

**HABITAT INTERNATIONAL COALITION, HIC**

**REPORT OF A FACT FINDING MISSION (MARCH 1996)**

**THE IMPACT OF WAR AND FORCED  
EVICTIONS ON URBANISATION IN TURKEY:  
VIOLATIONS OF HOUSING RIGHTS**



**ISTANBUL, MAY 1996**

# HABITAT INTERNATIONAL COALITION, HIC

## REPORT OF A FACT FINDING MISSION (MARCH 1996): THE IMPACT OF WAR AND FORCED EVICTIONS ON URBANISATION IN TURKEY: VIOLATIONS OF HOUSING RIGHTS

### I. FOREWORD

Widespread international criticism has been aroused in response to the Government of Turkey's forcible eviction of over two million people in the SouthEast of the country. The sheer brutality of the methods used to evict people and destroy entire villages is less well known, while the fate of those displaced is hardly spoken of at all. Hundreds of thousands of Kurds have been forced to migrate to the cities where they face dismal housing and living conditions.

This report looks into a series of difficult questions focused on the housing and settlements conditions faced by the evicted people:

- What has happened to the over two million people displaced due to Turkish military operations?
- What has happened to the settlements in which they lived?
- Where do they go and what housing, health and employment conditions do they face in the areas where they are forced to rebuild their lives?
- What role is the State playing in the areas where people have resettled?
- How have human rights of the displaced people, especially the right to housing, been affected?

These questions need to be squarely confronted. All the more so because Turkey is hosting the second United Nations Conference on Human Settlements in Istanbul, June 1996. The Government of Turkey's responsibility for these forced evictions and the subsequent harsh conditions faced by those evicted must be recognized and acted upon.

The Habitat International Coalition, HIC, sent a fact finding team to Turkey in March 1996 to help answer these questions and bring the results to Habitat II.

*This report was prepared by the Habitat International Coalition. For further information, contact HIC Housing Rights Committee, c/o Centre on Housing Rights and Evictions, 8 rue Gustave Moynier, Geneva, Switzerland. Tel/Fax: +41-22-738-8167. E-mail: miloon@unv.ch. Please copy and use this report in your own publications. Please send copies of any reproductions to the above address.*

HIC is a global coalition of some 300 non-governmental and community organizations active in the fields of housing and human settlements. HIC was founded in 1976 and has its headquarters in Mexico City. The Fact Finding Mission (FFM) team members were:

- Ms Tabitha Siwale, Member of Parliament, Tanzania and member, HIC Women and Shelter Group
- Ms Monira Zourab, member, Palestinian Housing Rights Movement and Administrative Officer, Palestinian Human Rights Information Centre, Jerusalem, Palestine
- Mr. Alejandro Florian, Director, Fedevivienda, Columbia
- Mr. Miloon Kothari, HIC Representative to the UN and CoDirector, Centre on Housing Rights and Evictions, Geneva.

This is the report of the Fact Finding Mission. Members of the FFM team visited Istanbul, Ankara and Diyarbakir. They spoke to a wide range of human rights organisations, professional associations and environmental groups. On site interviews were carried out in Istanbul of Kurdish families displaced from the SouthEast of Turkey. This report presents, at the time of Habitat II, an appraisal of Turkey's housing rights record in the SouthEast over the past ten years. It also documents the related problems of rapid urbanisation and the very poor urban settlements conditions of the displaced populations.

The Habitat International Coalition would like to express its sincere thanks to all those who assisted the FFM team and so willingly shared their information, expertise and experience. Special thanks are due to the many courageous human rights activists and to the displaced families that agreed to be interviewed. Their testimonies are deeply moving.

## II. VIOLATIONS OF THE HUMAN RIGHT TO HOUSING

The principal violations of the human right to housing documented in this report are village destruction and forced evictions, and the perpetuation of inadequate housing and living conditions. The fact finding team reviewed numerous documents confirming that large scale evictions have taken place since the early 1980's with particular intensity since early 1991. Some of the findings of these documents are summarised in a later section of this report.

The descriptions and statistics of forced evictions, and inadequate housing and living conditions are based on reports from local (Human Rights Association,

Human Rights Foundation) and international human rights organisations (Human Rights Watch, Human Rights Watch/Helsinki). They are also based on statements made by Turkish Ministers in Parliament, in particular the Minister for Human Rights Koyluoglu (October 11, 1994), and Interior Minister Nahit Mentese in April, 1994, and the emergency region governor's statement in July 1995.

### Village Destruction and Forced Evictions

\* According to numerous sources, since the early 1980's, the Turkish government has destroyed approximately 2,400 villages. Human rights organisations in Turkey believe this has led to the internal displacement of 2.5 to 3 million Kurds. Most of these forced evictions of Kurds have taken place since 1992.

\* In 1993, 874 villages were evacuated. In 1994, 1,494 villages or hamlets were burned down and evacuated.

