

[DOI: 10.20472/IAC.2015.020.053](https://doi.org/10.20472/IAC.2015.020.053)

**PERIHAN HAZEL KAYA**

selcuk University, Turkey

**MUSTAFA GÖKTUĞ KAYA**

Ministry of Finance of Turkey, Turkish Tax Inspection Board, Turkey

## **HUMAN SMUGGLING AND TURKEY**

### **Abstract:**

Turkey has been a busy destination for immigration and it will always be as it is the geographical and cultural exit door of the East and the entrance door of the West. Among these immigrations, we can see the victims of human trafficking, human smuggling, refugees and those who came here to work and live. Human smuggling, which is one of the movements of illegal immigration, is the specific subject of this work.

The fact that our country lies on the transportation destinations between the continents of Asia, Europe and Africa, the crime of human smuggling is highly committed in our country. The aim of the victims of human smuggling is to go to a more developed country to have higher standards of living, to get a better job and to escape from the economic and social instability of their countries. The human smuggling, which has gathered pace due to the improvements in communication and transportation, is not a regional issue and has become one of the most important problems for almost all countries.

Accordingly, the reasons, methods and extent of human smuggling will be dealt firstly. Later, it will be studied why Turkey is preferred in human smuggling. Finally, statistical data will be given to show how much human smuggling has gone far in Turkey and the study will be finished with that what is being done and what can be done to prevent it.

### **Keywords:**

Human Smuggling, Immigration, Immigrant, Human Trafficking, Turkey

**JEL Classification:** A19

## Introduction

Humans, especially for the economic reasons, due to many reasons, within their possibilities and opportunities, in the desire of being able to spend their lives in better conditions, immigrate for hundreds years. Although immigration is an historical phenomenon, the discussions about today's international immigration and illegal immigration are shaped around the different factors.

Turkey, beginning from 1980s, has become the busy place for international immigration movements. The most important reason for this is that Turkey, which lies on the transportation routes between Asia, Europe, and Africa, is the exit door of the East and entrance door of the West from both geographical and cultural aspects. The immigrations to Turkey are divided into the different categories according to the aims of immigrants to come and their legal positions. The immigrant categories such as those coming to use Turkey as a passageway in order to go to the Western countries, refugees, those coming to work, and those coming to settle can be mentioned about. Our country is affected by the traffic of human smuggling targeting to transport many humans living in the countries such as Iraq, Afghanistan and some Africa countries, where there is a continuous case of war; Bangladesh and Pakistan experiencing a problem of instability; and China, Syria, and Iran, partly excluded in international relationships, to EU from the illegal ways.

The aim of this study is to introduce why human smuggling is intensively carried out through Turkey and the dimension it reaches. Accordingly, the causes, methods, and dimensions of human smuggling are handled. Later, the position and situation of Turkey in human smuggling is scrutinized. The study is ended with the part of conclusion and discussion.

### 1. Conceptual Framework

Immigration, is displacement of humans due to certain reasons from a place to another place temporarily or permanently. As these reasons can be social, economic factors etc., can also be environmental factors they can also be environmental factors. (Akkayan, 1979:20)., These immigrations, earlier made to meet the basic requirements, today, are predominantly realized by the economic and political reasons. Some factors encouraging the human facing with the certain difficulties to immigrating to another place can lead to immigration. These immigration movements have also some certain sorts. These can be classified as barter immigrations, brain drain, worker immigrations, natural disaster-insisted immigrations, internal and external immigrations, and obligatory, and voluntary immigrations. Human smuggling is an immigration movement illegally realized by the people.

Human smuggling is that for some material and non-material reasons, the people are permanently or temporarily taken to a country that they are not citizens of that country through the illegal ways. Since it is a voluntarily realized movement, in human smuggling, there is no victimization of people. However, this movement, besides its threatening the public order, is a crime committed against government

Human smuggling and human trafficking are mostly perceived as the same concepts but these two concepts differentiates from each other. While human smuggling is a crime committed against the government and social order, human trafficking is a crime committed against people and concerning human rights. In human smuggling, while there is a case that people voluntarily pass to another country with the illegal ways, in

human trafficking there is a case that people supply interest with the unjust and inhumane methods such as sexual purposed exploitation, organ smuggling, slavery, child trafficking, which become fact without their own results of people.

