

## 2013 Trafficking in Persons Report

---

### TURKEY – Tier 2

---

Turkey is a source, destination, and transit country for women, men, and children subjected to sex trafficking and forced labor. Trafficking victims identified in Turkey are from Azerbaijan, Kyrgyzstan, Turkmenistan, Uzbekistan, Tajikistan, Kazakhstan, Georgia, Bangladesh, Belarus, Moldova, Russia, and Ukraine. Foreign women are offered cleaning and childcare jobs in Turkey and, upon arrival, traffickers confiscate their passports and force them into prostitution in hotels, discos, and homes. Turkish women are also subjected to sex trafficking within the country. Traffickers increasingly use psychological coercion, threats, and debt bondage to compel victims into forced labor or sex trafficking. Lack of protection by authorities and allegations of police violence against transgender persons in prostitution leave them vulnerable to sex trafficking. Ethnic Roma children may be subjected to forced begging on the street. Displaced Syrian nationals may be vulnerable to trafficking around refugee camps and in cities in Turkey.

The Government of Turkey does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. The government demonstrated significant improvements in its efforts to convict and sentence trafficking offenders under Turkey's anti-trafficking laws. Courts also reduced the rate of acquittals for trafficking defendants; however, many traffickers were ultimately convicted of lesser crimes with more lenient sentences. While the government identified several hundred trafficking victims, the protection it offered victims declined, in part because shelters were closed due to a lack of funding.

**Recommendations for Turkey:** Ratify comprehensive anti-trafficking legislation; establish a comprehensive, victim-centered framework for assistance to trafficking victims with stable funding and institutionalized partnerships with NGOs; increase incentives for victims to voluntarily assist in the investigation and prosecution of traffickers, including the use of victim advocates; ensure victims are provided adequate time to recover before having to decide whether to assist law enforcement; vigorously investigate and prosecute trafficking offenders, including complicit officials; increase the focus on training law enforcement to recognize signs of psychological coercion, document control, threats, and other non-physical methods of control employed by traffickers; increase identification efforts and implement specialized care for child and male victims of labor trafficking.

The government made progress in convicting and sentencing more traffickers during the reporting period, but new prosecutions declined sharply. Article 80 of Turkey's penal code prohibits both sex trafficking and forced labor, and prescribes penalties of eight to 12 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as rape. The Ministry of Justice reported new investigations of 505 trafficking suspects during the period of January through September 2012, compared with 598

investigations during the same period in 2011. The government prosecuted 226 defendants under Article 80 in the first three quarters of 2012, compared with 409 during this period in 2011. Courts convicted 47 trafficking offenders under Article 80 and sentenced them to prison terms ranging from seven to 21 years, a significant increase compared with 16 offenders sentenced to up to eight years' imprisonment during the prior year. Sixteen offenders originally charged under Article 80 were convicted under Article 227 for "mediating for prostitution" or Article 109 for "forced imprisonment," charges that impose more lenient sentences that do not adequately deter traffickers. Eighty-four defendants charged under Article 80 were acquitted, a decrease in the rate of acquittals compared with the previous two years. The government did not disaggregate its anti-trafficking law enforcement data to demonstrate efforts against both sex trafficking and forced labor.

In 2012, authorities arrested and prosecuted a military officer, a police sergeant, and a police officer, all allegedly complicit in human trafficking. Turkish National Police and the Jandarma paramilitary police led multiple trafficking trainings for officers during the year. Law enforcement and social workers participated in additional trainings led and funded by NGOs and international organizations.

## **Protection**

The government's efforts to protect trafficking victims resulted in hundreds of victims identified; however shelter and services for trafficking victims remained inadequate. The government identified 515 trafficking victims in 2012. The government provided the equivalent of approximately \$570,000 to fund NGOs but did not have a stable funding mechanism to support shelter and services to trafficking victims. Two of the three NGO-run shelters for trafficking victims closed during the reporting period as a result of insufficient funding, disrupting care and services for victims. NGOs served a total of 22 women in shelter care, a decrease from 39 served in 2011. One male victim was provided with specialized care. Experts noted the government was likely under-identifying male victims of labor trafficking. IOM assisted 18 trafficking victims with repatriation from Turkey to their countries of origin during the reporting period, of whom five were referred by law enforcement. Victims can access free health care and psychological services through the Ministry of Health. Foreign victims identified by Turkish authorities were able to apply for humanitarian visas valid for up to six months, and may obtain permission to work, with the option to extend their visas for an additional six months; however, only one victim remained in the country on this visa during the year. Observers reported that the separate process required for humanitarian visa holders to apply for a work permit, which entails finding a business sponsor that is required to prove that no Turkish national is available for the job, is a substantial barrier to trafficking victims actually being authorized to work legally in the local economy. The government maintained that it encouraged victims to participate in criminal proceedings against their traffickers; however, observers report that courts did not allow victims to be accompanied by advocates and consequently victims faced intimidation by defendants. At the end of the reporting period, the Turkish Parliament passed Law No. 6458 on Foreigners and International Protection, which in Article 48 provides a 30-day residency permit for potential trafficking victims to allow time in

which they may recover and decide whether to cooperate with law enforcement. A six-month residency permit, renewable up to three years, will also now be available to victims depending on the security, health, and particular situation of each victim. The 2013 law also establishes a new Department for the Protection of Victims of Human Trafficking.

Authorities and experts note that police and Jandarma officers are often unfamiliar with trafficking indicators and how to engage the national referral mechanism. The government distributed a trafficking identification form for law enforcement to use during operations and offered extensive training on identification procedures. However, inconsistent application of procedures for identifying trafficking victims continued to disrupt protection and services to victims of trafficking, particularly to victims of forced labor. NGOs reported turnover of police due to personnel rotations weakened the referral system between authorities and service providers who had built trust through working on cases together. Traffickers increasing use of non-physical forms of control such as psychological coercion, debt bondage, and threats against victims and their families compounded victim identification problems; law enforcement lacked training on how to identify these non-physical forms of control. There were no reports of victims being detained or fined for acts committed as a direct result of their trafficking, though weak victim protection mechanisms left potential victims at risk of deportation. The government periodically screened Turkish women engaged in regulated prostitution to determine whether they were trafficking victims.

### **Prevention**

The government maintained modest prevention efforts during the year. The government provided the equivalent of approximately \$150,000 to fund the 157 helpline for trafficking victims and continued to publicize the number on television, the internet, and posters in airports. With international funding, the government implemented software to collect data on potential and identified victims of trafficking as well as on perpetrators. Prostitution by women who are Turkish citizens is legal under restricted conditions and regulated by the government. The government did not demonstrate efforts to reduce the demand for commercial sex acts or forced labor, nor did it demonstrate efforts to prevent child sex tourism by Turkish nationals traveling abroad. Turkish armed forces participated in anti-trafficking training prior to their deployment abroad on international peacekeeping missions.