\* In the region of Dersim (Tunceli), from September to November 1994, of the total of 399 villages, approximately one-third or 137 villages were partially evacuated and/or destroyed by fire during military operations carried out by the Turkish military. In some of the subdistricts of Dersim, as many as 80% of villages were affected. According to Government sources, 1,200 families were made homeless



*Since the early 1980s, Government of Turkey Security Forces have destroyed about 2,400 villages and towns in rural areas of SE Turkey.*

due to these operations. Several independent sources indicated that the number affected was several times the government figure.

### **Inadequate Housing and Living Conditions among Displaced People**

\* The massive displacement caused by the Turkish military operations in the SouthEast have contributed to rapid growth of many cities in Turkey. The displaced Kurds have been forced to live in cities whose populations have dramatically increased. They often live in jerry built quarters rapidly constructed overnight. Examples of cities which experienced rapid growth include Mersin whose population was 422,000 in the 1990 Census, and by 1994 had increased to one million. Adana went from 927,000 to 2 million, and Diyarbakir from 380,000 to 1 million. Numerous studies have shown that the great majority of these displaced people live in abysmal housing and living conditions.

\* Women and children continue to be the worst victims of both forced evictions at one end and inadequate housing/living conditions at the other end. Children suffer from poor nutrition and diseases such as diarrhoea and typhoid.

\* A visit to any of the areas where displaced Kurds stay in the cities of Turkey reveals the often complete negligence of the Turkish authorities to improve the housing and living conditions. The HIC fact finding mission found in both Diyarbakir and Istanbul neighbourhoods without access to potable water, adequate sanitation facilities or electricity connections.

## **III. CASE STUDIES**

The fact finding team interviewed families that had been evicted by force from their villages and towns in S-E Turkey. The team found that all these families have had to cope with numerous problems in the cities where they have resettled. They face health, housing, social, educational and psychological problems. Family members that have stayed behind in the villages are subjected to continuous violence. Women who remain in the villages are subjected to rape by "village guards".

Health services are provided by the municipality in the areas where most families have resettled, but the evicted families often cannot afford to buy medications. Education in public schools is said to be free, but students have to pay a monthly fee in addition to the costs of books, notebooks, pens, etc. Again, this is very difficult for the evicted families. Kurdish children who join the schools do not

know any Turkish language. They are marginalised and have a hard time managing their studies.

The unwillingness of the authorities to improve the housing and living conditions of the Kurds has a detrimental affect on their health and well being. Coupled with the lack of employment opportunities and discrimination in work places the overall conditions faced by the Kurdish families are indeed adverse. The Kurds are also often harassed by police authorities.

The following case studies of families interviewed by the FFM team illustrate the traumatic displacement from the villages and the dire conditions faced by Kurds in the cities where they have been forced to start life again.

### **Case Study 1: Family from Tatvan Region**

Late one night in December 1994, thirty seven year old E.C., father of two girls and a boy aged 12 and 8, was at home with his family in a village in Tatvan region. Military forces in civilian clothes opened fire and entered his house with the intention of burning it to the ground. In fear of being set on fire along with their house, the family tried to escape, but found out that the whole village, comprising of 25 houses, inhabited by 300 people had been raided and burnt. E.C. described his village as prosperous, with good farming and grazing land, equipped with a school, a health clinic and two mosques. When the soldiers came, however, everything changed:

"I was beaten up and wounded. They arrested me and brought me to a place where they showed me the dead body of my brother's son. When I saw that his eyes were gouged out I was shocked. A military man saw my reaction and said 'why are you worried about this person, he was just a terrorist'."

The inhabitants of the village, had been consistently harassed by military and security forces since 1990. They were threatened by the army with punishment as suspected PKK guerillas or if they refused to become "village guards". ("Village guards" are often forcibly recruited by security forces to "protect" the villages against suspected "terrorists". While many Kurdish families do not necessarily support the main guerilla group, the PKK, they also do not want to join the "village guards".)

After the raid, the entire population left the village and migrated to the big cities in western Turkey to live with other family members and relatives. The family of E.C. first moved to a town SouthEast of their former location, but being farmers, none of the family members could find work. The whole family now lives in one



*Over 2,000,000 people, most of Kurdish origins, have been left homeless and forced to migrate to urban areas.*

small room in a suburb of Istanbul under extremely poor housing and living conditions. E.C. is occasionally employed in construction work and his 12 year old daughter works in the confection industry. His wife has little chance to find work since she doesn't speak Turkish. Being of Kurdish origin and outsiders in their neighbourhood, they face discrimination by community members and are routinely harassed by the police.

### **Case Study 2: Family from Van Province**

Z.M. mother of seven, testified that since 1990 her village in the province of Van, had been visited twice a week by army and security forces searching for guerilla fighters. They also put pressure on the male members to become "village guards". The village was completely destroyed in 1994. Pictures of Z.M.'s home and family show a healthy farming village with good living conditions. This apparently tranquil life came to an end in December 1994, when helicopters and army forces surrounded the village and opened fire. When heavily armed men invaded the houses in order to burn them down, some of the villagers sought shelter in a concrete store building. Z.M. recalls the day:

"The soldiers came to my house, started insulting me and I was badly beaten. My son was also brutally beaten and fell on the floor. They arrested my

husband's brother after beating him. We managed to leave the house before they burnt it down".

