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HUMAN SMUGGLING AND MIGRATION OF ILLEGAL LABOUR TO TURKEY

Illegal Human Mobility and Security in South East Europe

South Eastern Europe is a region of critical geopolitical importance in the post-Cold War landscape and it is important for the future of European stability. The analysis of a region must integrate all security-relevant data, whether military, economic or political, or related to transnational risks and threats. Otherwise, strategic analysis and political action will proceed on incoherent paths, ensuring that the efforts of the international community will be far less effective than desired.

Among the security issues, two major transnational security threats that have an impact on Southeastern Europe (SEE) and Black Sea countries are transnational organised crime and drug trafficking. There is a relationship between the organised crime and illegal human mobility, including illegal migration of labour, illegal immigrant smuggling, human smuggling and women trafficking since the organised crime organises human trafficking and illegal employment. The response of the states and NGOs, if there is any, to the illegal migration of labour need special attention to improve security in the SEE. Illegal human mobility in the forms described above de-stabilise many countries and causes violation of human rights, along with treating security in the region and in the European Union. Smuggling networks coexist with criminal organisations, exerting a crime multiplier for them and for militias, guerrillas and terrorists.

The paper recognises the need to have an extensive study of human smuggling and various movements of illegal human mobility in the region. It focuses on human smuggling in Turkey and transit migration via Turkey through illegal channels.

Transit Migration: Flows of Migrants Arriving in Turkey between 1980-2002

Until the 1980s, Turkey had been recognised as a "sending" country in terms of international migratory flows. Since then, Turkey has changed to become both a "receiving" and a "transit" country, and a major country for asylum. More than two million of people²⁹ have sought refuge in Turkey in one form or another. It has also become a major hub for illegal immigration thanks to its geography and poorly enforced immigration laws (as explained below). There are two factors explaining the reasons why Turkey has increasingly become a transit zone for large numbers of people who enter Turkey legally or illegally, from the South and East since the beginning of 1980s. First, political turmoil and regime changes (e.g., the Iranian Islamic Revolution in 1979), wars and civil wars, and the numerous conflicts in the Middle East (e.g., the Gulf War), the Balkans (Bosnia and Kosovo conflicts) and the Caucasus (e.g., armed conflict in Chechnia) have forced refugees³⁰, transients and all types of migrants into the country in the hope of security, protection from persecution and a better life. Turkey not only shares borders with many of the countries in the Middle East, the Caucasus and the Balkans, but also has cultural and ethnic ties with many of them. These ties generate human channels for illegal migrants who already have geographical access to Turkey. Second, Turkey's geographical location between the East and West, and the South and North has made the country a transit zone for many migrants intending to reach western and northern countries. Consequently, Turkey has received migration from the Middle East, the former Soviet Union and the Balkans, and Africa. Some of these people enter the country without legal documents seeking shelter on a temporary basis and then moving to another country. Others arrive in Turkey with the aim of working for a short period of time.

²⁹ The International Organization for Migration (IMO). 1995. Transit Migration in Turkey. Study Completed in December 1995. Migration Information Programme. (Hereafter IOM 1995).

³⁰ For detailed information on the refugee flows into Turkey since 1979, see Kemal Kirisci. 1994. Refugees and Turkey Since 1945. Boagzici Research Papers, 155/AOLS 94-3, Istanbul.

Some of the illegal migrants choose Turkey as transit zone to work and survive. This workforce is in addition to a huge number of illegal migrant workers³¹ who entered Turkey with the aim of working. During field work in 1994-1995, we met Sudanese and Algerians who fled from the country because of the civil war; we encountered Afghans who had abandoned the country which had been in turmoil since the beginning of 1980s; we came across a large number of Iranians who had been in Turkey without any legal status for many years. Turkey applies the 1951 Geneva Convention with a geographical limitation. Accordingly, legal obligations applied only to persons who are seeking asylum as a result of the events in Europe, so there is no obligation regarding non-European refugees. Partly as a consequence of anti-Communist policy during the Cold War, this meant that Turkey could grant refugee status only to people coming from Eastern Europe and Soviet Union. Iranians were non-European asylum seekers. Therefore they were not recognised as asylum seekers under the terms of the Geneva Convention, but have been allowed to remain as tourists for a certain period of time subject to regular extension. Many Iranians who entered Turkey without any legal documentation frequently transited Turkey, but some of them stayed and continued to live without any legal documents or identity.

Turkey hosted around 3 million Iranians who left Iran after the Revolution in 1979. Some of them entered Turkey illegally by the assistance of human smugglers. The majority of them left Turkey after obtaining a visa for the Western Europe, the USA, Australia, and Canada. However, there are still a large number of Iranians (the estimations range from 200 000 – 500 000) living in Turkey.³² Legal and illegal entries from Iran have continued, with many Iranians who felt persecuted by the regime continue to leave their country. Among them

³¹ My former research on the migration of illegal labor to Turkey in 1994-1995 revealed that there were around 3.5-4 million people (including the Iranians) who lived and worked in Turkey illegally. See Nilufer Narli.1995. Migration of Labor and Capital to Turkey", research report submitted to Center for Turkish Studies at Essen University, Germany. (Hereafter Narli 1995). According to the estimates by TURKIS in 2001, the number of illegal workers was around 4.5 million. However, the then Minister of Work, Yasar Okuyan gave a different figure: 1 million. Speaking at a meeting in Konya, Okuyan underlined the treat posed by illegal foreign workers to Turkish labor force by saying: "Ivan is stealing the bread of worker Mehmet" (quoted in Medyakronik on July 25, 2001; www.medyakronik.com).

³² Narli 1995.

we met Bahais in 2002 who were staying with their relatives in Istanbul. We learned that there are also many of them staying in the Anatolian town of Kayseri and waiting for a visa to leave for the US and Canada. A few of them are planning to go to France and Belgium. The filed work and interviews with 50 Bahais in Kayseri show that the majority of them are in the age group of 26-40, the age of economically active population. Their level of education is higher, the majority of them with a high school diploma, but few reached the level of tertiary education because of the blocked social mobility of the Bahais, as they explained.³³

Approximately 600 000 Iraqis between 1988-1991, mostly the Kurds, poured into Turkey. Despite the fact that a large number of them returned home, as explained below, they left a residual population in Turkey. They also caused a chain reaction in which many more left Iraq for Turkey with the aim of settling there or transiting Turkey to reach the West. As the social and economic situation deteriorated in Iraq, numerous Iraqis have entered Turkey with valid documents and obtained residence permits. Many more have been also brought by human smugglers who have benefited from this illicit trade.

