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# Forces of coercion

Analyzing the risk of forced labour and exploitation faced by migrant workers whilst on their undocumented journey to Europe

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## ► Research to Action (RTA) Report

June 2023

### **Forces of coercion: Analyzing the risk of forced labour and exploitation faced by migrant workers whilst on their undocumented journey to Europe** *(\*interim document)*

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A family collecting garbage in a neighbourhood known for Syrians, İnönü Caddesi, Gaziantep, Turkey © Hüseyin Ovayolu 2022

### Note about interim report

- This document is an interim report. The research was concluded in the summer of 2022 but extra fieldwork was conducted in May and June 2023 following the effects of the earthquake in Turkey and Syria in February 2023.
- The final report will be published in July 2023, and will complete this document.
- For further information about the final document before its publication, email [David.suber.19@ucl.ac.uk](mailto:David.suber.19@ucl.ac.uk)

## ► Executive summary



Medium-sized textile factory where mostly Syrian refugees work. Ünalı, Gaziantep, Turkey © Hüseyin Ovayolu 2022

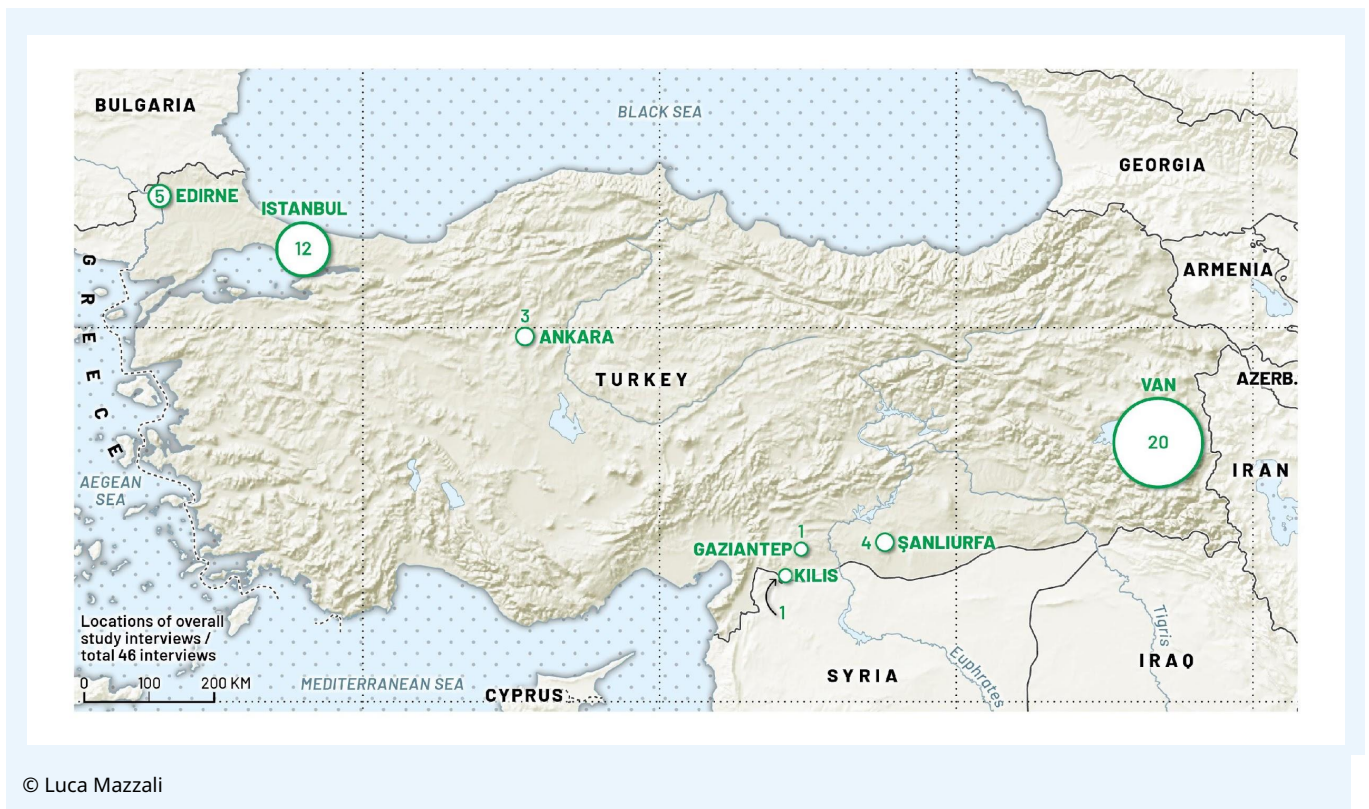


## Overview

This research aims to outline the risk of exploitative and forced labour faced by people on the move transiting through Turkey on their undocumented journey to Europe. Through 46 in-depth, semi-structured interviews, this report assesses our understanding of the environmental context and practices that produce the risk of exploitative and forced labour as an unavoidable option for undocumented migrants, refugees and asylum seekers before their exit or after their entry in Turkey.

