

The Problem of the Trafficking of Women: An Assessment from the Global View to Turkey's Domestic Position

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Abstract

This paper focuses on presenting the main characteristics of trafficking in human beings, especially in women not only in international and regional level but also Turkey's domestic level. In this regard, the side effects of globalization and regional differences are analysed in order to evaluate the main aims of traffickers and vulnerabilities of victims from different age, gender and nationalities. The purposes of this paper are to analyse the causes of regional differences and tendencies in human trafficking crime, and to criticize Turkey's failures and practice related problems. A set of solid recommendations for Turkey are formulated by using EU reports and U.S. Trafficking Reports in order to identify and to produce potential solutions for the specific problems such as perceptual issues, complications in Turkey's political aspirations.

Keywords: Trafficking in human beings; Globalization and human trafficking; Regional tendencies; Turkey's political aspirations; Trafficking in women.

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Introduction

Trafficking in human beings, especially in women and girls, is a global phenomenon that affects countries, regions, and sub-regions. In this study, I will give an overview of the condition of the trafficking of women, from the international and regional levels to the domestic level in Turkey.

This study aims to show the tendencies of global trafficking crime and the main aims of regional trafficking networks. It provides the groundwork for analysing Turkey's trafficking problem by explaining in detail the nature of the trafficking problem in the region and in Turkey itself.

The study provides an analysis of the pandemic effects of human trafficking at the global, regional, and domestic levels. Before seeking answers to the question 'what is the problem of human trafficking?' the study analyses both the characteristics of human trafficking itself and the specific features of the trafficking problem in Turkey. This study provides an outline of the phenomenon of the trafficking of women from 1992 to today from a Turkish perspective, as a basis for the subsequent analysis of prevention strategies.

1. Globalization and the Dark Face of Global Trafficking in Women

Trafficking in human beings has increased dramatically with globalization, the rise of illicit trade, and the end of the Cold War.¹

¹ Vesna Nikolic-Ristanovic, 'Sex Trafficking: The Impact of War, Militarism and Globalization in Eastern Europe' [2003] 17 Gender and Globalism, <<http://quod.lib.umich.edu/cgi/t/text/text-index?cc=mfsfront;c=mfs;c=mfsfront;idno=ark5583.0017.001;rgn=main;view=text;xc=1;g=mfsg>> accessed 25 November 2015; Cheryl O'Brien, 'An Analysis of Global Sex Trafficking' (2009) 11 Indiana Journal of Political Science 7, 8; Firat Bayar, 'Küreselleşme Kavramı ve Küreselleşme Sürecinde Türkiye- Globalization and Turkey in the Globalization Process' (2008) 32 Uluslararası Ekonomik Sorunlar Dergisi <<http://www.mfa.gov.tr/data/Kutuphane/yayinlar/EkonomikSorunlarDergisi/sayi32/firatbayar.pdf>> accessed 10 April 2014; Anthony Giddens, The Consequences of

Free markets, free trade, greater economic competition, and a decline in state intervention in the economy have been hallmarks of the globalizing process.² Globalization is also characterized by greater mobility of goods and people, and more rapid communications.³ It means globalization triggers migration process. In other words, migrants travel abroad searching for economic opportunities. The root causes of migration are economic deprivation and a lack of economic opportunities in source countries. According to Dinan, trafficking in persons is largely a matter of economically motivated migration.⁴

Munir explains the relationship between globalization and human trafficking thus: ‘globalization has facilitated the rise of human trafficking by marginalizing many rural communities, impoverishing women and children in many regions, and accelerating rural to urban migration.’⁵ Dinan also categorises the trafficking in persons as a manifestation and a consequence of globalisation.⁶ The ‘push’ factors in the origin countries motivate people to seek better living standards abroad. The increasing volume of international trade and speedy, low-cost communication, as well as rapid innovation are a boon to the traffickers.⁷ In addition to these factors, diminishing trade barriers help traffickers meet the demands of the destination countries.⁸

Modernity (Stanford University Press 1991) 64: Kinsey Alden Dinan, ‘Globalisation and National Sovereignty: From migration to trafficking’ in Sally Cameron and Edward Newman (eds), *Trafficking in Humans: Social, Cultural and Political Dimensions* (United Nations University Press 2008) 59: Manfred B. Steger, *Globalization: A Very Short Introduction* (Oxford University Press 2009) 11

² Louise Shelley, *Human Trafficking: A Global Perspective* (Cambridge University Press 2010) 37

³ Louise Shelley, C. Corpora and J. Picarelli, ‘Global Crime Inc.’ in Maryann Cusimano Love (ed), *Beyond Sovereignty: Issues for a Global Agenda* (Wadsworth 2003) 143-166

⁴ Kinsey Alden Dinan, ‘Globalisation and National Sovereignty’ (n 2) 60

⁵ Shafqat Munir, ‘Trafficking South Asia and Pakistan’ (Journalists for Democracy and Human Rights)

<<http://www.jdhr.org/publications/articles/Himal%20South%20Asia%20Sept%202003%20Article%20on%20Trafficking.pdf>> accessed 01 December 2014

⁶ Dinan (n 2) 63

⁷ Martin Larkin, ‘Globalization and Health’ [1999] 4 *Critical Public Health* 435, 438

⁸ Shelley, *Human Trafficking: A Global Perspective* (n 3) 40-45

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Trafficking in human beings⁹ is not only the worst form of labour exploitation, but one of the dark sides of globalization.¹⁰ Women and children are the most vulnerable elements of the age of globalization, due to the massive increase in trafficking in certain regions such as the post-Soviet republics, Thailand, and Pakistan.¹¹ Women who have been duped are sold into commercial sexual exploitation or indentured servitude. This is regarded as the dark underside of international mobility.¹²

Because of the clandestine nature of the practice, it is difficult to accurately determine the true extent of trafficking in women. Women who have been trafficked and have the opportunity to report it to the authorities may be reluctant to do so because they fear retaliation, prosecution, or deportation.¹³ Many countries have not developed standardized methods for collecting and reporting reliable data on trafficking crimes or their victims.¹⁴ Police, prosecutors, and other related officials frequently fail to identify trafficked women as victims, treating them instead as illegal migrants or 'voluntary' commercial sex workers.¹⁵

⁹ According to the UNODC data, the highest origin countries are Albania, Belarus, Bulgaria, China, Lithuania, Nigeria, Republic of Moldova, Romania, Russian Federation, Thailand and Ukraine. Main Destination areas are Western Europe, Western Africa, Asia, Arab Nations, and North America. The highest destination countries are Belgium, Germany, Greece, Israel, Italy, Japan, Netherlands, Thailand, Turkey, and the USA.

