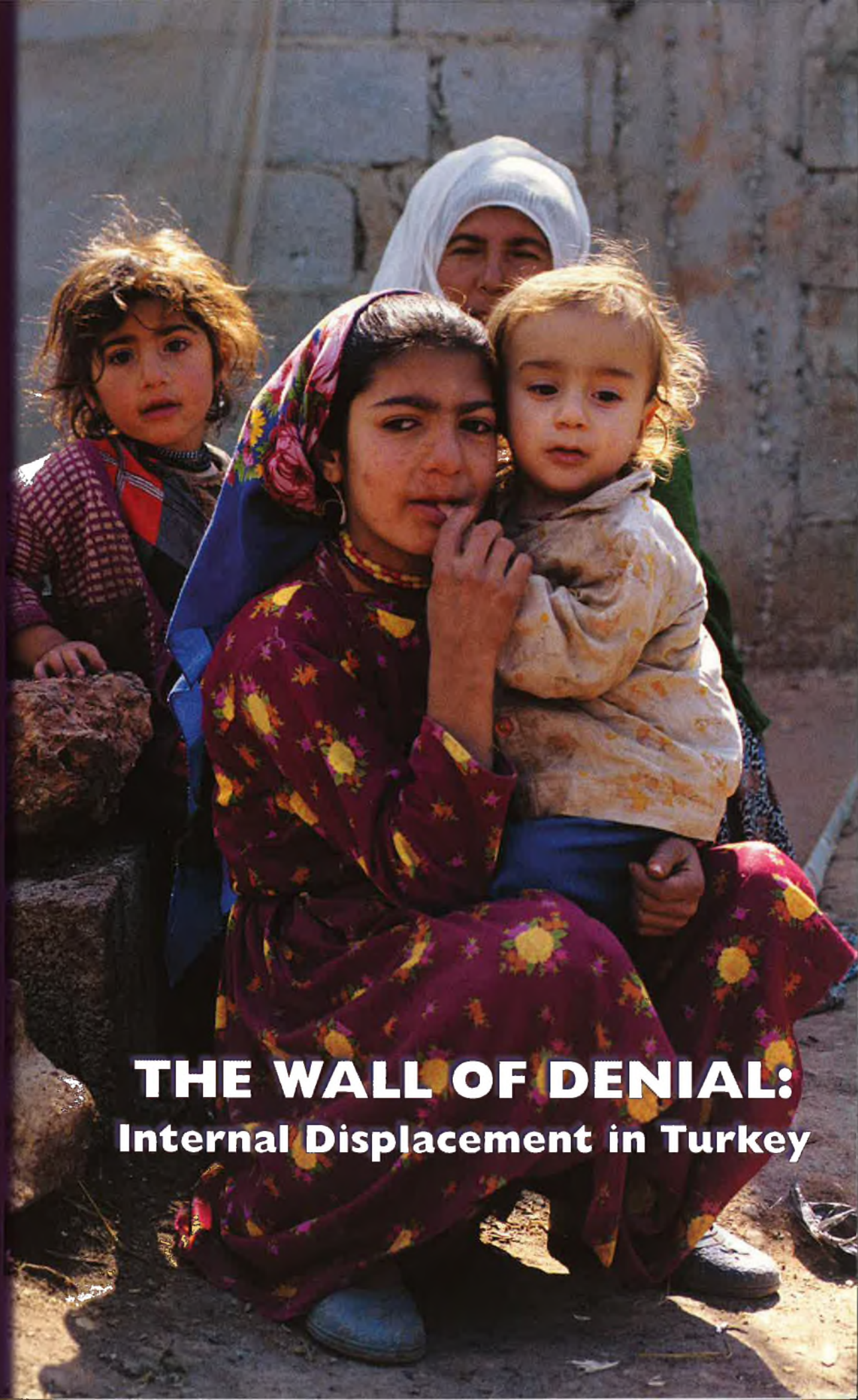
TURKEY

Uprooted Kurds in Turkey's Southeast



THE WALL OF DENIAL:
Internal Displacement in Turkey

U.S. COMMITTEE FOR REFUGEES

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Of the many cases of internal displacement in the world today, some are particularly troubling because they seem to be beyond the reach of the international community. Although the displaced populations of concern may be in serious need of assistance and protection, and could benefit immeasurably from outside support, few or no steps are taken, or strategies developed, to gain access to them.

To address this problem, the Brookings Institution Project on Internal Displacement asked the U.S. Committee for Refugees (USCR) to undertake a study of complex situations of internal displacement where access is difficult and international involvement is limited or nonexistent.

Turkey was selected as one of the countries, and Bill Frelick, USCR's director of policy, undertook a visit to southeastern Turkey in the fall of 1998 in preparation for the study. The paper was reviewed at a conference organized by the Brookings Project and USCR in Washington D.C. on January 28, 1999. The conference brought together country and regional experts as well as representatives from U.S. agencies, NGOs, and the U.S. government to discuss strategies for dealing with this and other difficult situations of internal displacement.

USCR wishes to thank the Brookings Institution Project on Internal Displacement for its overall support in undertaking this project. The author wishes to thank the Turkish Foreign and Interior Ministries for their willingness to meet with him in Ankara. Many other people in Turkey gave generously of their time, shared their perspectives, and otherwise contributed to the success of this paper. The author is enormously grateful to those who helped to facilitate the visit and those who shared their perspectives. His thanks, most especially, go to the displaced persons themselves who, often despite genuine fear, shared their stories and their hopes for the future.

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Cover photo: Displaced Kurdish children from the Pervari and Hakkari region living in shelters near the town of Van.
Photo Credit: R. Maro/*version.*
Map: Adapted from the Amnesty International Report, *Turkey: No Security Without Human Rights.*

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THE WALL OF DENIAL:
INTERNAL DISPLACEMENT IN TURKEY

I. BACKGROUND

By some accounts, Turkey has the second largest population of internally displaced persons in the world, yet, the international humanitarian community has done virtually nothing on their behalf.[1] Neither the International Committee of the Red Cross (ICRC), with an explicit mandate for displaced persons, nor the UN High Commissioner for Refugees (UNHCR), which has extended its "good offices" on behalf of the displaced in many other places, has undertaken any activities on behalf of displaced persons in Turkey, a population virtually unknown and untouched by other intergovernmental and nongovernmental organizations (NGOs) traditionally working on behalf of displaced populations in similar situations. This international failure to respond is not a result of the Turkish government's taking responsibility for the care and protection of its own displaced citizens. To the contrary, Turkey continues to deny the problem exists and to ignore the needs of the uprooted.

This paper is an attempt not only to examine the causes and consequences of displacement in Turkey, but to explore why internal displacement in Turkey has failed to garner international attention and response. It will examine why these displaced people have largely remained unassisted and unprotected by their own government and the world at large and how the absence of an international humanitarian presence on behalf of the displaced in Turkey hampers the efforts of local indigenous NGOs to help them.

History

Forced migration of Kurds in Turkey has a long history. Following the Young Turk revolution at the beginning of this century and the flowering of Turkish nationalism, the destruction or assimilation of minority populations (particularly Armenians and Kurds) has been a recurring pattern. The stage for later treatment of the Kurds may well have been set in 1915 when combined Turkish and Kurdish forces wiped out the Armenian presence in eastern Anatolia. As David McDowall observes in his seminal work, *A Modern History of the Kurds*:

> *It is a grim irony that the Kurds participated in the destruction of the Armenian people unaware of the Young Turk plans for themselves. An imperial decree authorized the deportation of Kurds for resettlement in west Anatolia, in locations where they were not to exceed five percent of the population....The specific intention was to eliminate Kurdish identity by dispersing Kurds in small groups. It was a case of genocide for irredeemable Armenians and forcible assimilation for the quarrelsome but Muslim Kurds.*[2]

At that time, Turkish authorities forcibly removed about 700,000 civilians, according to McDowall. Hundreds of thousands reportedly perished, succumbing to famine and disease, but an equal number were resettled in the western part of the country. As the Young Turks asserted their assimilationist brand of



nationalism, the Kurds exhibited the first stirrings of a separatist nationalism, in part, in reaction to the former. Another scholar focusing on the Kurds, Martin van Bruinessen, writes:

> *With the disappearance of the Armenians, most of eastern Anatolia became almost exclusively Kurdish territory. A Kurdish nation now seemed feasible.... Also, many Kurds, who at the beginning of the war were still completely under the influence of pan-Islamic propaganda, started suspecting Young Turk intentions with respect to the Kurds. There were rumours that the Kurdish refugees in the west had been intentionally dispersed, so that they would nowhere constitute more than five percent of the total population, and these created much apprehension.*[3]

Mustafa Kemal, known as Atatürk, the father of modern Turkey, pressed hard to assimilate minority populations into the Turkish nation. This assimilationist tendency resulted from the link between Mustafa Kemal's nationalist ideology and secularism and populism (*halkçilik*). Atatürk's populist ideology held that all Turkish citizens were equal regardless of class, rank, religion, or occupation; he sought to break the influence of traditional leaders, whether their leadership was based on rank (*aghas*) or religion (*shaikhs*), and the Grand Assembly passed laws that led to the expropriation of large land holdings in the southeast and the removal of many traditional Kurdish leaders to the west. Van Bruinessen observes that this populist nationalist ideology went hand-in-hand with a demographic strategy that, in fact, favored the Turkish population:

> *Under the guise of the struggle against "feudalism," a law was passed giving the government the authority to expropriate large land holdings in the eastern provinces—a weapon used against the aghas and shaikhs. The expropriated lands were to be given, not to the local landless Kurds, but to Turkish or turkicized settlers from elsewhere.*[4]

By 1924, Turkey's Grand National Assembly barred the official use of Kurdish, including in schools, and began to replace Kurdish place names with Turkish ones. These and other measures to suppress Kurdish language and culture also created a backlash that awakened Kurdish nationalism, and some Kurds did rise in revolt.[5] Turkish forces smashed these revolts and took reprisals against the population. After executing hundreds of Kurdish leaders, "other *shaykhs*, *aghas* and their families not directly implicated in the revolt were now deported to western Anatolia. The army acted ruthlessly as it moved across the countryside. 'Whole villages were burnt or razed to the ground, and men, women, and children were killed.'"[6]

McDowall maintains that in the 1920s and 1930s, control of Kurdistan became the *raison d'etre* of the Turkish army. "Systematic deportation and razing of villages, brutality and killing of innocents, martial law or special regimes in Kurdistan now became the commonplace experience of Kurds whenever they defied the state."