Interviews were done with individuals and focus groups in three key locations of interest: two entry routes into Turkey and one exit route from Turkey. The two areas of entry where interviews were conducted were 1) the southern Syrian border (around the localities of Kilis, Gaziantep and Sanliurfa), and 2) the eastern Iranian border (around the localities of Van and Çaldıran). The area of exit where interviews were conducted was 1) Istanbul and the localities in and around Edirne and the Evros border.

► **Map 1: “Location of participants interviewed”**



57% (26/46) of participants interviewed were people on the move who were working or had worked in the last three months in an irregular and undocumented condition; 15% (7/46) of participants were local and international NGOs; 7% (3/46) participants were Turkish government officials; 7% (3/46) participants were smugglers and cross-border facilitators; 4% (2/46) of participants were employers of undocumented migrant workers; 4% (2/46) of participants were lawyers; 4% (2/46) of participants were with trade unions and 2% (1/46) of participants was a journalist.

## Findings

This report found little direct connection between smugglers and agents (employers, traffickers) of forced labour for people on the move transiting through Turkey. However, a strong correlation was found between the conditions of vulnerability experienced by people on the move smuggled in and out of Turkey and entry into exploitative and unfree labour 'chosen' as the only viable option available after their smuggling experience. This suggests that (Turkey's) current immigration system creates the very conditions for exploitative and forced labour to thrive by reducing the options for legal employment and criminalising forms of entry and stay whilst ignoring the economic advantage that state's gain from exploited labour. We therefore recommend that policy moves away from criminalising agents of exploitation within forced labour and instead focus on eradicating the contextual factors that produce an environment of vulnerability and unfree choice.

## Report Outline

The rest of the report is structured as follows: Section 2 of the report will provide a literature review and background for the study. Section 3 of this report will outline the fieldwork methodology used to collect primary and secondary data. Section 4 will provide a descriptive analysis of the basic common features shared by people on the move interviewed, assessing those that make them vulnerable to exploitative and forced labour. The second part of the analysis will be in Section 5 will address the social, political and economic dynamics that generate the context for people to end up in exploitative and forced labour during their journeys.

## ► Part 1: Introduction

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Syrian refugees working in construction in Gaziantep's new living space, Fıstıklık, Şehitkamil, Gaziantep, Turkey © Hüseyin Ovayolu 2022

## 1.1 Background for this study

### Forced Labour

In public perception and governmental policy, trafficking is correctly portrayed as an abhorrent phenomenon that should be prevented wherever possible. Culpability is usually directed at traffickers and criminals, often resulting in policy that prioritises the identification and prosecution of criminals as the primary method of eradicating trafficking.<sup>1</sup> This approach moves attention and resources away from the identifying structural issues that create an environment for trafficking to thrive.<sup>2</sup> This report focuses on understanding structural issues in greater depths and asks how the opportunities for exploitation are created in the first place and systematically sustained over time.

Within the range of exploitation involved in human trafficking we chose to focus on forced labour as a comparatively more accessible field of enquiry within human trafficking, and one which is also often overlooked.<sup>3</sup> The ILO defines forced labour as "all work or service which is exacted from any person under the threat of a penalty and for which the person has not offered himself or herself voluntarily".<sup>4</sup> Forced labour is recognised as a possible 'exploitative purpose' within the UN definition of human trafficking, but does not constitute human trafficking itself.<sup>5</sup> Exploitation is not the same as forced labour but may amount to forced labour. In practice, exploitation may be understood to be on a spectrum with forced labour, as opposed to a clearly differentiated category.<sup>6</sup> The ILO has developed several indicators to help practitioners ascertain what forms of exploitation will amount to forced labour.<sup>7</sup>

Whilst it has been made clear that obligations on signatories of ILO's Convention No 29 is not only to criminalise and prosecute forced labour but also to take effective measures to prevent it and provide victims with protection and access to justice<sup>8</sup> it has been critiqued for focusing on acts of coercion committed by individual actors at the expense of

<sup>1</sup> For example: European Commission (2020) Eradicating human trafficking: Persistent risks call for strategic approach. Available at: [https://ec.europa.eu/commission/presscorner/detail/es/ip\\_20\\_1928](https://ec.europa.eu/commission/presscorner/detail/es/ip_20_1928)

<sup>2</sup> Tyldum G. and Brunovskis A. (2005) Describing the Unobserved: Methodological Challenges in Empirical Studies on Human Trafficking, *International Migration* 43(1-2):17 - 34

<sup>3</sup> International Labour Organisation (2016) ILO standards on forced labour: The new protocol and recommendations at a glance, International Labour Office; Fundamental Principles and Rights at Work Branch, Geneva: ILO Publications.