In human smuggling, with being passed of the person from the border, who is voluntary to the illegal immigration at the beginning, the relationship between the immigrant person and people in organization ends up and there is no abuse. However, the fact that the immigrant worker faces with many negativities in the destination he/she reaches and remains helpless prepares a ground for the environment of abuse and trafficking and human traders step in (Gürkan,2006:74 ).

With the development of possibilities of the communication and transportation, illegal immigration movement increasing more rapidly have become one of the most important problems in the world.

## 2. The Causes of Human Smuggling

The causes driving the humans to immigrate throughout history are generally the political, social, and economic reasons or the troubles in country.. In general, it is seen that there are the economic reasons such as that the immigrations cannot the main needs of societies and desire to achieve to the better living conditions on its ground (Gürkan,2006:75).

### ✓ Economic Reasons

The humans of country struggling with poverty, in order to spend a better life in terms of economic point of view, immigrate from their countries. However, the people mediating to human smuggling has opinion of gaining money from easy way. The need for the cheap labor force constitutes a reason for human smuggling.

### ✓ Social Reasons

Since the unjustness of income distribution between countries, for the reasons such as the problem of starvation and scarcity, directs the human to immigration, it encourages human smuggling.

### ✓ Political Reasons

The internal disorders, experienced in the country, political presses, and conflictions between the neighbor countries also cause to human smuggling. During Gulf War, that the people coming to Turkey from Northern Iraq stay in our country, not returning to their countries after the war is an example for the immigrations made for the political reasons

### ✓ The Other Reasons

- Epidemic illnesses
- Regional and cultural differences in county lived
- Activities of terrorist organizations
- Socioeconomic inequality if woman in the social life
- Not being aware of the results of human smuggling and human trafficking
- As a result of globalization of the business, market and transportation instruments , need for the cheap labor force.
- The thought of gaining the high and easy money through these activists (Keskin,2011:72 ).

### **3.Methods of Human Smuggling**

In the movement of human smuggling, there are some organizers providing the humans to smuggle. These organizers, using the technological possible until they expire, take initiative. Organizers make profit in a certain rate from these processes and, beginning from the moment, when those escaping are reached the target country, the relationships with the organizer come to an end. While human smuggling is conducted, the various methods are used. Some of these methods are (Akdeniz:16):  
Passes

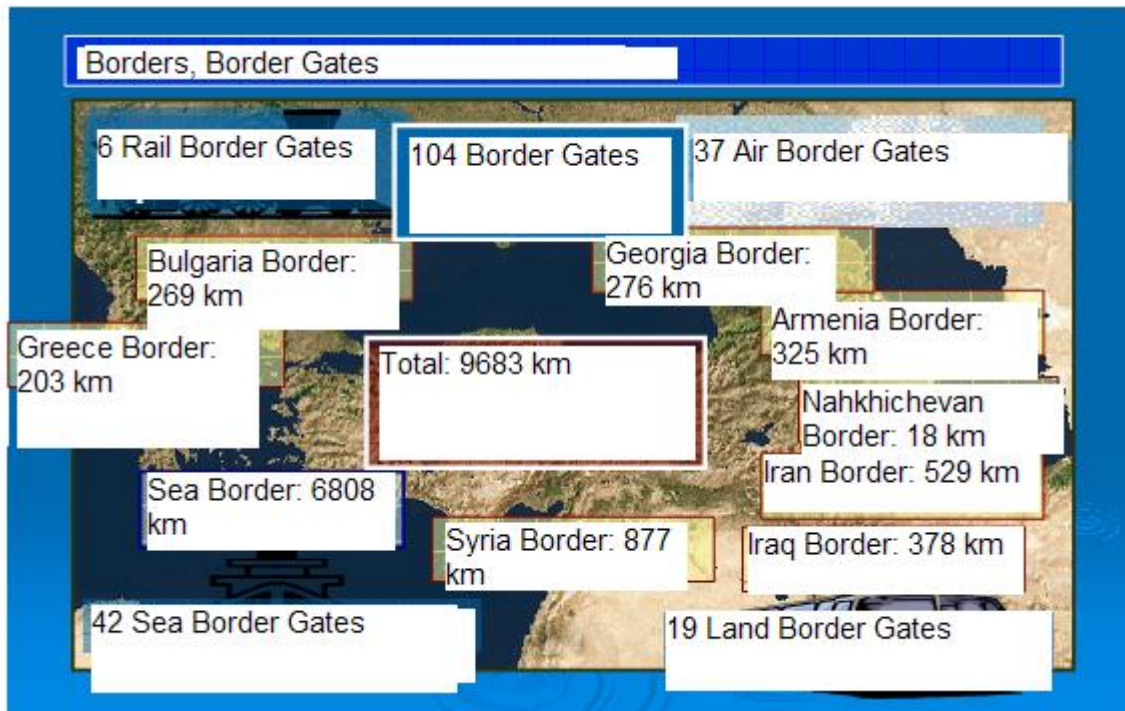
- a) through border gates, using the false passport, visa, and identification cards
- b) through illegal border regions by walking, swimming, or by means of animals and vehicles
- c) through seaway by means of speed boats, small boats, or old large ships
- d) through highways by being concealed in the vehicles such as TIR and truck