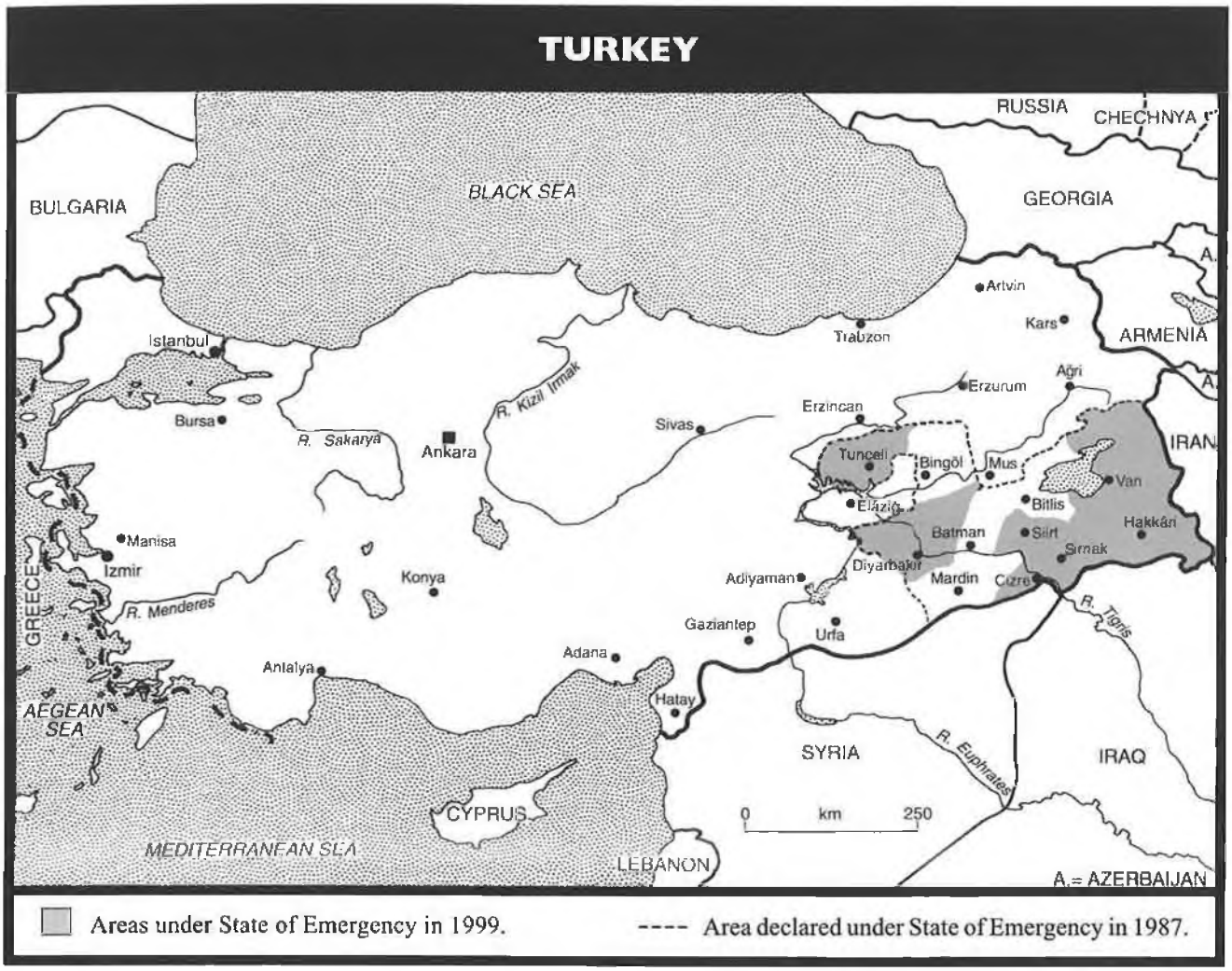
In 1927, the Grand National Assembly passed a law that, in the words of the British ambassador of the time, Sir George Clark, empowered the government "to transport from the Eastern Vilayets an indefinite number of Kurds or other elements."[7] Although the figures may be exaggerated, contemporary Kurdish sources claimed that between 1925 and 1928, almost 10,000 Kurdish dwellings were razed, more than 15,000 Kurds massacred, and more than half a million deported, of whom an estimated 200,000 perished.[8]

The "turkification" program used other strategies as well. For example, young Kurdish men were conscripted into the army, and usually posted to western Anatolia.[9]

In 1934, Ankara enacted Law #2510, the Law on [Re]settlement (*Iskan Kanunu*), authorizing forced evacuations by dividing Turkey into three zones: 1) localities reserved exclusively for persons of Turkish culture; 2) regions where non-Turkish minorities were to be moved and assimilated into Turkish language and culture; and 3) regions slated for complete evacuation. The law gave the government full authority to transfer populations requiring assimilation, and banned all non-Turkish associations.

Once again, plans were afoot to disperse the Kurds to ensure that they would constitute no more than five percent of the population in any one area.[10] "Only the impracticability of transferring and assimilating up to three million people prevented the law from being implemented except in a localized and piecemeal fashion," wrote McDowall. "Even so, complaints made by Kurdish refugees from Van, Bitlis, Muş, and Siirt suggested that massacres, deportations, and forced assimilation were proceeding apace."[11]

Contemporary observers noted that forced



movement was a central tactic in the assimilation strategy. Writing in *Foreign Affairs* in 1946, William Linn Westermann described Turkish measures in the aftermath of the crushed Kurdish revolt of 1937-38:

> *The Kurdish provinces were divided into smaller districts; the Turkish forces used as guards were heavily increased; the Kurds received, officially, the nationalizing name of "Mountain Turks"; and many of them were moved down from their mountains and the summer pasturages they had used for several thousand years to be settled in the plains as sedentary farmers.*[12]

In the ensuing decades, Kurdish nationalism remained dormant, and any expressions of nationalism were quickly and effectively suppressed. Many Kurds, particularly among the landowning classes, the *aghas*, accepted assimilation, taught their children Turkish, and punished them for speaking Kurdish. Consequently, many assimilated Kurds rose to prominent positions in government and society. The Kurdish *aghas* often sent their children westward to Turkish-language boarding schools, and many sons of *aghas* established residencies and professions in Ankara and Istanbul.[13]

Society

For many Turkish citizens of Kurdish origin, the Kemalist strategy has succeeded. Today, about half of Turkey's Kurds live outside the southeast. It is often observed that the largest Kurdish cities in Turkey are Istanbul, Izmir, and Ankara.[14] It is common to find people of Kurdish origin in Turkey who do not speak Kurdish, and many are fully integrated into Turkish society. Fully assimilated people of Kurdish origin, including former President Turgut Özal (who claimed to be of partial Kurdish ancestry) and Foreign Minister Hikmet Çetin, have risen to the highest ranks within the Turkish state.[15]

On the other hand, some Kurds outside the southeast, including displaced persons, contend that they are discriminated against, and treated with suspi-

cion and as second-class citizens, a claim that ethnic Turks often react to with great offense. Gülistan Gürbey writes:

> *The situation of the Kurdish refugees in western Turkish cities has become more difficult. They are the first to be arrested during police raids and searches, as often they are suspected on grounds of Kurdish origin alone. Since many Turks feel helpless in reacting to PKK attacks, they play out their frustration by carrying out general attacks against the Kurds. Provocations and attacks...range from physical violence, destruction of Kurdish shops, and attacks on predominantly Kurdish districts of cities to various methods of discrimination, such as refusing apartments to Kurds and boycotting of shops run by Kurds.*[16]

One of the ironies of modern history is that the militant Kurdish organization that has led the separatist fight in Turkey in the last two decades of the 20th century, the Kurdistan Workers' Party (*Partia Karkaren Kurdistan*—PKK), was born not in the Kurdish heartland in Turkey's southeast, but rather in Ankara, among Kurdish students (as well as some Turks), almost as a by-product of Turkey's move-and-assimilate strategy. The Kurdish founders of the PKK assimilated so completely that few of them even spoke Kurdish.[17]

During the 1980s, the Marxist-Leninist PKK avoided direct confrontation with the Turkish army, but rather struck viciously at the landowning *agha* class, shooting landowners, and those associated with the Kurdish landed aristocracy, such as mayors, disrupting the long-established conservative, traditionalist social hierarchy within Kurdistan itself. For the sons of the *aghas* who had left the east, many of whom had found a comfortable niche in Turkey's western cities, the PKK threat added a compelling reason not to return to their ancestral lands.

Given the army's difficulty in finding and confronting the PKK directly, in 1985, it created a system of "village guards," state-sponsored paramilitary civil-defense forces comprised of local Kurds, often associated with *aghas* and with far-right-wing political movements, who were armed and paid to battle the PKK on their own turf. Turkish security forces targeted villages refusing to join the "village guard" network or villages suspected of supporting the PKK. In turn, the PKK stepped up its threats and assassinations of persons it accused of collaborating with state authorities, including the village guards and their families, forcing them to flee the region as well. Teachers also became a PKK target. The Turkish deputy prime minister cited PKK killing of schoolteachers as a factor contributing to displacement, charging that 2,106 schools had been closed, that there was a shortfall of 7,750 teachers, and that 117,000 young people were not able to go to school.[18] McDowall observes:

> *At the beginning of 1987, the PKK launched a ferocious assault on the system. During the next two years, it deliberately wiped out village guard and agha families, men, women, and children, without compunction, in Mardin, Siirt, and Hakkari provinces. Such massacres had an intimidating effect, but also led to counter reprisals on PKK "supply villages," in which the village guards demonstrated they were no less ruthless than the PKK.... Whatever the methods of the PKK, the population rapidly discovered that there was little it did which was not matched by the ruthlessness of the security forces. A major migration to town began of those caught in the crossfire of the conflict.*[19]

The conflict in southeastern Turkey gives particular poignancy to the term "vicious circle": it has created a cycle of action and reaction between Turkish security forces and their allies in the village guard and the PKK that has forced hundreds of thousands, perhaps millions, of persons from their homes in southeastern Turkey.

Internal displacement as a result of conflict and fear is part of a larger migratory phenomenon occurring throughout Turkey that has resulted in the dramatic growth of urban populations in recent years. Undoubtedly, economic factors account for some of the urbanization, and even persons fleeing for political reasons often have a mix of motives, including seeking employment, or even, reportedly, food.[20]

Rural to urban movement has often been the first step in a migratory pattern that has taken large numbers of Kurds from the east to the west. Diyarbakır, the unofficial capital of Turkish Kurdistan, grew from 30,000 in the 1930s to 65,000 by 1956, to 140,000 by 1970, to 400,000 by 1990, and swelled to about 1.5 million by 1997.[21] Most Turkish cities have developed impoverished, overcrowded, ramshackle slums on their outskirts, *gecekondular*, "huts built in one night." Many of the displaced Kurds in provincial

(continued on page 6)



GECEKONDULAR: A TALE OF TWO CITIES

By all appearances, *gecekondular*, the "huts built in one night," are, as their name implies, impoverished slums. A *Chicago Tribune* reporter, Tom Hundley, visiting one such *gecekondu* in Saraycik, about 15 miles from the center of Ankara, in 1998, described "a dank and desperate place where hepatitis and diarrhea are rampant." Hundley observed:

The streets of the gecekondu *are unpaved. In winter, everyone is ankle-deep in mud. In summer, they choke on the dust. There is electricity, but no running water or sewerage system. Water supplied from the Saraycik municipality was cut last April and no one seems to know why. As a result, residents of the* gecekondu *must draw water from the few available wells.*[22]

Hundley also noted the lack of a functioning welfare safety net for the new urban poor. He quoted a farmer whom the army evacuated from his village in 1997, saying, "If I work, we can feed ourselves. If not, we are hungry.... This is not a life we are used to. In the village, we spent money only for tea and sugar. Everything else we produced for ourselves from our animals and our gardens."

In contrast, some Kurds from the *gecekondular* have flourished. In the Armutlu neighborhood of Istanbul, for example, squatter settlements have been transformed into well-to-do apartment complexes. Travelers, such as Robert Kaplan, have been struck by the remarkable self-improvement that is often evident in the *gecekondular*. In his travelogue, *The Ends of the Earth: A Journey at the Dawn of the Twentieth Century*, Kaplan writes of his visit to "Golden Mountain" *(Altindag)*, a shantytown built on the steep outskirts of Ankara, which he describes rhapsodically as:

a pyramid of dreams, fashioned from a babble of breeze blocks and corrugated iron, as though each shack were built on top of the other, all reaching awkwardly, and painfully, heavenward—the heaven of wealthier Turks who live elsewhere in the city. Nowhere else on earth had I seen such a poignant architectural symbol of man's striving, with roofs wedged in by rows of rusted cans, and leeks and onions growing on verandas assembled from planks of rotting wood.[23]

Stepping inside the *gecekondu*, Kaplan found, "The architectural bedlam of cinder and sheet metal and cardboard walls was deceiving. Inside was a *home*—order, that is, bespeaking dignity." Again and again, as he removed his shoes to enter their homes, Kaplan discovered "antiseptic cleanliness surrounded by a sea of mud."

