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State of the World's Minorities and Indigenous Peoples 2011 - Turkey

2010 saw few changes in the situation of minorities in Turkey. This was despite hopes raised in 2009 by the 'democracy opening' programme launched by the government, with the aim of ensuring equality to all citizens and bringing a peaceful solution to the Kurdish question. Promises made by the government in 2009 to adopt a comprehensive anti-discrimination law and set up an equality body, a national human rights body and an independent complaints mechanism against police forces also came to nothing. In addition, the 10 per cent electoral threshold which prevents many parties, including the pro-Kurdish party from winning seats in the parliament is still in place, despite suggestions from an opposition party to lower the threshold.

In September 2010, a referendum was passed by 58 per cent to amend some provisions of the Constitution. The amendment strengthened provisions for positive measures to ensure equality between women and men, and for the prosecution of members of the military before civil courts for crimes not related to their duties and/or committed against civilians. The 'No' campaign was run by the main, Kemalist opposition party and many left-wing groups, in the belief that the government was aiming to establish control over the judiciary in order to pursue an Islamist agenda and weaken the secularity of the state. Nationalist conservative parties also ran a 'No' campaign, while the pro-Kurdish party chose to boycott the referendum, arguing that the proposed constitutional changes did not include anything new for Kurds.

Following the referendum, many provisions in the Constitution that affect minority groups have remained in place, such as Article 42 that bans the teaching of any languages other than Turkish as a mother tongue, and Article 24 on compulsory religious culture and ethics classes. Nevertheless, civil society and minority activists see the approved changes as an indication that more than half of the population may be prepared to accept further changes. The governing Justice and Development Party has itself acknowledged that the changes were not adequate, and promised that an entirely new Constitution would be drawn up in 2011, although only once national elections have taken place (scheduled for June 2011). A new Constitution would present an important opportunity to bring an end to the state policy that has sought to assimilate minorities and create one type of Turkish citizen, who is secular Sunni Muslim, speaks Turkish and is nationalist. Such a change would enable Turkey to recognize the rights of minorities and effectively guarantee equality to all its citizens, regardless of their ethnic, religious or linguistic origins.

Turkey continues to accept only three non-Muslim groups as minorities: Armenians, Greeks and Jews. This means that other non-Muslim groups and ethnic minorities, such

as Alevis, Assyrians, Circassians, Kurds, Laz and Roma, are not officially recognized, limiting the exercise of some political and cultural rights by these groups. Even minorities with official recognition cannot exercise their rights fully, as Turkey limits their rights to those guaranteed in the Lausanne Peace Treaty (signed in 1923 between Turkey and the Allied forces following the First World War).

One positive development in 2010 was the continuation of dialogue between the government and some minority groups. But these dialogue meetings did not lead to any concrete changes. For example, during discussions, representatives of the Alevi minority called for children from the group to be exempted from attending obligatory religious culture and ethics classes (which remain centred on Sunni Islamic teachings, despite some revisions), but this request was denied. Exempting Alevi children from these classes would have given them the same rights as Jewish and Christian children, who do not have to attend, and would have reflected the judgments of the Court of Cassation and the ECtHR (*Hasan and Eylem Zengin v. Turkey*, Application no.1448/04, Judgment of 9 October 2007) given in favour of their exemption from this class. In addition, the Halki (Heybeliada) Rum Orthodox theological college remains closed (as it has been since 1971, when it was closed for refusing to align with a public university, which would have compromised its independence).

The Ministry of Education printed Armenian textbooks for Armenian minority schools for the first time, although these schools continued to receive no financial support from the state and remain subject to heavy financial and bureaucratic burdens. Only Armenian children who have Turkish citizenship can study at these schools, meaning that children who are Armenian citizens living in Turkey are excluded. More positively, the first Armenian language and literature department in the country was opened at Erciyes University.

Clashes between the Kurdish Workers' Party (PKK) and security forces diminished in the latter part of 2010, following the PKK's declaration of a ceasefire in August 2010. The armed conflict is ongoing, however; 152 Kurdish politicians and civil society activists (104 of whom are in prison) face charges of belonging to the Kurdish Communities Union (KCK), which is alleged to be the urban branch of the PKK. The trial is ongoing. The suspects' request to defend themselves in Kurdish has been rejected by the Court.