¹⁰ Loring Jones and others 'Globalization and Human Trafficking' [2007] 34(2) *Journal of Sociology & Social Welfare* 107, 108

¹¹ Michele A. Clark, 'Human Trafficking Casts Shadow on Globalization' (Yale Global, April 2003) <<http://yaleglobal.yale.edu/content/human-trafficking-casts-shadow-globalization>> accessed 11 December 2014

¹² Devin Brewer, 'Globalization and Human Trafficking' (Topical Research Digest: Human Rights and Human Trafficking, 2009) <<http://www.du.edu/korbel/hrhw/researchdigest/trafficking/Globalization.pdf>> accessed 01 October 2014

¹³ U.S. Department of State, *The 2014 TIP Report* (Washington, U.S. Department of State) 27

¹⁴ UN Women, 'Conducting research, data collection and analysis' <<http://www.endvawnow.org/en/articles/322-conducting-research-data-collection-and-analysis-.html>> accessed 03 August 2015

¹⁵ UN General Assembly, *Sixty-ninth session Report of the Special Rapporteur on trafficking in persons, especially women and children (A/69/33797)* para 29

Trafficking forms regional patterns and triggers. For example, in Asia, trafficking has two faces, both regional and international.¹⁶ Women in Asia are trafficked from the Philippines, Thailand, and Indonesia to Japan, South Korea, Hong Kong, and the Middle East for domestic service and the sex trade.¹⁷ Japan is a major destination country in Asia, with trafficked women from the above countries as well as Eastern Europe and the former Soviet states, alongside South America.¹⁸ Women and girls from Nepal and Bangladesh are trafficked to India as wives and for the sex industry.¹⁹ China faces some internal trafficking for marriage, as well as child trafficking for labour and sexual exploitation.²⁰

In Latin America and the United States, child trafficking, often from South to Central America, has also been a problem. Children are trafficked from Guatemala for adoption and from Colombia, Ecuador, El Salvador, Guatemala, and Peru for use as soldiers. Girls have also been trafficked for domestic service.²¹ Latin America's source countries are the Dominican Republic, Brazil, Guatemala, Honduras, Nicaragua, Colombia, and Venezuela. Destinations for the victims from Latin America are Costa Rica, Panama, Ecuador, Belize, and Mexico. The latter is a source and transit country for trafficking men and women to the United States for nonsexual forced labour, and

¹⁶ Stephanie A. Limoncelli, 'Human Trafficking: Globalization, Exploitation, and Transnational Sociology' [2009] 3(1) *Sociology Compass* 72, 77

¹⁷ Nicola Piper, 'A Problem by a Different Name? A Review of Research on Trafficking in South-East Asia and Oceania' [2005] 43 *International Migration* 203, 217

¹⁸ June J.H. Lee, 'Human Trafficking in East Asia: Current Trends, Data Collection, and Knowledge Gaps' [2005] 43 *International Migration* 165, 179; Seo-Young Cho, Axel Dreher and Eric Neumayer, 'Does Legalized Prostitution Increase Human Trafficking?' [2013] 41 *World Development* 67, 68

¹⁹ Therese Blanchet, 'Bangladeshi Girls Sold as Wives in North India' [2005] 12 *Indian Journal of Gender Studies* 305, 318

²⁰ Gracie Ming Zhao, 'Trafficking of Women for Marriage in China: Policy and Practice' [2003] 3 *Criminal Justice* 83, 91; Cindy Yik-Yi Chu, 'Human Trafficking and Smuggling in China' [2011] 20(68) *Journal of Contemporary China* 39, 48

²¹ Pamela Sumner Coffey, Amy Vallance Phariss and Tamar Renaud, 'Literature Review of Trafficking in Persons in Latin America and the Caribbean' (United States Agency for International Development, August 2004)
<<http://oas.org/atip/Regional%20Reports/USAID%20LAC%20TIP%20Literature%20Review.pdf>> accessed 23 November 2015

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women and girls for the sex industry.²² The United States also acquires trafficked persons from East Asia and Eastern Europe. Victims are taken into trafficking for the purposes of agricultural work, sweatshop labour, domestic service, and the sex trade.²³

In Africa, human trafficking is a serious crime, not only regionally but also domestically. Central and West Africa are source areas for European countries and the Middle East for the purposes of both domestic labour and the sex industry. Male victims are often trafficked for agricultural work, plantation work, and mines.²⁴ Female victims, particularly Nigerian women, have been trafficked to Europe for the sex trade, and Ethiopian women have been trafficked to Yemen as domestic servants.²⁵ South Africa is a primary destination country for persons trafficked from Asia and Eastern Europe.²⁶

These regional trends demonstrate that the trafficking of men, women, and children occurs across the globe in specific configurations that are unique to particular regional, national, and local areas.²⁷ As a consequence of these trends, it can be easily concluded that trafficking affects almost every country, either as a country of origin, transit, destination, or any combination thereof.²⁸ This also highlights the causes of inadequate and unsuccessful regional and domestic efforts against the trafficking in human beings.