Later that day all the village members were ordered into the central village square.

"They arrested thirteen of our people. We found the dead body of my husband's brother, horribly disfigured from the torture that had been inflicted on him. My 17 year old daughter suffered from shock when she saw the tortured body."

The very same day Z.M. and her family decided to flee to the mountains. Her daughter and thirteen members of her family died during the escape. Nine family members are currently held in prison. After an odyssey of six months where Z.M.'s family could not find a place to live, they finally moved to Istanbul. Because of their Kurdish origin they are seen as terrorists and constantly exposed to discrimination. This makes it almost impossible for them to rent a house or find jobs. Presently they live in substandard housing and living conditions. To make things worse they are regularly harassed by the police after having registered as Kurdish migrants in their neighbourhood.

### **Case Study 3: Family from Baykan District**

Fadime is a woman in her late twenties and mother of six children. She comes from a village in the Baykan district of Cevrimtepe, SouthEast Turkey. She lost her husband when security forces raided her village. Fadime recalls:

"They brought him to the police station and tortured him. When he started bleeding he was refused any aid. He died the next day".

Her husband had been accused of being a terrorist. He was arrested along with an old man and his six daughters. The old man was pressurised by the soldiers to help the dying man. In fear that his daughters would be raped if he left them, to help the dying man, he refused. Three days after the death of the husband, the residents were forcibly evicted. They were told that they would be burned alive if they disobey. Fadime's relatives helped her and her children to flee to Istanbul. She spend all her financial resources for their escape:

"I owned a cow and other agricultural products but I was forced to sell them to the village guard for a very cheap price in order to reach Istanbul. We had to leave all our belongings in the house".

Fadime and her family now suffer from substandard living and housing con-



*Many of the people displaced from SE Turkey live in overcrowded and inadequate housing.*

ditions. The family lives in small room in a suburb of Istanbul, without proper sanitary facilities such as a separate toilet, sewage system and water pipes. As a result of the poor housing and living conditions her youngest children, aged 3 and 4 years, often fall sick. When we visited the family both the children were unwell. Fadime cannot afford to buy the prescribed medicine. With the death of the father, the family lost its main breadwinner.

Fadime's ten year old son works in a confection shop but his weekly income of 1,3 Million TL (app. US \$14) is not enough to support the family which has to pay 2,5 Million TL a month alone to cover the rent. Fadime is illiterate and cannot communicate affectively in Turkish. She tries to earn some money by repairing shoes at home. Due to the severe economic situation of the family, none of the children can regularly attend school. Bursting into tears she said:

"The neighbours help by giving us some food, but sometimes I don't find anything in the house to give my children to eat".

#### **Case Study 4: Second Family from Baykan District**

Ayşe, 17 years old, comes from the same village as Fadime (see Case Study 3). She lives in the same neighbourhood in Istanbul with her 36 year old

mother, her unmarried brother and younger sister aged 20 and 15 respectively. They live in a two room apartment with a kitchen and a toilet. Her family moved to Istanbul in 1993 to live with her older brothers who support the family financially and left their village because they were pressured to become "village guards". Ayşe's father died in a car accident in 1981. Her two eldest sisters and brother are married.

One of Ayşe's brothers works in a confection shop and makes 15 Million TL a month. In the villages in S-E Turkey, girls generally do not have access to education. Even though no school existed in her village, Ayşe forced her parents to send her to a school in a neighbouring village. She finished her primary education. Ayşe is an intelligent and ambitious young woman. She said:

"I would like to continue my education and become a politician, but my family cannot afford to send me to school. My younger sister and I have to stay at home. For social reasons we cannot work outside the home and have to contribute to the family's income by sewing shoes".

## **IV. SUMMARIES OF REPORTS**

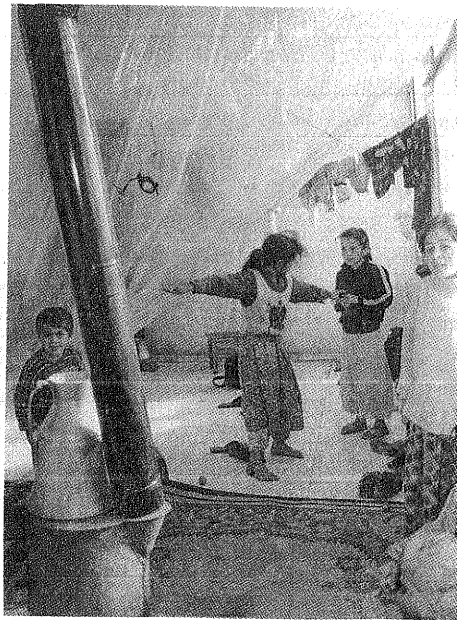
During the preparations and the course of the fact finding trip, the HIC team reviewed numerous reports by non-governmental and governmental sources that shed light on the methods of displacement used by the Turkish military. These reports also contain results of research into the housing and living conditions of Kurds in cities where they had to resettle. The following are short summaries of some of the more important reports. These help draw out the impacts on the housing rights of the displaced Kurds. Readers might also seek out these publications to be better able to judge the extent of continuing violations of the right to housing of over two million Kurds who remain internally displaced in Turkey.

