing Citizenship Law. The amendment was enacted on 4 June 2003.
9. In Turkey, two authorities are responsible for deportation activities. The police is responsible for urban and the gendarmerie for rural areas, which explains the differences in deportation figures in Table 6 and the following tables. For this study, we used police statistics for two reasons: first, our research focuses on the urban areas. Second, the police records contain more detailed information on deportation activities. While the data obtained from the Ministry of Interior includes the gendarmerie deportation figures in Table 6, the other tables concerning deportation do not. Therefore, the total figures for "apprehended cases" in Table 6 can be taken as total "deportation" figures, even although there may be some minor differences.
10. For more detailed information on transit migrants in Turkey, see İçduygu, 1995, 1996a, 1996b and 2003, on the situation of refugees and asylum seekers, Kirişçi, 1995 and 2002.
11. Among these laws, which regulate residence permit and work permit of foreign citizens in Turkey are the Passport Law (No. 5682 of 1950), the Law concerning Residence and Travels of Foreigners in Turkey (No. 5683 of 1950), the Law on the Specific Employment Conditions of Turkish Citizens in Turkey (No. 2007 of 1932, abolished 27 February 2003). Even though the last pieces of legislation give the impression that the Turkish legal framework is almost limited to the employment of foreigners, the situation is actually quite complex, since many different laws deal with employment in Turkey. In this regard, the ongoing research project, International Migration, Labour Force and Population Movements (UGINAR), conducted by the academic staff of Labour Economics and Industrial Relations Department at Marmara University aims, in general, to examine new tendencies in population movements across borders and their impacts on Turkey. One of the sub-topics of this joint project particularly concerns foreign labour in Turkey. It aims to examine the complex issue of the current status of foreign workers under the Turkish legal system, and to develop a new legal framework based on contemporary international legal norms dealing with migration.
12. In this report, we limit ourselves to the laws and regulations on trafficking. For the amendment on human smuggling, see İçduygu's study "Irregular migration in Turkey", *Migration Research Series*, No. 12, IOM, 2003.
13. This amendment to the Penal Code reflects the Palermo Convention Against Transnational Organized Crime and its Supplementary Protocol Against Migrant Smuggling, both approved for ratification by the Turkish Parliament.

14. For a review of the legal means to combat irregular migration, see İçduygu's report (2003). In addition to the existing legislative framework, the Ministry of Interior issued a regulation in June 2002, under which foreigners are not allowed to enter Turkey for a certain time specified in the Regulation, if they had overstayed their visa entitlement during previous visits to Turkey.
15. We benefited greatly from the "Country report on trafficking in human beings: Turkey", (September 2002) for the translation of the related articles of the Penal Code.
16. For this amendment, see Appendix 3.
17. Together with this Circular, the Ministry of Interior also issued guidelines to all local governors regarding the combat against trafficking in human beings, with detailed instructions to the staff responsible for the investigation regarding the treatment of victims during the investigation.
18. In parallel with the Law Concerning Work Permits for Foreigners, a Circular has been issued by the Ministry of Labour and Social Security in September 2003. This Circular determines the different processes and rules for granting work permits. According to Article 7 of this Circular, some of its rules will not apply to persons in jobs which are, or may be subject to, trafficking in human beings.
19. For instance, a sportswoman who is a champion in her branch, stated that she had to resort to prostitution since she could not receive her money from the related sports federation.
20. For instance, according to the news in *Sabah* (28 September 2000) police officers from the Security Department of Giresun were involved in such activities.
21. For the list of the interviews, see Appendix 1.
22. For the questionnaires, see Appendix 2.
23. Tajikistan declined to participate, and Georgia and Romania did not respond to our request.
24. General Directorate of Security, 2001: 9-10.
25. See FN. 9, *supra*.
26. The Ministry of Foreign Affairs has created a National Task Force on Combating Trafficking in Human Beings. It consist of officials from the Ministry of Interior/Department of Foreigners, Borders and Asylum, Department of Security and Department of Organized Crime and Fraud, the Ministry of Justice/Department of International Relations, Foreign Relations and Educational Affairs, Directorate of Criminal Records, the Ministry of Labour and Social Security, General Directorate regarding the Status and Problems of Woman and the General Directorate for Child Protection and Social Services, Ministry of Health/Department of Health Care, the Prime Minister's Office/Department of Human Rights, and the Social Aid and Cooperation Fund. The first meeting of the National Task Force was held on 31 October 2002. The outcome of three meetings conducted up to February 2003, a draft National Action Plan on Combating Trafficking in Human Beings was prepared and finalized, and has been approved by the Prime Minister.
27. In regard to international cooperation, Turkey supports counter-trafficking efforts and activities of the OSCE and the Stability Pact Task Force on Trafficking in Human Beings, and also cooperates with IOM, SECI and EUROPOL.
28. In this regard, the Ministry of Foreign Affairs sent a message to the embassies of the countries of origin to request their cooperation and collaboration on trafficking issues, in July 2003.
29. For more details, see FN. 36, *infra*.
30. For example, these countries are particularly mentioned in relation to trafficking in women in the section on Turkey of the US State Department's report on Trafficking in Persons (US Department of State, 2001: 98). In the following report, the same countries, excepting Romania and Armenia, are still referred to in the Turkey section as the main sending countries (US Department of State, 2002).
31. Visa regulations and entitlements are determined according to the mutual relations with the countries concerned. Thus, according to the information available from the Ministry of Foreign Affairs, ordinary passport holders from Romania do not require a visa for entries for less than two months. Ordinary passport holders from Belarus, Russia and Ukraine may obtain sticker-type visas at the Turkish border for two months. Nationals from Azerbaijan and Moldova may also obtain sticker-type visas at the border for stays of up to one month.
32. Turkey has begun to implement administrative measures to prevent abuse. Recent efforts by the Ministry of Foreign Affairs and the Ministry of Tourism aimed in particular at the entertainment sector may be referred to in this connection. These concern detailed information to be supplied when applying for visas and work permits, in addition to personal interviews. The Ministry of Tourism recently began to require that employment contracts be written in Russian, and no longer in French as was the case until now.
33. As noted in fn. 9, the police is not responsible for rural areas surrounding the city, which are under the control of the gendarmerie. It is frequently stated that some areas surrounding Istanbul have become centers for prostitution activities.