As also seen in the items above, action to displace is carried out by several methods against the rules determined by country in the entrance of that country, Some of these methods are toward providing the entrance to or from country through the seaway, highway, and airway gates by forging documents. Besides this, immigration conducted by illegal ways through country border is realized by walking, swimming, by means of animal etc. from any part of border

### **4. The Reasons for Choosing Turkey in Human Smuggling**

Our country is face to face with the reality of the illegal immigration as a transit route for the pass of the citizens of the developed countries such as Pakistan, Iraq, Iran, Bangladesh to European countries; a target country for the citizens of the old East Bloc countries to work in the various countries; and a resource country in terms of our citizens to illegally pass to European countries (Akdeniz:15 )

Table-1: Border gates and Borders of Land and Sea of Turkey

**Resource :EGM**

The routes used during human smuggling are as follows:

- Turkey - Balkan Countries - West European Countries,
- Turkey –Countries of Commonwealth of Independent States –West European Countries,
- Middle East Countries –Turkey - Balkan Countries – West European Countries,
- Turkey –Middle European Countries - West European Countries,

It is seen that the people prefer to enter Turkey through the illegal ways as an escape for the reasons such as that they want to return to their countries after accumulating money; working as escape in Turkey; that those coming and settling to Turkey earlier with the various ways call their relatives to Turkey; that Turkey is the most democratic and the most powerful and stable country, from the economic point of view, among the Middle East and Caucasian countries; that the living standards are better compared to the countries they come from; that they know that they will see less punished, when they are busted in Turkey, that they will not expose to the inhumane treatment; and there is a language concord between the people with foreign nationality making illegal entrance and our citizens.

The reasons for that Turkey is preferred to pass to the Western countries are:

- that Turkey, in respect with its geographical position, lies on the transportation routes between the continents of Asia, Europe, and Africa;
- in the passes that will be conducted from North (Turkmenistan, Russia, Ukraine, Belarus, and Romania ), that distance is longer, that the number of the countries that will be passed through, and that the geographical and climatic conditions are more severe

- due to war and disorders in Middle East; that the route of Iran- Iraq - Syria - Mediterranean;
- that Turkey has the land borders that are steep, mountainous, difficult to control in the east, while in the west, the sea borders that are very long and indented;
- (<http://www.egm.gov.tr/yabancilar/default.htm>, E:05.02.2013). in terms of reaching Asian and European countries, the factors such as that Aegean Islands are very close to Turkey bring Turkey to a more different point than illegal immigration experience experienced in the Western countries.

The illegal immigration movements in the world the countries have discussed for hundred years and also Turkey has directly taken place in them, especially in terms of its geographical position, from the various aspects, do not only threaten the country securities, but also cost to the lives of a number of immigrants in these illegal movements of them in quality of journey to hope and, it provides significant gain and benefit to the terrorist organizations obtaining a large income, smuggling networks, and illegal immigration organizers (Fırat:2).