The first flow arrived in 1988 when the Iran-Iraq War ended. Due to the allegations of betraying the state, the Iraqi army pushed more than “50 000 Kurdish guerrillas and their families” who poured into Turkey during the last week of August 1988.³⁴ Like the situation of many Iranians fleeing from the country, due to Turkey's geographical reservation on the Geneva Convention, the arriving Iraqis were considered ‘temporary guests’ rather than asylum seekers.³⁵ Consequently, they were expected to leave. According to the International Organisation for Migration (IMO) study completed in 1995, a large number of these people had returned to the zone of Northern Iraq outside Baghdad’ s control between 1991-1995; nearly 2500 had left for Iran and Syria, and approximately 3000 were accepted

³³ Mr. Turan Avsar, a graduate student in the Institute of Middle East Studies, is doing his thesis on the Bahai Refeguees in Kayseri, under the supervision of Prof. Dr. Nilufer Narli.

³⁴ International Organization for Migration (IMO). 1995. Transit Migration in Turkey. Study Completed in December 1995. Migration Information Programme, p.6.

³⁵ Ibid., p.6.

as refugees in the West.³⁶ The second flow of people who arrived between August 1990 and April 1991 were foreign workers who had been in Iraq or Kuwait and who had wanted to leave during the Gulf Crisis. Nearly 60 000 foreign workers and their dependants were temporarily housed at a camp near the Iraqi-Turkish border. They left Turkey soon after their arrival once transport arrangements had been made by their governments or by international agencies (e.g., The International Organization for Migration the IMO).³⁷

The third mass flow of people from Iraq to Turkey took place in early April 1991 when half a million Kurds, escaping the Iraqi military, poured into the mountainous region separating Turkey and Iraq. As a response, Turkey advocated the idea of creating a safe zone in Northern Iraq and initiated a voluntary and safe repatriation programme. The close co-operation of the Turkish authorities with the IOM, UN agencies and Allied Forces present at the time generated a solution to the unprecedented influx of nearly half a million Kurdish men, women and children stranded on the mountainous sides at the Turkish/Iraqi border. They returned either to their home villages, to camp shelters in Zakho, or to a tent camp set up in the Turkish towns of Silopi located near the border with Iraq.³⁸

In addition to the flows of Iraqis, approximately 25 000 Bosnians have sought refuge in Turkey from 1992 to 1994³⁹, while the majority of them considered Turkey as a transit country, some of them stayed and started business. During field work in April and May 2002, we encountered Bosnians running shops in Laleli, where people from Russia and the Balkan countries visit and buy huge quantities of textile and leather products to and sell them in their countries. Some of them arrived as tourists with a former Yugoslavian passport⁴⁰, but many of them entered without legal documents. Approximately 350 000 (or, according to

³⁶ Ibid., p.6.

³⁷ Ibid., p.6.

³⁸ Ibid., p.6.

³⁹ Ibid., p.7.

⁴⁰ As seen in Table 1, every year there is a visible difference between the number of foreigners entering Turkey and exiting Turkey.

Nurcan Özgür 250 000)⁴¹ ethnic Turks of Bulgarian citizenship entered Turkey as a result of deportation under President Todor Jivkov and Jivkov's policy of changing Turkish names to Bulgarian ones in 1989. 100 000 of them returned home, but the rest are still living and working in Turkey (mainly in Bursa and Istanbul). The majority of them have obtained residence permits and they have been neutralised. In addition to the 1989 migration flow, around 150 000 Bulgarians, the majority of whom are ethnic Turks, have entered Turkey since 1993.⁴² While some of them work here legally, others stay as tourists and work illegally. Among them there are hundreds of non-Turkish Bulgarians who have found a job and a place to stay with the help of the ethnic Turkish Bulgarians living in Turkey. The field-work data shows that the non-Turkish Bulgarians in Istanbul work in Ataturk Sanayi Sitesi (Ataturk Industrial Site) and in other workshops. Some of them reside in Gaziosmanpasa.

The other flow of migration from the Balkans is the migration of Albanians caused by the Kosovo Crisis in 1999. They entered Turkey with valid passports and visa. It was not hard for them to find lodging and jobs since they had many relatives and primordial networks in Istanbul and the Marmara regions.

Since the late 1980s, thousands of transit migrants have also arrived from African and Asian countries such as Ghana, Tanzania, Nigeria, Ethiopia, Sudan, Algeria, Tunisia, the Philippines, Indonesia, Sri Lanka, Bangladesh, and Pakistan. In Istanbul, Tarlabası, Taksim, Laleli, Aksaray, Suleymaniye, Vefa and the areas in the vicinity of the Manifaturacılar Bazaar and Eminonu are the places to encounter transit migrants coming from these countries. Since 2001, they have been less visible due to the increased measures taken by the police to prevent illegal migration.

Turkey does not define itself as a country of immigration, but the absence of effective immigration controls has made the country

⁴¹ Nurcan Özgür. 2002. "Bulgaristan'dan Türkiye'ye Göçlerin Yarattıkları Mülkiyet, Vatandaşlık ve Sosyal Güvenlik Sorunları" paper presented at Panel Bulgaristan Türklerinin Dünü ve Bugünü, June 16, 2002. Also find Nurcan Özgür's paper published in www.deliormanturkleri.com on June 21, 2002.

⁴² Özgür, Op. Cit.

vulnerable for various types of easy entries and stays. In response to becoming a *de facto* country of first asylum and to the mass influxes of people from the Middle East during and after the Gulf War, Turkey implemented a new regulation on asylum seekers effective since 30 November 1994. It is entitled, "Regulations on the Procedures and the Principles Related to Mass Influx and the Foreigners Arriving in Turkey or Requesting Residence Permits with Intention of Seeking Asylum from A Third Country".

Human Smuggling

A definition of human smuggling, including its social organisation and political and economic significance, is still very much a work in progress. People smuggling is procuring the illegal entry of a person into a state, of which the person is not a national or permanent resident, in order to obtain a financial or other material benefit.⁴³ It is estimated that more than 50 percent of illegal immigrants are now being assisted globally by smugglers.⁴⁴ People trafficking is the recruiting, transporting, transferring, harbouring or reception of persons for the purpose of exploitation; by using or threatening force, coercion, abduction, fraud, deception, or abuse of power against them; or by giving or receiving a payment or a benefit to those who control them.⁴⁵ IOM statistics indicate that an estimated 700 000 to 2 million women and children are trafficked globally each year. The IOM (2001) estimates that the world-wide proceeds of people trafficking to be 10 billion USD a year. According to the U.S. State Department figures, the largest number of trafficked people are from Asia, with 225 000 victims each year from the Southeast Asia and over 150 000 from the South Asia.⁴⁶

⁴³ Article 3 of the Protocol against the Smuggling of Migrants by Land, Sea and Air, U.N. Convention Against Transnational Organized Crime).

⁴⁴ See CNN "Human Smuggling Definition and Statistics.
<http://asia.cnn.com/2002/WORLD/asiapcf/auspac/03/01/smuggling.stats/>

⁴⁵ Article 3 of the Protocol to Prevent Suppress and Punish Trafficking in Persons, U.N. Convention Against Transnational Organized Crime.