²² International Human Rights Law Institute, *In Modern Bondage: Sex Trafficking in Americas* (DePaul University College of Law 2002) 36-56

²³ Limoncelli (n 17) 78

²⁴ Thanh-Dam Truong and Maria Belen Angeles, *Searching for Best Practices to Counter Human Trafficking in Africa: A Focus on Women and Children* (UNESCO, 2005)

²⁵ Jorgen Carling, *Migration, Human Smuggling and Trafficking from Nigeria to Europe* (IOM, 2006) 8

²⁶ Johathan Martens, Maciej 'Mac' Pieczkowski and Bernadette van Vuuren-Smyth, *Seduction, Sale and Slavery: Trafficking in Women and Children for Sexual Exploitation in Southern Africa* (International Organization for Migration Regional Office for Southern Africa-May 2003) 120-130

²⁷ Limoncelli (n 17) 79

²⁸ UNODC, 'Human Trafficking' <<http://www.unodc.org/unodc/en/human-trafficking/what-is-human-trafficking.html>> accessed 07 July 2013

1.1.The Problem of the Traffic in Human Beings: Regional Assessment

This part analyses Turkey's position as a state located centrally across regional trafficking routes, by evaluating the relationship between source countries' push factors and Turkey's pull factors. The 2015 Trafficking in Persons Report (TIP 2015) showed that trafficked victims in Turkey are primarily from Central and South Asia, Eastern Europe, and Syria.²⁹ Because I will analyse the cases related to victims from Central Asia and Eastern Europe who makes the trafficking crime apparent in later sections of the study, in this section of the study I will be focusing on the other trafficking victims rather than victims from the former Soviet republics.

During the reporting period of TIP 2015, an estimated one million Syrians and 100,000 Iraqis arrived in Turkey.³⁰ Because of the geographical location of Turkey, which shares very long land borders with both Iraq and Syria – both of which suffer from domestic instability and ineffective governments – Turkey serves as a crucial escape route for many of their nationals. This situation represents a simple model of 'push and pull' factors of trafficking in this region. TIP 2015 noted that the problems posed by Syrian refugee women and girls is particularly challenging, as 'they are vulnerable to sex trafficking by prostitution rings – including those run by extremist groups. Syrian girls are reportedly sold into marriages with Turkish men, in which they are highly vulnerable to domestic servitude or sex trafficking.'³¹ In other words, Syrian female refugees are forced into sexually exploitative situations ranging from illicit marriages to outright prostitution.³² According to Reuters, the Syrian women who fall into the trap of these arrangements are often young widows or

²⁹ U.S. Department of State, *The 2015 TIP Report* (Washington, U.S. Department of State) 340

³⁰ Ibid

³¹ Ibid

³² For further reading Furkan YILDIZ , "The Dark Side of Syrian Refugee Crisis: Child, Early and Forced Marriage in the Case of Turkey" [2017] E-Journal of Law, 3 (1), 39-66

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divorcées who have no strong social or family networks. Girls are also targeted for early marriage or sexual exploitation. In some cases, male relatives are complicit.³³

This exploitative behaviour is not only prevalent in Turkey. At the regional level, trafficking in Syrian girls extends to Lebanon, Jordan, and other Middle Eastern countries. For instance, in one of the exploitation cases in Turkey, Samaa, a Syrian refugee interviewed by Pektas, explains that ‘If a Syrian woman asks for help – whether it is money, work, or a place to rent – there is immediately a request for something in return, something that is haram [sinful] which means sleep without marriage.’³⁴ In Jordan, Lebanon and Saudi Arabia, local male citizens use similar exploitative scenarios and methods to benefit from the Syrian refugees’ vulnerable situations.³⁵

At the regional level, as a subject of trafficking, female citizens of the former Soviet states have played a significant role. After the Syrian refugee crisis, women (especially underage girls and widows) have become a target for traffickers. As a push factor, political instability and security concerns will be evaluated in the context of the trafficking of former Soviet citizens. However, in this case, these two push factors drive these vulnerable women and girls into the trafficking business.

1.2. Turkey: From ‘the Natasha Trade’ to ‘the Trafficking of Women’

³³ Umit Pektas, ‘In Turkey, Syrian women and girls increasingly vulnerable to exploitation’ *Reuters* (26 October 2014) <<http://www.csmonitor.com/World/Middle-East/2014/1026/In-Turkey-Syrian-women-and-girls-increasingly-vulnerable-to-exploitation>> accessed 01 December 2015

³⁴ Ibid.

³⁵ Lee Harper, ‘Syrian women in Jordan at risk of sexual exploitation at refugee camps’ *The Guardian* (London, 24 January 2014) <<http://www.theguardian.com/global-development/2014/jan/24/syrian-women-refugees-risk-sexual-exploitation>> accessed 21 November 2015; Ruth Sherlock, ‘Syrian girls ‘sold’ into forced marriages’ *The Daily Telegraph* (London, 23 January 2013) <<http://www.telegraph.co.uk/news/worldnews/middleeast/syria/9821946/Syrian-girls-sold-into-forced-marriages.html>> accessed 21 November 2015

This part of the study addresses the problems associated with the geographical location of Turkey, its importance after the disintegration of the Soviet Union, and the effects of the latter on Turkey in the context of the trafficking of women. I will give details on the cause and effect relationship between the geopolitical location of Turkey and the dramatic increase of women being trafficked after the USSR's disintegration.

This section is divided into three sub-sections: the first deals with the geopolitical location of Turkey and its effects on the problem of women-trafficking after the disintegration of the Soviet Union; the second addresses the Soviet disintegration process and its effects on Turkey between 1991 and 2002; the third addresses the main changes post-2002. In other words, all these sections illustrate why Turkey is failing in human trafficking.

1.2.1. The Geographical Situation of Turkey and its Place(s) in the UNODC's Country Classification

Turkey is a peninsula that is situated, bridge-like, between Europe and Asia. In other words, it straddles two continents. Historically, the Anatolian peninsula and its coastline was one of the main junctions of trade routes, such as those that brought the spices and silk of the Far East to the West, called the Silk and Spice Roads, and for the ships and vessels of the Mediterranean states, called *Via Maris*.³⁶ During the period of the Ottoman Empire, Levant trade was important to the coastal lands of the eastern Mediterranean. Commodities such as spice and silk from various states such as Asia Minor and Phoenicia (modern-day Turkey, Syria, and Lebanon), Greece and Egypt, and

³⁶ Encyclopaedia Britannica, 'Silk Road' <<http://www.britannica.com/topic/Silk-Road-trade-route>> accessed 22 November 2015

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especially from Africa (as a consequence of the trans-Saharan slave trade) were the main merchandise.³⁷