Despite his keen powers of observation, however, Kaplan draws inferences that vary from reality:

I marveled at this modern peasantry, for which life was an adventure, where the government was not even asked, let alone expected, to provide for you. The difference between refugees and nomads is this: Refugees flee a place because they have no choice, but nomads are pioneers on the make. Nomads are the makers of history. Refugees are its victims.[24]

Kaplan paints a virtual libertarian paradise characterized by free choice and rugged individualism, where the poor are inspired by entrepreneurial visions of success within their reach. Kaplan's understanding of migrants' attitudes toward the government suggests contentment with benign neglect rather than resignation about the government's chronic lack of willingness to help. Finally, Kaplan's view of migrants as voluntary "pioneers on the make" ignores the uprooting, the violence, the threats that have forced people to abandon their homes and land—in fact, making their situation closer to that of "refugees" than to "nomads," as he defines them.

(continued on page 6)
cities and towns crowd into homes of relatives, sometimes with more than thirty people residing in dwellings intended for a single family.

Although the desire for economic betterment has motivated some to migrate, it is not clear that migrants have responded to the pull of opportunity in western cities as much as to the push of conflict-caused economic depression in the rural southeast. While some of the displacement has been spontaneous, the Turkish military systematically expelled Kurdish villagers in the country's southeast between 1993 and 1995. The Turkish army's campaign to evacuate villages suspected of supporting the PKK began in February 1993. Army and security forces have depopulated mountainous, rural areas, and pushed the village populations into urban centers, creating economic hardship for large numbers of displaced persons, most of whom had been herders or otherwise tied to the pastoral economy. Many of the displaced have crowded into the provincial cities, such as Diyarbakır, mentioned above, and Batman, more than doubling their populations.

In many respects, the military campaign followed a classic counterinsurgency strategy: to deny the PKK the support of local populations who might support or sympathize with its cause. This meant targeting particular villages or regions for their strategic importance or perceived loyalties. Gürbey observes:

> *Underlying this forced expulsion of the Kurds from their regions were plans to create a fifteen- to forty-kilometer-wide security corridor along the Turkish border with Syria, Iraq, and Iran. These plans have been implemented in particular in the Botan region (Hakkari, Mardin, Siirt), the center of the PKK's activities. The policy of deportation and the establishment of restricted military zones in strategically important areas, where the PKK fighting develops, occurs concurrently with the attempt to drain the PKK of logistic support by the establishment of so-called "strategic villages" and to keep the Kurdish population under state and military control.*[25]

Numbers

Quantifying internal displacement in Turkey reveals fundamental presuppositions about the nature of the conflict in the country, and is subject to wide and bitter controversy. Estimates of the number of internally displaced range from that of the Foreign Ministry official who told USCR that there was not a single internally displaced person in the country, to the Turkish Human Rights Association (IHD), which put the number of displaced persons at three million at the end of 1997.[26]

In 1994, Turkey's Minister for Human Rights, Azimet Köylüoğlu, said that "there are two million without a house or a place to call home who live in the open and on the street."[27] His own government disputed Köylüoğlu's figure, however. In its human rights reports for 1996, 1997, and 1998, the U.S. Department of State cited a Turkish member of parliament's estimate of 560,000 internally displaced persons as "credible."[28]

The most recent figure for internal displacement in Turkey comes from the report of the Parliamentary Migration Commission, released in June 1998. All of the statistics used in the report originate with the State of Emergency Region (OHAL) governor's office, so these should be regarded as the official government count. It reports that 401,328 people were forced to migrate from 3,428 residential areas, of which 905 were villages and 2,523 hamlets.[29] Of these, 517 villages and 1,614 hamlets were evacuated in the State of Emergency region, resulting in the displacement of 251,366 persons. Another 126,969 persons were displaced outside the OHAL region, having been evacuated from 303 villages and 2,345 hamlets. According to the report, 22,993 of these displaced persons have returned to their places of origin, 6 percent of the total, leaving 378,335 still displaced.

The Commission's own parliamentary colleagues dispute these figures, however. Deputy Orhan Yıldırım, the MP from Tunceli, voiced his dissent to the Commission's findings (noted in the Commission report), saying, "The number of evacuated villages given in the official statistics is wrong. For example, Balik Village is my village; it is entirely empty of people. It is listed as not evacuated."[30]

Even if the Commission's count of evacuated villages were accurate, by limiting that count to persons displaced as a result of village and hamlet evacuations, the Commission's figure does not include people, such as the man interviewed by USCR on pages 14 and 15who fled from towns or cities in the southeast, or of villagers who felt compelled to flee, for example, because of conflict with village guards, even if their village itself was not evacuated. As such, the figure based solely on evacuations must be regarded as the minimal baseline for an estimate of the number of internally displaced persons in Turkey.





Destroyed, evacuated village in southeastern Turkey. Photo Credit: R. Marolversion

A 1997 government census might also help to suggest the dimensions of displacement in the southeast, but all the data are not available. There were results, however, for Tunceli Province, in the heart of the conflict zone, which evidently lost more than half of its population. The previous census in 1990 had listed the population of Tunceli Province at 133,000; in 1997, it had dropped to 85,047, and about 20,000 of that number were Turkish army troops stationed there (about 10,000 troops were there in 1990).[31] In 1997, government-imposed food rationing in Tunceli added to the hardship for the remaining population.[32]

Although reports of fresh village evacuations in the past two years have been scarce, Turkish security has continued to target remaining villages suspected of supporting the PKK and to force out their inhabitants. During 1997, the Turkish government said that it evacuated 970 persons and destroyed four villages and hamlets.[33] The Human Rights Association of Turkey (IHD) disputes the government's claim, reporting that 23 villages and hamlets were evacuated during 1997.[34] In either case, this represents a significant decrease from the 1993-1995 period. The decrease results largely from displacement that has already occurred in the southeast, and from the fact that the fighting has moved into more remote, unpopulated mountainous areas and across the border into northern Iraq. Evacuations from previous years have left many hamlets and villages around Mardin and to the north of Diyarbakır deserted, with only damaged and destroyed homes left behind. The border regions with Iraq, Iran, and Armenia have also been largely emptied. In most cases, only village guards and their families live in villages close to these borders.

There have also been indications in recent years of a counter trend: the return of internally displaced persons to their homes and the prevention of internal flight. As cited above, the Parliamentary Commission reports the return of 23,000 internally displaced people.[35] Although return and resettlement projects exist, analysts across the political spectrum agree that significant return will not occur until the security situation in the southeast is resolved and its economy revitalized.

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II. SECURITY AND PROTECTION

Access to the Displaced

Historically, Turkey's southeast was largely off limits to foreigners. From 1925 until 1965, the region was designated as a "military zone," and foreigners were officially forbidden from entering.[36] More recently, the government has obstructed official human rights and humanitarian organizations seeking to observe or to serve the affected population. In each of its annual reports of 1995, 1996, and 1997, the International Committee of the Red Cross (ICRC) says that it made "no progress" with Turkish officials to gain access to civilian populations affected by the conflict in the southeastern part of the country. In its 1997 annual report, the ICRC lists the Turkish officials with whom it met during the year, but says:

> *In each case, however, the Turkish authorities were unwilling to enter into substantial dialogue on whether or not Article 3 common to the four Geneva Conventions applied to the situation in the south-eastern part of the country. Consequently, the ICRC was unable to discuss potential activities for detainees or civilians affected by the situation in these areas.*[37]

Blocking foreigners from travel to restricted regions occurs in other countries as well, but the Turkish military has also blocked its own highest civilian officials from visiting areas to assess the causes and conditions of forced displacement. In October 1993, the military prevented Prime Minister Tansu Çiller from visiting Lice, the scene of extensive village burnings and evacuations.[38] In October 1994, the military blocked Deputy Prime Minister Murat Karayalçın from investigating allegations of burned villages in the Hozat district.[39] Hüseyn Yildiz, the parliamentary deputy for the Welfare Party in Mardin, and a member of the Parliamentary Commission on Migration, tried to visit Çinarönü village in late November 1997—the site of the displacement cited in footnote 34, above—but the governor and Mardin chief of police told him that the village was deserted.[40]

For most of the 1980s and 1990s, the government imposed a state of emergency on eleven provinces in the southeast. Although Turkey has lifted the state of emergency in all but six provinces (Diyarbakır, Hakkari, Siirt, Şirnak, Tunceli, and Van), in November 1998, the parliament again extended the state of emergency in those provinces for at least another four months.[41]

Human rights monitors and journalists often encounter difficulty in Turkey. Amnesty International's researcher for Turkey was barred from entering the country, and in June 1995 an AI consultant was deported. In February 1997, *New York Times* correspondent Steven Kinzer was detained overnight near Batman Province. Intimidation and restrictions on the local press were much harsher. The Turkish Press Council reported that in 1997 one radio station owner was killed, three journalists subjected to armed attacks, 96 journalists taken into custody, and 16 journalists arrested.[42]

In its report, *Forced Evictions and Destruction of Villages in Dersim (Tunceli) and the Western Part of Bingöl, Turkish Kurdistan, September-November 1994*, the Netherlands Kurdistan Society noted:

> *Several delegations of human rights activists were prevented from entering the province [Tunceli] or allowed to go as far as the central town only. By November [1994], it was reportedly only persons with identity cards stating Tunceli as their place of residence who were allowed to enter the province. The Erzincan-Pülümür road was closed to all traffic.... In Bingöl, the road from the central town to the district centre of Adakli was reportedly completely closed throughout October and November.*[43]

Strangely, the government blocked access to Human Rights Watch (HRW) when it attempted a mission to Turkey to investigate PKK abuses. In its 1994 report, *Turkey: Forced Displacement of Ethnic Kurds from Southeastern Turkey*, HRW reports:

> *During its August 1994 mission to Turkey, Human Rights Watch/Helsinki intended to investigate such PKK violence through direct interviews with victims and asked the Turkish government to allow unhindered access. While the Foreign Ministry responded favorably, for unexplained reasons the Emergency Rule Governor's Office in Diyarbakır did not allow such meetings. Human Rights Watch/Helsinki remains committed to reporting on PKK violations first hand and has restated its request to the Turkish government.*[44]

Although not directly the subject of this paper, it is relevant to note that Turkey has also blocked access of NGOs, foreign parliamentarians, and human rights monitors to the Kurdish area of northern Iraq.[45]

Access for this Study

USCR had no difficulty obtaining a visa to visit Turkey, even though USCR's researcher on Turkey (the author of this paper) had published several reports critical of Turkey's treatment of asylum seekers and refugees. Previously, the author met with Turkish government officials in Ankara and Washington on issues relating to refugees and asylum seekers, but on his last visit to Turkey in September 1996 (to discuss a refugee matter), the authorities refused to meet with him, saying that they were not satisfied with the author's report based on a previous meeting.

USCR wanted to meet with government officials, NGOs, and displaced persons in the southeast. USCR felt that it would not be wise to travel into the southeast without the government's knowledge and permission. USCR enlisted the help of a local academic who maintains good relations with the government. At first, the authorities did not want to meet with the USCR researcher. After several letters explaining the purpose of the visit, however, both Ministry of Foreign Affairs and Interior Ministry officials agreed to meet with the USCR researcher.

Everyone advised USCR to secure permission from the State of Emergency (OHAL—Extraordinary Status Region) regional governor before traveling in and between cities and towns in the southeast and conducting interviews there. USCR asked the Foreign Ministry to assist in arranging permission and appointments with the relevant officials in the southeast. In Ankara, the Foreign Ministry officials referred USCR to the Interior Ministry. Repeated phone calls produced no letter or other assistance from Ankara with local officials, and USCR left for the southeast with no more official imprimatur than the business cards of the Foreign and Interior Ministry officials with whom the USCR researcher met in Ankara.