⁴⁶ The IOM. 2001. Trafficking in Migrants, Quarterly Bulletin , no. 23 (April).

People smuggling has become the preferred trade of a growing number of criminal networks world-wide. Transnational human smuggling, hardly a global issue in the 1980s, is a continuously growing phenomenon and is now a multibillion-dollar trade world-wide. Hard facts about human smuggling and trafficking are difficult to obtain because of the illicit nature of the trade. The International Organisation of Migration makes some estimates. The number of people trafficked or smuggled across borders on an annual basis is four million people. The annual revenue generated by smuggling is 5-7 billion USD. The IOM estimated total global revenues in 1997 to be up to 7 billion USD.⁴⁷ It is a crime that is organised⁴⁸ and linked to other criminal activities.⁴⁹ It is an issue of global nature, not only as a “transnational crime”⁵⁰ but also as an enormous violation of human rights,⁵¹ and a contemporary form of slavery. After their arrival in the country of destination, the illegal status of the migrants puts them into the mercy of their smugglers, often

⁴⁷ The IOM. 1997. "Trafficking in Migrants: IOM Policy and Activities" http://www.iom.ch/IOM/Trafficking/IOM_Policy.html. Also see BBC News. 2001. The Road to Refuge. "The Journey: A Smuggler's Story" in BBC News, 2001; http://news.bbc.uk/1/hi/english/statistic/in-depth/world/2001/road_to_refuge/journey/default.stm.

⁴⁸ See James Finckenauer and Elin Waring. 1996. "Russian Émigré Crime in the United States: Organised Crime or Crime That is Organised?" *Transnational Organised Crime* 2 (2/3):139-155.

⁴⁹ The connection between human smuggling and other types of organised crime was mentioned in a draft statement issued by participants at an international conference on illegal immigration. It warned that people smuggling is increasingly linked to other criminal activities. "Many smuggling activities are being organized by criminal networks also involved in trafficking of narcotics, document fraud, money laundering, arms smuggling and other transnational crimes," a draft statement said. The statement was drawn up by Australia and Indonesia, who were co-hosting the conference being held in Bali, Indonesia. See "Ministers from Asian and Pacific Nations Confer on Ways to End People Smuggling" By Slobodan Lekic, *The Associated Press*, February 27, 2002.

⁵⁰ Transnational Organized Crime is crime committed by an organized criminal group, which is planned or committed in more than one state, or has substantial effects on more than one state, or is committed by a group which commits crimes in more than one state. An organized criminal group is a structured group existing for a period of time and acting in concert, with the aim of committing one or more crimes for financial or other material benefit. (UN Convention Against Transnational Organised Crime, 2000)

⁵¹ For the cases of human rights' violation of the illegal transit migrants and the smuggled migrants detained in Turkey, see Bülent Peker (ed). 2001. *Sığınma Hakkı ve Mülteciler: İltica ve Mültecilik Atelyesi*. Ankara 24-26 March 2001. Ankara: İnsan Hakları Derneği, Chapters 5, 6 and 8.

forcing them for years to work in the illegal labour market to pay off the debts incurred as a result of their transportation.

This highly profitable trade poses a relatively low risk compared with trades in drugs or arms. Unlike drug trafficking, the principal investors do not have to accompany the commodity (the smuggled people) physically across the border. The low risk and high profit do not explain why the volume of human smuggling has increased since the early 1990s. The causes, social organisation, and proposed solutions are much more historically and politically complex than they may at first seem. As human smuggling has a global nature, it requires us to consider the wider social and economic context in which it is flourishing, rather than to simply demonise the smugglers and to ask the transit countries to tighten border control.

Thus, this paper which aims to present a mix of descriptive empirical evidence from the field work in Istanbul and a conceptual analysis providing a perspective of human smuggling via Turkey, first attempts to understand this phenomenon in the larger context of the processes of globalisation. The globalisation of economic activities and technological advances have increased the mobility of people in various forms ranging from the migration of documented labour to the illegal flow of labour including illegal migrant smuggling and expanded transitional crime. The excessive supply of labour in economically disadvantaged countries, where the size of the unemployed young population has expanded, is an important factor in the increased number of illegal migrant workers attempting to enter Western European countries and the USA. In the 1960s and 1970s the surplus labour supply in Middle Eastern, Asian and Mediterranean countries was largely absorbed by Western Europe through documented migration of labour. There was a sizeable proportion of illegal entry, but its volume has expanded in the 1990s. Its geography has changed too, as a result of the collapse of the Soviet Union and the spread of the capitalist economic systems throughout the so-called Second and Third Worlds. Unemployment and economic discomfort appear to be the main reasons of illegal migration movement. Migrants, however, are often driven to become professional smugglers by blocked social mobility, pre-existing corruption, uneven development (not necessarily poverty), persecution, racism and sexism. Studies show

that many illegal migrants who choose a clandestine route to work abroad feel compelled to leave their home communities because of unemployment, the risk of hunger (cited by more than 50 per cent of the African migrants in Turkey⁵²), economic crisis, political conflict, ethnic persecution, and the “fear of rape at home in the case of many ethnic minority women.”⁵³

Therefore, political, sociological, and psychological factors are likely to be as important as economic factors that affect the causes of illegal migration movements and human smuggling. The liberalisation of international markets and investment in developing countries has not decreased migration, as predicted by neo-classical theory.⁵⁴ Increased investment and trade in developing countries is associated with an expansion in the illegal migration of labour from these countries to the advanced countries in the form of human smuggling. Although increase in investment may raise the number of available jobs and decrease the wage differentials among the developed and the developing countries, surplus disposable income often becomes "migration capital" used to pay for international travel and to pay for smugglers.⁵⁵ A study on China⁵⁶ shows that a large proportion of the Chinese who are smuggled to the United States are from Fujian Province, a coastal province with one of China's fastest-growing regional economies. Smuggled Chinese are often from the middle class families that can afford cash down payments (approximately 1500 USD required by smugglers before embarkation).⁵⁷

⁵² International Organization for Migration (IMO). 1995. Transit Migration in Turkey. Study Completed in December 1995. Migration Information Programme. P. 17.

⁵³ See David Kyle and Rey Koslowski (eds). 2001. Global Human Smuggling: Comparative Perspective.. Baltimore: The John Hopkins University Press, "Introduction", pp. 1-25. P. 9.

⁵⁴ For the discussion on foreign investment in developing countries and migration see, Richard Layard, Oliver Blanchard, Rudiger Dornbusch and Paul Krugman. 1992. East-West Migration: The Alternative. Cambridge: MIT Press, chap. 1.

⁵⁵ See David Kyle. 1996. "The Transnational Peasant: The Social Construction of Transnational Migration from the Ecuadorian Andes." Ph.D. diss., John Hopkins University; and David Spener. 2001. "Smuggling Migrants through South Texas: Challenges Posed by Operation Rio Grande " in Global Human Smuggling: Comparative Perspective, David Kyle and Rey Koslowski (eds). Baltimore: The John Hopkins University Press. pp. 129-165.