Although, historically, its location may appear advantageous, for contemporary Turkey it has served as a huge disadvantage in terms of human trafficking. Because of its geographical position, Turkey is a source, destination, and transit country for many women, men, and children subjected to sex trafficking and forced labour.³⁸ In addition to Syrian and Iraqi victims, trafficking victims identified in Turkey are mostly from Azerbaijan, Kyrgyzstan, Turkmenistan, Uzbekistan, Tajikistan, Kazakhstan, Georgia, Bangladesh, Belarus, Moldova, Russia, and Ukraine.³⁹

Turkish governments have not devoted enough energy to solving the problem of trafficking in human beings. As a direct consequence, almost no data has been collected regarding the victims' origins, age, and sex by Turkish authorities.⁴⁰ In 2002, Kuzio provided some estimated data on exclusively Ukrainian victims in trafficking destination countries. According to his research, in the brothels of Turkey, the United Arab Emirates, Italy, Greece, and Spain, an average of %10 of the women are from Ukraine.⁴¹

³⁷ T.S. Willan, 'Some Aspects of English Trade with the Levant in the Sixteenth Century' [1955] 70 (276) *The English Historical Review* 399, 404

³⁸ U.S. Department of State, TIP 2014 (n 14) 383

³⁹ Sueda Elif Tuba Dundar, 'Human Trafficking and Turkey' in Nilufer Narli, *Trafficking in Persons in South East Europe- A Threat to Human Security* (National Defence Academy Publications 2006) 119

⁴⁰ It is possible to find records of trafficking victims in Turkey. But when compared with data from the US Department of State and the EU, it becomes apparent that the Turkish authorities' data regarding human trafficking is incomplete.

⁴¹ Taras Kuzio, 'Ukraine's "Natasha trade": modern-day slavery and organized crime' *The Ukrainian Weekly* (Odesa, 08 December 2002)

<<http://www.ukrweekly.com/old/archive/2002/490207.shtml>> accessed 11 July 2014

Table 1: Numbers of victims and their origins⁴²

| Year | Numbers of Victims | Victims from the Commonwealth Independent States (CIS) | Female Victims | Male Victims |
|------|--------------------|--|----------------|--------------|
| 2005 | 220 | 219 | 220 | 0 |
| 2006 | 191 | 189 | 191 | 0 |
| 2007 | 118 | 116 | 113 | 5 |
| 2008 | 78 | 76 | 78 | 0 |
| 2009 | 75 | 71 | 71 | 4 |
| 2010 | 26 | 23 | 25 | 1 |
| 2011 | 35 | 35 | 35 | 0 |
| 2012 | 18 | 17 | 17 | 1 |
| 2013 | 3 | 3 | 3 | 0 |
| | 764 | 750 | 753 | 11 |

This table suggests the reason for the two main thematic focuses of this study: the citizens of the former Soviet Republics, and female victims.

Table 2: Classification of intentions⁴³

⁴² Counter Trafficking, ‘Who Is At Risk’

<<http://www.countertrafficking.org/whose.html>> accessed 13 January 2013

*Because of the lack of data, 2009 is examined as 56 instead of 75, and 2012 is examined as 15 instead of 18.

⁴³ Ibid

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| | Total | Sexual Exploitation | Forced Labour | Sexual Exploitation and Forced Labour | Intended to be exploited |
|-------|-------|---------------------|---------------|---------------------------------------|--------------------------|
| 2006 | 191 | 177 | 10 | 4 | - |
| 2007 | 118 | 101 | 15 | 2 | - |
| 2008 | 78 | 70 | 2 | 4 | 2 |
| 2009* | 56 | 45 | 5 | 3 | 3 |
| 2010 | 26 | 17 | 3 | 3 | 3 |
| 2011 | 35 | 34 | 1 | - | - |
| 2012* | 15 | 14 | - | - | 1 |
| 2013 | 3 | 3 | - | - | 1 |
| | 522 | 460 | 36 | 16 | 10 |

This table provides data regarding the primary intentions of perpetrators in respect of their victims. In addition, it illustrates why it is necessary to focus on the vulnerability of female victims. As can clearly be seen, 88% of the 522 identified victims are sexually exploited, and 3% of them are sexually exploited as well as being forced to do other kinds of labour. The data published by Turkey is inadequate. It can clearly be seen that, in 2013, the data only shows 3 victims. However, the 2014 TIP report indicated that the government identified 15 adult female victims of sex trafficking in 2013. There was inconsistency between the numbers.

These two tables emphasize the importance of the location of Turkey in two main respects: firstly, that Turkey is a common transit route and destination for those being trafficked from the former Soviet republics (because of Turkey's visa policies, and long land and sea borders shared with these republics),⁴⁴ and secondly that those female victims are trafficked to meet the sexual desires of Turkish as well as European men. Shelley emphasizes that women from Southern Russia, Ukraine, Moldova, and the Caucasus consider Turkey to be an important destination for working and earning money to support their families. They enter by plane or by boat from Odessa in Ukraine on

⁴⁴ Alan Fielding, 'Mass migration and economic restructuring' in Russell King (ed), *Mass Migration in Europe* (Belhaven Press 1993)

the Black Sea, and by land from Georgia.⁴⁵ However, on their way many of them find themselves being drawn into the trafficking business.

In 2006, the UNODC published *Trafficking in Persons: Global Patterns*. This report listed Turkey as a leading reported destination country, alongside Belgium, Germany, Greece, Israel, Italy, Japan, the Netherlands, Thailand, and the USA.⁴⁶ According to the UNODC's 2012 Trafficking in Persons report, Turkey is one of the most common destination countries for nationals of Eastern Europe and Central Asia.⁴⁷ The UNODC's 2014 report also observed that Turkey is one of the main destination points for European victims trafficked from Central Europe and the Balkans.⁴⁸ In this regard, Turkey's geo-strategic location is one of the main reasons for its relationship with trafficking crime. The contemporary Syrian refugee crisis and the ongoing problem of trafficking flowing from Eastern Europe and Central Asia impact upon Turkey in particular, because of its land and coastal borders.