Independent of that, USCR directly contacted local political figures in the southeast, as well as lawyers and doctors, asking them for appointments and assistance with the visit. After trying to contact the only local NGO that appeared to have been providing direct services and advocacy on behalf of the displaced, USCR discovered that the government had closed it down. At no point before, during, or after the visit was USCR aware of any international NGOs directly operating in the southeast on behalf of displaced persons. In 1997, prior to the USCR visit, the authorities also had closed down the Human Rights Association (IHD) branch offices in Diyarbakır, Mardin, and Şanlı Urfa. The IHD is Turkey's oldest human rights NGO (established in 1986), with branches throughout the country.

Conducting investigative field work in southeastern Turkey is very difficult. Interpreters, drivers, and other trip facilitators are fearful of the consequences to them of assisting a foreigner engaged in a human rights-oriented investigation. One Kurdish source in Van told the USCR researcher, "We can't talk to outsiders. We brought the *New York Times* correspondent, Steve Kinzer, here, and we had to hide him. We were followed by the police. After foreigners leave, those who talk to them are interrogated, tortured."

USCR found that the atmosphere for conducting interviews was decidedly compromised. In at least one town, plainclothes Turkish police/security forces followed the USCR researcher. This was confirmed by the police themselves. Two plainclothes policemen (with pistols clearly visible tucked in their belts) interrupted a meeting the USCR researcher was having with a UN official in his office. They said that they had been following the USCR researcher all day, citing specific places and people that the researcher had visited. They began to question the USCR researcher while inside the UN office, asking about his activities, movements, purposes of the visit, duration and place of stay in the town, etc. They also separately questioned the researcher's local driver and interpreter, who were so intimidated that they insisted on leaving the town immediately after the police left.

Fighting in southeastern Turkey did not result in significant new displacement in 1998 or the first half of 1999, primarily because so few civilians remained in many of the conflict areas. Nevertheless, low intensity conflict continued (in May 1998, Turkish forces launched a major operation in the mountains north of Diyarbakır),[46] and the military remained on the alert and omnipresent. From the moment the USCR researcher arrived at Van airport, he found the military and police presence conspicuous and heavy. The local press reported that Turkish security forces killed 22 "PKK terrorists" in Şirnak Province during USCR's visit there.[47]

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Intimidation and Fear

The USCR researcher found most Kurds he encountered in the southeast to be fearful of being discovered speaking to him about their situation. Finding internally displaced persons willing to talk was not easy. Often, assessing whether or not they were speaking forthrightly was even more difficult. In a few instances, where USCR was able to visit the displaced in private quarters where they felt secure, they sharply criticized the government, blaming it (soldiers and police) for their displacement, and expressed discontent with their current situation. More often, it was not possible to establish such interview conditions. Under circumstances where people were interviewed in more public surroundings without adequate confidentiality, they praised the government, condemned the PKK, and expressed satisfaction with their situation. This is not to say that their testimony was untrue. Given the radically different testimonies, however, caution is needed in assessing any claims.

Turkey has actively intimidated internally displaced people to prevent them from testifying about the causes and consequences of their displacement. In particular, the European Court of Human Rights has determined that the Turkish government has sought to prevent displaced persons from testifying before the European Commission of Human Rights (ECHR) regarding allegations that Turkey violated the European Convention for the Protection of Human Rights and Fundamental Freedoms. On September 16, 1996, in the case *Akdivar et al. v. Turkey* (Council of Europe-European Court of Human Rights document 99/1995/605/693), the Court ruled that the Turkish authorities exerted "illicit and unacceptable pressure" on the applicants to withdraw their petitions. The applicants were villagers who alleged that Turkish security forces evacuated and destroyed their village following a PKK attack.[48]

Human Rights Watch has encountered similar difficulties. HRW has documented the problem of convincing internally displaced persons whose rights have been abused to report such abuses. In bringing complaints of human rights violations before the ECHR, HRW cites the Commission as saying that applicants' fears of retaliation for reporting abuses cannot be discounted.[49] HRW quotes Mahmut Sakar, chairman of the Human Rights Association of Diyarbakır about a complaint brought to the ECHR on the burning of the village of Lice and the expulsion of its inhabitants:

> *We apply to the Commission, which sends the application to the government. For example, we file an application on the burning of the village of Lice, they send the application to the Gendarme,[50] who then call the villagers. They ask them, "Did you do this?" and they reply, "No, we love the state." We claim that the Gendarme has burned a village, and it is the Gendarme that is asked to assist in the investigation. In my opinion, 90 percent of the applicants from this region have been threatened. I know most of the cases from around here. Most realize the best way to survive is to shut up.*[51]

During USCR's site visit, another lawyer spoke to this issue. "My own village was burned, it is now empty," he said. "I tried to get the people from my village to apply to the European Commission. They refused out of fear and because of threats."

Closely related to the sense of fear, are other forms of psychological trauma associated with loss and failure. Passing an elderly man in traditional dress sitting alone on a sidewalk stool in Van, a local resident traveling with the USCR researcher commented, "That man, in normal times, would be in his home, surrounded by family, supported by his children and grandchildren." The loss of dignity takes an enormous toll. The man who ran a local humanitarian organization devoted to assisting displaced persons (until the authorities closed it down) spoke bitterly about this:

> *After forced migration, people feel alone, left out. A person who was a leader in his own village now sells tomatoes in the street. He sends his daughter or wife to another house as a servant. He has no more pride. All he does is try to make ends meet. People look for food in the garbage. They live in barns and tents. The authorities have achieved their aim to strip away their personalities and their pride. They are trying to create a nation of bowed heads, like sheep.*

The fear does not end after fleeing one's village or town. Most displaced persons interviewed by USCR had fled multiple times, usually citing a pervasive sense of insecurity as the reason for moving on. An elderly man wearing the traditional conical

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TWO TESTIMONIES: TWO REALITIES

What follow are examples of two diametrically opposed testimonies, taken by USCR in different towns in the southeast, of displaced persons who had fled different villages:

Testimony A: USCR conducted this interview in the courtyard of the home of a community leader in a town in the southeast. The courtyard is a gathering place where the town elders congregate. USCR conducted the interview with one elderly man while a group of about a dozen other men, including the leader, looked on. Men came and went during the course of the interview. The interviewee was uncomfortable in the spotlight, but there was no way under the circumstances to move into private quarters where a confidential interview could take place. A few hours after this interview took place, plainclothes "anti-terrorist" police stopped and interrogated the USCR researcher, questioning him about the people he interviewed, and told him that they saw him at the home of the community leader and followed him during the other visits he made that day.

We escaped from the PKK in 1993. I come from XXX near Şirnak, where there used to be 500 houses. Now, there is nothing. They burned my house. They used cruel methods. They forced us to help them. They wouldn't let us graze our animals.

[USCR asks a series of clarifying questions, among them: Did you see the PKK burn your house? Did they come and threaten you first? These are the verbatim responses, although the questions were not written down.]

I don't want to give the name who burned our village, but the reason is that the PKK fought the Turkish government. We just ran away. When the PKK and the army fought, we could be shot from either side. All the time, there was ongoing fighting between the two sides. We couldn't live there. There wasn't a direct attack on the village. We didn't leave all at once, but in small groups. Five or ten people would leave at a time. No one was arrested. There was no interference with us when we left.

No one is permitted to go back. We are afraid of the PKK. We want to go back, but we are forbidden by the army. No one remains there. After the conflict is over, we will go back.

[The notable who is hosting the meeting in his courtyard, and who is not displaced himself, speaks.]

We are very comfortable. We have no problems. I am a farmer. I know nothing of this issue. I don't know whether they [the internally displaced] *will go back soon or not. Most of them are richer than us. They get trucks. They earn money. They won't go back.*

It gets more crowded here every day. It shows the emptying of the villages. They also are coming here from other towns. In the first years, a lot of villagers came here. Now, it is mostly workers in construction. Some left because of the conflict; others, looking for work. No one who left their village [recently] was expelled. Those villages were already empty, those in the mountains were already emptied.

In the first years, the economy was worse. They [the displaced] were farmers. But the longer they stayed here, they adapted and changed. Now they trade petrol with northern Iraq. The newcomers are ahead of the longer-time residents of XXX. There is no problem with employment. This is only a problem in the western cities. Here there is a lack of workers. We are looking for people to pick cotton.

There is a lack of housing. Older people get sick. They [Kurds from mountain areas] *are not used to our warmer climate.*

The schools are overcrowded. There are more than 900 students in the high school. Lots of people can't afford to send their children to school. The government helps, but they still can't afford to buy books, paper, uniforms.

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Testimony B: USCR interviewed an 80-year-old man inside his home in a southeastern city. Wearing the traditional *shalwar* baggy Kurdish pants and a head covering, the elderly man was poor, but dignified. Also present was the man's wife and several other women from the village. His son,



who was already living in this house at the time of the forced displacement was also present during the interview, but didn't speak (except to say that he wasn't there when his parents were forced out).

We come from XXX village. Our home was more beautiful than this one. We had two floors, eight rooms, two grape vineyards, lots of fields. I was rich. I am nothing now. Now, we don't even have bread.

I have not seen my village since we left. We don't have permission to go back. We had a friend who died. His dying wish was to be buried in our village. The soldiers wouldn't permit it.

Our problems started in the autumn of 1992. There had been fighting all that summer between the soldiers and the PKK. Soldiers came to our village. They started the village guards. Then the PKK attacked and killed three village guards. After that, those who had joined the village guards decided that they did not want to be village guards. They wanted to turn their guns back to the army. At that point, the soldiers came and burned the village. They came suddenly one day in trucks. It was the gendarmerie *and "special team" police. There was no possibility to resist. They didn't allow us to take our things. We couldn't gather our animals.*

They forced us all out. They beat us, but they didn't arrest anyone. No one was seriously injured. They took us to the school. They said they would kill anyone who didn't come to the school. They didn't interrogate us. They didn't separate anyone into groups. We just stayed there one or two hours while the soldiers burned our village.

The whole village left at once. After a few days, no one was left. We left everything in our house. It was completely destroyed. They burned everything, the school, the mosque. They burned our fields, our grapes. They destroyed about 200 houses.

The soldiers didn't loot. They just burned. They left the animals to wander. Other villagers would get them. There were three other villages within about 3 kms of us. We were near the peak of a mountain. They were all burned at different times.

The soldiers burned our village three times. The first time was the autumn of 1992 when we left. I heard that they came back the next spring and burned the fields. Later that year, when they were fighting the guerrillas and there were no civilians there, I was told that they burned what was left of it again.



Photo credit: USCR/B. Frelick

No one is living in that area now. It is completely empty. We hear that some people go back secretly from time to time. There are still some fruit trees.

When we left, some people fled to XXX, most came here. We walked here. We didn't even have a wagon or a tractor. It was night when we left the village. Soldiers had weapons. We were mostly women and children. There were no young men. They had all emigrated. None of our young men fought for the PKK. The young people went farther west.

We spent the first night on the banks of the Dicle [The Tigris River]. *I was really sick, I was tired. The village all traveled together. We had weapons in our village, but none of us brought weapons with us. Then we came to XXX* [a city]. *The government had built small cottages outside the city. Some stayed there, but not us. Some stayed with relatives. Some rented flats. We rented a house at the edge of town. There were snakes and scorpions. After that experience, I still have heart problems.*

Our children came here and helped us. But we are alone. Each of our children lives somewhere else. We have more than 50 grandchildren, but they are all in different places. Here, the roof leaks. There is not a carpet on the floor.

I served as a soldier in the Turkish army for four years. Now I am eighty and I can't go home. I would risk everything to go back to my village. I want to die there.