⁵⁶ Zai Liang and Wenzhen Ye. 2001. "From Fujian to New York: Understanding the New Chinese Immigration" in Global Human Smuggling: Comparative Perspective, David Kyle and Rey Koslowski (eds). Baltimore: The John Hopkins University Press. pp. 187-215.

⁵⁷ For the amount of money given to smugglers see, Peter Hessler. 2002. "It's the Rich Chinese Who Flee to US", Seattle Post Intelligence, February 10, 2000.

The IOM's study⁵⁸ also reveals that Kurds from Northern Iraq paid smugglers a generous amount of money, 2000 USD to 8000 USD, for passage to Italy by boat between July 1997 and January 1998.

Economic development, rapidly advancing information, communication and transportation technologies raise the expectations of new middle classes whose members have recently gained social mobility. This is more likely to motivate people to look for higher living standards and “better future” for their children in the advanced countries. The smuggled people from Iraq detained in Turkey on August 9, 2002 said: “We left our country because we desire a bright future for our children and it is important to guarantee it.”⁵⁹ Political instability and a constant worry about one's own and family's future also drive people to migrate through legal or clandestine routes to search for security.

Turkey as a Transit Country in Human Smuggling

Turkey has become an international centre and a staging area for human smuggling because of its porous eastern borders and its geographical position on the edge of the Western Europe. It has not only become a transit country, but also a destination country for numbers of Iraqi, Iranian and Afghani migrants. A large number of Iraqis with ethnic identities, e.g., Kurd, Chaldean/Assyrian and Turkomans, Iranians, Afghanis, Pakistanis, Bengalis are smuggled to Europe via Turkey.

The IOM report of 1995 showed that 40 percent of the transit migrants interviewed entered Turkey without valid document such as passport or a refugee document⁶⁰; and more than two-thirds of those who entered Turkey without valid documents were Iraqis.⁶¹

Turkey received a warning from the European Union leaders who placed illegal immigration atop the agenda for the EU Council summit in Seville, Spain on June 24. One of the reasons for this is the recent

⁵⁸ The IOM. 1998. Trafficking in Migrants, Quarterly Bulletin , no. 17 (January).

⁵⁹ Reported by SKYTURK TV on August 9, 2002.

⁶⁰ International Organization for Migration (IMO). 1995. Transit Migration in Turkey. Study Completed in December 1995. Migration Information Programme, p.20.

⁶¹ Ibid., p.20.

upsurge in right-wing electoral support across Europe. The inability of the EU leaders to manage the complex mix of migrants and asylum seekers converging on their borders is causing them major political headaches and making daily headlines across Europe. Voters are expressing the people's frustration over what they perceive to be weak and ineffective government policies. They want action and governments appear to be listening. The public anger is complicated by the anxiety that the population increase in the EU countries is mainly generated by two non-European population sources: the higher rate of birth among the Middle Eastern and Asian migrants who have either become citizens of the EU countries or who are staying in the country with a residence and work permit, and, secondly, the ever increasing number of illegal migrant workers.⁶²

Before the Seville Summit, Turkey, a southeast European country connecting Europe to Asia, received warnings from the EU countries to tighten its border control and to prevent human trafficking and the flow of illegal migrant workers via Turkey to Europe. For example, in early 2002 Italian Prime Minister and Foreign Minister, Silvio Berlusconi called upon Turkey to intensify its measures to prevent illegal human smuggling. Meeting with the Turkish Ambassador to Italy, Necati Utkan (on February 1), Berlusconi conveyed Italy's "serious unease" over the Turkish ship *Engin* that came to Italy's Gallipoli port three days earlier carrying illegal immigrants.⁶³ This was not the first time that Ankara received a warning from Italy. In the year 2000, the Italian authorities accused Turkey of doing too little to prevent illegal migrants reaching Europe.⁶⁴

⁶² According to EUROSTATD data, the EU population is 379,4 million. In 2000 the number of people increased had been 1 070 000 and, in 2001, the same figure was 1 050 00. In 2002, it was 1 460 000, that meant 3.9 percent increase. According to the same source, 70 percent of the population increase was generated by the migration, both legal and illegal and the relatively higher birth rate of the "foreigners" residing in the EU countries.

⁶³ "Italian Premier Tells Turkish Envoy of Concern Over Immigrant Ship", BBC Monitoring International Reports, February 2, 2002, from text of report in English by Turkish news agency Anatolia.

⁶⁴ See Chris Morris. 2000. "Turkey Detains illegal Migrants", BBC News, August 6, 2000; <http://news.bbc.uk/1/hi/world/from/europe/868687.stm>. Morris also reporting of the police operations to detain smugglers following the week when Italian authorities accused Turkey of failing to take measures to prevent illegal migration to Europe via Turkey. Morris wrote: "A ship carrying more than 4000 Kurds arrived in southern Italy just over a week ago [July

What are the routes and networks of human smuggling? What are the causes of human smuggling? Is there anti human smuggling legislation? How is the situation and daily life of smuggled migrants in Turkey? How do Turkish people react to "shadow" society of smuggled migrants? Does ethnicity and religion make a difference in responding to them? The article aims to answer these question and identify the types of human smuggling ranging from profit-oriented operations to humanitarian smuggling.

In order to answer these questions, the researchers collected data from various sources: security departments in Istanbul and Ankara; local and international daily and weekly publications and reports from major TV channels; field work (in 1994-95 and in 2002) in various sections of Istanbul where the smugglers used to lodge the illegal migrants. They interviewed those who rent rooms for illegal migrant workers and smuggled migrants transiting Turkey, and people running shops, laundries in the region.

Routes, destination, networks and methods of human smuggling

A large number of migrants from the Middle East, Asia and Africa use the route via Turkey and from there via the Balkans to Western Europe. Human trafficking is executed via a number of land and water routes described below. Destination countries are Germany, England and other European Union countries. The following origin countries supply the human stock for the smugglers: Middle East Countries including Iraq, Iran and many Palestinians; Black African countries including Ethiopia;

30, 2000], prompting the Italian Government protest to Ankara." As a response, the police tightened border control. On August 5, the Turkish police in the city of Erzurum detained 109 Afghans and Iraqis who were hoping to be smuggled into Europe. They were discovered in the back of a lorry, whose driver was also taken in custody. The would-be migrants had paid him 2000 USD each to deliver them to Istanbul. For the information on the migrant detained on July 30, 2000 in Italy, also see the BBC story: "Italians Halt Migrant Boat" in BBC News, July 31, 2000; <http://news.bbc.uk/1/hi/world/europe/858946.stm>. This story reports: Italian coastguards detained 418 people on July 30 for illegally entering the country on a ship. The ship, named Kalsit, carrying mostly men from Northern Iraq, Afghanistan, Sri Lanka, Nigeria and Sierra Leone, "was believed to have begun its journey at a Turkish port four days ago, stopping at a Greek port to pick up food, officials said".

and Asian countries including Bangladesh, Pakistan and Afghanistan. They first transit Turkey from where they move to transit Southeast European and Eastern European countries to reach the final destination in Western Europe.