1.2.2. The Soviet Disintegration; Reflections on Trafficking

The dissolution of the Union of Soviet Socialist Republics (USSR) was finally completed on 26 December 1991. *Declaration no. 142-H of the Soviet of the Republics of the Supreme Soviet of the Soviet Union* officially dissolved the Soviet Union, and created the Commonwealth of Independent States (CIS).⁴⁹

The disintegration of the Union caused many problems within the CIS. These problems are classified under three main headings: ethnic problems, administrative problems, and security problems. The

⁴⁵ Shelley (n 3) 190

⁴⁶ UNODC, 'Trafficking in Persons: Global Patterns' (2006) <<http://www.unodc.org/documents/human-trafficking/HT-globalpatterns-en.pdf>> accessed 24 November 2015, 17-18

⁴⁷ UNODC, *Global Report on Trafficking in Persons* (UNODC, 2012)

⁴⁸ UNODC, *Global Report on Trafficking in Persons* (UNODC, 2014) 59

⁴⁹ Azerbaijan, Armenia, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan, and Ukraine

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collapse of communism triggered ethnic tensions across south-eastern Europe and the former Soviet Union, which were previously held in check by repressive regimes.⁵⁰ Administrative and security problems yielded similar and related results. For instance, because of political instability in Russia and the former Soviet republics, corruption and organized crime have become rampant.⁵¹ However, one of the most significant problems in the former Soviet republics was individual economic hardship caused by low production, unemployment, inflation, and the collapse of wages. After the collapse of the USSR, individuals were no longer able to benefit from state-funded healthcare, assured employment, and controlled prices/wages, as they had under communist rule.⁵²

The dramatic increase in the transnational trafficking of women from Eastern Europe and the former Soviet Union began during the *perestroika* of the 1980s, during which border controls in Eastern Europe were relaxed to encourage the development of new trade links and tourism between the former Soviet satellite states and the West. According to a IOM report, while these measures did meet their objectives, they also facilitated trans-border criminal activities.⁵³ Organized crime syndicates were quick to identify lucrative markets for Eastern European women in the brothels, massage parlours, streets, and bars of Western Europe.⁵⁴ Increasing demand, high profit rates and other previously mentioned problems caused a dramatic increase in the trafficking in human beings from CIS countries after the disintegration. Individuals of each sex and every age group were

⁵⁰ Valery Tishkov, Zhanna Zatinchkovskaya and Galina Vitkovskaya, 'Migration in the countries of the former Soviet Union' (Global Commission on International Migration, 2005)

<https://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/policy_and_research/gcim/rs/RS3.pdf> accessed 14 July 2014

⁵¹ 'Fall of the USSR'

<<http://www.mconway.net/page1/page9/files/Collapse%20of%20USSR.pdf>> accessed 13 July 2014

⁵² Shelley (n 3) 174-179

⁵³ IOM, 'Trafficking for Sexual Exploitation: The Case of the Russian Federation' Prepared for IOM by Donna M. Hughes (IOM Migration Research Series, No:7, June 2002) <http://publications.iom.int/system/files/pdf/mrs_7.pdf> accessed 27 September 2016

⁵⁴ Johathan Martens, Pieczkowski and van Vuuren-Smyth, (n 27) 116

the subject of human trafficking for both sexual and labour exploitation.⁵⁵ In the 1990s, because of this heavy traffic, Turkey began to use its own terminology for identifying the victims. Trafficked women from Russia and other republics of the former Soviet Union were so prevalent that all prostitutes were called ‘Natashas’ in Turkey and most of the destination countries.⁵⁶ In the Turkish language, this has come to mean a sex worker from the former Soviet Union and is often used as a generic name for all women from these countries, even for tourists.⁵⁷

In this regard, the Natasha issue has provoked much societal debate on the sanctity of the family, even causing stress between husbands and wives.⁵⁸ One of the primary influences behind this social prejudice in Turkey is the media. Female victims of trafficking (or voluntary prostitutes) from the former Soviet states, and even tourists, were blamed for increasing AIDS/STDs, divorce, and corrosion in the Turkish family structure.⁵⁹ The main reasons behind this ‘victim blaming’ issue were that there was no criminal definition or any legal provision in the Turkish Criminal Code concerning the trafficking of human beings, and the government and media organs did not provide any victim-oriented perspective to inform society and to establish awareness about this violation of human rights. All of these were the main causes for increasing negative reactions against women who suffered from the brutal consequences of the trafficking business.

⁵⁵ Irina Ivakhnyuk, ‘Migrations in the CIS Region: Common Problems and Mutual Benefits’ (International Symposium on International Migration and Development, Turin, June 2006, UN/POP/MIG/SYMP/2006/10)

⁵⁶ Martina Vandenberg, ‘The Invisible Woman’ *Moscow Times* (Moscow, 08 October 1997) <<http://www.themoscowtimes.com/news/article/the-invisible-woman/299368.html>> accessed 11 December 2013

⁵⁷ International Helsinki Federation for Human Rights, *Women 2000: An investigation into the status of women’s rights in Central and South-eastern Europe and the Newly Independent States* (International Helsinki Federation for Human Rights 2000)

⁵⁸ Leyla Gulcur and Pinar Ilkcaracan, ‘The “Natasha” Experience: Migrant Sex Workers from the Former Soviet Union and Eastern Europe in Turkey’ [2002] 25(4) *Women’s Studies International Forum* 411, 414

⁵⁹ This relates to my individual research on trafficking in women in the Turkish media from 1991 to 1994. I examine in detail the two most circulated Turkish newspapers (*Zaman* and *Milliyet*) and their 17 related news articles. These two newspapers have open-access archives. That is why I use both of them for my study.

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1.2.3. The Trafficking of Women from the CIS as an Organized Crime Activity

Transnational organized crime has become a serious issue in the region due to a significant increase in cross-border criminal activities facilitated by a vacuum of authority caused by the disintegration of the Soviet Union.⁶⁰ Trafficking in human beings is one of the services provided by organized crime groups to meet sexual, labour, and household demands in destination countries. The UN Convention against Transnational Organized Crime (TOC) defines (Article 2(a)) an 'organized criminal group as 'a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit.'

