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State of the World's Minorities and Indigenous Peoples 2012 - Turkey

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Despite the government's announcement of its 'democratic opening' programme in the summer of 2009, aimed at bringing about a peaceful solution to the Kurdish situation and upholding the rights of all groups in the society, little progress was made in 2010. However in 2011, Turkey witnessed some potentially positive developments.

At the general election in June 2011, the Justice and Development Party (AKP) won a third term in office with 50 per cent of the vote. The election brought Kurdish success too as 36 independents fielded by the pro-Kurdish Peace and Democracy Party (BDP) won seats (rising from 24 in the 2007 election). Seventy-eight women, one of whom is Kurdish, won seats in the 550-seat parliament (rising from 50 in the 2007 election).

Prime Minister Recep Tayyip Erdogan promised that the process to fully revise Turkey's Constitution would commence: 'through consensus and negotiation ... with the opposition, parties outside of parliament, the media, NGOs, with academics, with anyone who has something to say'. Changes to the Constitution are crucial for Turkey's minorities, since only three minority groups are currently recognized, namely Armenians, Greeks and Jews; others, including Alevis, Kurds and Roma, remain excluded. Even recognized minorities continue to face discrimination. The Parliament Conciliation Commission has been set up to work on revising the Constitution, with draft expected in 2012. Representatives of minority groups have begun to push for their

cultural, linguistic and civil and political rights to be incorporated in the new Constitution, and to be recognized as equal citizens.

In August, the Ministry of Justice established a Human Rights Directorate to help harmonize Turkey's judicial practices with those of the EU. This will hopefully push forward implementation of rulings from the ECtHR. Turkey ranks second after Russia in terms of the number of cases taken to the ECtHR, with nearly half of them on violations of fundamental human rights. In 2011, Turkey topped the list of countries that had been found by the ECtHR to have violated the European Convention on Human Rights (ECHR), with 159 cases.

Following the Kurdish Workers Party (PKK) ceasefire declaration and subsequent decrease of clashes between the PKK and the security forces in 2010, violence escalated again significantly in 2011 with fatalities on both sides. There were also significant Kurdish civilian fatalities as a result of the attacks, and upheaval within these communities continued, particularly in the south-east of the country and near the Iraq border. During an air raid in December 2011 near the Turkey-Iraq border, 35 Kurdish civilians were killed. The government stated that the attacks were targeting armed PKK forces and passed on official condolences to the bereaved families.

In addition, Kurdish officials and activists, most of them allegedly associated with the Union of Kurdistan Communities (KCK) and the PKK, continued to be arrested. In August 2011, 98 former mayors and eight other politicians were arrested because they had demanded better conditions for Abdullah Öcalan, the imprisoned ex-PKK leader. An estimated 9,000 individuals have been arrested since 2009 for alleged links to the KCK. In spring 2011, trials of another 153 Kurds in custody resumed. The defendants in the Diyarbakir Heavy Penal Court asked to conduct their defence in Kurdish, but this was denied by the court.

It remains illegal for Kurdish to be spoken and taught in schools, thus Kurdish pupils continue to face disadvantage, sometimes taking years longer to learn to read and write compared to their Turkish classmates. Moreover, it is prohibited for official signs to appear in Kurdish alongside Turkish. Recently, though, there have been a few positive developments as Kurdish-speaking radio and television have been allowed, and in October the first Turkish University (Artuklu University in the south-east) began teaching a degree course in Kurdish.

Other minorities in Turkey face similar discrimination. Assyrians who have adopted Turkish surnames because of prior legislation now want to go back to using their original surnames, but a Constitutional Court ruling in 2011 said that the law did not permit this. Many Assyrians felt increasingly frustrated and under attack in 2011 as the trial involving

their most sacred site, the 1,700-year-old Mor Gabriel monastery, continues. The monastery is located in Mardin province in south-east Turkey. In 2008, the inhabitants of the villages of Yayvantepe, Çandarlı and Eğlence filed a suit against the monastery, claiming that the land on which it is situated does not belong to the monastery. Simultaneously, some government authorities filed similar land-related suits against the monastery. Assyrian representatives rebut these claims and have brought their case to the ECtHR. The first hearing has yet to take place.

Alevis, whose belief system combines elements of Shi'a Islam and pre-Islamic folk customs, make up 10-30 per cent of Turkey's population according to unofficial estimates. In school they have to take compulsory religious education classes that exclude their own belief system. Alevis, whose places of worship are not recognized, have requested that they be exempt from these compulsory classes and some have taken the issue to court. Despite an ECtHR ruling in 2007 that such exemption should be permitted, Turkey's Department of Education has not yet complied with the verdict. In December 2011, Education Minister Ömer Dinçer pledged that passages in Turkish history textbooks that are antagonistic towards Armenians and Assyrians would be amended.