<sup>4</sup> International Labour Organisation (1930) Forced Labour Convention, C29, 1930, C29. Available at: <https://www.refworld.org/docid/3ddb621f2a.html>

<sup>5</sup> "Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation." UN General Assembly (2000) Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime Available at: <https://www.refworld.org/docid/4720706c0.html>

<sup>6</sup> International Labour Organisation (2012) *General Survey on the fundamental Conventions concerning rights at work in light of the ILO Declaration on Social Justice for a Fair Globalization*, Report of the Committee of Experts on the Application of Conventions and Recommendations, ILC.101/III/1B, para. 272. Available at: <https://www.ilo.org/global/topics/forced-labour/definition/lang--en/index.htm#:~:text=It%20refers%20to%20situations%20in,of%20denunciation%20to%20immigration%20authorities>

<sup>7</sup> The ILO states that "the presence of a single indicator in a given situation may in some cases imply the existence of forced labour. However, in other cases you may need to look for several indicators which, taken together, point to a forced labour case." The indicators are: Abuse of vulnerability, Deception, Restriction of movement, Isolation, Physical and sexual violence, Intimidation and threats, Retention of identity documents, With-holding of wages, Debt bondage, Abusive working and living conditions, Excessive overtime. International Labour Organisation (2020) ILO Indicators of Forced Labour, Special Action Programme to combat Forced Labour. Available at: [https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---declaration/documents/publication/wcms\\_203832.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_203832.pdf)

<sup>8</sup> International Labour Organisation (2016) ILO standards on forced labour: The new protocol and recommendations at a glance, International Labour Office; Fundamental Principles and Rights at Work Branch, Geneva: ILO Publications.



environmental coercive forces such as economic necessity.<sup>9</sup> The ILO's Committee of Experts explicitly exclude responsibility for structural forces from the possible range of causes of forced labour, stating that "the employer or the State are not accountable for all external constraints or indirect coercion existing in practice: for example, the need to work in order to earn one's living"<sup>10</sup>. It is a definition based on the negative 'freedom from' rather than the positive 'freedom to', the first implying the absence of obstacles and the second implying the freedom to have the possibility of acting. This has led to the critique that the ILO's definition of forced labour "takes it as a given that people will be forced to sell their labour to survive unless they are wealthy enough to avoid having to do so".<sup>11</sup>

The danger of this approach is twofold: firstly, the ways of combating forced labour become focused on individual actors, distributing responsibility away from the structural forces and thus making many interventions against individual actors akin to a band aid rather than pushing for systemic change. Secondly, protections afforded to those recognised as subjects of forced labour as defined by the ILO are generally unavailable to those working in unfree labour, forced not by an individual actor but by lack of other viable options.<sup>12</sup>

This research aims to analyse how situations of exploitative and forced labour can initiate from failed migration stories, situating victims and survivors as agents with a ranging spectrum of options according to their migration journey and available opportunities.

## Irregular migration

Global estimates of forced labour report that just over half of all victims have migrated internally or across borders.<sup>13</sup> Irregular migration flows are often divided into two groups: refugees (seeking protection from persecution enacted by actors or states) and economic migrants (seeking better opportunity). Refugees are generally considered (at least in theory) worthy of international protection whilst economic migrants remain unrecognised in the classification of 'forced migration' because poverty, climate disaster and starvation are not legally recognised as 'actors of force' in the same way.<sup>14</sup>

The majority of people interviewed in this research neither fall into the category of refugee nor having been subject to forced labour and as such, there is little international concern to relieve them from their type of vulnerability. Therefore, whilst migration and refugee policies enshrined within national governments and international UN treaties legally differentiate between refugees, asylum seekers and migrants, we look at contexts of mixed migration flows, where refugees, asylum seekers and undocumented migrants are moving along the same routes, using the same tools, skills and networks as well as often sharing the same opportunities for work and vulnerabilities to exploitation. As such, we prefer to refer to 'people on the move' as an overarching category including a common range of mobility and vulnerability issues spanning beyond the migrant-refugee duality.<sup>15</sup>

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<sup>9</sup>Yüksel İ. (2022) Country Report: Turkey. ASILE D4.2 Interim Country Reports, p11. Available at:

[https://www.asileproject.eu/wp-content/uploads/2022/05/D4.2\\_Turkey\\_Interim-Country-Report-Final.pdf](https://www.asileproject.eu/wp-content/uploads/2022/05/D4.2_Turkey_Interim-Country-Report-Final.pdf)

<sup>10</sup>International Labour Organisation (2012) *General Survey on the fundamental Conventions concerning rights at work in light of the ILO Declaration on Social Justice for a Fair Globalization*, Report of the Committee of Experts on the Application of Conventions and Recommendations, ILC.101/III/1B, para. 272. Available at:

<https://www.ilo.org/global/topics/forced-labour/definition/lang--en/index.htm#:~:text=It%20refers%20to%20situations%20in,of%20denunciation%20to%20immigration%20authorities>

<sup>11</sup>LeBaron, L et. al., (2018) Confronting root causes: forced labour in global supply chain, The Sheffield Political Economy Research Institute. p10. Available at:

[https://cdn-prod.opendemocracy.net/media/documents/Confronting\\_Root\\_Causes\\_Forced\\_Labour\\_In\\_Global\\_Supply\\_Chains.pdf](https://cdn-prod.opendemocracy.net/media/documents/Confronting_Root_Causes_Forced_Labour_In_Global_Supply_Chains.pdf)

<sup>12</sup>Fudge, J. (2018) Review: Slavery and Unfree Labour: The politics of Naming, Framing and Blaming. *Labour / Le Travail* Vol 82: 227-244.