Every year, thousands of people of every gender and age are trafficked abroad from their own countries. Due to the content and subject of this study, the trafficking of women from the former Soviet republics to Turkey will be emphasized and analysed. These republics are the largest source of trafficking for sexual exploitation; around 100,000 women are trafficked each year from these countries.⁶¹

In addition to the general factors mentioned above, the reasons for this rapid increase in female victim numbers from the former Soviet republics include the feminization of poverty, the decline of social protections for women and family, increased interfamilial violence, child abuse, and alcoholism.⁶² Because of the economic

⁶⁰ John Salt, 'Trafficking and Human Smuggling: A European Perspective' [2000] 1 International Migration 31, 39

⁶¹ C. Hill, 'Measuring Transnational Crime' in Philip Reichel (ed), *Handbook of Transnational Crime and Justice* (Sage 2005) 58

⁶² Igor Kon and James Riordan (ed), *Sex and Russian Society* (Indiana University Press 1993) 6 : Chris Corrin, *Superwomen and the Double Burden: Women's Experience of Change in Central and Eastern Europe and the Former Soviet Union* (London, Scarlet Press, 1992): Chris Corrin, 'Transitional Road for Traffic: Analysing Trafficking in Women from and through Central and Eastern Europe' [2005] 57(4) Europe-Asia Studies 543, 543 and 547: Gail Kligman and Stephanie Limoncelli, 'Trafficking Women after Socialism: To, Through, and From Eastern

transformation that these countries underwent after the dissolution of the Soviet system, a feminization of poverty arose. This mainly centred on lack of income. In addition to this specific aspect, Chant lists other major elements: women represent a disproportionate percentage of the world's poor; feminization of poverty is deepening; and women's increasing share of poverty is linked with a rising incidence of female household governance.⁶³ In the case of the former Soviet states, this meant that women and children no longer had access to long-term preferential economic jobs. After the dismantling of the socialist system, women lost many of their social and economic rights, such as guaranteed employment and child subsidies.⁶⁴

In other words, the declining socio-economic status of women in the CIS provided significant opportunities for traffickers. A lack of government action, including weak border controls, corruption, and relationships with crime networks, allowed for a dramatic rise in the number of female trafficking victims.⁶⁵

The CIS countries are the fastest-growing source region by a significant margin for trafficked people.⁶⁶ To protect their lucrative cargo, traffickers use flexible routes and various tactics. The Budapest Group⁶⁷ has detected trafficking and smuggling routes from CIS

Europe' [2005] 12(1) *Social Politics: International Studies in Gender, State and Society* 118, 128-129.

⁶³ Sylvia H. Chant, 'Re-thinking the "feminization of poverty" in relation to aggregate gender indices' [2006] 7(2) *Journal of Human Development* 201, 203

⁶⁴ A. Heitlinger, 'The Impact of the Transition from Communism on the Status of Women in the Czech and Slovak Republic' in Nannette Funk and Magda Mueller (eds), *Gender Politics and Post-Communism* (Routledge 1993) 98-101

⁶⁵ Gillian Caldwell, Steven Galster and Nadia Steinzor, *Crime & Servitude: An Expose of the Traffic in Women for Prostitution from the Newly Independent States* (The Trafficking of NIS Women Abroad Conference, Moscow, November 1997)

⁶⁶ John Morrison and Beth Crosland, 'The trafficking and smuggling of refugees: the end game in European asylum policy?' (2001) *New Issues in Refugee Research* April/2001, 39 <<http://www.unhcr.org/3af66c9b4.pdf>> accessed 01 February 2015

⁶⁷ The Budapest Process is a consultative forum with over 50 governments and 10 international organizations working to develop comprehensive and sustainable systems for orderly migration. The Budapest Group meets annually or bi-annually, gathering senior officials from all participating states and organizations to discuss developments, to determine primary policy directions and to support the Budapest Process

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countries to the European Union.⁶⁸ For one of these routes, Turkey plays a significant role as a transit country *en route* to the EU via Albania, Hungary, or the Czech Republic.

1.2.4. The 'Natasha Trade': The New Name of Desperation from 1992 to 2002

Trafficking can be seen as a relationship of supply and demand.⁶⁹ Some countries with large sex industries generate a significant demand for women workers in the sex trade. Conversely, suppliers from other countries seek to meet these demands. Before the collapse of the Soviet Union, Central Asia was the main supplier of trafficked persons for sexual exploitation in the region. It was even mentioned by Mark Twain in 1869 that 'Circassian and Georgian girls are still sold in Constantinople [Istanbul] by their parents, but not publicly.'⁷⁰ However, since then, former Soviet republics such as Belarus, Latvia, Moldova, Russia, and Ukraine have become the main suppliers for most of the global sexual demand.⁷¹ For these countries in particular, Turkey became the main destination point, where women arrived by boat or plane from the city of Odessa⁷² and also came overland via Georgia. Since the early 1990s, Turkey has been one of the world's largest markets for Slavic women, with its rapid economic growth and relatively soft visa requirements.⁷³

⁶⁸ Budapest Group, *The Relationship Between Organized Crime and Trafficking in Aliens* (International Centre for Migration Policy Development, 1999)

⁶⁹ Emek Ucarer, 'Trafficking in Women: Alternate Migration or Modern Slave Trade?' in Mary K. Meyer and Elisabeth Prugl (eds), *Gender Politics in Global Governance* (Rowman & Littlefield Publishers 1999) 241-42

⁷⁰ Mark Twain, *The Innocents Abroad* (Literary Classic 1984) 290

⁷¹ Donna M. Hughes, 'The 'Natasha' Trade: Transnational Sex Trafficking' [2001] 246 *National Institute of Justice Journal* 9

⁷² Shelley (n 3) 190

⁷³ Craig S. Smith, 'Turkey's sex trade entraps Slavic women' *The New York Times* (New York, 28 June 2005)

<<http://www.nytimes.com/2005/06/27/world/europe/27iht-turkey.html> > accessed 01 August 2014