**I Turkish Medical Association (1995), The Report on Health Services and Health Personnel's Problems in the SouthEast, Human Rights Foundation of Turkey, Publication 8, Ankara.**

This report finds that urban sewage disposal, urban water supply and air pollution are major problems in Diyarbakir and the SouthEast.

It reveals that health centres in the SouthEast are inadequate in number and services. Some are used as headquarters by military forces or the police. Health workers are concentrated in the urban city centres. Rural health services have also been interrupted as a result of the fighting. Water supply problems adds to health problems. The use of unhygienic water has led to increased gastroenteritis.

The Report states that the environmental and living conditions of immigrants are very poor. The living standards of the migrants are inadequate. As a result, death rates are very high especially among infant children. In 1992, the infant child death rate was 60 per 1,000 in Turkey, and 87 per 1,000 in the SouthEast. Transportation is another problem which leads to increase in deaths. For example, women may die during miscarriages because they cannot get to proper medical care. The drinking water, environmental and health care, health services and poverty have resulted in the spread of diseases like tuberculosis, typhoid, trachoma and malaria.



*The Turkish authorities are doing very little to help rural people forced to migrate to the cities. Families cannot afford to send their children to school. Children suffer the most from health problems due to poor sanitation and water supply.*

The report concludes that the extraordinary situation in the South-East has caused a 'demographic blowup' in the provincial centres. The resultant increase in population: "has not only caused an increase in insufficiency of infrastructure but has also deepened the inequality in the use of infrastructure facilities. This process has weakened the urban inner dynamics, so that instead of urbanization, urban areas have turned into villages".

**II Human Rights Watch Helsinki (1994), TURKEY: Forced Displacement of Ethnic Kurds from SouthEastern Turkey, Human Rights Watch/Helsinki, vol.6, no.12, New York.**

The report shows that since 1993, civilian displacement from S-E Turkey has become a widespread phenomenon. This is due to both increased fighting between PKK and government security forces, and as a result of action by the Turkish security forces. To deprive the PKK of a logistic base of support, the security forces evict villagers forcibly from their villages which are sometimes destroyed or burned. The forced displacement also comes as a collective punishment for refusal of joining the "village guard" system. The displaced villagers flee to the cities including Diyarbakir where they live in poverty.

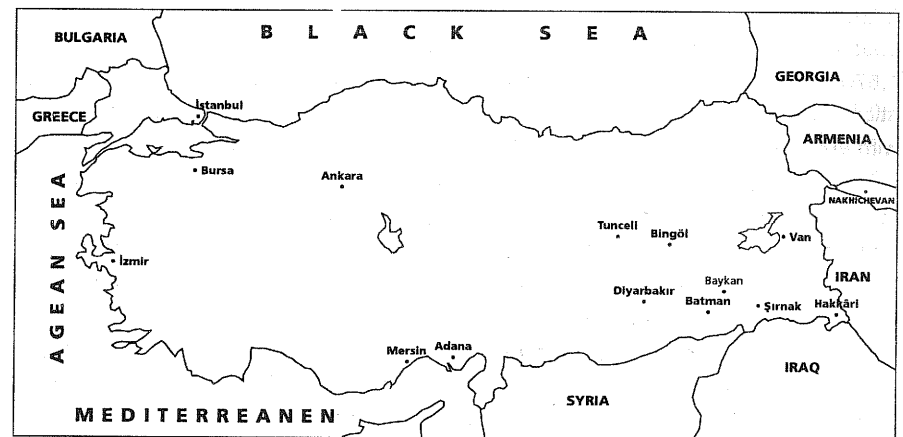
The displacement reached a high point during a three week operation in Tunceli province which began in late September 1994. During this brief time 40,000 Turkish troops burned thirty villages and hamlets. Deputy Prime Minister and the Minister of Human Rights visited that region and called the burning and displacement "state terrorism" and added that "security forces should avoid the psychology of burning and destroying...The evacuated villagers must be given food and shelter."

The report states that the numbers of displaced persons and evacuated villagers are only estimates since no exact official figures were available. On October 11, 1994 the Human Rights Minister stated that two million people had been displaced during the ten year conflict, and that 600 villages and 790 hamlets were evacuated. More than half of these occurred since the beginning of 1993.