34. One of the main responsibilities of the Vice Squad (*Ahlak Masası*) is related to sexual crimes, including illegal prostitution, involving both Turkish citizens and foreigners. Recently, there has been a move to change the name of this unit to Anti-trafficking and Sexual Crimes Unit (*İnsan Ticareti ile Mücadele ve Cinsel Suçlar Amirliği*). It is also proposed to change its responsibilities according to the amendment to Turkish Penal Code, Article 201.
35. According to an article published in the daily newspaper *Radikal* on 10 October 2002, 21 illegal sex workers who had been picked up over the recent nine months, were HIV infected.
36. For instance, after our interview with the Mayor, the Eminönü Municipality established a Blue Line telephone service in 2002. Its number is 638 26 26. To assist the migrants, this municipality also started to distribute hand notices in English, German and Russian.
37. For some detailed information on the General Directorate on the Status and Problems of Women, see its internet site: www.kssgm.gov.tr.
38. For some detailed information on ASAM, see ASAM internet site: www.asam.8k.com.
39. For some detailed information on UNHCR, see UNHCR internet site: www.un.org.tr/unhcr.
40. For more detailed information on the Human Resource Development Foundation, see HRDF internet site: www.ikgv.org.
41. According to this agreement, HRDF shall: Establish a network among the regional NGOs; organize training programmes for officials; advocate the implementation of recent legal measures; empower Turkish NGOs to support and defend human rights, including in regard of victims of trafficking and sex workers; establish a counselling centre to provide psychological, health and legal assistance; provide shelter to the victims of trafficking; assist victims to find a place to stay, in accordance with the applicable laws and regulations governing temporary residence in Turkey; disseminate information to relevant organizations and to victims themselves, and raise public awareness generally; cooperate with international organizations, like IOM, and NGOs. The Ministry of Interior (MoI) shall provide support and assistance to HRDF in its national and international efforts to prevent human trafficking in Turkey and the region. For its part, the MoI shall keep HRDF informed of investigations and any judicial and surveillance procedures and intended deportations, and shall provide HRDF staff with the opportunity to interview victims of trafficking apprehended by the police. The MoI shall ensure victims of trafficking full access to health and legal services, counselling and shelters provided by HRDF. With the help of networks established by HRDF, MoI shall coordinate with relevant NGOs in the victim's home country before implementing deportation procedures and assist in the victim's return. The MoI shall ensure the safety of HRDF staff in the counselling centres and shelters. In cooperation with the networks and centres established by HRDF, MoI shall assess and follow up human trafficking activities that are brought to its attention. It shall provide trainers for HRDF's training programmes and ensure the participation of security staff in such programmes, as and when necessary. The MoI shall also participate in the programme's national and international evaluation and monitoring activities on trafficking. Finally, the MoI shall enable communication between HRDF and related security officials, and give HRDF staff access to such security units.
42. For some detailed information on Caritas International, see its internet site: www.caritas-international.de.
43. For some detailed information on ICMC, see ICMC internet site: www.icmc.org.
44. For some detailed information on La Strada, see La Strada internet site: www.strada.cz.
45. For some detailed information on UNFPA, see UNFPA internet site, www.unfpa.org.tr.