### **5. The Dimensions Human Smuggling Reaches in Turkey**

It is possible to divide into two the immigration history of Turkey that is a country allows immigrants since its foundation as pre-1980 and post-1980 (Vural,2007:65) The reason for making this distinction is that the immigration movements differentiate in the context of in the qualities of those immigrating in respects with the periods. While the immigrations experienced in the period of pre-1980 are realized by Turk-originated immigrants for their historical links and political reasons, the immigrations realized in the post 1980 (refugee) mostly becomes fact as a consequence of the political instabilities and armed conflictions experienced in the neighboring countries (Vural,2007:65).

To shortly look at the pre-1980, the first immigration wave was realized by barbers made between 1923 and 1927 in accordance with Lausanne Treaty, the second immigration wave with 95,000 people coming from Bulgaria, and the third one by those coming from Yugoslavia, Bulgaria and Romania in 1954, In 1980s, due to the policies by Bulgaria applied to Turk-originated people, 400,000 people settled in Turkey (Sallan,2002:80). Turkey, beginning from 1980s, exposed to the Afghanistan, Iraq, Pakistan, Iran, and Bangladesh - originated illegal immigration movements going toward the West Europe through its territories and, after disintegration of Soviet Bloc, it became a target for the illegal immigrations of the citizens of the countries such as Romania, Russia, Moldavia, Ukraine, and Belarus (<http://www.egm.gov.tr/yabancilar/default.htm>, E:05.02.2013). These people do not come to Turkey to continuously stay and make transit passes for the countries they want to go. The large part of these transit immigrants want to pass to the countries of Western Europe via organizations of immigrant smuggling and, on this purpose, they make payments in large amounts (Vural,2007:69). The number of illegal immigrants caught in the years if 1995- 2012 exceeded 900,000. The important characteristic of the illegal immigration at the present days is that it is conducted by “ the organized networks” (Dışişleri Bakanlığı,2012).

Table-2: Nationality of Illegal Immigrants Caught

<b>NATIONALITY</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>TOTAL</b>
Iraq	17280	18846	20926	3757	6393	3591	<b>70793</b>
Moldovia	8312	11454	9611	7728	5728	3462	<b>46295</b>
Pakistan	5027	4839	4813	6258	9396	11001	<b>41324</b>
Afghanistan	8746	9701	4246	2178	3442	2363	<b>30676</b>
Iran	6525	3514	2508	1620	1265	1141	<b>16873</b>
Russia	4564	3893	2139	2130	1266	1152	<b>15134</b>
Romania	4500	4883	2674	2785	1785	1274	<b>17901</b>
Bangladesh	3228	1497	1810	1722	3271	1524	<b>13052</b>
Georgia	3300	2693	3115	1826	2294	2348	<b>15576</b>
Azerbaijan	2262	2426	2349	1608	1591	1410	<b>11646</b>
Bulgaria	1699	1923	3132	989	550	363	<b>8656</b>
Somalia	58	136	591	1806	2756	3118	<b>8465</b>
China	545	264	674	787	788	339	<b>3397</b>
Syria	1399	782	462	623	1097	983	<b>5346</b>
Mauritiana	6	11	27	277	1462	4805	<b>6588</b>
Morocco	1401	849	603	361	402	171	<b>3787</b>
India	779	599	475	846	803	206	<b>3708</b>
Uzbekistan	587	535	533	584	714	662	<b>3605</b>
Palestine	-	13	934	648	264	1295	<b>3154</b>
Kazakhstan	294	489	396	414	367	296	<b>2256</b>
Kyrgyzstan	200	161	274	285	410	333	<b>1663</b>
Egypt	382	184	182	222	257	137	<b>1364</b>
Turkey	3289	5304	6951	5660	3341	2164	<b>26709</b>
nationality unknown	2998	2499	1934	826	716	4074	<b>13047</b>

**Resource:** Vural,2007:7

In 1995, while the number of foreigners coming to our country is 6,76,956, this number actualized as 27,024,609. On the other hand, between the years of 1995-2011, 829,161 irregular immigrants were caught. The number of irregular immigrants caught was 11,362 in 1995, 65,737 in 2008, 32,667 in 2010, and 39,888 in 2013 (TBMM,2014:5).