The major land routes of human trafficking via Turkey are as follows:

- Iran, Iraq or Syria-Turkey-Bulgaria-Romania-Hungary-Austria-Czech Republic or Slovakia-Germany;
- Iran, Iraq or Syria-Turkey-Bulgaria or Greece-Macedonia-Albania-Italy-Western European countries; and
- Iran, Iraq or Syria-Turkey-Southeast Europe countries-Western Europe countries.⁶⁵

According to a report released by the Security Department Directorate's Smuggling and Organised Crime Unit in 2000, there are 13 points of entry or official and illegal crossings along the country's border with Iran, Iraq, Syria, Georgia and Armenia. And there are 10 points of exit on the Aegean and Mediterranean Sea coasts.

- *Armenia-Georgian Border*
Igdır/Diluca, Kars/Digor-Tuzluca, Ardahan/Posof, Artvin/Sarp
- *Iranian Border*
Küçük Ağrı Dağı/Dogubeyazıt, Van/Özalp-Baskale,
Hakkari/Yüksekova
- *Iraq Border*
Hakkari/Semdilli-Cukurca, Sırnak/Uludere
- *Syrian Border*

⁶⁵ See Tolga Sardan, "Satılık Hayat Var" ("Life for Sale"), Milliyet, July 17, 2000.

Sanlıurfa/Suruç-Mert Village-Akçakale Village Hatay/Yayladığı-Güveççi Köyü, Altunözü-Turfanda-Avuttepe villages, Hatay/Karbeyaz Village, Hatay/Reyhanlı, Hatay/Samandagı, Hatay/Iskenderun-Arsus section, Adana/Karatas section, the zone where Seyhan and Ceyhan rivers merge with the Mediterranean Sea, Gaziantep/İslahiye-Karababa area.

Zones from which to exit Turkey, located in the Aegean and Mediterranean Sea regions:

Antalya/Kas-Meis Island, Muğla/Datça-Simi Island, Bodrum-Kos Island, Aydın/Didim-Kusadası coast, Sisam Island, Edirne/Pazarkule-Karaağaç, Trakya/Meriç-Sufli, Trakya/Kumdere-Pasaköy-Karpuzlu-Ipsala Enez sector, Istanbul Airport.⁶⁶

The Balkan routes, which are connected to Turkey, are well utilized in reaching Western Europe. Along with the land routes, air route is also utilized in the Balkans. Sarajevo airport is a key point in transiting to Western Europe, as Amra Kebo reports: "Minutes after a flight from Tehran or Istanbul touches down, an exotic mix of Turkish, Arabic and Farsi reverberates around Sarajevo airport's arrival terminal. Once some of these arrivals pass customs control, they will simply disappear, hooking up with criminals who will attempt to smuggle them into Western Europe."⁶⁷ The force is pitifully inadequate given that there are 426 different official and illegal crossings along the country's 1616 km border.

There are four basic Balkan routes according to the UN and IOM. Three involve smuggling the immigrants across the Croatian border - at Bihac, Srebrenica and Brcko. A fourth ferries them from the Adriatic coast to Italy. The head of the UN mission in Bosnia, Jacques Klein said that immigrants pay smugglers between 2000 and 10 000 German marks, depending on their country of origin.⁶⁸ In Klein's opinion, as a part of the deal, there's an unwritten rule that, if captured, the traffickers will

⁶⁶ See Tolga Sardan, "Satılık Hayat Var" (Life for Sale), Milliyet, July 17, 2000.

⁶⁷ See article "Illegal immigrants flock to Bosnia in the hope of being smuggled into Western Europe". By Amra Kebo in Sarajevo (BCR No. 213, 29-Jan-2001).

⁶⁸ Ibid.

help immigrants twice more. Those who fail on the third attempt are left to try and make it across the frontier by themselves. The smuggling operation is fraught with danger. The immigrants are often duped by the smugglers and many are supposed to drown while they are trying to cross the Sava river into Croatia. The UN figures show that over the last year (2000-2001), 35 793 Iranians, Tunisians, Iraqis, Turks and Chinese entered Bosnia through Sarajevo airport alone - well over half of that are thought to have subsequently tried to sneak across the Croatian border. The lack of visa requirements means that most immigrants in possession of a valid passport can enter the country without having any problem. In an attempt to address the migrant problem, the authorities introduced visa restrictions for Iranians, the largest number of immigrants entering the country. As a result, their number dropped dramatically. But just as this hole was plugged, another has opened up. The UN says there has been a growth of migrants from China and Tunisia.⁶⁹

The increased security measures, taken by the police and gendarmaria in Turkey within the last two years (2000-2002), have affected the smugglers' choice of routes. According to Ankara Security Chief Feyzullah Arslan, there has been a decrease in the usage of Turkish routes in the four regions identified above. Now the most frequently used routes by human smugglers are the South Route: Iraq-Syria-Lebanon and the North Route: Iran-Caucasus-Ukraine.⁷⁰

The changing of routes and of the methods of the people smuggling networks as a response to legislative and law enforcement activities is necessary for the survival of this network. Flexibility is one of main characteristics of transportation and choice of routes. While the routes used by people may sometimes be simple and direct, at other times it may be circuitous. The time between departure and arrival may vary from a few days to several months or even years. For example, the smuggled Iraqis were observed (by the people interviewed in Istanbul) spending several weeks in the Vefa (Istanbul) area where they stayed in "rooms rent to singles" (*bekar odası*) before they left for Greece by ship. These rooms are utilised as transitional shelters for the smuggled people

⁶⁹ Ibid.

⁷⁰ Hurriyet 28 June, 2002

and the smugglers wait to form a complete crossing group. One of the informants told us: “several groups of Iraqis used to arrive at different time intervals and to stay in the rooms for a short period of time. Then, they disappeared overnight. I observed many of them having been loaded into minibuses before they disappeared. Since the last six months, I have not been seeing illegal Iraqis and Iranians. As far as I have heard, the Police collected and expelled them.”

How do they arrive in Turkey and depart from the country? Various methods are utilised by the smuggling networks. The Turkish authorities identified five methods:⁷¹

Land-to harbor crossing:

- Illegal migrants are first loaded into buses or minibuses and driven to cities or districts with harbors where they are put on small boats carrying them to ships to Greece or Italy. The next stage is their transfer to small boats again and their transportation to the coast in the destination country.
- River crossing. Crossing the Meriç by small boats;
- Crossing the borders hiding in lorries and trucks;
- Crossing the borders with fraudulent documents;
- Crossing the borders on foot or riding donkey and horse.