In addition to the geographical location of Turkey, the Turkish visa regime, together with cultural similarities between Turkey and the countries of origin, further explain why Turkey is a destination country.⁷⁴ Despite these factors, there remain critical observations surrounding the visa regime. The Turkish visa policy was the most important reason shaping the victims' decision to migrate, in particular the fact that Turkey had either a visa-free or lenient visa regime for the Turkic Republics (Azerbaijan, Kazakhstan, Kyrgyzstan, Turkmenistan, Uzbekistan) because of cultural similarities. As a consequence of these policies, every year thousands of visitors arrived in Turkey to benefit from this flexibility. According to the research of Omer Demir and Finckenauer, the lenient visa regime made entering Turkey easy for sex workers and victims. Contrary to what is believed, their interviews (conducted with high-level police officials), demonstrated why the visa regime played only a subsidiary role.⁷⁵ If Turkey were to apply a stricter visa regime to prevent human trafficking, this would only result in more illegal entries.⁷⁶ In this respect, Avdan has argued that '[t]ighter visa policies against origin and transit states will result in increased levels of trafficking in human beings from and through these states.'⁷⁷

Because Turkey did not classify and identify trafficking victims before the 2000s, data was very limited and available only from countries of origin. For instance, according to the estimation of the Ukrainian Ministry of the Interior, 400,000 Ukrainian women were trafficked to different countries between 1990 and 2000.⁷⁸ Between 1991 and 1998, the International Organization for Migration estimated that 500,000 Ukrainian women had been trafficked to the West.⁷⁹

⁷⁴ Oguzhan Omer Demir and James Finckenauer, 'Victims of Sex Trafficking in Turkey: Characteristics, Motivations, and Dynamics' in Francesca P. Bernat (ed), *Human Sex Trafficking* (Routledge 2012) 73-76

⁷⁵ *Ibid*, 74

⁷⁶ *Ibid*

⁷⁷ Nazli Avdan, 'Human trafficking and migration control policy: vicious or virtuous cycle?' [2012] 32(03) *Journal of Public Policy* 171, 178.

⁷⁸ IOM, *Information Campaign Against Trafficking in Women from Ukraine- Research Report* (Geneva, Switzerland: International Organization for Migration, July 1998)

⁷⁹ Chris Bird, '100,000 Ukrainians slaves of West's sex industry,' *Reuters*, 6 July 1998

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Based on this approximate data, it appears that the most popular destination countries were Canada, the Czech Republic, Germany, Greece, Hungary, the Netherlands, Turkey, the United Arab Emirates, the United States, and Yugoslavia.⁸⁰ Hughes suggests that there were 6,000 Ukrainian women in prostitution in Turkey.⁸¹ An average of 10 per cent of the women had been trafficked from Ukraine into the brothels of Turkey, the United Arab Emirates, Italy, Greece, and Spain.⁸² Seventy per cent of the 6,600 female victims from Moldova had been exploited for the purpose of sexual services. This Moldavian data suggested that seventy per cent of these 6,600 victims were girls and young women working in sexual services.⁸³

1.2.5. Assessment from 1992 to 2016: Trafficking in Human Beings, Especially in Women, to Turkey

When we look at the 1990s, we find a lack of academic sources, policies, and government reports on the subject of human trafficking, accompanied by insensitive and accusatory publications in the media. In this environment, trafficked women were treated as criminals or voluntary prostitutes. Particularly prevalent was the accusation that trafficked women were responsible for rising occurrences of AIDS/STDs and divorces, without any recognition of their vulnerable situation.⁸⁴ Successive governments in Turkey preferred to ignore this

⁸⁰ Hughes (n 72) 9

⁸¹ Donna M. Hughes, 'The 'Natasha' Trade: The Transnational Shadow Market of Trafficking in Women' [2000] 53(2) *Journal of International Affairs* 625, 633

⁸² Kuzio (n 42)

⁸³ Tishkov and others (n 51) 31

⁸⁴ 'AIDS Patlamasi Kapida- AIDS is the enemy at the gates' *Zaman Gazetesi* (Istanbul, 01 December 1994) <http://www.zaman.com.tr/aile-saglik_aids-patlamasi-kapimizda_305418.html> accessed 01 February 2015; 'İthal fuhuş, AIDS de getiriyor- Import prostitution brings AIDS' *Zaman Gazetesi* (Istanbul, 17 January 1995) <http://www.zaman.com.tr/aile-saglik_ithal-fuhus-aids-de-getiriyor_313230.html> accessed 01 February 2015; 'Aile müessesesi AIDS'e engel- Family notion prevents AIDS' *Zaman Gazetesi* (Istanbul, 06 September 1994) <http://www.zaman.com.tr/aile-saglik_aile-muessesesi-aids-e-engel_298260.html> accessed 01 February 2015; 'Nataşa'yla naylon evlilik hayatımı kararttı- Fake marriage with Natasha causes many problems' *Zaman Gazetesi*

crime and its victims. Trafficking in human beings, especially in women, was the unknown face of prostitution and vulnerability.

In the early 2000s, the accusatory language of the media and some institutions such as the Turkish National Police and the Ministry of the Interior began to change in a positive way. They accepted that victims are driven into slavery by force and deception.⁸⁵ The discussions in this section are for providing an overview in order to indicate the main failures of Turkey in terms of policy and legal responses to trafficking to trafficking after 2002. This section evaluates the weaknesses of ‘partnership’ proposals in Turkey and the reflections of these deficiencies on Turkey’s prevention, perception, and prosecution strategies.

Some states ratify treaties to show to other important actors their commitment to human rights.⁸⁶ In this respect, Turkey has signed and ratified many conventions and protocols on the scope of human trafficking.⁸⁷ All these ratifications, and particularly the TOC, have

(Istanbul, 13 February 2002)

<<http://arsiv.zaman.com.tr//2002/03/13/haberler/h12.htm>> accessed 01 February 2015; ‘Karasu’da evliliklere ‘yabancı hayat kadını’ darbesi- Foreign prostitutes decrease the number of happy marriage at the Karasu’ *Milliyet Gazetesi* (Istanbul, 04 August 2008) <<http://www.milliyet.com.tr/evliliklere-yabanci-darbe-gundem/gundemdetay/04.08.2008/974565/default.htm>> accessed 01 February 2015