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APPENDIX 1

INTERVIEW LIST

Interviews with government departments in Turkey (19 interviews):

Ministry of Foreign Affairs (2 interviews in Ankara)
Ministry of Interior (6 interviews in Ankara, 4 in Istanbul)
Ministry of Justice (2 interviews in Ankara)
Ministry of Labour and Social Security (2 interviews in Ankara)
Ministry of Tourism (1 interview in Ankara, 1 in Istanbul)
Office of the Prime Minister, Directorate General on the Status and the Problems of Women (1 interview in Ankara)

Interviews with embassies or consular sections (9 interviews):

Embassy of the Republic of Moldova
Embassy of the Republic of Ukraine
Embassy of the Republic of Belarus
Embassy of the Republic of Slovenia
Embassy of the Republic of Lithuania
Embassy of the Republic of Uzbekistan
Embassy of the Republic of Azerbaijan
Consular Section of the Embassy of the Republic of Bulgaria (in Istanbul)
Consular Section of the Embassy of the Republic of Russian Federation (in Istanbul)

Interviews with the relevant departments of Istanbul province (3 interviews):

Directorate of Social Services for Istanbul Province
Human Rights Council for Istanbul Province
Istanbul Dermatology and Venereal Diseases Hospital

Interviews with the local administrators (5 interviews):

Interviews with the mayors of three municipalities in Istanbul
Interviews with the headmen of two sub-districts in Istanbul

Interviews with NGOs and charity organizations (8 interviews):

Interviews with NGOs (1 interview in Ankara, 4 in Istanbul)
Interviews with charity organizations (3 interviews in Istanbul)

Sector representatives (12 interviews):

Interview with the representative of the Association of Laleli Businessmen
Interviews with the representative of Hotel Owners Associations (2 interviews)

Interview with the representative of the Association of Turkish Travel Agencies
Interviews with the representative of travel agencies (5 interviews)
Interview with the representative of the Association of Restaurant Owners
Interview with the owner of a nightclub
Interview with the owner of a private employment agency

Testimonies (23)

Interviews and discussions with academics, experts and journalists (9)

APPENDIX 2

QUESTIONNAIRES

INTERNATIONAL ORGANIZATION FOR MIGRATION
IRREGULAR MIGRATION AND TRAFFICKING IN WOMEN: THE CASE OF TURKEY
GUIDE INTERVIEW FOR GOVERNMENTAL DEPARTMENTS IN TURKEY *

- 1) What legislation, regulations and decrees is your department responsible for implementing concerning trafficking in women?
- 2) What are your department's major activities concerning irregular migration and trafficking in women?
- 3) It is claimed that, in recent years, Istanbul has become one of the major centres of irregular migration and especially trafficking in women with the purpose of forcing them to work, especially in the sex industry. What is your opinion on this?
- 4) According to your department's information, which countries are the trafficked women mostly from? What is the volume?
- 5) Do you have information about the most common routes migrants (irregular migrants) used to come to Turkey?
Do they stay in Turkey or do they go to other countries?
According to your opinion, for what purpose do female migrants come to Turkey?
- 6) Are there any differences between these women in terms of their purposes for coming to Turkey?
- 7) Are there any specific policies concerning female migrants?
Are there policies, for instance, which aim to prevent some female immigrants from entering Turkey?
If any, what are the policies for different countries?
What are your department's activities and future plans in this regard?
- 8) Concerning irregular migration and trafficking in women, does your department cooperate with any national or international institutions?