Human smuggling in the region is coordinated by the organised crime networks operating in Turkey and in the Balkan countries, and secondly by the terrorist groups who need money to finance their activities. Organised crime and drug trafficking co-exist and exert a crime multiplier for militias, guerrillas and terrorists.

Causes of Human Smuggling

⁷¹ For the information on the methods, see Cumhuriyet, July 1, 2002 article titled "Goc, Umut Yolu" ("Immigration, Way of Hope").

The causes of human smuggling from the viewpoints of those who are smuggled vary from one to another. Economic discomfort and political persecution are the most important reasons. Holding higher aspirations for social mobility and a perception of blocked social mobility in the home communities are important push factors driving people to move to developed countries through the use of clandestine routes and illegal methods when legal means and entries are unavailable. Political persecution and escape from real or potential disaster are also significant

The IOM study showed that more than half (56 percent) of the migrants referred to political or politically motivated push factors as being their reason for departure. The most often stated were armed conflicts, ethnic intolerance, religious fundamentalism, and political tension. The proportion of the migrants who cited political push factors was the highest for the Iraqis: 75 percent of the Iraqi transit migrants interviewed in 1995 mentioned political problems as the major motive for migration.⁷² In addition to political motives, as the IOM survey on transit migrants in Turkey showed,⁷³ transients from Iran and Iraq gave a number of reasons for the migration process: education, family, social/cultural/religious considerations, war and military service. Transients from Bosnia also mentioned political problems as push factors, but Africans and other Asians gave mainly economically-oriented reasons.

A large number of Iranians left home through clandestine routes to avoid persecution under the new regime established after the Iranian Islamic Revolution in 1979. Similarly, numerous Iraqis left home because of persecution and problems generated by the political turmoil in Iraq. The Chaldean/Assyrian Iraqis, who were smuggled to Turkey with the help of *kacakci* (smugglers), mentioned political persecution and military service as the most important reasons for leaving Iraq in an interview I

⁷² International Organization for Migration (IMO). 1995. Transit Migration in Turkey. Study Completed in December 1995. Migration Information Programme.

⁷³ Ibid. pp.17-19.

led in 1994. I met one of them through a friend⁷⁴ after gaining his confidence. We met at night, as he was afraid of going out during the day time. For him, the constant fear of getting arrested and killed in Iraq made life unbearable and he left the country. He was not free of dread in Turkey either, as he was afraid of being detained by the Turkish police and getting deported.

From the smugglers perspective, despite being a highly profitable trade, there are humanitarian reasons for organising human smuggling. For example a former Iranian people-smuggler, who called himself Hamid, explained his reason: "I was very young and believed that people should have the right to leave their country if they wanted to."⁷⁵ Then he told his story: "It was three years after the 1979 Iranian revolution, the country was at war with Iraq, and the borders were closed." Hamid said "I began smuggling people over the border to fund my own passage to the West." Despite having started this business for money, Hamid "saw himself as a Robin Hood character who, far from harming anyone, allowed people a safe passage to opportunities they would never otherwise have been able to enjoy." He launched this business with the aim of helping friends who could not afford what he described as an "expensive deal" through existing smugglers. Then using some of the connections he had made in his own journey, Hamid developed a system for smuggling people to Pakistan, and from there to Europe. He provided his clients with "European Passports stolen from tourists, and would bribe the passport control officials not to raise any objection."⁷⁶

Human Smuggling Statistics from Turkish Sources

The Ankara Chief of Security provides hard data on human smuggling at press conferences on regular intervals. The Human Rights Association

⁷⁴ When I was doing field work to collect data on illegal migrant workforce, I learned about the presence of Iraqis who were smuggled to Turkey. A friend whose neighbour was hosting such persons helped me to meet one of them at a café in Taksim and we talked about their journey and their life in Turkey.

⁷⁵ This was reported by John Tincey, the spokesman for British immigration officers, talking about the smuggling scheme. BBC News. 2001. The Road to Refuge. " The Journey: A Smuggler's Story" in BBC News, 2001; http://news.bbc.uk/1/hi/english/statistic/in-depth/world/2001/road_to_refuge/journey/default.stm

⁷⁶ Ibid.

and Foundation, which obtains information from the police and gendermeria, also publishes reports offering hard data on the number of illegal migrants and those charged with human smuggling and their nationalities. According to the Ankara Security Chief Feyzullah Arslan, between 1995-2002, 346 940 illegal migrants were detained. Between 1999 and 2002 45 779 illegal migrants' transit were precluded and 2520 smugglers were arrested.⁷⁷ Table 1 shows the figures on the number of illegal migrants captured each year. The origin countries are Afghanistan, Pakistan, Iran, Iraq and Bangladesh.

Table 1: Number of illegal migrants captured annually⁷⁸

1995	11 362	
1996	18 804	
1997	28 439	
1998	29 426	
1999	47 529	
2000	94 514	
2001	92 362	
2002 (to April)	16 545 ⁷⁹	<u>Total:338,984</u>

⁷⁷ Hurriyet 28 June, 2002.

⁷⁸ Source: Report 2002 by the General Directorate on Security, Unit of Foreigners, Refugees Department (Emniyet Genel Müdürlüğü, Yabancılar Subesi İltica Dairesi Başkanlığı).

⁷⁹ For example, security forces in southwestern Turkey detained about 400 would-be illegal immigrants based on a word to the paramilitary police in the province of Mugla. Asian and African illegal migrants hoping to reach Europe are apprehended daily in Turkey. "Turkey Stops Some 400 Would-Be Immigrants", Agence France Presse, quoting the Anatolia News Agency, February 3, 2002. In August (2002) the Coast Guards in the province of Izmir's Cesme district detained 1300 would-be illegal immigrants and nine human smugglers (two of whom are Turkish citizens) in the ship flying Moroccan flag. The captain was Ukrainian, who indicated taking the illegal immigrants to Italy. See "1300 Kisiyi Kacıracaklardı" (They were near to Smuggle 1,300 persons"), in Milliyet, August 15, 2002, p.13.