<sup>13</sup>International Labour Organization and Walk Free Foundation (2017) *Global Estimates of Modern Slavery: forced labour and forced marriage*, ILO Publications. Available at:

[https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms\\_575479.pdf](https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_575479.pdf)

<sup>14</sup>Hammond, L. (2018) Forced Migration and Hunger, *Global Hunger Index*. Available at:

<https://www.globalhungerindex.org/issues-in-focus/2018.html>

<sup>15</sup>Pijenburg, A. and Rijken, C. (2021) Moving beyond refugees and migrants: reconceptualising the rights of people on the move. *International Journal of Postcolonial Studies*

Volume 23(2). Available at: <https://www.tandfonline.com/doi/full/10.1080/1369801X.2020.1854107>



## 1.2 Turkey as a case study

The research focuses on Turkey as a fieldwork location for two reasons. Firstly, Turkey experiences widespread unofficial employment, with estimates suggesting that 60% of Turkey's total workforce is unregistered.<sup>16</sup> This high level of labour informality creates an environment that is vulnerable to widespread exploitative and forced labour.<sup>17</sup> Secondly, since 2014, Turkey is host to the world's largest displaced foreign population.<sup>18</sup> In March 2022, the Turkish Directorate General for Migration Management stated that there were over 5 million foreign nationals present in Turkey with the UN estimating 3.7 million of those were seeking international protection.<sup>19</sup> Turkey's geographical location also makes it a major transit country for many people on the move hoping to reach Europe. Consequently, Turkey is a country that has a very high level of informal labour carried out by people on the move. In 2020, the total workforce of foreign nationals in Turkey was 2.824 million, and the number of those with work permits was 276,000, around 10% of the total, leaving the other 2,548 million to work in informal conditions.<sup>20</sup>

Most of the recent studies conducted on forced labour in Turkey have focused on the impact and role of Syrian labour since the start of the refugee arrival to Turkey in 2012-2013.<sup>21</sup> Studies conducted by independent research organisations have looked at the working conditions of Syrian refugee communities involved in seasonal agricultural labour<sup>22</sup>, the sector counting the highest level of informal employment.<sup>23</sup> The most updated research on Syrian agricultural labour enquiry dates well into the Covid-19 pandemic period.<sup>24</sup> Further studies have instead focused on the role of Syrian migrant labour in urban settings, especially in the manufacturing and construction industry,<sup>25</sup> and the textile industry.<sup>26</sup>

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<sup>16</sup> Fair Wear Foundation (2022) Turkey's Garment Industry at a glance, Fair Wear Foundation. Available at: <https://www.fairwear.org/programmes/countries/turkey>

<sup>17</sup> International Labour Organisation, G20 Employment Working Group (2018) Informality and non-standard forms of employment, ILO Publications: Buenos Aires. Available online: [https://www.ilo.org/wcmsp5/groups/public/---dgreports/---inst/documents/publication/wcms\\_646040.pdf](https://www.ilo.org/wcmsp5/groups/public/---dgreports/---inst/documents/publication/wcms_646040.pdf)

<sup>18</sup> UNHCR Turkey (2021) Fact Sheet September 2021. Available at:

<https://reliefweb.int/report/turkey/unhcr-turkey-fact-sheet-september-2021-entr#:~:text=Attachments&text=Population%3A%20Turkey%20is%20host%20to%20asylum%20seekers%20under%20international%20protection>

<sup>19</sup> International Organisation for Migration, Migrants' Presence Monitoring Turkey (2022) Overview of Migrant situation in Turkey, UN Migration. Available at: [https://displacement.iom.int/sites/default/files/public/reports/Turkey\\_Sitrep\\_01\\_January\\_22.pdf](https://displacement.iom.int/sites/default/files/public/reports/Turkey_Sitrep_01_January_22.pdf)

<sup>20</sup> Akyildiz C. and Ekmekci I. (2020) Occupational Health and Safety Problems of Migrants in Turkey and the Order of Importance: Pareto Analysis, Sustainability Vol. 12, p2 doi:10.3390/su12187462

<sup>21</sup> Yüksel Ş. and İçduygu A (2018) *Flexibility and Ambiguity: Impacts of Temporariness of Transnational Mobility in the Case of Turkey*, Characteristics of Temporary Migration in European-Asian Transnational Social Spaces. Ed. Gültekin et. al. Book series: International Perspectives on Migration. Vol 14