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white turban, who now works as a shoe repairman in Mersin, told USCR the story of how he fled the town of Cizre in Şirnak Province in 1993, but the story didn't end there. First, he fled to Adana, where he said that he spent several months sleeping on the roof of a relative's house. And then:

> *I was arrested. The police looked at my ID and saw that I was from Cizre, and they brought me to the police station. They broke my teeth* [he shows the USCR researcher his mouth]. *I was accused of "accommodation and support" of the PKK. It didn't matter that I wasn't supporting them. I don't know the reason. They just looked at my ID and arrested me. I was sentenced for a long time, three years and nine months, but released pending an appeal. The appeal is still pending.*

Causes of Internal Displacement

This is probably the most contentious issue within the debate inside Turkey. The government stance is usually categorical denial.[52] An official representing Turkey's Foreign Ministry who met with USCR in Ankara said, "There are no internally displaced persons in Turkey. We have freedom of movement. Everywhere is open. This is a democracy. So, people are moving all over. Half of Istanbul's population is Kurdish. Why? Because the economic situation is not so bright in the east. They go to Diyarbakır, but will find themselves in bad conditions. So they want to move to the big cities for work."

When USCR asked whether the government evacuated anyone or whether anyone fled as a result of conflict, this government official said, "Some towns were burned by the PKK." She nevertheless denied that even persons displaced by the PKK could be considered as internally displaced people. "People move because of dynamism," she said. "Migration is an expression of freedom."

When official government sources do acknowledge any forced displacement, they place the blame squarely on the PKK. In a 1998 letter to *Foreign Affairs*, the Turkish Ambassador to the United States, Baki Ilkin, wrote, "The terrorist scourge, which victimizes the innocent women and children that it claims to represent, makes some villagers leave their homes and seek shelter in the cities. Turkey is determined to protect all its citizens and will continue to assist those who have taken refuge in the cities to escape PKK terror."[53]

In contrast, in June 1998, the Turkish Parliamentary Migration Commission placed the weight of blame for internal displacement squarely on government forces. Its report states:

> *The residential areas were evacuated by security forces upon the order of the OHAL governor's office, within the context of Law No. 2935 because of the worry that particular villages which had not accepted the guard system couldn't be protected, or with the suspicion that they could aid the PKK. However this operation has not been carried out within the context of law but under the security forces' arbitrary actions.*[54]

Reacting to the Parliamentary Migration Commission's report, True Path Party (DYP) Speaker Deputy Zeki Ertugay accused the Commission of committing calumny against the State, and laid responsibility for displacement at the feet of the PKK. Rising to speak in Parliamentary debate on the report, he said:

> *Thirty-five percent of the migration in the region is due to economic reasons; 60 percent of it is because of the oppression of the separatist organization; and the remaining 5 percent is due to the compulsory applications of the provincial administration.*[55]

Independent observers confirm that most displacement in the 1990s has been caused by government army and security forces, including the village guards. In its 1994 report, *Turkey: Forced Displacement of Ethnic Kurds from Southeastern Turkey*, Human Rights Watch concludes, "According to our research, the vast majority of those displaced in southeastern Turkey is largely the result of actions by Turkish security forces. Forced displacement usually comes as collective punishment for refusal to join the village guard system or for supporting the PKK, usually for giving food and a place to sleep (*yardim ve yataklik*), or for suspicion of committing such acts."[57] The U.S. State Department has reached the same conclusion, characterizing forced displacement as a "systematic process of evacuating and often burning villages throughout the southeast. The scale of the

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Officials and politicians debate the causes of displacement. But those who know best the causes of their suffering are the victims themselves. On rare occasions, they can speak confidentially about how they were forced out. What follow are two such interviews USCR conducted in private settings in the southeast. The first is the testimony of a farmer, unsophisticated, uneducated, yet particularly credible. He described the problems he faced in measured, understated terms. He didn't claim to see any killings. He said he had a chance to sell his livestock before leaving. He was unwilling even to say that his village was burned. But, clearly, conditions reached a point where it became intolerable to remain. This is his story:

I'm from the town of XXX in Siirt Province. I fled in 1994. For two years before then the authorities didn't allow in food, and we didn't have enough to eat.[56] *We couldn't buy medicines. My mother was an invalid. She couldn't walk. But they wouldn't let me buy pills for her.*

The army came in 1992. We did all the duties asked by the soldiers. They ordered us to bring wood to build the gendarmerie *station. We brought wood. We brought bread for them. We even washed their clothes. The soldiers took the grapes from our gardens.*

In 1994, they pushed us to join the village guards. Out of 80 houses in our village, only one person would join the village guards. There was never a battle. The soldiers just started abusing us more and more. No one was killed, except for animals. But some were tortured until they couldn't walk. One day, I was brought to the roof of the mosque, naked. It was winter. I was forced to stay on the roof until morning. They brought us to the station. They gathered the women and made them dance. It is shameful to make Kurdish women dance. We decided to leave.

We organized it ourselves, and in June 1994, we all left by truck. We couldn't bring our furniture. No one was left in the village. I have no information about my village. I don't know if it was burned after we left.

I sold all my sheep, so I had some money. We went to XXX, but we only stayed there for a month. The police chief and the anti-terrorism police told us to leave.

Then, we came to XXX, where we have been living ever since. I don't complain, but I am not adapted to city life. I have run out of money. My children had to give up school to work as porters. We had no help from anyone, not from the government or any association. I don't have regular work. Even when I have guests, trust me, I don't have enough to give them fruit. Even here, in XXX, I don't feel completely safe, even when I sleep. My only purpose in life is to go back to my village. If someone said I could only take three of my six children home, I would accept it.

At the other end of the socio-economic spectrum, USCR met with a well-dressed gentleman of aristocratic bearing. By appearance, he would not be taken for a displaced person. His account was much more political than that of the testimony just presented. Yet, he, too, speaking in a private, protected setting, spoke with precision about the sequence of events that forced him from his home:

I am scared. I am afraid. If I didn't know XXX [who made the introduction], *I wouldn't talk to you. They would kill me. My cousin was killed, a special team of the village guard killed my cousin.* [He produces a photograph.] *This is my nephew. He was shot in* [the date]. *The government in XXX doesn't know where I am. I am in hiding.*

My home in XXX was like a palace. I left in [the date]. *I had another home in a nearby village and property there. I also worked for a company. The economic situation was good. I was rich.*

I never ran away from terrorism. I ran away from government oppression. Soldiers came and wanted our young people to join the village guards.

I was tortured. There are no words to describe it. I can't speak of it.

They first came to my house in [the date]. *There was no village guard at that time. They wanted to start it up. We refused. In* [the date], *soldiers came again. This time, they shot two villagers and arrested four people. For the next*

three or four years, we didn't know what happened to them. Finally, we heard they were released from jail and left the country.

Later, the soldiers came to my house. They broke down the front door of my house, but I had an iron door separating the second floor that they couldn't break down. We were scared. The children couldn't sleep.

In the morning, the chief of police called. He told me that they had attacked my home by mistake. Everyone knew me. Everyone knew where I lived. I got very angry with him. I said, "Are you crazy or stupid to think I would harbor PKK in the middle of XXX?"

The soldiers accused me of supporting the PKK, and said I was an Armenian. My mother is a Christian. About 40 young people from our town did join the PKK. Who are the PKK? They are our sons. They don't come from foreign countries, not from Syria. The Kurds have no friends. No governments care about us. Who would choose to sleep in the mountains if he could sleep in a bed? You decide why Kurds fight. All the PKK know they will be shot, but they go anyway.

In [the date], *some villagers joined the village guard. Some of the village guards even had sons in the PKK. The ones who joined the village guard were the poorest people. They were the people with no family, no money. After two to three months, these village guards became our oppressors. The rest of the people fled. They didn't flee all at once. Different people left at different times and to different places.*

I locked my door. I left all my possessions there, thinking I would return. I gave my key to a Christian lady. But after I left, the village guards looted my house, took my valuables. I have since asked Christian friends to lock it up again. The village guards got my grape vineyards, but not my home. The State took my fields.

Some people are profiting from this conflict. They don't want it to end. If the conflict ended, they would no longer collect their bribes.

My friend was the mayor of XXX. He told me that the commander of the army told him to give him four men to attack the gendarmerie, *to make it look like the PKK attacked them. These men attacked the police station. It was directed by the commander of the army to show that the conflict is still going on so he could get more bribes from the town.*

As God is my witness, 99 percent of these fights are made up by the government to say the PKK did it.

If I had joined the village guards, I would be living very comfortably now. My ancestors were forced to change religion from Armenian Christian to Islam. Now, everything would be okay if I changed from Kurdish to Turk.

Some people who left did agree to join the village guards, and they were able to return. If there were no village guards, I would return today.

I first fled to XXX. Agents followed me. They knew my address. My son saw agents in front of the house we were staying in. One of them told a neighbor that they had unfinished business with us. I fled to XXX. I am afraid to be known to any government entity. To be known to the government means to be known to the army, the police, the MIT [military intelligence].

I have been here for several years. I don't like the weather, it makes me sick, but I have work here.

You can't imagine how much I miss my home. If I set foot in XXX, they would kill me.

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evacuations and their continuance suggest that they are part of the Government of Turkey strategy designed to deprive the PKK of any logistical base in the southeast."[58]

The government goes to great lengths to deny these allegations, including fabricating evidence holding the PKK responsible for abuses committed by military and police forces. Amnesty International discusses how the government has tried to shift the blame for the village burnings:

> *In 1994, faced with irrefutable reports that soldiers were burning villages in Tunceli Province, the Interior Minister first suggested the villagers were torching their own homes and then that the PKK were destroying villages while dressed as gendarmes.*
>
> *"Even if I saw with my own eyes that the state had burned a village, I would not believe it," said then-Prime Minister Tansu Çiller when she was told by a delegation of village leaders that soldiers supported by helicopters had destroyed their villages. As security "embarrassments" must always be justified by referring to Turkey's internal and external enemies, she suggested that the helicopters could belong to the PKK (which does not have an air force), Russia, Afghanistan, or Armenia.*[59]

Control of the Displaced

The Foreign Ministry official (quoted above saying that there are no displaced persons in Turkey), told USCR that in Ottoman times, the state controlled internal migration. She said, "To prevent this exodus, some have suggested imposing an internal visa to enter Istanbul. We categorically reject this."

The question of internal visas appears to be the subject of some controversy (although many Turkish citizens scoff at the debate as much ado about nothing, insisting that Turkey would never restrict internal rural-to-urban migration). In August 1998, Istanbul mayor Recep Tayyip Erdoğan said that Istanbul should issue entrance visas to residents to keep out unwanted migrants. He cited the proliferation of illegal construction in the city's shantytowns as one problem associated with the "artificial" population growth of Istanbul, which, he said, numbers about 10 million. "What I am talking about is not like the visas in international passports," said Erdoğan, "but controlling entrance to the city through a travel document."[60]

Other mayors and governors have taken the law into their own hands, and denied entry or summarily expelled internal migrants. In July 1997, local officials in Van reportedly pushed back 270 people from Doganli village in Hakkari Province, the scene of intense conflict. Officials reportedly put them on buses and sent them back. *Hurriyet*, a Turkish daily newspaper, quoted an official from Van as saying, "Our population has increased to 600,000 from 153,000 due to the immigrants. We do not want any more trouble."[61]

In August 1998, Kemal Yazicioglu, the governor of Ordu, on the Black Sea coast, reportedly deported hundreds of Kurdish migrants and refused entry to hundreds more. "Security troops are sending away truckloads of these workers at the [provincial] border," a regional official said.[62] He went on to say, "The governor has banned all outside laborers because of concern that some workers could be members of the separatist organization," a reference to the PKK.

"It's a disgrace," Seyit Torun, the mayor of Ulubey, a town in Ordu, complained to the Turkish daily newspaper *Cumhuriyet*. "People who have spent three or four days on the back of a truck coming here, who arrive hungry and thirsty and looking for work, are arrested, taken to the district line, and sent back."[63]

During its site visit, USCR observed how movement between cities in the southeast is strictly controlled. On the bus ride between Van and Diyarbakır, USCR counted 14 checkpoints. Officials stopped the bus eight times. On four of those occasions, police or soldiers checked USCR's (and other passengers') travel documents, and at one collected and removed all travel documents from the bus for further scrutiny. At another checkpoint, *gendarmes* stopped the bus for more than an hour as they thoroughly checked a line of vehicles. The soldiers opened and examined every bus passenger's suitcase and handbag, including the USCR researcher's.