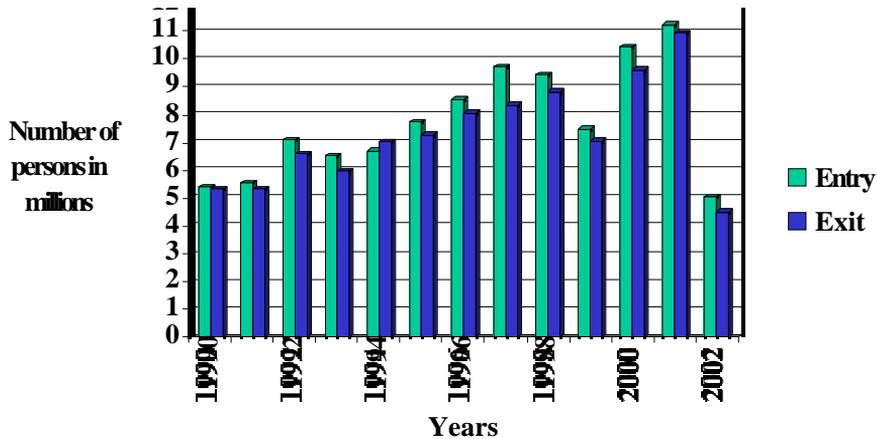


Figure 1: Foreigners entering and leaving Turkey

The illegal migrants detained were from various countries: In 2000, out of a total number of 94 514 "illegal migrants" who entered Turkey without valid documents through "illegal means and ways", 17 280 were from Iraq; 8746 from Afghanistan; 8 290 from Moldavia; 6825 from Iran; 5027 from Pakistan; 4554 Russia; 4527 from Ukraine; 4500 from Romania; and 3300 from Georgia. There was not any information on the number of those who were permitted to make legitimate claims to apply for political asylum, but it was certain that all of them were expelled.⁸⁰

The number of human smugglers arrested through the operations of the police and the gendarmaria has systematically increased since 1998 as a result of measures taken by the Ministry of Interior in response to the warnings received from the EU countries to prevent illegal migration to Europe via Turkey.

⁸⁰ TÜRKIYE INSAN HAKLARI VAKFI. Report published in 2001.

In 1998, only 98 organizers of trafficking in migrants were detained; in 2000 the number of detained human smugglers was 850; and in 2001, it was 1115.⁸¹ By April 1st of the year 2002 only 280 human smugglers were detained. Similarly, the number of the ship carrying smuggled migrants has decreased. Accordingly, in 2000 a total number of 19 ships were reported to be going to Italy and Greece by passing Turkish water territories; the number was nine in 2001, and only two in 2002.⁸² Moreover, the number of ships carrying smuggled migrants stopped by the Turkish authorities since 2000 has increased: while 17 ships were halted in 2000, in 2001 that number was nineteen; in the year 2002 by April merely 9 ships were prevented to transit Turkish waters.⁸³

The field work data also shows that the number of smuggled migrants has decreased within the last two years, and dropped dramatically since the beginning of 2002. All the interviewed people renting rooms to the smuggled Iraqis and Iranians and those running laundry shops in the Vefa area, mentioned a decrease in the number of smuggled Iranians and Iraqis residing in the area during different time arrival intervals. They underlined the increased police control and operations in the regions. They observed the police collecting the illegal Iranian and Iraqi migrants, and believed that these illegal migrants have been deported. One of the room-renters (interviewed in July, 2002) said: “the illegal migrants who were smuggled and loaded in the area have diminished six months ago” (January 2002).

The nationalities of the smugglers vary, according to the information of the police: Out of the total number of 850 smugglers arrested in 2000, the nationalities were as follows: 701 Turks, 48 Iraqis, 19 Iranians, 14 Afghanis, 11 Bengalis, 10 Greeks, 9 Moroccans, and 8 Pakistanis; and . 30 of them were classified as from “other nationalities.”⁸⁴

⁸¹ The Ministry of Interior Report (2002) shows that Turkey is a transit and destination country, and an origin country supplying migrants. It provides information on both the number of illegal migrants and smugglers detained. See Adnan Gerger NTV/Ankara. <http://www.ntvmsnbc.com/news/161081.asp#BODY>. Also see Emniyet Genel Müdürlüğü, Yabancılar Subesi İltica Dairesi Başkanlığı Report 2002. P.6.

⁸² Emniyet Genel Müdürlüğü, Yabancılar Subesi İltica Dairesi Başkanlığı Report 2002, p. 6.

⁸³ Ibid., p. 6.

⁸⁴ TÜRKİYE İNSAN HAKLARI VAKFI. Op. Cit.

According to the Ministry of Interior, dealing with illegal migrants who have entered Turkey through clandestine routes is very costly. Since 1999, the total cost for their lodging and deportation has been 1014 trillion. A significant proportion of this money, 600 billion TL has been spent for deporting the migrant workers who were illegally employed in the sex industry.⁸⁵

The Shadow Society of Transit Migrants and Smuggled People in Turkey

Transit migrants who use Turkey as a transit zone to enter the West constitute a dynamic but also an isolated group of people living in metropolitan areas such as Istanbul and Ankara. They struggle for the dynamics of a migratory process by getting involved in a very costly, long and uncertain mobility process. Several Iranians, interviewed in 1994, emphasized their feeling of isolation. Like Iranians, many other immigrants relied on informal, and often illegal, networks for support, money transactions, and information. They had difficulties with living at income levels much below those which they used to have in their homeland. Some of them who entered Turkey with false papers with the help of the smugglers got stuck, were forced to eek out a life outside the system in grinding poverty.

Nashmi Rashidi (interviewed by Chris Morris)⁸⁶ entered Turkey with her husband and two children. They paid thousands of pounds to buy false Iranian passports and to bribe their way across international borders via Iraq and Syria."⁸⁷ When interviewed in 2001, they were living in a rented room with no source of income and no means of escape. They were afraid to go back to Iran. Nashmi Rashidi explained the reason for their fear: "My husband could face the death penalty." There are many other Iranians who have also gone through the same experience since the Iranian Islamic Revolution. Some of them have managed to leave with refugee documents, some have succeeded with the assistance of smugglers, and numerous have stayed in Turkey and become immobilized.

⁸⁵ See Adnan Geger NTV/Ankara. <http://www.ntvmsnbc.com/news/161081.asp#BODY>.

⁸⁶ See Chris Morris. 2001. "Turkey's Human Traffic" BBC News, January 6, 2001; http://news.bbc.uk/1/hi/world/from_our_correspondent/1100986.stm.

⁸⁷ Ibid.

Ethnic and religious identities are factors that affect the response of the Turkish society to the illegal migrants. Being an ethnic Turk, relating to those from Northern Iraq (Turkomans) and Afghanistan (Ozbeks), is important in being well received by the society and provides an easy access to “Turkish networks” including associations. It is much easier for them to obtain residence permits and jobs if they need to work. Likewise, a Muslim identity brings many advantages in receiving a warm welcome by the society and in having access to solidarity networks. In general the Turkish society tends to be tolerant and helpful to the Turkic and Muslim illegal migrants and transit migrants who have entered with valid documents.⁸⁸ The IOM survey on transients in Turkey shows that Arabs and Turkomans received help from their Turkish homeland friends.⁸⁹

Balkan Muslims including Bulgarians, Bosnians and Kosovo Albanians, who have religious and ethnic ties with many people in Turkey, received a lot of attention and support from Turkish society. The Muslims from the Middle East, Asia and Africa easily contact “pious” Turkish Muslims in the mosques, who do not hesitate to host them on a temporary basis and to find jobs. An Algerian interviewed explained how he broke into the culture by using his Islamic identity. “The day after my arrival in Turkey, I went to a mosque in a non-tourist area. There, I met Muslim brothers who made inquiries about my situation and well-being. When they learned that I had just arrived and needed work and lodging, they invited me to their house. They hosted me and my family for a few weeks until I began to work as a translator in a company whose owner had contacted my host. Later, I found a place to stay, and still I live in Istanbul.” There are many foreign men from Muslim countries who benefit from Muslim solidarity and hospitality in Turkey.