In 2011, the Greek Orthodox Patriarchate and others continued to demand that Turkey allow the Halki seminary on the island of Heybeliada to be reopened. The seminary trained generations of patriarchs and was shut in 1971. Turkish courts have ruled that an old orphanage should be handed back to the Patriarchate, and in August the government signed a historic decree to return property seized 75 years ago from minority foundations, including schools, stores and houses.

Since Turkey collects no disaggregated data on minorities, it is difficult to gain a clear picture of how the situation looks for minority women in the country. But at the fourth UN Forum on Minority Issues in November, a Turkish NGO, Association for Social Change, highlighted the acute levels of discrimination faced by Kurdish women as a result of customs regarding women and girls, sexual violence, employment and poverty. The latter is more acute within these communities as, due to the conflict over the decades between PKK and Turkey, many have been displaced from their land.

The government took some steps in 2011 towards safeguarding women's rights. In May, Turkey was the first signatory to the Council of Europe Convention Against Domestic Violence and Violence against Women. However the situation remains grave. According to a report based on a national survey by a consortium of Turkish academic institutions, in the south-east of the country, one in two women have experienced violence, which is above the national average. A report by Roj Women's Association, which works on Kurdish and Turkish women's rights, states that: '[I]n 80 per cent of cases, victims of

custodial rape were Kurdish women, and in 90 per cent of cases women cited political or war-related reason as causes for their arrest.' Despite there being legislation and relevant protections in place to help protect women, such as emergency shelters, these laws exclude unmarried and divorced women and those married according to unrecognized religions. The gaps in the law, coupled with the lack of enforcement, perpetuates the cycle of incidents not being reported, perpetrators not being penalized and women not being able to escape their violent environments.

Economic development

Turkey's continued economic growth has often affected its minority communities negatively. As many of these groups may be socio-economically vulnerable and reside within areas earmarked for development, they have been unable to assert their rights or benefit from these projects. For example, in 2008 several thousand Roma were evicted from the Sulukule area (one of the oldest permanent Roma settlements in the world) in Istanbul. The Roma in Sulukule ended up having to sell their homes to private investors and the Fatih municipality and moved to a new district, Tasogluk. But costs of this alternative accommodation proved to be too high, and Sulukule residents have subsequently had to move again to find affordable housing.

In 2011, other minority families, including Roma, Kurds and Greeks, have been threatened with eviction and some have been forced to leave Tarlabası, a small area in the middle of the city. Some of the Kurds living in Tarlabası had settled there after they had been displaced from south-eastern Turkey during the 1990s, when the conflict between the Turkish government and the PKK was particularly violent. Residents were intimidated and threatened by the local municipality and law enforcement officials, according to an Amnesty International report. Residents facing eviction had not been consulted, given adequate notice, access to legal remedies, or given adequate alternative housing or compensation. Some officials reportedly forced residents to sign eviction notices without permitting them to read them.

These problems are not restricted to urban redevelopment. In March 2011, a report launched by Turkish and German civil society organizations highlighted how Turkish dam construction projects have caused severe human rights violations. Dams are developed without meaningful consultation with the affected communities, and without sufficient compensation or the provision of alternative income sources for those affected. The report highlighted the particularly vulnerable Sarıkeçili Yuruks, who are Turkish nomads who have lived in Anatolia for 900 years and now consist of approximately 200 families. Nomads remain completely dependent on river valleys and pastures to support their subsistence life based on herding.

In the Göksu-Ergene basin in southern Turkey, many small dams and hydroelectric plants are being built. Construction work is closing many of the traditional routes that nomads use to move between winter and summer pastures, leaving many families without water and food.

Development of hydroelectric dams continues, despite the negative impact on humans and the environment. The Turkish government intends to build over 1,700 dams and hydroelectric power plants within the next 12 years.

Some of Turkey's larger proposed dam projects in the Kurdish south-east have sparked fierce opposition. For example, the construction of the 1,200 megawatt Ilisu dam on the Tigris River in south-east Turkey will displace as many as 55,000-65,000 Kurds. European backers withdrew funding in 2009 because of serious problems and strong opposition. But campaigners fear the government will push ahead with the project. Ilisu is only one of a series of dams planned as part of the US\$ 32 billion Southeastern Anatolian Project (Güneydoğu Anadolu Projesi) in the Euphrates and Tigris basins that envisions the construction of 22 dams and 19 hydroelectric plants. The US\$ 4 billion Beyhan project on the Euphrates is causing great concern that the local population will face forced evacuation. At another project in the Senoz valley on the Black Sea, dam work continues despite court rulings. Large forest sections above the valley have been cleared, causing landslides and soil erosion, and the water is being polluted adversely affecting the local community and killing thousands of fish.

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