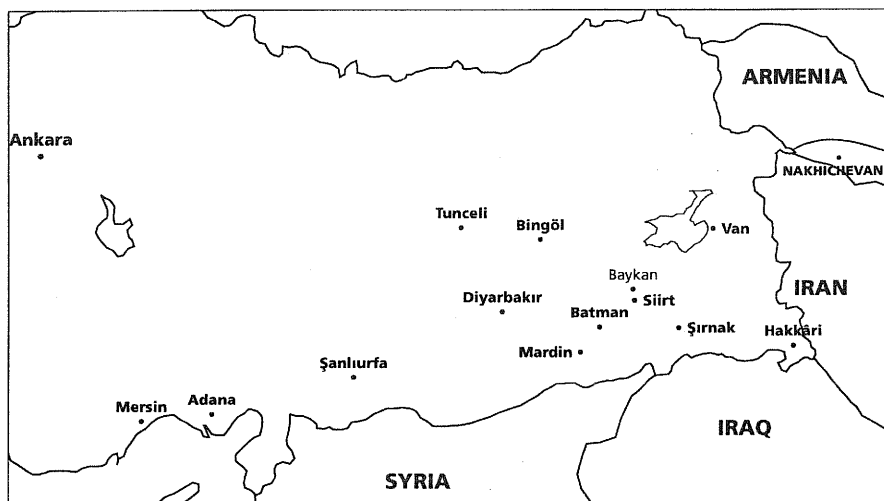
The report recommends the Turkish government to "cease indiscriminate practice of forcible expulsions of villagers from their homes and communities, especially for refusal to join the village guard system". It also recommends allowing international human rights groups free access to the "OHAL" provinces to investigate reports of abuses. The report calls upon the PKK to end abuse of civilians including an end to punitive attacks against village guard families and relatives.

**III US Department of State (1996) Turkey Human Rights Practices, 1995, US Department of State, Washington**

Several sections of this US State Department report mention that Turkish government security forces forcibly evacuated and sometimes burned villages. The report also mentions the inadequate response of the Turkish government to the plight faced by the Kurds forced to migrate to the cities. These violations of human



*Turkey and the Bordering Countries*



*The SE region of Turkey is under an "emergency". This is the area of fighting between government forces and the PKK guerilla movement. Many civilians have lost their homes, villages and their lives.*

rights are mentioned particularly in the sections of the report on 'Arbitrary Interference with Privacy, Family, Home or Correspondence', the 'Use of Excessive Force and Violations of Humanitarian law in Internal Conflicts', and 'Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status'.

It reports that, according to the Turkish Interior Minister, by March 1995, 2,297 villages had been evacuated or burned down in the SouthEast. The report quoted the emergency region governor stating, in July 1995, that 987 villages and 1,676 hamlets had been depopulated for various reasons. As a result of the evacuations, two million people have been displaced. Governmental programs to deal with and compensate the internal migrants have been very inadequate.

The report adds that the migrants live in overcrowded quarters with relatives in cities in the SouthEast and other areas of Turkey. There is severe overcrowding and chronic teacher shortage in urban centres. Many schools have been closed and the children suffer from the closing. Many of the SouthEast schools operate on double shift with 100 students in the class.

**IV Human Rights Association, Istanbul Section FLUCHT & MIGRATION IN WESTTURKISCHE STADTE (ESCAPE AND MIGRATION TO CITIES IN WEST TURKEY), Kurdistan aktuell, no. 7, medico international, Frankfurt.**

Members of the Human Rights Association collected information from

refugee families about the circumstances of their flight and their living conditions in the metropolitan areas of western Turkey. A random sample survey based on a detailed questionnaire was conducted in Istanbul, Mersin and Bursa. The main finding of this study is the readiness of the refugees to return to the homes from where they were forced to leave due to the war.

The report's preface notes that more than three millions Kurds were forcibly evicted from homes and their villages have been destroyed by Turkish "security forces". (Estimates of human rights organizations in Turkey of the number of refugees range from 2,5 to 3 million.) Approximately two million Kurds live in cities including Istanbul, Izmir, Ankara, Diyarbakir, Adana, Mersin and Bursa. Since the start of the guerilla war in 1984, Turkish military forces terrorized the rural population to separate them from the guerilla forces and to curb their support bases.

About 3,000 villages have been destroyed and their inhabitants forcibly evicted. In some villages the Turkish regime tried to recruit "villages guards", equipped them with arms "to protect" the villages against the "terrorist". But many of these villages have also been destroyed during the war since the population refused to collaborate with the government. Kurdish shepherds and agriculturalist were prohibited to graze their animals and to cultivate their lands. Hundreds of Kurds who refused to comply with military orders were shot dead. Their fields were destroyed and mined, their animals killed. After having destroyed their livelihood the authorities imposed a food embargo on the population.

The report outlines many reasons for migration. 70,1 % migrated because of the war, 15,2% for economic reasons, and 20,2% for security reasons. 90,3% of migrants stated they were subjected to ill treatment, of whom 66,3% have been detained and tortured. 55,1% refused to be recruited as villages guards. 44,6% stated that their crops and seedlings were burned and their animals killed. In 43,7% of cases, the village has been bombed, and in 42,8% the village was burned down. 53,4% of refugee families migrated with all family members. 54,3% of the refugees migrated in 1994 indicating the increasingly enforced policy of forced evictions. The rural population is the main target group of the forced eviction policy. 71,6 % migrated from rural areas.