<sup>22</sup> Dedeoğlu S. and Bayraktar S. (2019) *Refuged into Precarious Jobs: Syrians' Agricultural Work and Labor in Turkey* Integration through Exploitation: Syrians in Turkey. Ed Yılmaz, Karatepe and Tören, Rainer Hampp Verlag

<sup>23</sup> Yüksel İ. (2022) Country Report: Turkey. ASILE D4.2 Interim Country Reports, p11. Available at:

[https://www.asileproject.eu/wp-content/uploads/2022/05/D4.2\\_Turkey\\_Interim-Country-Report-Final.pdf](https://www.asileproject.eu/wp-content/uploads/2022/05/D4.2_Turkey_Interim-Country-Report-Final.pdf)

<sup>24</sup> Zuntz, A. et al. (2021) Precarious Labour Under Lockdown: Impacts of the COVID-19 Pandemic on Displaced Syrian Agricultural Workers in the Middle East, One Health FIELD Network, Development Workshop, and Syrian Academic Expertise. Available at: [https://www.ka.org.tr/dosyalar/file/Yayinlar/Cocuk-Haklari/Raporlar/Precarious\\_Labour\\_Under\\_Lockdown.pdf](https://www.ka.org.tr/dosyalar/file/Yayinlar/Cocuk-Haklari/Raporlar/Precarious_Labour_Under_Lockdown.pdf)

<sup>25</sup> Çınar, S. (2019) *New Actors and New Conflicts in Construction Labor Market: Syrian Construction Workers from the Perspective of Native Workers in Turkey* in Integration through Exploitation: Syrians in Turkey. Ed. Yılmaz, G. et al. Available at:

<https://kobra.uni-kassel.de/themes/Mirage2/scripts/mozilla-pdf.js/web/viewer.html?file=/bitstream/handle/123456789/11330/LaborAndGlobalizationVol17.pdf?sequence=1&isAllowed=y#pagemode=thumbs>; and Siviş S. (2021) Negotiating moral boundaries through the lens of employers: Syrians in the Turkish informal economy. Journal of Ethnic and Migration Studies. Vol. 47(13): 2997-3014

<sup>26</sup> (Pinar et al, 2019) and Turkey Ministry of Trade (2021) 79th Plenary Meeting of the ICAC, Turkey Country Report. Available at: [https://www.icac.org/Content/EventDocuments/PdfFiles9d65916d\\_c3de\\_45f9\\_bb1d\\_ae7817b910f8/Turkey%20Country%20Report%202021.pdf](https://www.icac.org/Content/EventDocuments/PdfFiles9d65916d_c3de_45f9_bb1d_ae7817b910f8/Turkey%20Country%20Report%202021.pdf)

Studies have also been conducted researching the specific impact of child labour in the service sectors, such as restoration and garbage collection,<sup>27</sup> and gendered participation of Syrian women in the informal labour force.<sup>28</sup>

There is a gap in literature in analysing the relationship between methods taken to enter and exit the country and entry into exploitative and forced labour by people on the move. During preliminary research, interviews with NGO's working in Turkey helped us identify that there was also a gap in research on migrant communities in Turkey that were not of Syrian or Afghan origin.

Part of this difficulty is motivated by the obvious challenge faced by fieldwork-led research needing to access 'hidden populations': populations stigmatised or criminalised whose overall size is unknown and for whom there is no straightforward sampling framework or method.<sup>29</sup> Whilst in Turkey, the average number and location of most Syrian refugees is broadly known due to the long-term displacement and the rigorous statistical mechanisms of recording applied by the Turkish Directorate General of Migration and IOM, numbers related to other migratory populations are less known.<sup>30</sup> Based on the limitations set by budget and time, we decided to focus on assessing the paths that lead people to exploitative and forced labour during their migration experience transiting through Turkey, preferring urban settings as ideal location of fieldwork and excluding agricultural labour from our focus.

### 1.3 People on the move transiting through Turkey

Foreign nationals working in and transiting through Turkey can be broadly classified in different categories pertaining to their legal status. Of the 5.2 million foreign nationals estimated by the Turkish Presidency of Migration Management (PMM) to be residing in Turkey in 2022, 3.7 million of these are Syrian nationals registered under Temporary Protection (TP).<sup>31</sup> In addition to these, the UN estimates that other 320,000 people hold various forms of international protection or, as asylum seekers, are in the process of applying for one.<sup>32</sup> This latter group is predominantly made up of people originally from Afghanistan, Iraq and Iran.<sup>33</sup> Finally, according to the PMM, there are nearly 1.5 million foreign nationals currently registered as residence permit holders, including those with special humanitarian residency.<sup>34</sup> Outside of these statistics, the number of undocumented and unregistered people on the move seeking economic opportunity, transiting undetected through Turkey or who have been refused protection, are unknown.<sup>35</sup>