Education in Kurdish has been at the top of the agenda of the pro-Kurdish Peace and Democracy Party (BDP), and of many NGOs and academics. But this and demands for the use of Kurdish in public life have been rejected strongly by the government. Despite this, municipalities where the BDP are in charge have started to use bilingual signs and doorplates. Mardin Artuklu University applied to the High Board of Education for approval to set up a Kurdish language and literature department and a Kurdology Institute. Their application was rejected, and instead the Board decided to set up the Institute for Living Languages, without referring to Kurdish language in its name, but enabling the university to open an MA programme in Kurdish language within this Institute. There has also been greater public discussion of demands by Kurdish groups for the establishment of truth commissions and for the acknowledgment of gross human rights violations by the state.

The reported number of racist or hate crimes rose in 2010. Many of the perpetrators of these attacks have been arrested and convicted, including a 39-month prison sentence handed down to someone who threatened the staff of *AGOS*, an Armenian weekly newspaper based in Istanbul. But as the Penal Code contains no provisions relating to hate crimes, perpetrators are charged under ordinary criminal law. Roma homes and vehicles were attacked in Manisa/Selendi in January 2010, and 21 Roma families had to leave the town as they did not feel safe there. The displaced Roma families received some short-term support from the state, but have since then been living in very difficult conditions. Kurds were subject to racist attacks in Hatay/Dörtyol and Bursa/Inegöl in July. In Hatay/ Dörtyol, the BDP building and some Kurdish offices were set on fire, and in Erzurum a BDP convoy was stoned. In Hatay/Iskenderun, Catholic Bishop Luigi Padovese was murdered. The trial of those suspected of murdering Armenian journalist and editor Hrant Dink in 2007 entered its fourth year, with as yet no prosecution of police and intelligence officers who failed to protect Dink. The Malatya case, brought

against perpetrators of the brutal murder of Christian staff at the Zirve Publishing House, is still pending.

Data disaggregated by ethnicity is not collected in Turkey, meaning that there are no official figures to illustrate discrimination against minority women. However, the results of some surveys disclose disparities between access to education by girls and women in Turkey in general and those in east and south-east Turkey, regions mostly populated by Kurds. According to data provided by the United Nations Development Programme (UNDP) in 2008, the literacy rate of women is 60.3 per cent in south-east and 63.6 per cent in east Turkey, compared with 79.6 per cent nationally. School graduation rates also differ between east and west Turkey. A report published by MRG, *Forgotten or Assimilated? Minorities in the Education System of Turkey*, revealed problems in accessing education for minority children in general, and minority girls in particular. Poverty emerges as one of the most important factors, particularly for Roma, displaced Kurds and children of seasonal workers, who are mostly Kurds. Roma NGOs report that nowadays most Roma families enrol their children at school, but then withdraw them after a couple of years, as parents cannot afford the expense and children are needed to work in order to contribute to the family budget. Girls are usually withdrawn before boys. Another factor cited was the lack of role models for Roma children, and early marriages are also reported to play a role in drop-out rates. In addition, urbanization projects carried out in some provinces of Turkey caused displacement of many Roma and affected many Roma children negatively, again impacting on education. National governmental programmes to address girls' access to education are being implemented and are seen as a positive development, although these programmes do not target minority girls specifically.

Women who have been displaced are among those most affected by the armed conflict in Turkey. It is estimated that over a million people, most of whom were Kurds, were displaced from east and south-east Turkey, in particular in the early 1990s. Some fled to Europe, but most moved to large cities in Turkey. Reports issued by some NGOs show that most of these people have not received any state support to enable them to integrate in their new places of residence, and that they form one of the poorest sections of society. Women and children are particularly affected. Many of the displaced women do not speak Turkish well and this prevents them from accessing public services, in particular health services. Literacy rates and integration in economic life are very low, and the state has not developed any specific programme to address the economic, social and cultural needs of these people. A law adopted to provide compensation to those displaced by or suffering other losses as a result of 'terrorism' provided monetary compensation to many people, although the application system and the amount of compensation awarded were strongly criticized by some NGOs. In addition, no rehabilitation programme has been developed to deal with the damage and trauma that cannot be compensated by cash payments.

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