The living situation of the displaced Kurds in urban centres is reported as follows:

- According to the city council of Diyarbakir 100,000 people are homeless. A household in the city centre comprises of 40 people.
- Survey results from Istanbul, Mersin and Bursa reveals that 52,2% of the refugees live in camps (Gecekondu "build over night"), 1,2% live in tents, 13,2% live in shacks, shanties, cellars or storerooms. 13,2 % refugees live in "rented



apartments" which in the majority of cases were the basements of houses under construction. In 48,3% cases, 610 people live in one apartment.

- The poor living conditions pose severe health hazards. Children suffer from infectious diseases and malnutrition. 12% of the refugees have no toilets, 32% no water pipes in their households, 9% no electricity, nearly 1% no facilities such as water, electricity, toilets, at all. 50% did not consult a doctor after their escape and 25% of the refugees are not able to receive any medical treatment. Adana, the city with the highest rate of refugees transformed its health posts into police offices.

- Typhoid and diarrhoea are among the most prevalent diseases. In the first 6 months of 1995 15-20,000 people in Diyarbakir suffered from diarrhoea and 5,000 from typhoid. Cases of tuberculosis and malaria increased by 100% in 1994. Mainly children are affected by infectious diseases. 78% of the children aged 0 x 4 years suffer from diarrhoea, the main cause of the high infant mortality rate.

Another problem for the Kurdish immigrants is the shortage of food supply. The majority of refugees spend all their financial resources on their escape. When they arrive in the cities, they are sometimes not even able to buy bread. 44% of the families (9-10 members at average) make 0-2,5 Million TL a month. In their villages, the majority of Kurds were involved in farming. 80% owned land and 71%



*One of many villages destroyed in S.E. Turkey.*

raised animals. They are now compelled to petty trading in the streets. In 222 of 341 families, only one person was found working. In 38,2% of the families, no one earned a living.

Anti Kurdish resentments and discrimination within the Turkish society is increasingly incited by the Turkish regime. According to the survey, 86% of the refugees could not rent an apartment because of their Kurdish origin. 74% were refused jobs. 87,7% stated they were harassed, and 69,2% were detained simply because they are Kurds. 78,3% would like to have their children educated in Kurdish. 96,0% want to return to their home.

#### **V Netherlands Kurdistan Society (1995) Forced Evictions and Destruction of Villages in Dersim (Tunceli) and the Western Part of Bingol, Turkish Kurdistan, September / November 1994, Netherlands Kurdistan Society, Amsterdam.**

This report by the Netherlands Kurdistan Society details the extent of evictions that took place in Tunceli (the Turkish name for the region known locally as Dersim) during the autumn of 1994. The report documents how in a period of just two months, 137 villages, around a third of the total villages in the province, were systematically torched by the Turkish military.

Maps and the lists of destroyed villages show that the rural parts of the Tunceli district are now largely depopulated. The report stresses that if the displaced villagers are not allowed to return home, then the Turkish military operation will have resulted in the destruction of "one of the most distinctive traditional cultures of Asia Minor".

The report also contains a brief description of the problems displaced Kurds face during resettlement and the search for new employment. In addition to the problems of lack of space and access to civic services, the report also mentions the continued police harassment of displaced people. The report states categorically that: "the prospects of rapid integration, economic and cultural, of these displaced Kurds in the Western cities are not promising".

#### **VI Human Rights Watch Arms Project, (1995) Weapons Transfer and Violations of the Laws of War in Turkey, Human Rights Watch, New York.**

This report painstakingly documents the role of the Turkish military, and by inference its arms suppliers, US, Germany, Italy, Russia, Netherlands and France, in the destruction and evictions of "2,200 villages and two million internally displaced Kurds". It documents the Turkish security forces' violations of the laws of war and human rights, and their reliance on US and NATO supplied weapons for the operations in the SouthEast. The report contains detailed case studies documenting the brutal methods used by the Turkish Military in its mass exercises of village evacuations.

According to the findings of the report, the villages are usually destroyed by burning or shelling. This is very often supported by helicopters. It is intended to prevent local people from returning home and to deny the PKK access to shelter in winter. Torture and ill treatment of civilians during military operations were found to be routine phenomenon. In all the cases investigated, the Turkish government made no move to care for the displaced civilians. They were told to leave their homes and their possessions behind, and then watched their homes being burnt down. Following the destruction they were told to walk to the nearest town and to never return.

## V. TURKEY VIOLATES INTERNATIONAL HUMAN RIGHTS INSTRUMENTS

The Fact Finding Mission compared the evidence and testimonies it compiled with the obligations to promote and protect human rights, particularly the right to housing, contained in international human rights instruments that Turkey has willingly ratified. This comparison reveals the abject failure of Turkey to uphold the provisions of human rights instruments and the protection they offer to the basic rights of many Kurdish residents of Turkey, including the right to housing.