⁸⁸ Similar observation was done by Sema Erder. See Sema Erder. 2000. "Uluslararası Göçte Yeni Eğilimler: Türkiye "Göç Alan" Ülke mi? in Mübeccel Kıray için Yazılar. Fulya Atacan, et al. Istanbul: Bağlam Yayınları. pp. 235-359.

⁸⁹ IOM 1995, Op. Cit.

Anti Human-Smuggling Legislation

There are no specific pieces of legislation concerning human trafficking and there is no definition of trafficking in human beings in the Penal Code or any other legal acts. Legal measures prioritise law enforcement, investigation into, and the prosecution of, organised crime. Human trafficking is addressed as a component of organised crime activities, while little attention is given to the victims exposed (if they are foreigners) to expedite deportation procedures, and there is no specific legal provision or measure addressing their human rights.

The new law passed on August 3, 2002 does not depart fundamentally from this approach, although it does reflect an increased awareness of the human trafficking phenomenon, particularly that of women trafficking. While the emphasis is on smuggling, tougher penalties and more accurately defined grounds for prosecution are imposed on traffickers of humans or human organs.

The new law toughens penalties related to migrant smuggling and trafficking. This law has two facets. First, it incorporates in the penal code an article defining and criminalizing migrant smuggling and foresees penalties from two to five years imprisonment and fines of no less than 1 billion Turkish Liras. Should a victim die as a result of the transportation conditions, smugglers might be sentenced to 10 years imprisonment. Second, five to ten years imprisonment (ten to twenty years, if part of an organised crime network) shall be imposed on traffickers who confiscate passports from their victims with the purpose of trafficking them or selling human organs.

Law no. 5682, on passports, and Law no. 5683, on residency and travelling for foreigners in Turkey, both enacted in 1950, contain particular articles addressing trafficking in women. According to the Passport Law, if a prostitute or a trafficker is a foreigner, he or she is immediately deported upon seizure. Article 8 of the same Law states that "those who are engaged in prostitution, make a living by inciting women to prostitution, and those trafficking in women are prohibited to enter the country". Therefore, their testimony is not sought. Similarly, Article 19 of Law no 5683 states that the Ministry of Interior, governors and sub-

governors have the authorization to deport those foreigners who are involved in trafficking and in prostitution 15 days after the notice is issued for this purpose. Should the same person be reported once again for the same offence, no further notice is made, and the person is deported immediately after capture by police.

There are not any specific units established solely for this purpose within the General Directorate on Security. Yet there are some departments, such as the departments of general security of children, etc, that are involved in the issues concerning trafficking in women and children.

As far as the women trafficking is concerned, the most legal measures relate to sexual exploitation. While prostitution is legal - under certain conditions and for legal residents and natives, incitement to prostitution and sexual exploitation are described as crimes and are punishable through the Penal Code and the Law on Combating Benefit-Oriented Criminal Organizations. Additionally, the Passport Law and the Law on the Prevention of Money Laundering in Turkey, as well as certain administrative decrees and regulations contain provisions that may apply to the trafficking cases. Penalty for incitement to prostitution is specified under Articles 435-436 of the Penal Code (Law no. 765 enacted in 1926).⁹⁰

Major Industries Employing illegal Immigrant Work Force

In Turkey, the illegal migrant workforce concentrates in production with a sizable proportion in sale. Most of the labor-intensive industries like garment-making industries including textile and leather workshops and

⁹⁰ If the persons incited are under age 15, penalty is not less than 2 years. If the inciter is a relative of the victim, the penalty is not less than 3 years. For persons incited in the age range 15-21, the penalty for the inciter is from 6 months to 2 years, and if the inciter is a relative of the victim, the penalty is not less than 2. For persons incited above the age 21, the penalty is between 6 months to 2 years. As is stated in Article 436 of the Penal Code, those who force women (21 years old or younger) into prostitution by any means (power abuse, threat, beating and etc.) will be penalized with one to three years sentences in prison. If the inciter is a relative of the victim, penalty is in the 2-5 years range. These penalties may be toughened by virtue of Article 313 of the Penal Code, should the trafficker be involved in, or leading an organized crime network.

factories, other manufacturing industries, such as metal, plastic, chemicals, and agriculture (tea plantation, nut harvesting in the Black Sea), and construction sector hire immigrant work force. In the textile, metal and construction industries the rapid growth of subcontracting in the 1990s played a role in employing illegal migrant workforce.

Second, illegal migrant workforce concentrates in personal and domestic services industries. These sectors also used to exploit undocumented workforce. They generally have low profit margins. Before exploiting vulnerable immigrant workers, they used child labor or employed workers without social security insurance.

In sale, the increase of shops in Istanbul selling textile and leather goods to the Polish, Russian, Ukrainian customers has created a demand for Russian-speaking sales personnel from the early 1990s onwards. With the decline of the suitcase trade in the late 1990s, which worsened in the year 2000, the number of illegally employed sales people from Russia, Ukrainian and Azerbaijan decreased.

Conclusion

Economic globalisation fosters both migration and transnational crime. These two aspects of globalisation intersect in the phenomenon of human smuggling, which has in turn drawn the attention of immigration, law enforcement, and foreign ministry officials. Turkey is a major transit zone for the smugglers and their customers. Turkey has received migrant workforce from the Southeast European countries, Russia, Ukraine, the Caucasus region as well as from the Middle East and sub-continent. Insufficient inspection staff, inadequate penalties for violations, weak labor law, flexibility on the part of the authorities and the failure of trade unions to bring the issue of immigrant labor force sustained the illegal migrant workforce despite the complaints of the local workers. The AKP government drafted a new bill that brings severe penalties to those who employ illegal migrant workforce.

The European Union countries and North America have initiated campaigns to combat human smuggling and various forms of illegal

labour movements. In finding a solution to human trafficking and the smuggling of migrant workers, two inter-related security problems, it is essential to make studies on the definition of human smuggling, its social organisation, political and economic significance, and the political ramification of human smuggling across national borders. One should also understand that smugglers and traffickers in the Middle East, the Balkans, and the former Soviet Union are deeply integrated into the social fabric of indigenous settings, though not uniformly, and are facilitated by a loose network of recruiters, middlemen, actual smugglers, local and foreign financiers, and government officials and police on the take. Increasing the awareness of the general public on the issues of human trafficking and smuggling illegal workers and mobilising civil society to organise seminar and activities to prevent human trafficking are also important.

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