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<sup>27</sup> Lordoğlu, K. and Alsan, M. (2019) *The Invisible Working Force of Minor Immigrants: The Case of Syrian Children in Turkey* in *Integration through Exploitation: Syrians in Turkey*. Ed. Yilmaz, G. et al. Available at: <https://kobra.uni-kassel.de/themes/Mirage2/scripts/mozilla-pdf.js/web/viewer.html?file=/bitstream/handle/123456789/11330/LaborAndGlobalizationVol17.pdf?sequence=1&isAllowed=y#pagemode=thumbs>

<sup>28</sup> Atasü-Topçuoğlu R. (2019) Syrian refugee entrepreneurship in Turkey: integration and the use of immigrant capital in the informal economy. *Social Inclusion*, Vol. 7(4): 200-210. <https://doi.org/10.17645/si.v7i4.2346>

<sup>29</sup> Tyldum, G. and Brunovskis, A. (2005) Describing the Unobserved: Methodological Challenges in Empirical Studies on Human Trafficking, *International Migration* Vol 43(1-2). Available at: <https://onlinelibrary.wiley.com/doi/10.1111/j.0020-7985.2005.00310.x>

<sup>30</sup> Biehl, K. and Açıkgöz, M. (2020) *The European Union's IPA Programme for Turkey*, Migration and Asylum Sub-Sector Review and Gaps Assessment to Help Define Priorities of Future IPA III Programming in Turkey

<sup>31</sup> Turkish Presidency of Migration Management (PMM) 28.04.2022.

<sup>32</sup> Turkey has a number of different international protection categories: 1) Refugee Status to those coming from Europe; 2) Conditional refugee status to those who originate from outside of Europe and are waiting to be settled into a safe third country; 3) Subsidiary protection for those who are not refugees, but would risk death, torture, inhuman or degrading treatment or punishment were they returned to their country of origin 4) Humanitarian residence: a temporary protection for those who do not meet the criteria for another of the protections. UNHCR Turkey (2022) Fact Sheet February 2022. Available at: <https://reliefweb.int/report/turkey/unhcr-turkey-fact-sheet-february-2022-entr#:~:text=Attachments&text=Turkey%20hosts%20the%20world's%20largest,registered%2029%2C256%20new%20IP%20applicants>

<sup>33</sup> Interview (33) with lawyer, Van 2022.

<sup>34</sup> International Organisation for Migration, Migrants' Presence Monitoring Turkey (Apr 2022) Overview of Migrant situation in Turkey, UN Migration [https://displacement.iom.int/sites/default/files/public/reports/Turkey\\_Sitrep\\_04\\_April\\_22.pdf](https://displacement.iom.int/sites/default/files/public/reports/Turkey_Sitrep_04_April_22.pdf)

<sup>35</sup> According to DGMM, 162,996\* irregular migrants of different nationalities were apprehended Turkey in 2021 (DGMM 31.12.2021) but otherwise no estimates can be made.

Between January and May 2022, we conducted structured and unstructured interviews with 26 people on the move. Interviews started with questions related to their legal status in the country, allowing us to discern five separate categories for foreign nationals according to the mode of entry and current residency status. The categories are described below, along with a real case scenario from the participants interviewed:

- A. **Foreign nationals who entered Turkey regularly and currently have residency: an Iranian teacher who entered Turkey legally on a work visa and resides in Turkey within the terms of that visa.** We did not interview any participants from this category.
- B. **Foreign nationals who entered Turkey regularly, were granted residency but have overstayed / no longer have their residency.** Such as a Guinian student we interviewed, who entered Turkey with a one-year long student visa, and who - by overstaying his visa - lost his residency rights but remained working in a textile factory in Istanbul for the last 3 years.<sup>36</sup> Out of the 26 participants interviewed, 15% had lost their legal residency at the time of interview.
- C. **Foreign nationals who entered Turkey irregularly but currently hold some form of protection status and are residing inside or outside the area they have been registered in.**<sup>37</sup> In the words of an interviewed participant: “we were granted temporary protection status and registered in Sanliurfa, so we have to stay here by law. But there is no work here, so next week I will take my family to Adana to work in the fields for the summer season. If they [Turkish authorities] catch us outside of our province, they can arrest us and maybe even deport us to Syria. But I have no other choice.”<sup>38</sup> Many people on the move with international protection are constantly moving in and out of the provinces where their protection status was registered. Out of the 26 participants interviewed, 31% benefitted from some form of protection status at the time of interview.
- D. **Foreign nationals who entered Turkey irregularly and received some form of protection status that has now expired.** An Afghan family who entered Turkey with smugglers received international protection in 2019 but then had their request for the renewal of their protection status refused and are currently undocumented.<sup>39</sup> Out of the 26 participants interviewed, 19% had an expired and unrenewed legal status at the time of interview.
- E. **Foreign nationals who entered Turkey irregularly and remain undocumented due to being refused protection status or due to not having applied for it in the first place.** As a Turkish smuggler explained to us “most people that want to reach Europe have no interest in registering themselves here in Turkey.”<sup>40</sup> Equally those coming from non-refugee producing countries are less likely to apply for international protection. A Moroccan man in Turkey explained, “my country is not like Syria or Afghanistan, nobody wants to take us as refugees, so I won’t even try to apply [for protection] in Turkey.”<sup>41</sup> Out of the 26 participants interviewed, 35% had been refused protection status or had never applied for it in the first place.