On another occasion, *gendarmes* stopped the USCR researcher as he was leaving Silopi in a private car. Soldiers frisked the USCR researcher, interpreter, and driver, directed them to stand at the side of the road, checked documents and bags, and thoroughly checked their car, even removing the seats.

The most extreme form of controlling displaced persons is the murder or disappearance of those who speak out about their plight.[64] Amnesty International has documented the case of Mehmet Gürkan, the *muhtar* (headman) of Akçayurt, a village forcibly evacuated and burned on July 7, 1994. While he was





Police check Kurds at a roadblock in Diyarbakır, March 1991.
Photo Credit: R. Marolversion

being held at the Topçular *gendarmerie* post along with the population of his and neighboring villages, Turkish television interviewed him, and Gürkan said that the PKK had burned his village. After their release from the *gendarmerie* post, Gürkan gave a press conference retracting his televised statement and claiming that Turkish security forces burned Akçayurt. He told the press:

> *They took me to the Topçular gendarmerie post and tortured me. My ribs were broken. They collected the people outside the village and gave them nothing for four days...430 people of my village have now gone to Adana, Diyarbakır, and nearby villages. We have nothing to eat. They also burned all of our crops.*[65]

In August 1994, Mehmet Gürkan returned to Akçayurt. "According to eyewitnesses," reported Amnesty, "he was detained by soldiers and taken away in a helicopter. He has not been seen since."[66]

The Netherlands Kurdistan Society has documented the disappearances and killings of other *muhtars* who spoke out about the burnings of their villages:

> *Eight muhtars from Hozat district traveled to Ankara and spoke on October 7* [1994] *with the president of the Federation of Human Rights Associations and with the social-democratic deputies from Tunceli, Sinan Yerlikaya, and Kamer Genç. Four of them were detained upon their return and two days later released. Three of them were then detained again; by the end of October, one of them had been released but the whereabouts of the others were unknown.... Besides those mentioned already, at least seven more muhtars were detained in connection with their protests. One of them, the headman of Bilekli, disappeared again after his release and was later found dead.*[67]

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III. ASSISTANCE

Compensation/Cash Assistance/ Employment

Generally, the government has failed to compensate people forcibly displaced by the conflict in the southeast, including persons displaced directly as a result of the actions of Turkish military and security forces. Responding to a petition from displaced Kurds, the European Commission of Human Rights found that "the Government have [sic] not provided a single example of compensation being awarded to villagers for damage like that allegedly suffered by the present applicants."[68]

Nor do the displaced receive much other assistance from the government or from charitable organizations, whether local or international. An intellectual in Diyarbakır told USCR, "If return does not take place anytime soon, the Turkish government needs to help people find work. But, about this, we are hopeless. It has been seven or eight years. Neither the Turkish government nor the international community has done anything to help or to end this."

The little assistance the government provides is directed in a discriminatory manner based on the presumed loyalties of the recipients. Writing in *Internally Displaced People: A Global Survey*, Kemal Kirişçi notes, "Government policy towards internally displaced people has been limited to the provision of food and materials for very basic housing. This inadequate assistance has tended to favour IDPs [internally displaced persons] from Kurdish *ashiret* (tribes or clans) that have traditionally had good relations with the government, rather than those which have supported the PKK or remained neutral."[69]

Most of the displaced persons USCR encountered had been engaged in husbandry and small-plot agriculture before their displacement, but are now living in urban settings. USCR visited slum areas in several cities that were comprised almost entirely of Kurdish migrants. Although some migrants have adapted and found work in construction, transportation, or other urban pursuits, many others, particularly among those who were adults when they were displaced, have not been able to adapt.

The conflict has disrupted the region's economy. Agriculture and husbandry served the region's cities, and city dwellers commented on high prices and shortages of meat and other staples that once were plentiful.

One man told USCR, "Old people are especially poor. No charities help them. There are no private organizations that work on their behalf. We have no money to eat meat. We never eat meat." Meat is central to the diet in this region, but the husbandry sector has been decimated.

No welfare system appears to operate on behalf of destitute internally displaced persons and other vulnerable, unemployed people. A business leader in Mersin told USCR, "They [the displaced] are completely on their own. They have no support from the government, no support from any NGO, no support from the citizens."

Mirroring that statement, a displaced person in Mersin told USCR, "I don't trust the authorities to provide solutions. I don't expect anything."

The displaced don't expect hand-outs. What they want is work. Another displaced person in Mersin said:

> *I've lived in Mersin for two years. I came from Diyarbakır, from the conflict from the left and right. Fifteen of us live in one room. We rent it. It is most difficult for us just to pay the rent. We have no work. I don't want anything from any authority. The government is hungry, like us. If you don't have money, how can you give money? No government or rich person can help us. We want employment. But people are only employing their own relatives.*
>
> *The mayor never cares about us. He gets his election but never provides services. Families have no electricity or water, because they can't pay. People and animals live in the same place. There is litter, garbage, the streets are muddy. Dirty water is sitting, and people are making bread on the side of the road. Children play on the street where there is sewage.*
>
> *We want to return. Our fields are there. We were forced to run away and come here. We want only peace, nothing else from the authorities.*

A Diyarbakır lawyer said, "There are many more displaced people in Diyarbakır than the official number. Most live in the homes of relatives who support them financially. The Turkish government has to do something for them."

One man, probably in his mid-40s, who did have a job in a government factory, said, "I am the exception. Most of my friends from the village do not





Fewer and fewer people are able to herd livestock in the southeast, as the conflict has driven many rural people into urban slums. Photo Credit: R. Marolversion

have work." He said that unemployment in the southeast is not limited to the displaced. "There just is no possibility to find work. Nearly 50,000 are unemployed. When you ask for work, they don't know who is a migrant or not."

Housing and Shelter

Along with unemployment, the absence of affordable housing is a critical problem. A Kurdish lawyer commented, "There is no public housing in Turkey; there are no housing rights here. The migrants are forbidden to live in the slums, but if someone has no money, he has no choice. They cannot build houses on state property."

Housing and shelter needs should be examined in two phases: First, as the urgent need for shelter in the immediate aftermath of displacement, including accommodation in tents or collective facilities; second, the longer-term needs for decent housing for people rendered homeless by the conflict who cannot return in the foreseeable future. Because the violence in populated areas decreased significantly in 1998 and 1999, the need for emergency, temporary housing has declined as well, compared to several years ago. In its study of displacement in 1994 in Tunceli and western Bingöl, the Netherlands Kurdistan Society observed:

> *According to Minister* [of Interior Nahit] *Menteşe's statement in parliament, the government had in 1993 supplied 500 families with substitute housing. He was probably referring to the pre-fabricated emergency dwellings that are commonly sent to the region following earthquakes (which occur frequently in eastern Turkey). We are not aware of any group of evicted villagers before the autumn of 1994 being given such dwellings, nor other forms of compensation. Virtually all evacuees of whom we are aware had to find a new place to stay by themselves. (In this respect, the village evacuations in Tunceli were exceptional, for here the government did provide some of the evacuees with shelter and even compensation...).... Some families were reported living in tents around the town of Ovacık, others were lodged in a few public buildings. The government erected emer-*

gency dwellings for some of the homeless near Ovacık, but it was doubted whether these simple structures would be able to withstand the severe winter.[70]

Emergency shelter per se—or even more permanent dwellings—is only part of the problem. Since the displaced congregate in the *gecekondular*, which, by their very nature, the government seems to consider a blight unworthy of efforts to improve them, a host of infrastructural needs go unmet. In the quarter of Mersin where the displaced live, USCR heard complaints of uncollected garbage, potholes, and mosquito infestations. In April 1996, the Habitat International Coalition (HIC) sent a fact-finding mission to Turkey to assess housing conditions for the displaced. The report found:

The urban areas to which the displaced Kurds have fled are completely neglected by the Turkish authorities. In both Diyarbakır and Istanbul, HIC found neighborhoods without access to potable water, adequate sanitation facilities, and electrical connections.[71]

The 1997 Turkish Parliamentary Commission report includes a letter from the OHAL governor, dated November 11, 1997, stating that 5,524 houses were built to accommodate displaced persons, including 693 in central Diyarbakır, 932 in Hakkari, 2,767 in Şirnak, 175 in Tunceli, 152 in Van, 258 in Bingöl, 62 in Bitlis, 465 in Mardin, and 465 in Muş.[72] Although the government has constructed some housing, displaced persons and others told USCR that occupancy is part of the reward system tied to the village guard structure. A man in Diyarbakır told USCR that in his city "the government built 500 cottage houses for migrants, but they gave them all to village guards. Some flats were built that were supposed to be for poor people, but now professionals who can afford the rents are living in them. Rents are astronomical."

USCR observed a construction boom in areas on the periphery of the conflict zone, particularly on the outskirts of Mersin and in Mersin itself. USCR noted scores of apartment buildings in various stages of construction. Although the city is overcrowded and has a teeming slum of Kurdish migrants, it is unclear whether the construction boom will benefit the displaced population. Mersin, located on the Mediterranean coast, is establishing itself as a tourist center, attracting busloads of Syrians.

Both intellectuals and the displaced themselves suggest that return is the answer to the housing problem. A Diyarbakır lawyer said, "On its own, or from international pressure, the solution is to return them back to their homes."

A displaced villager living in Diyarbakır said, "I am sure that if they permit us to go back, that we would all go back. We would live in tents on our fields."

Resettlement Schemes

According to the report of the Parliamentary Migration Commission, nearly 23,000 internally displaced people have returned to their places of origin. The report says that government-sponsored resettlement projects have facilitated this return migration with the construction of 5,524 residences in the southeast.

However, the Parliamentary Commission report also casts doubt on the government's commitment to promoting return. The Commission concludes:

Statements by the [elected] *governments concerning projects for their return have not been taken seriously by the migrants since there has been no wholehearted support at their inception nor the needed state support to carry them out. In fact, only 200 localities have been officially identified as safe, the others declared unsafe, and the villagers not allowed to return. Villagers may return to their villages only on the condition that they have a temporary village guard. Return to some villages has been obstructed by the guards of other villages. All of these situations deepen the infringement of the rights of our countrymen who have been subjected to forced migration.*[73]

The government has announced plans to build another 2,800 residences, but a lack of resources has reportedly delayed construction. The government has announced several resettlement programs for the displaced in the 1990s, although there has been an evident gap between announced intentions and construction. Announced programs include the "Village Centers Project," announced in November 1994, and the "Return to Villages" project within the "Southeast Restoration Project," announced in July 1995.