⁸⁵ ‘Kadin Ticaretine Hayir-Stop The trafficking of women’ *Milliyet Gazetesi* (Istanbul, 02 September 2001) <<http://www.milliyet.com.tr/kadin-ticaretine-hayir---yasam/haberdetayarsiv/02.09.2001/82119/default.htm>> accessed 01 February 2015; Tacik seks köleleri Türkiye’de- Sex slaves from Tajikistan in Turkey’ *Milliyet Gazetesi* (Istanbul, 27 August 2001) <<http://www.milliyet.com.tr/tacik-seks-koleleri-turkiye-de/turkiye/sondakikaarsiv/27.08.2001/81179/default.htm>> accessed 02 February 2015; ‘Çocuk bakmaya geldiler, fuhuş batağına saplandılar- They came for babysitting but they were forced into prostitution’ *Zaman Gazetesi* (Istanbul, 14 January 2002) <<http://arsiv.zaman.com.tr//2002/01/14/marmara/h1.htm>> accessed 01 February 2015; ‘Emniyet: Nataşa demek rencide eder- Turkish National Police stated that the word ‘Natasha’ had derogative meanings’ *Milliyet Gazetesi* (Istanbul, 05 May 2003) <<http://www.milliyet.com.tr/emniyet--natasaa--demek-rencide-eder/siyaset/haberdetayarsiv/05.05.2003/9984/default.htm>> accessed 01 February 2015

⁸⁶ Ryan Goodman and Derek Jinks, ‘Measuring the Effects of Human Rights Treaties’ [2003] 14 *European Journal of International Law* 171, 172

⁸⁷ The Slavery Convention signed at Geneva (1926); The Supplementary Convention on the Abolition of Slavery (17 July 1964); The Slave Trade and

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shaped Turkey's domestic legislation to a significant degree. Since 2002, a significant determinant of Turkey's policy has been its political aspirations. For example, Turkey has focused on its relationship with the EU. In this regard, the requirements of pre-accession, involving an interregnum period of adoption and harmonization of Turkish policies and legislative provisions with the EU *acquis*, have been fulfilled by Turkey.⁸⁸ However, the fulfilments of the requirements of the EU are essentially a box-ticking process. Another example is Turkey's ratification of the Council of Europe Trafficking Convention in 2016. Turkey ratified it because it is a part of the EU's requirements for the visa liberalization process. In short, between 2002 and today, Turkey's main purpose was not directly concerned with human trafficking. Ultimately, it could be argued that all states ratify a treaty or convention for political reasons. However, it is asserted that Turkey deliberately uses international and regional tools to meet its political desires rather than to solve the human trafficking problem. The violated human rights of the victims are systematically ignored by the government. Hathaway suggests that, because of the legal character of international human rights treaties, ratification is virtually costless, in that unenforced treaty rules do not require any actual changes in state practice.⁸⁹ International actors reward ratifying states by reducing political pressure to promote human rights standards, thereby actually increasing human rights violations.⁹⁰ This suggests that Turkey may well ratify international instruments merely to reduce political pressure and to obtain the evident political beneficial outcomes associated with these instruments.

Institutions and Practices Similar to Slavery; The Abolition of Forced Labour Convention; The Convention on the Rights of the Child (4 Apr 1995); and the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, and Child Prostitution and Child Pornography (9 June 2006). In addition, the UN Convention against Transnational Organized Crime (TOC), adopted on 15 November 2000 with its three protocols, was ratified by Turkey on 25 March 2003 (the Supplementary Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition was ratified 4 May 2004).

⁸⁸ Pre-accession period covered from 1999-2005

⁸⁹ Oona A. Hathaway, 'Do Human Rights Treaties Make a Difference?' [2002] 111 The Yale Law Journal 1870,2007

⁹⁰ Daniel W. Hill Jr., 'Estimating the Effects of Human Rights Treaties on State Behaviour' [2010] 72(4) The Journal of Politics 1161, 1163-1164

Since 2002, the government has begun to follow international trends in order to realise its political aspirations, such as being a member of the EU and a powerful regional actor. At this point, it might be argued that the government has pursued its anti-trafficking agenda to further its political aspirations rather than to prevent violations of human rights or tackle organized crime.

In summary, before 2002, Turkey's governments, academia, and media ignored the humanistic dimension of the problem and instead placed blame on the victims, linking the issue to AIDS or sexual demand. Since 2002 (when the AKP (Justice and Development Party) came to power), Turkey has tried to design a comprehensive anti-trafficking strategy, which covers legal, political, and social elements, in order to eliminate the sociological biases against trafficked women, and as a part of its political strategy to reduce international pressure and achieve membership of the EU. However, these efforts need to be supported by sincere steps which concentrate on victims and their violated rights.

Conclusion

This study has addressed the context of Turkish policy and practice by examining the nature of the trafficking problem in the region. It has addressed two arguments for this research. Firstly, it is asserted that Turkey views trafficking in human beings as a transnational organized crime not directly related to any human rights violations. Secondly, from 1992 to 2002, Turkey ignored all aspects of the problem and did not take steps to prevent trafficking or to protect the victims. The reasons for this failure were a lack of any clear understanding in public perception, in the laws, and at an 'operational' level, of what a victim is. After 2002, the government pursued its anti-trafficking agenda to further its political aspirations rather than to prevent violations of human rights or to tackle organized crime.

This study critically examined the origin and progression of current practices. One could argue that it was obvious that Turkey had ignored the existence of trafficking crime. According to Turkish governments

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and academia, the problem was related to illegal immigration, prostitution, and organized crime, not related to trafficking. Victims suffered from traffickers' behaviours, customers' insults, and law enforcements' insensitivity. Despite these attitudes, even after 2002 the government adopted an anti-trafficking agenda in order to attain the requirements of EU membership and become a powerful international actor, rather than to prevent this crime and protect the victims' violated human rights.

This brutal business affects almost all countries. International institutions need to determine changing trends and tendencies and to take preventative steps against them, such as enhancing operational cooperation, sharing information and amendments in international instruments. Turkey is one of the most vulnerable countries in terms of this transformation in trends. A regional crisis has the ability to change states' secure nature. For instance, the Syrian refugee crisis directly affects Turkey. However, migrant smugglers and traffickers benefit from the vulnerability of these people. Consequently, a regional crisis begins to affect Europe and the world. States and international institutions need to develop a proactive anti-trafficking strategy and to build up new regulations to compensate the weaknesses of current instruments.

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