**Turkey is clearly in breach of provisions protecting housing rights under a number of international human rights instruments. This is evidenced by continuing forced evictions, the neglect shown by the Turkish authorities of the housing/living conditions of the displaced Kurds, and the rampant discrimination faced by the displaced Kurds in employment, housing, education and other areas of urban life.**

This situation is best summed up by the judgement of the European Commission of Human Rights in a case of burning houses in Kelekci, Diyarbakir province. The Commission held that Turkey was in violation of Article 8 of the European Convention of Human Rights. The judgement stated that "the burning of the applicants homes by security forces, resulting in migration and dire personal circumstances - little State assistance forthcoming amounts to inhuman and degrading treatment."

Turkey is also specifically in breach of the following provisions from international human rights instruments that it has ratified:

- INTERNATIONAL CONVENTION ON THE RIGHTS OF THE CHILD (1989),

Article 27(3) states:

*States Parties in accordance with national conditions and within their means shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in the case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.*

Article 16(1) states:

*No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.*

INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (1979),

Article 14(2)(h) states:

*States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right...(h) to enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.*

- EUROPEAN CONVENTION ON HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Articles 8(1) and 2 (Protocol Four) state:

*8(1) Everyone has the right to respect for his private and family life, his home and his correspondence.*

*2(1). (Protocol Four) Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to his residence.*

There are numerous additional international declarations and UN resolutions whose provisions Turkey has failed to respect. Several of these relate directly to Habitat II:

THE UNIVERSAL DECLARATION ON HUMAN RIGHTS

Article 25(1) states:

*Everyone has the right to a standard of living adequate for the health and well*

*being of himself and his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.*

#### VANCOUVER DECLARATION ON HUMAN SETTLEMENTS (1976)

Section III(8) and Chap. II (A.3) state, respectively:

*Adequate shelter and services are a basic human right which places an obligation on governments to ensure their attainment by all people, beginning with direct assistance to the least advantaged through guided programmes of self help and community action. Governments should endeavour to remove all impediments hindering attainment of these goals. Of special importance is the elimination of social and racial segregation, inter alia, through the creation of better balanced communities, which blend different social groups, occupations, housing and amenities.*

*The ideologies of States are reflected in their human settlement policies. These being powerful instruments for change, they must not be used to dispossess people from their homes or land or to entrench privilege and exploitation. The human settlement policies must be in conformity with the declaration of principles and the Universal Declaration of Human Rights.*

#### UN COMMISSION ON HUMAN RIGHTS RESOLUTION 1993/77

*Adopted unanimously, 10 March 1993, 49th Session, UN Commission on Human Rights*

##### *1993/77. FORCED EVICTIONS*

- 1. Affirms that the practice of forced evictions constitutes a gross violation of human rights, in particular the right to adequate housing;*
- 2. Urges Governments to undertake immediate measures, at all levels, aimed at eliminating the practice of forced evictions;*
- 3. Also urges Governments to confer legal security of tenure to all persons currently threatened with forced eviction and to adopt all necessary measures giving full protection against forced evictions, based upon effective participation, consultation and negotiation with affected persons or groups;*
- 4. Recommends that all Governments provide immediate restitution, compensation and/or appropriate and sufficient alternative accommodation or land, consistent with their wishes or needs, to persons and communities which have been forcibly evicted, following mutually satisfactory negotiations with the affected persons or groups...*

#### UN GLOBAL STRATEGY FOR SHELTER TO THE YEAR 2000

General Assembly Resolution 43/181, para. 13

*13. All citizens of all states, poor as they may be, have a right to expect their Governments to be concerned about their shelter needs, and to accept a fundamental obligation to protect and improve houses and neighbourhoods, rather than damage or destroy them.*

#### AGENDA 21 (UNCED, 1992), CHAPTER 7

*7.6: Access to safe and healthy shelter is essential to a person's well being and should be a fundamental part of national and international action. The right to adequate housing as a basic human right is enshrined in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights*

*7.9(b): All countries should adopt and/or strengthen national shelter strategies, with targets based, as appropriate, on the principles and recommendations contained in the Global Strategy for Shelter to the Year 2000. People should be protected by law against unfair eviction from their homes or land.*

## VI. RECOMMENDATIONS AND DEMANDS

The members of the fact finding mission were permanently moved by the overwhelming information on the cold and inhumane methodology of evictions adopted by the Turkish authorities, and the overwhelming evidence of almost nonexistent State assistance to improve the housing and living conditions of those displaced to the cities.

The sheer scale of injustice that marked the indiscriminate evictions in the SouthEast continues to be perpetrated against the more than two million Kurds that have been internally displaced. The families seek life in sustainable settlements but find only indifferent public authorities and discrimination in every sphere of life. Such an unjust situation places demands on us all, NGO's and governments alike.