Table-3: The number of illegal immigrants caught

<b>YEAR</b>	<b>NUMBER OF IMMIGRANT CAUGHT</b>
2005	57.428
2006	51.983
2007	64.290
2008	65.737
2009	34.345
2010	32.667
2011	44.415
2012	47.510
2013	39.888
<b>TOTAL</b>	<b>960.974</b>

**Resource:EGM**

The numbers of illegal immigrant smuggler caught between the years of 1998 -2013 is 13,362 ((TBMM,2014:5).

	YEAR ILLEGAL IMMIGRANT CAUGHT	IMMIGRANT SMUGGLER CAUGHT
2010	32.667	750
2011	44.415	625
2012	42.690	505
2013	39.888	783

The busiest entrance and exit routes used by the illegal immigrant are Aydın (Didim, Kuşadası), Ağrı (Patnos, Doğubayazıt), Balıkesir (Edremit, Ayvalık), Çanakkale (Ayvacık, Küçükkuyu), Diyarbakır, Edirne (Uzunköprü, Meriç, İpsala, Bosnaköy), Hakkari, Hatay (Yayladağı), Iğdır, İzmir (Aliağa, Çeşme, Menemen, Menderes, Seferihisar), İstanbul, Konya (Ereğli), Manisa (Akhisar), Muğla (Bodrum), and Van (Muradiye, Gevaş (İHAD,2009).

Tablo-4: , Custom Offices, Where Illegal Immigrants Are Caught

	2006	2007	2008	2009	2010
İPSALA	158	134	222	219	109
ÇEŞME	35	15	10	0	4
HAYDARPAŞA	33	4	4	25	-
ERENKÖY	0	0	4	0	-
MERSİN PORT	5	57	11	63	8
BANDIRMA	0	12	0	0	-
GÜRBULAK	44	38	0	0	-
HALKALI	-	-	-	23	6
KAPIKULE	10	29	37	76	42
AMBARLI	13	26	0	6	16
ALSANCAK	0	43	26	0	-
PENDİK PORT	0	4	9	14	4
SARP	-	-	-	2	39
TAŞUCU	-	33	-	-	2
OTHER	10	22	19	54	16
TOTAL	308	417	342	485	246

**Resource :** Prime Ministry Undersecretariat of Customs

The important part of illegal immigration movements going toward Western Europe from Turkey actualize by seaway. 19 boats were caught in our country in 2001, while they were attempted to exit by illegal ways; 70 boats in 2002; 18 in 2003, 12 in 2004;



28 in 2005; 27 in 2006; 51 in 2007; 379 in 2008; 155 in 2009; and 39 in 2010 by our security forces (Akçadağ,2012:8 )..

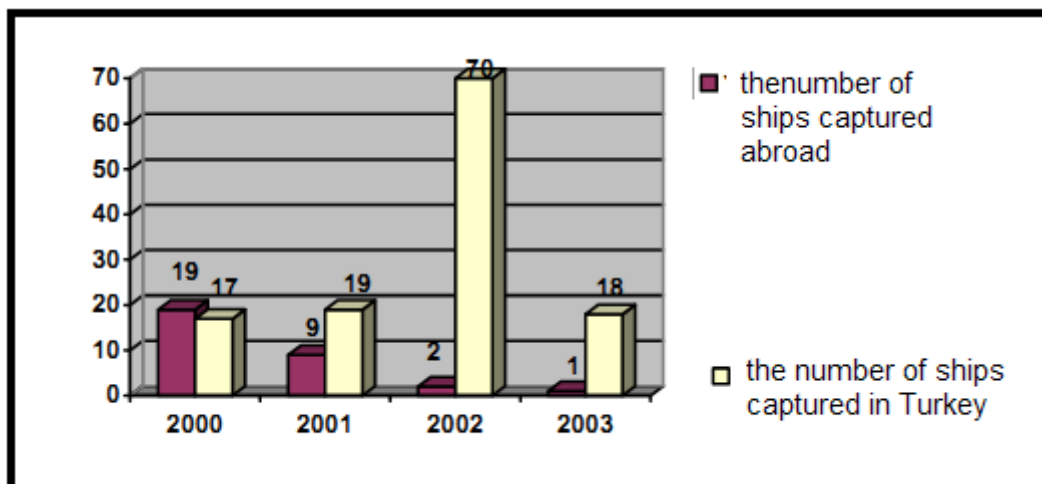
## 6.Struggle with Human Smuggling in Turkey

It is a known reality that it is impossible for any country to struggle with smuggling alone. This kind of struggles can only be succeeded with coordination in both national and international area The key of this success is of course a quick and effective information exchange between countries, coordination, and discussing the problem in the international platforms ((<http://www.cagipolisi.com.tr/4/44-45.htm,E:03.02.2013>)).