The Village Centers (*merkez köy*) Project was

intended to settle people from mountain villages into large centralized villages on state lands near major population centers. The state planned to provide housing and arable land based on loans to be paid back within a 15-to-20-year period. Although the general outlines of the plan were not geared specifically to the displaced (or even to southeastern Turkey), in announcing the plan, Prime Minister Tansu Çiller said that its first beneficiaries would be 12,000 homeless families from Ovacık. The Netherlands Kurdistan Society traced the history of the idea of centralized villages in Turkey:

> *Similar projects had been proposed in the 1970s in more peaceful circumstances, both by the left-of-centre Republican People's Party (CHP) of Mr. Ecevit and the right-wing Nationalist Movement Party of Mr. Türkes. Then named "village-town"* (köy-kent) *and "agricultural town"* (tarım-kent), *the foreseen large settlements were to provide the rural population with better infrastructure and employment opportunities than would be possible in the myriad of existing villages and hamlets. Never implemented, the idea was revived in 1992 or 1993 by the late President Turgut Özal, who in a posthumously published position paper on the Kurdish question recommended the massive resettlement of Kurdish mountain villages in more easily controllable large settlements.*[74]

The government requested $278 million from the European Resettlement Fund of the Council of Europe to implement the Village Centers Project. It reportedly failed to secure the funding, and, therefore, did not move forward with the project.[75]

Although the government did secure funding for the Return to Villages Project as part of the Southeast Restoration Project and announced ambitious plans to implement it, the military and other security-minded forces obstructed its implementation. "Competing interests among security forces, the emergency rule governor, and various state ministries harmed the project," said Human Rights Watch. "In July 1995, Emergency Rule Governor Erkan voiced security concerns and suggested that the displaced should stay where they had migrated, while then-Prime Minister Çiller stated, 'We have made progress in identifying the villages that can be returned to.'"[76]

Health Care

Inadequate health care is also a problem. There are free government health clinics throughout Turkey, but displaced persons criticize them. USCR heard complaints about long waits and substandard care at these clinics, and about clinic doctors who do not speak Kurdish. Efforts to establish private, nonprofit clinics targeted to displaced Kurds have been frustrated. In 1996, the Diyarbakır Physicians' Association published a booklet entitled *Forced Migrants: Social, Economic, and Health Situation in the Area of Diyarbakır*. The doctors wrote that "health comes out as the most negative indicator" of the rapidly growing urban population and lack of infrastructure. They attributed health problems to overcrowded living conditions, inadequate heat, unsanitary conditions, malnutrition, insufficient and dirty drinking water, improper disposal of sewage and garbage, and previous trauma resulting in psychological disorders. They also said that even if the displaced are treated for ailments and diseases, they cannot afford to buy prescribed medicines.[77]

Many health professionals have left the area, the doctors report, leaving a shortage of doctors and nurses. They said that of 112 health clinics that once served the area, only 15 were currently functioning. The southeast lags behind the rest of Turkey in several important indicators of health care. The Diyarbakır doctors report that 70 percent of births in the southeast are not assisted by medical personnel, compared to 15 percent unassisted births in the rest of Turkey. Malaria, they report, is twice as common in the southeast than in the rest of the country. There were 1,184 cases of malaria cases reported in Diyarbakır in 1990; in 1994, 32,263 cases were reported.

The Diyarbakır physicians also report an increase in the incidence of psychological disorders. Among the psychologically related complaints they report: headaches, ringing ears, breathing problems, chest pain, sweating, stomach aches, diarrhea, and constipation; in women, irregular menstruation and miscarriages; among children, bedwetting and "fear and turning into themselves." The Diyarbakır Physicians' Association concludes its report, declaring, "If this condition continues, it will cover the whole country as a contagious disease. It will turn the cities into villages and harm social peace. It will increase economic loss and make health problems insoluble. The best solution is to erase the conditions that cause people to migrate."



Education

One of the doctors in Diyarbakır commented on the effect of forced migration on disrupting education, saying, "Education is gradually getting lost. People who leave their villages can't make the least use of the education they had. Not being able to adjust in their new residences, migrants discontinue their education and fall into ignorance."

Many of the problems displaced children face are common to the poor in Turkey generally. Although Turkey provides for free public education, students must buy their own books, notebooks, and pay other school fees. Many displaced (and non-displaced) Kurdish children cannot afford these basic educational tools, and do not go to school.

During USCR's visit to Van, the researcher visited a local tourist attraction (although tourists rarely make it to Van, the closest Turkish town to the Iranian border). A couple of primary-school-age Kurdish boys provided their services as "guides"—which meant a singing accompaniment as the researcher climbed the Van fortress. Although the boys were beggars and had a vested interest in telling a sad tale, their story focused specifically on the opening of school several weeks hence, and their fear that they could not attend without the proper school supplies. It was a problem confirmed by others.

An official in Silopi told USCR, "Our schools are overcrowded. Lots of people can't afford to send their children to school. Because of economic problems, they can't buy paper, books, and uniforms." Many of the poor see education as a luxury they cannot afford. "Poverty causes families to send their children out on the street; street vending becomes their vocation," wrote Dr. Necdet İpekyüz in a 1996 article on internal migration in southeastern Turkey.[78]

Problems that Need Response

The primary problem that must be addressed is the cause of the forced displacement itself. Although the PKK causes some displacement, most village burnings and evacuations fit the military's counterinsurgency strategy, and the policy as a whole has deep roots in Turkish political culture, in which forced migration has been a tool of the state's commitment to assimilate the Kurdish minority.

There are other, immediate problems. Displaced people need shelter, infrastructure, and other forms of social assistance. They also need to be assured that they will not be persecuted if they speak out on their own behalf.

Lack of access to the displaced and to the regions from which they were evacuated is a problem that prevents humanitarian and human rights organizations from assisting or protecting the displaced population. Obstruction and intimidation extend to journalists, local and international NGOs, local government officials, and to high-ranking members of the Turkish government itself.

Finally, the displaced need the freedom to return to their villages in safety and dignity if they choose to do so. Those unable or unwilling to return need to be compensated for their losses.

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IV. DOMESTIC POLITICAL CONTEXT

The National Government

The national government in Turkey functions with a constant awareness that the military is looking over its shoulder. The military, widely understood to be the keepers of the Kemalist flame, seized power in 1960, 1971, and 1980, and has otherwise defined the parameters of Turkish political life. Turkish prime ministers have been removed from office, arrested, and executed.[79]

In June 1997, the military again flexed its political muscle, forcing the resignation of Prime Minister Necemettin Erbakan, leader of the Islamist Refah Party. The Refah Party (the leading vote-getter in the previous election) was banned in January 1998, and Erbakan himself was barred from political activity for the next five years. He was replaced by Mesut Yılmaz of the mainstream Motherland Party (ANAP), in coalition with several other mainstream parties. (Yılmaz, in turn, lasted in office only until December 1998, losing the prime ministership amid charges of corruption.)

Through its presence on the National Security Council (*Milli Guvenlik Kurulu*—MGK), the military maintains a direct hand in the governance of the country. Gürbey observes that the mainstream parties have a largely monolithic view of the Kurdish issue:

> *With regard to the Kurdish issue, the parties share the view that the Kurdish problem*

in Turkey does not exist in the sense of an ethnic minority issue (with the exception of the HEP and DEP).[80] *It is reduced instead to a "problem of terrorism" or a "socio-economic problem" or both. This stereotypical assertion, as well as the ideology of the national state and the centralist unitary state, is strictly adhered to.*[81]

The military's guiding principles, and, therefore, the national government's, have been secularism and the unitary Turkish state. Deviance from those principles, either in the form of advocacy for an Islamic state or separatism are fundamental political taboos.

Yılmaz himself expressed the impotence of Turkish political parties, when he was in the opposition before he became prime minister. He said:

In a country in which even the Deputy Prime Minister cannot go to evacuated villages, I leave it to you to imagine what kind of influence the opposition parties can exert. In order for an opposition party to do its job properly, civil authority must first be sovereign. At the moment civil authority is not in charge in Tunceli.... After Mrs. Çiller came to power, the fight against terror was handed over wholesale to military units.[82]

The national government has made repeated cosmetic human rights reforms. Although the government has created a number of governmental bodies devoted to human rights, the record indicates that whenever such bodies have actually taken human rights seriously, they have been reconstituted or abolished. Such is the history of the Ministry of Human Rights.

In 1994, at a time of rising international criticism of its human rights record, the Turkish government, led by the True Path Party (DYP) of Suleyman Demirel and Tansu Çiller, created the Ministry of Human Rights and appointed a Kurd, Mehmet Kahraman, from a coalition partner, the Social Democratic Populist Party (SHP), as the first minister of human rights. In June 1994, Kahraman resigned, saying, "In view of the negative attitude shown by our coalition partner, DYP, towards my human rights ministry proposal...it was impossible to establish the ministry and make it operational."[83]

Kahraman's successor, Azimet Köylüoğlu, defied expectations and became an outspoken critic of his own government, charging that its burning and forced evacuation campaign constituted "state terrorism." He said, "Security forces should avoid the psychology of burning and destroying while in their relentless fight against terrorism. The evacuated villages must be given food and shelter.... We can't even give them Red Crescent tents."[84] A few days later, Köylüoğlu retracted this statement, and, shortly thereafter was replaced by Algan Hacaloğlu, who proved equally independent.[85] The most notorious of the security forces operating in the southeast, the "special forces" *(Özel Timler)*, reportedly threatened Hacaloğlu while he was the minister of state for human rights during one of his visits to the southeast.[86]

Another governmental body, the High Council on Human Rights, took its mandate seriously, and, in late 1995, issued a report finding that the practice of torture in Turkey was widespread and systematic.[87] Amnesty International reported in 1996 that neither the Ministry of Human Rights nor the High Council on Human Rights was functioning, and that they had been replaced in February 1996 by a Directorate of Human Rights and Foreign Relations, which described its duties as "combatting allegations of human rights violations made with the intention of undermining security forces."[88] However, the U.S. State Department's 1998 report on human rights indicated that the State Minister for Human Rights still functions and that he also coordinates the High Council for Human Rights.[89]

Local Government

Turkey maintains a highly centralized government. All governors are appointed from Ankara. There is really no such thing as a local police force because the police, too, rotate around the country, as do judges and civil servants. Even teachers are appointed from the center to their local school assignments.

Local government in southeastern Turkey has been controlled by the State of Emergency since 1987. A State of Emergency (OHAL) regional governor has authority over regular governors for security matters both in the six provinces still under emergency rule as well as in six surrounding provinces.[90] Among other powers, the OHAL governor is authorized to remove persons from the southeast whose presence he deems to be detrimental to public order.[91]

Local government in Turkey is organized from the province (*il*) to the district (*ilçe*), to the subdistrict (*nahiye* or *bucak*), to the village (*köy*), the smallest administrative unit. Hamlets (*mezra*)



are even smaller settlements that were scattered throughout the southeast before the evacuation campaign. The *muhtar* is a village headman. He is elected by the villagers and represents them with the civil and military authorities.

Muhtars have no role to speak of relating to aspects of life that the OHAL governor deems to have security implications. The military, particularly the *gendarmerie*, is omnipresent in the southeast, providing little latitude to local officials regarding sensitive matters. When the USCR researcher was interrogated by security officials, they questioned why he had met with a *muhtar* and what they had spoken about. The USCR researcher inferred from this encounter that the security forces had the *muhtar* under surveillance, and started following the researcher after his meeting with the *muhtar*. This further suggests that the security forces (at least in this one locality) do not consider *muhtars* to be a trusted part of the government/security hierarchy.

The village guard (*korucu*) play a key role in the southeast. The government recruits (sometimes coercively) village guards, pays them monthly stipends (a significant payment in an impoverished region), and supplies them with weapons. In recruiting village guards, the government exploits and exacerbates tribal and clan rivalries. As a result, some of the violence and displacement associated with village guards may have less to do with politics and the PKK than with traditional blood feuds and extortion. Many displaced people say that the village guard not only forced them from their homes, but also forced them to sell their livestock and other properties to those same village guards at cheap prices.[92] Because the village guards and their families are targeted by the PKK, they are both victimizers and victims with regard to forced displacement.

The *gendarmerie*, which functions as a militarized branch of the Ministry of Interior, is mandated to serve as a police force in rural areas. *Gendarmerie* troops are commonly observed manning checkpoints on roads throughout the southeast. Each central village has at least one *gendarmerie* post (*karakol*), and districts and subdistricts have larger ones.[93] Human Rights Watch observed that "the *Gendarme* is highly militarized and its commander sits on the National Security Council (MGK). Many doubt its subordination to the Ministry of Interior."[94] In 1994, Human Rights Watch put the total strength of military and security forces in southeastern Turkey at 315,000, including some 50,000 special forces (*Özel Timler*) and 45,000 village guards.[95]

Nongovernmental Organizations

Local NGOs in Turkey operate within the constraints of a government and society that are highly suspicious of their political motives. After the 1980 military coup, the military government closed down all Turkish NGOs. Accordingly, NGOs specifically geared to the needs of the displaced have not developed. As previously noted, the one such NGO that USCR knew of was forced to close. Consequently, local professional associations have taken on the task of providing limited assistance, such as rendering medical care and defending their legal rights.