The research was focused on approaching participants from categories B, C, D and E leaving out category A pertaining to foreign nationals who entered Turkey with a Visa and currently hold residency. This is the group is made of people who are less likely to be ‘in transit’ through Turkey and have often permanent or long-term aspiration to stay in Turkey.

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<sup>36</sup> Interview (22) with person on the move, Istanbul 2022.

<sup>37</sup> There are a number of different types of international protection provided by Turkey to asylum seekers, many of which are subject to limiting conditions such as the restriction on movement out of a designated province of Turkey. Turkey: Istanbul Governorate to Enforce Movement Restrictions on Syrians Under Temporary Protection (2019) Available at: <https://www.loc.gov/item/global-legal-monitor/2019-08-14/turkey-istanbul-governorate-to-enforce-movement-restrictions-on-syrians-under-temporary-protection/>

<sup>38</sup> Interview (9) with person on the move, Sanliurfa 2022.

<sup>39</sup> Interview (11) with family on the move, Van 2022.

<sup>40</sup> Interview (45) with smuggler, Van 2022.

<sup>41</sup> Focus Group (20) with people on the move, Edirne 2022.

## 1.4 Type of transit through Turkey

Beyond their legal status, we also distinguished people on the move according to their initial, current and expected migration plan and the length of time each plan was taking.

- **Short transit:** people on the move who are in transit or plan to transit through Turkey for a short period of time. Based on the time ranges recorded during the interviews, this 'short' period of time has been arbitrarily set as being inferior to one calendar year. 26% of the participants interviewed shared a short transit experience.
- **Long transit:** people on the move who are in transit or plan to transit through Turkey in a longer period of over one calendar year. The longer transit period can be motivated for different reasons such as waiting for a refugee resettlement program, being the victim of border pushbacks by border police and/or debt bondage with smugglers, or even just the presence of family members and friends contributing to indecision, or the lack of means to make the journey shorter. For 62% of participants interviewed the transit had so far lasted over a year. This mostly included Afghan families interviewed in Van, many of which were waiting and hoping to be included in UNHCR resettlement programs to the US, Canada or Europe.
- **Failed transit:** people on the move who, despite an initial plan to transit through Turkey in either short or long fashion, then either decided or were forced to remain and settle in Turkey. This involves anyone who has no intention of moving further than Turkey but can include people on the move who are migrating internally within Turkey to find better employment opportunities according to the labour season. 15% of participants were in failed transit at the time of interview. Two Syrian families interviewed in Sanliurfa, on the proximity of the Turkish- Syrian border identified themselves as cases of failed migration. Having reached Turkey initially hoping to be able to continue their journey further to Europe, they then decided to remain in Turkey once the routes to Europe were perceived too difficult and their condition in Turkey considered sufficiently sustainable at the time of their first arrival. At the time of interview, due to worsening economic and social conditions for Syrians in Turkey, they mentioned re-considering whether to remain in Turkey or attempt the journey to Europe.<sup>42</sup>

## 1.5 Entry or exit routes in and from Turkey

All interviews with people on the move experiencing short, long or failed transit through Turkey took place in three specific areas, locations identified either as key entry or exit hotspots on the land routes in or leading out of Turkey. Of the 26 interviews with people on the move, 12 (46%) were conducted in Van, on the eastern border with Iran, 4 (15%) were conducted in Sanliurfa, on the southern border with Syria, and 10 (39%) were conducted between Edirne and Istanbul, on the exit route towards the land border with Greece.

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<sup>42</sup> Interviews (6) and (7) with people on the move, Sanliurfa 2022.



► **Map 3: “Location of people on the move interviewed”**



**Location A: On the Iranian-Turkish border, involving the hotspot locations of Van and Çaldıran**

The majority of foreign nationals in this region are Afghani, Iranian and Iraqi.<sup>43</sup> We conducted 12/26 (46%) interviews with Afghani nationals in Van and border villages close to Çaldıran. Nearly all interviews were conducted with families rather than individual participants. Participants were from different ethnic groups in Afghanistan, including Pashto, Hazara, Uzbek, Tajik and Turkman. In three cases, interviews were led by women, an exception if compared to all other interviews, including those with mixed respondents, in which despite the presence of women members participating in the interviews, the primary respondents during the interview were men. Children were mostly present in all interviews conducted with families.<sup>44</sup>

Most Afghan families we interviewed in Van were experiencing long transit in Turkey, having resided in Van for longer than a year as their first point of arrival. Nearly all families had received a form of international protection at some point during their stay in Turkey but had no regular status at the moment of interview. All of them were in a situation of economic deprivation and need. Most participants interviewed in Van had entered Turkey irregularly via the land border, facing hardships such as being subject to physical, psychological or sexual violence on the route. The average cost most of them paid to arrive irregularly from Afghanistan to Turkey ranged between \$400 to \$1000 per person. Families who had reached Turkey in the last year had paid higher smuggling fees than those before them. Only two of the families

<sup>43</sup> Interview (38) with local NGO member, Van 2022.