Turkey, first of all, made the necessary legal arrangements and supported the application with the administrative arrangements. Turkey signed United Nations Convention against Transnational Organized Crime, signed in Palermo on the date of December 12, 2000, and two protocols arranging the issues of immigrant smuggling and human trafficking on the date of December 13, 2010 (Vural,2007:73).

In order to prevent from using the old and independent ships, preferred by human smugglers to transport the illegal immigrant, and whose names change with renting, and old ships, taken to maintenance in our shipyards and not used for long times, to be used in the illegal immigration, these ships are followed by the relevant units. Especially in coast sections, highways, and secondary points, in often made controls, it is enabled the escape immigrants, who attempt to exit from the illegal ways, to be caught without reaching the ship and, determining the ship of interest with this method, it is prevented from leaving our country together with the other escape immigrants. As a result of these studies, 29,390 illegal immigrants were caught in the coast regions in the year 2000 and 24,314 in the year 2001.

Table-5: Immigrant Smuggling Organization materializing through Turkey by seaway



### Resource :EGM

For preventing the illegal immigrants from entering to our country or, after they enter through the illegal ways, for the illegal movements of the illegal immigrants attempting to exit through the illegal ways to be stopped, on the highways and connected ways, checkpoints have been formed and controls have been increased (Akdeniz:18).

Readmission Agreements foreseeing to be taken back the illegal immigrants (EGM, 2014) were signed

- with **Syria** on the date of September 10, 2001,
- with **Greece** on the date of November 8, 2001,
- with **Kirghizstan** on the date of May 6, 2003,
- with **Romania** on the date of January 19, 2004.
- with **Ukraine** on the date of June 7, 2005.
- Readmission agreement was signed with Pakistan on the date of December 7, 2010 and is on the stage of approval
- 7 - Readmission agreement was signed with Russia on the date of January 18, 2011 and is on the stage of approval
- 8- Readmission agreement was signed with Nigeria on the date of February 2, 2011 and is on the stage of approval
- 9- Readmission agreement was signed with Bosnia Herzegovina on the date of February 16, 2012 and is on the stage of approval
- 10- Readmission agreement was signed with Yemen on the date of October 20, 2012 and is on the stage of approval
- 11- Readmission agreement was signed with Moldavia on the date of November 1, 2012 and is on the stage of approval
- 12- Readmission agreement was signed with Belarus on the date of March 29, 2013 and is on the stage of approval
- 13- Readmission agreement was signed with Montenegro on the date of April 18, 2013 and is on the stage of approval
- 14- Readmission agreement was signed with EU on the date of December 16, 2013 and is on the stage of approval

In addition, our country signed the following agreements foreseeing the cooperation in the struggle against the organized crimes and terrorism :

- the “Cooperation Agreement Protocol in the Area of Struggle Against Illegal Immigration and Human Trafficking” with Belarus on the date of July 28, 2004.
- Protocol regarding “ the application of 9<sup>th</sup> item of Agreement on Struggle against the Terrorism, Organized Crimes, and Other Important Crimes ” between Turkey and Georgia and Azerbaijan on the date of March 10, 2005.
- Between the government of Turkish Republic Government and Moldavia Republic Government, on the date of February 8, 2006, “Protocol Regarding “Making Cooperation in the Area Struggle Against Human Trafficking in the Framework of Agreement on Cooperation in Struggle Against International Narcotic Drug Smuggling, International Terrorism, and Other Organized Crimes ”.

## CONCLUSION

The Journey to hope beginning from the developing or poor countries come to an end in the developed countries through the transit countries and by means of human smugglers or hopes expire with the reasons for such as many material loss, trouble, disease, and death. Most of escape people are used in the various crimes and illegal activities; they are taken in and their money are raped; and they are left under the deeds and material obligations they will not be able to pay for. Organized human smuggling shows increase every passing days.