These recommendations and demands are made in light of the intense distress caused to the displaced Kurds and in the context of the Habitat II Conference that is focused on the meaning of civic responsibility and governmental obligation to ensure sustainable villages, towns and cities.

### **I Five minutes of reflection: A suggestion to all members of the international community gathered at Istanbul**

We request that everyone reading this report take five minutes to reflect on the following:

1. To undertake this small symbolic act of reflection, five minutes of your personal time, to review our capacity to react to pain and injustice; against ourselves and especially against the others.
2. To consider the historic lessons of the consequences of all kinds of wars that are based more on retaining power than on finding ways to create the conditions for peace and justice to prevail.
3. To consider that the Habitat II Conference, the final global conference in this century, is being hosted by a country which is one of the world's worst violators of human rights, including massive forced evictions.
4. To reflect on the daily life faced by displaced Kurds in the slum settlements of Istanbul. By doing so, to reflect on how can we give the Habitat II Conference significance, by contributing to building a world where peace reigns in sustainable human settlements.
5. To recognise that instruments of war and destruction, are produced by a very powerful "military industrial complex". This is the most sophisticated and perverse combination of individual and corporate initiative with the aim of accumulating profits in exchange for lost lives, often of innocent citizens. War of any kind is a major business. It is part of the main export industries of some countries, and one of the main import expenses of many third world countries. To reflect, therefore on who are the real beneficiaries of wars?
6. To reflect finally on the urgent need to review our own active, personal attitude and role in understanding and acting on the meaning of human rights, peace and justice. And, in so doing to participate in a wake up call to change attitudes about war, peace and their links to a sustainable world.

### **II Demands to the Government of Turkey**

1. Stop the war operations in SouthEast Turkey and contribute to the creation of conditions so that political dialogues, with international monitoring, can take place to solve the conflict.
2. Stop all the human rights violations, especially those affecting women and children. In particular, stop immediately the practice of forced evictions of Kurdish villagers from their homes.
3. Guarantee to all the displaced population safe return to their homelands,

and provide adequate compensation for their properties, houses destroyed by fire, animals killed and so forth. Implement special economic programs to reactivate the economy in the SouthEast. Begin reforestation programs in the areas where the forest were set on fire.

4. Provide special attention to the plight of people and families that were evicted and are living in the cities of Turkey.
5. Respect and apply all provisions of: the Geneva Conventions; the two protocols of the Geneva Conventions; the Customary laws of war; the International Convention on Rights of the Child; the International Convention on the Elimination of All Forms of Discrimination against Women; and, the European Convention on Human Rights and Fundamental Freedoms
6. Ratify all international human rights instruments that protect the economic, social and cultural rights of the residents of Turkey, in particular: the Covenant on Economic, Social and Cultural Rights and the Convention on the Elimination of Racial Discrimination. Comply by the recommendations for governments contained in the final report of the UN Special Rapporteur on the Right to Adequate Housing (UN doc. no. E/CN.4/Sub.2/1995/12).

### **III Demands to the PKK**

1. Stop all acts of armed conflict and use all means possible to enter into a dialogue with the Turkish authorities to end the conflict in the SouthEast.
2. Stop the mistreatment of civilians, particularly using them as shields, and to respect the provisions of the Geneva Conventions, its two protocols and other customary laws of war.

### **IV Demands to the United Nations Human Rights Bodies**

1. Appoint a UN Special Rapporteur on Turkey to investigate the human rights situation and to report to the UN Commission on Human Rights on the continued violations of the housing rights of the Kurds through the practice of forced evictions and through perpetuation of inadequate housing and living conditions of the displaced Kurds in the cities of Turkey.
2. Allow the visit to Turkey of the Special Representative of the UN SecretaryGeneral on Internally Displaced Persons.

## **V Demands to the International Community of States Attending Habitat II**

1. Create an independent assessment mission that during the course of Habitat II will visit the "emergency zone" in SouthEast Turkey, particularly towns such as Van, Diyarbakir and Batman, and the destroyed and remaining villages. This mission should prepare a report to the plenary session of the Conference. The mission could be composed of representatives of the UN System, Governments, and NGO's.

2. To be aware and monitor, in the context of the themes of Habitat II, the conflict in S-E Turkey and to implement an immediate ban on the sale and provision of all arms and military equipment that might be used against civilian populations in Turkey.

3. To apply pressure on and to assist the parties involved in the conflict to set on a process towards peace, beginning with a stop to the violations of human rights of the Kurds.

## **VI Suggestions to the NGO community attending Habitat II**

1. To learn as much as possible about the forced evictions in SouthEast of Turkey, and about the housing and living conditions of the displaced Kurdish population. Arrange visits to the slums of Istanbul where the displaced Kurds live.

2. To join together to formally express concern at Habitat II about the violations of human rights and housing rights in Turkey, and to insist that the Government of Turkey and the Governments attending Habitat II take the actions listed above.

3. To develop concrete actions of solidarity, during the Conference, with the displaced population and support actions in Turkey, internationally and in your own countries.