<sup>44</sup> Particular attention was given to interviews where children were present. Nearly all of the 16 (35% of the total POM participants) interviews done with families were done in the presence of children. In this regard, certain questions and prompts had to be modified or in certain cases avoided altogether not to put adult participants in the condition of feeling pressured to answer and re-evocate traumatising events in front of their family.

interviewed aspired to reach Europe with the help of smugglers. The other families instead were waiting to be taken through the UN's resettlement programme.

## Location B: On the Syrian-Turkish southern border, involving the hotspot locations of Sanliurfa

All people on the move interviewed in this region were Syrian nationals. We conducted only four interviews with families of people on the move in this region, but the families of the participants in three of the four cases consisted of extended families, with multiple distant family members being present and actively taking part in the interview.<sup>45</sup> Of the four families interviewed, two of them had temporary protection status whilst the other two had just recently arrived to Turkey, one of them from just a few weeks, and were still waiting for the decision on their protection claim. The average price paid by these families to enter Syria ranged between \$300 and \$500 USD per person.

The four families interviewed all came from different districts in north-western Syria, respectively from Idlib, Afrin, Aleppo and Homs. All the male adult members of the families worked in irregular employment in construction, and participants had crossed irregularly into Turkey using people smugglers. They all reported to have initially aspired to reach Europe, with two of the interviewees having reached Bulgaria before being pushed back to Turkey by Bulgarian police. Two families were planning to try and move to Europe again at the time of interview. All four families interviewed mentioned receiving aid from the UN or other local NGOs, with many members of the families, including children, relying on irregular waged labour as additional financial income.

## Location C: On the Evros river border between Turkey and Greece, involving urban areas of Istanbul and Edirne

As an exit route towards Europe, this location reflects a much more diverse range of nationalities of people transiting. If we were able to interview only Afghan participants in Van and Syrians in Sanliurfa, in Istanbul and Edirne we were able to access participants from Guinea, Cuba, Tunisia, Morocco, as well as Syrians and Afghans too. Differently from the other two locations, nearly all interviews in Edirne and Istanbul were conducted with single men who were in Turkey alone, without their families. In these locations we did not manage to include women as participants despite trying to access also women participants and participants with different sexual orientation.<sup>46</sup> All participants in this location were without legal status in Turkey at the time of the interview. Nearly half of the participants had arrived in Turkey by plane on a student or visitor visa and then overstayed their visa when their aspiration to reach Europe was delayed or defeated by multiple push backs by Greek and/or Bulgarian border forces. About half of the participants also stated they were currently working in the informal sector to gather the necessary financial resources to pay a smuggler to continue their travel further to Europe.

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<sup>45</sup>For example, in interviews (6), (8) and (9) cousins and nephews/nice of the main family being interviewed were present and participating in the interview. It was impossible due to time constraints to interview separate family members individually and as such these interviews are categories as family, despite having been conducted similarly to focus groups.

<sup>46</sup> Accessing women and lgbtq+ participants was particularly hard due to the specific conditions in which we had to conduct the fieldwork. Especially in Edirne and Istanbul, most people we met were very afraid to meet us before knowing and trusting the aims and remit of our work, fearing possible repercussions. In this sense, meeting people in public spaces allowed for access that was heavily gendered biased towards single men, who had less concerns to meet in public spaces (streets, café's, factories). As one of the employers we interviewed put it: *"women and LGBT refugees face more problems than others in Turkey. Women are under double control, the one of society and the one of their husbands. LGBT people have problems with society. They are not accepted and have to hide who they are"*. Interview (29) with employer, Van 2022.

## ► Report's outline

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### Part 2: Literature Review

- Forced labour in human trafficking and a critique to modern slavery
- Forced labour endemic in irregular migration
- Forced labour in the economic context of Turkey

### Part 3: Methodology

- Data collection: where and how?
- What is a crime script?
- Limitations in this data collection

### Part 4: Crime script Stage I – People on the move entering into forced labour

- Via smugglers/traffickers
- Via opportunistic locals / businesses
- Via familial / community connections

### Part 5: Crime script Stage II - People on the move experiencing forced labour

- Expectations of POM
- Choice VS Coercion VS Necessity
- (Im)possibility to access authorities (in law and practice)
- Payment / Non-payment / Salary

### Part 6: Crime script Stage III - People on the move exiting forced labour

- Returning to country of origin
- Further migration to another country
- Finding better employment opportunities
- Unable to exit and further trafficking

### Part 7: Conclusion, Appendices

## ► Part 8: Bibliography

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