The illegal immigrant with its transnational structure is not a problem of only one country. Both target and resource and transit countries feel the effects of illegal immigrations in different ways. Turkey, in position of a country connecting the East and West to each other, also hosts to an intensive immigrant raid. Especially in the recent years, the number of escape immigrants is increasing every passing days.

In struggle against human smuggling, the existent legislation in Turkey is not enough and it is necessary to make comprehensive arrangements about this issue. In addition, without signing readmission agreements with the resource countries, the drawbacks of signing them with the target countries should also be considered.

## References

- Akçadağ, E.(2012), Yasadışı Göç ve Türkiye, Bilge Adamlar Kurulu Raporu, No:42, İstanbul
- Akdeniz, B., Global Bir Suç: İnsan Kaçakçılığı, <http://www.caginpulisi.com.tr/8/14-15-16-17.htm>
- Akkayan, Taylan Göç ve Değişme, İst. Üniv. Ed. Fak.Yay., İst. 1979
- Danış, A.D.(2004), YeniGöçHareketleriveTürkiye,Birikim, No:184-185
- DışişleriBakanlığı (2012), Türkiye'ninİnsanTicareti İle Mücadelesi, [http://www.mfa.gov.tr/turkiye\\_nin-insan-ticaretiyle-mucadelesi-.tr.mfa](http://www.mfa.gov.tr/turkiye_nin-insan-ticaretiyle-mucadelesi-.tr.mfa)
- EGM (2001), DünyaveTürkiye'deYasadışıGöç, EmniyetGenelMüdürlüğüYabancılarHudutİlticaDairesiBaşkanlığı, Ankara.
- EGM (2007), T.C. İçişleriBakanlığıEmniyetGenelMüdürlüğüKaçakçılıkve Organize SuçlarlaMücadeleBaşkanlığı 2006 Raporu, Ankara.
- Fırat A., UluslararasıGöçmenKaçakçılığıveİnsanTicareti, <http://mahmutyildirim.blogcu.com/uluslararasi-gocmen-kacaciligi-ve-insan-ticareti/4352028>
- Gürkan, M.(2006), SosyolojikAçıdanGöçveYasadışıGöçHareketleri, YüksekLisansTezi, KırıkkaleÜniversitesi, SosyalBilimlerEnstitüsü, Kırıkkale
- İHAD (2009), TürkiyeİlticaveSığınmaHakkı2008 İzlemeRaporu, İnsanHaklarıAraştırmalarıDerneği, [www.ihad.org.tr/rapor-08.php](http://www.ihad.org.tr/rapor-08.php),
- Keskin, İ. (2011), GöçmenKaçakçılığıveİnsanTicaretiSuçları, AdaletDergisi, s.41
- Kirisçi, K. (2004), Reconciling Refugee Protection with Efforts to Combat Irregular Migration: The Case of Turkey and the European Union, Global Migration Perspectives No. 11, Global Commission on International Migration, Geneva.
- SallanGül, Songül (2002), "DışGöçler, YoksullukveTürkiye'deGöçmenlereYönelikYardımlar", İnsanHaklarıYıllığı, Cilt 23-24, s. 79-93.
- Sen, F Y. (2006), DünyaveTürkiyePerspektifindenGöçmenKaçakçılığı, İnsanTicareti Organ DokuTicareti, KOM/TADOC Yayınları, Ankara TÜSİAD (2006), TürkiyeAvrupaBirliğilliskileriBağlamındaUluslararasıGöçTartışmaları, Yayın No: TÜSİAD-T/2006-12/427, İstanbul.
- TBMM (2014),YabancılarveUluslararasıKorumaKanunuTasarısıileİnsanHaklarınıİncelemeKomisyonu, AvrupaBirliğiUyumKomisyonuveİçişleriKomisyonuRaporları, (1/619)
- Vural, D.(2007), UluslararasıGöçmenKaçakçılığıveİnsanTicareti,YüksekLisansTezi, SüleymanDemirelÜniversitesi, SosyalBilimlerEnstitüsü, Isparta