- 9) Do you have any information about the situation and the problems of female immigrants in Turkey?
- 10) According to you, are there any activities in terms of trafficking in women and forcing them to work in order to obtain a profit?
- 11) Do trafficking activities occur on an individual basis or are they organized?
- 12) According to your opinion, which female immigrant groups are trafficked? Could you specify by social status, occupation, marital status, age, etc.?
- 13) Do you have information about the intermediaries/traffickers?
What do you know about the nationality of persons in the trafficking network?
Do you have any information about transnational trafficking networks?
- 14) Are intermediaries/traffickers mostly male? Or are there females who are involved in trafficking?
- 15) Do you have information on the working methods of traffickers?
- 16) What do you know about the volume of trafficking in women? Is it a minor flow or is it a growing tendency?
- 17) Has anyone from your department been approached concerning trafficking in women?
If yes, could you please give more information?
- 18) What are the difficulties you experience in dealing with trafficking in women?
How do you try to cope with trafficking?
- 19) According to your opinion, what should be done to combat trafficking and to protect women who suffer from it?

* This guide has been applied in different format for different institutions.

APPENDIX 2

INTERNATIONAL ORGANIZATION FOR MIGRATION
IRREGULAR MIGRATION AND TRAFFICKING IN WOMEN: THE CASE OF TURKEY
QUESTIONNAIRE FOR CONSULAR SECTIONS OF EMBASSIES IN ISTANBUL

- 1) Could you give information on the numbers of your citizens in Turkey, especially in Istanbul?
For example last year (2001) how many citizens of your country came to Turkey, especially to Istanbul?
How many of these citizens were men? How many were women?
- 2) Why do they come to Istanbul?
- 3) Are there any specific policies in your country concerning your citizens' coming to Turkey? For example are there any incentives or limits placed upon those who want to go to Turkey?
- 4) Do your citizens apply to your consulate when they are faced with problems in Istanbul? How many citizens did apply last year (2001) and for what reasons?
- 5) Have there been any of your citizens you assisted to return to your country?
If yes, how many?
- 6) In recent years, it seems that there has been an increase in marriages between your citizens and Turkish citizens. Do you have any information regarding this?
Does your consulate play any role in the marriage of your citizens to Turkish citizens? If so, can you give us information on the procedure?
If one of your citizens marries a Turkish citizen, does your citizen lose citizenship of your country?
- 7) What are the visa and duration regulations you apply to Turkish citizens who want to go to your country?
- 8) How many Turkish citizens' visa applications did you receive in 2001?
- 9) How many Turkish citizens did you grant a visa last year (2001)?
- 10) Have any Turkish citizens had their visa application rejected?
Can you give information on their numbers and the main reasons for rejecting their applications?

- 11) What do you know about irregular migration in this region?
- 12) Could you give information, even roughly, on the routes and magnitude of irregular migration?
- 13) In your opinion, is there any movement which may be called “trafficking in women” between your country and Turkey?
Have you ever come across this kind of movement?
Have you registered any cases of trafficking in women from your country to Turkey?
What do you do for trafficked women who seek assistance from you?
- 14) Which are the most commonly used routes to traffic female migrants from your country to Turkey?
Could you give information on the size and routes of trafficking in women between your country and Turkey?
- 15) In your opinion, who are the women subjected to trafficking? Could you specify by social status, occupation, marital status, age, etc.?
- 16) Do you think these women have information on trafficking before they come to Turkey?
- 17) Do you have any information on working conditions of trafficked women in Turkey?
- 18) Do you have any knowledge of the intermediaries/traffickers who organize trafficking?
Could you please provide information on their nationality and gender?
- 19) Do you have legal regulation concerning trafficking in women in your country?
Could you specify the main aspects of legislation in your country on this issue?
- 20) Do you have any contacts with Turkish institutions for combating trafficking in women?
- 21) According to your opinion, what kind of cooperative measures should be taken to combat trafficking in women?

APPENDIX 3

ARTICLE 201/B OF THE TURKISH PENAL CODE

“Those who provide, kidnap, take or transform from one place to another and house individuals with the intention of making them work or serve by force, subject them to slavery or similar treatment, threaten, pressure, use force or coercion to persuade them to give up their bodily organs, use undue influence, secure their consent by deception or by exploiting the desperation of such individuals shall be sentenced to five to ten years of heavy imprisonment and a heavy fine of not less than one billion Turkish liras.

If the actions that constitute a crime are attempted with the intentions described in the first paragraph, the victim is assumed not to have given his/her consent.

If children below the age of eighteen are procured, kidnapped, taken or transferred from one place to another or housed with the intentions specified in paragraph one, even when no intermediary actions relating to the crime are committed, the penalties foreseen in paragraph one shall still be applied to the perpetrator.

If the crimes listed in the paragraphs above are committed as an organization, the penalties foreseen for the perpetrators shall be doubled.”