A lawyer in Diyarbakır told USCR that lawyers have had no success with the courts in seeking redress on behalf of the displaced. He said, "First, it is nearly impossible for us to prove what happened to these people. In the Turkish judicial system, you need to present all the evidence before a judgment can be rendered, and we have no way to get the evidence."

Another lawyer in Diyarbakır said, "You can count on the fingers of one hand the lawyers who bring the complaints of displaced people to the courts. The government paints us as sympathizers with the PKK, which is very dangerous for us. Much more importantly, the displaced people themselves are threatened."

The U.S. State Department's human rights report for 1997 confirms that the government imputes subversive motives to human rights defenders, creating a chilling atmosphere for investigation, discussion, and advocacy on behalf of the victims of human rights abuses. The report states:

> *Government officials continued to harass, intimidate, indict, and imprison human rights monitors, journalists, and lawyers for ideas that they expressed in public forums. Seven regional offices of the Human Rights Association were shut down during the year; three remained closed. In May, Dr. Tufan Kose, a representative of the Adana branch of the Human Rights Foundation (HRF), a respected nongovernmental organization (NGO), was convicted and fined for not turning over to the authorities the names of torture victims treated by HRF's torture treatment center. He is free on appeal. The president of the Human Rights Association (HRA), along with other HRA organizers, faces charges of promoting separatism or inciting ethnic hatred*

based on speeches. The president of the HRF, the HRA president, and the leaders of two small political parties were charged with holding an unauthorized demonstration.... The translator and publisher of a Human Rights Watch report on the conflict in the southeast were convicted under Article 159 of the Penal Code (defaming the military).[96]

If anything, the situation for lawyers and human rights-oriented NGOs deteriorated in 1998. Prosecutions under the broadly written Anti-Terror Law brought stiff sentences against prominent journalists and human rights activists, including a 20-year sentence against blind lawyer and human rights activist Eşber Yagmurdereli for violating that law's restrictions on free expression.[97] Human Rights Association President Akin Birdal, who narrowly escaped death when gunmen fired six bullets at him at close range in his office in May, was sentenced to a one-year prison sentence for "inciting hatred" in a speech calling for a peaceful end to the Kurdish conflict in July as he was struggling to recover from his wounds. In October, an appeals court upheld his sentence.[98] During the year, a state security court trial of 25 Diyarbakır lawyers accused of aiding and abetting the PKK dragged on; the lawyers are known for representing clients unpopular with the government and for their activism on human rights.[99]

Local development-oriented NGOs, working cooperatively with the government, have fared better than the more adversarial human rights-oriented NGOs. Calling themselves "foundations," and not focused specifically on the displaced, but on the humanitarian needs of various impoverished groups, these NGOs have had some success in attracting funding from European NGOs.

USCR met with the head of a well-established NGO with solid international funding and good relations with the Turkish authorities. The NGO started in 1976 as part of an earthquake relief effort in Van Province. After being closed down by the 1980 coup, it was one of the first NGOs to become reestablished after the military takeover. The NGO chief said, "We looked very suspicious" because his board of directors included Kurds. Gradually, however, he said, after four or five years, "the government decided that we were trying to serve our country and that we could be trusted."

The NGO chief said that he often feels torn by the expectations of his foreign donors and their pressure for his organization to be more outspoken on human rights issues. "We are sometimes criticized by foreign donors," he says. "I am not happy with their attitude. We are not against our country. We want to work for our country, for our people, to criticize, yes, but not to destroy."



Elderly woman displaced from a village and now living in an urban center in the southeast. Photo credit: USCR/B. Frelick

His foundation wrote a proposal to work with the government on a return demonstration project for displaced persons involving reconstruction of about 200 houses in four villages in Şirnak Province and an income generation project for the returnees. "I approached foreign NGOs for about $1.5 million, but the NGOs asked too many things of me, wanting me to bring a cabinet minister for them to question."

The chief said that the foreign NGOs wanted to know if the villages were sufficiently safe for people to return. He said that the issue would be resolved simply because the return would be voluntary. "The people need to decide for themselves. If a person voluntarily returns, then he is safe. They know the situation better than we do. You can't feel secure for someone else. The people themselves have to feel secure."

Turkish officials, and people sympathetic to the government, praise initiatives to develop the south-

east and to encourage return migration. The focal point of this activity is the Southeastern Anatolian Project, known as the GAP (*Güneydogu Anadolu Projesi*).

But the GAP is not seen universally as beneficial. USCR also met with a local professor who had served as a GAP advisor, but who has become a vocal critic of the project. He told USCR, "GAP has been sold as for the good of the society [of the southeast], but it actually is the opposite, and some of its effects are causing more people to emigrate rather than preventing emigration."

The professor contradicts the government's claims on four points. First, he says, the dams and reservoirs that control the headwaters of the Euphrates are not being used as extensively for irrigation as the government claims, and the land that is being irrigated is concentrated in a few hands in a region where land ownership remains feudally based. He said that only 7 percent of the 1.7 million hectares of land that the government claimed would be irrigated actually have been irrigated. Second, he says that the electricity produced by the GAP project is not being used to build industry in the southeast, but is being used outside the region. Third, he says that, despite the rhetoric, there have not been health and education reforms accompanying the GAP project.

Finally, the professor claims that the reservoirs themselves have displaced upwards of 100,000 people by putting about 150 hamlets and villages under water. He said that the government promised displaced villagers that it would rebuild modern villages on their behalf. Instead, he said, they were given cash compensation. Most, he said, moved to western Turkey, spent the money after a year or two, and have now joined the ranks of the migrant urban poor.

Whatever the benefits of the GAP project might be, Kurds tend to look upon such government initiatives with suspicion. There is a skepticism both about unfulfilled promises as well as ulterior motives. Henri J. Barkey and Graham E. Fuller characterize most purported state investments in the southeast as "ghost investments," saying "The state would initiate plans to build a factory, but, more often than not, the investment would fail to materialize."[100]

Civil Society

Turkish civil society is a factor that is difficult to assess, but also of undeniably critical importance for resolving the Kurdish question. Although hard for foreigners fully to appreciate because they work at the margins of accepted discourse, some Turkish journalists, academics, intellectuals, trade unionists, and others test the accepted parameters of political discourse, and ask searching questions of the government's policies. When Prime Minister Özal appeared on the verge of a breakthrough in redefining the state's relation to the Kurds, van Bruinessen cogently observed that the impetus for change came not only from the international community, but also from significant elements within Turkish society itself. He said:

> *One factor contributing to this change of attitude was undoubtedly the pressure exerted by western Europe, and Turkey's desire to be accepted as a full member of the European Community. More credit is due, however, to the efforts of those Kurdish and Turkish journalists, lawyers and politicians who, at considerable risk to themselves, kept drawing attention to the Kurdish question and criticizing the official ideology.*[101]

Kemal Kirişçi and Gareth M. Winrow take van Bruinessen's observation a step further, arguing that pressure from the international community is counterproductive and likely to provoke a xenophobic backlash among Turkish nationalists, and that reform, however slowly, will and must come from within Turkish civil society.[102] Kirişçi and Winrow observe a growing debate on the Kurdish question in the Turkish media, proposals coming from within the business community, and increased attention among local NGOs, but note that "in spite of developments...which have created an environment somewhat more conducive to open discussion, not all opinions and ideas with regard to the Kurdish question can be openly and freely discussed."[103]

Others, while observing that Turkish civil society is among the most open in the region, note extensive self censorship on the Kurdish question. Henri J. Barkey and Graham E. Fuller write:

> *The combination of laws that tend to punish speech and the strong sense of patriotic duty imbedded in the Turkish public inhibits a great deal of criticism.... By and large, intellectuals as a class, especially academic circles, play almost no useful political function, because of their failure to examine and question Kurdish policies. University students do not usually argue over Kurdish issues in class, and faculty do not discuss it*



among themselves. The issue is functionally nonexistent in academic circles.[104]

Barkey and Fuller take an equally sobering look at the Turkish media, saying:

The Turkish press is one of the most open in the Middle East.... Yet this relatively free press has not been so open when it comes to the Kurdish issue.... It appeared as if most of the press took its guidance on national security issues from official bulletins of the government, the military, and the National Security Council. Most of the coverage of fighting was contained in relatively brief stories about the number of PKK terrorists captured or killed the day before.... Since there was no formal debate in Parliament or elsewhere about the Kurds, there was no serious debate in the press either, even though this is not, strictly speaking, a government-controlled press.[105]

Barkey and Fuller note exceptions to their own observations. For example, they mention a series that ran in the daily paper, *Milliyet*, in the summer of 1995 on the problems of internally displaced people. They note that some NGOs, such as the Helsinki Citizen's Assembly, have openly discussed the Kurdish question, and that other intellectuals have spoken out. However, while acknowledging the existence of a vibrant press, a democratically elected Parliament, and a growing civil society, Barkey and Fuller remark that Turkish civil society nevertheless is "too timid to take on the state on an issue as controversial as the Kurdish question."[106] At the same time, they note the growing activism of Kurdish civil society, and see a growing gap between Turkish and Kurdish civil society:

Kurdish political activism is reflected in the workings of human rights organizations, cultural associations, political parties, self-help organizations, local administrations, and movements of different political stripes, ranging from the traditional Left to Islamic movements. Increasingly, Turks and Kurds are coming to live in their own separate psychological worlds—working jointly in society but increasingly nourishing suspicions about each other's intentions and identifying with different things. It is this growing psychological gap between Kurds and Turks that is the most dangerous feature of the Kurdish issue in Turkey today.[107]

Although he is a foreigner, and therefore not truly representative of Turkish civil society, the experience of Andrew Finkel, a journalist who has spent the last decade in Istanbul and written a biweekly newspaper column for the past two years, nevertheless reveals the challenges facing civil society in Turkey. Following Turkey's capture of PKK leader Abdullah Ocalan in February, Finkel wrote a column suggesting that "it was time to draw the line in the sand between legitimate protest, democratic dissent, and those who advocated or used violence. In short, it was time to win the peace."[108]

Within hours of the column being published, Finkel was fired. His wife, a historian who has studied Ottoman archives for twenty years, was publicly accused of stealing documents from libraries. They considered leaving the country, but stayed after other people rallied to their defense. Nevertheless, said Finkel, "The affair did little to strengthen my faith that Turkey was now prepared to deal rationally with its most serious challenge. 'We don't have a Kurdish problem, we have a problem of terrorism,' is still a familiar cry—and not unlike the sound an ostrich makes as it plunks its head in the sand."[109]

Armed Opposition Forces

Although smaller armed opposition groups have operated in Turkey, the PKK has been the most significant, and most violent of them.[110] Although the numbers it is responsible for displacing are hard to quantify, the PKK is undoubtedly directly responsible for significant internal displacement that has occurred in Turkey. Among its civilian targets have been local political figures, such as mayors, and teachers, who teach in the Turkish language.[111] The PKK's principal target appears to have been the village guards and their families. According to Amnesty International:

It is a bitter irony that during the 12 years in which the PKK has pursued its military objectives most victims of its deliberate and arbitrary killings have been Kurdish villagers. Reports from various sources show that armed PKK members killed at least 400 prisoners and civilians between 1993 and 1995. Most were killed because they



had joined the government-armed village guard forces.... In the 1980s, the PKK frequently massacred whole families.... [R]elatives of village guards are also sometimes deliberately and arbitrarily killed.[112]

Although Amnesty International found that the number of civilians whom the PKK arbitrarily killed declined after it announced that it would respect the Geneva Conventions, Amnesty documented 50 PKK killings of civilians in 1995 and at least 16 in the first half of 1996.[113]

The Turkish government insists that the PKK be branded as terrorists, and other governments, including the U.S. government, commonly append the term terrorist to the PKK. The government has also challenged NGOs, particularly its human rights critics, to call the PKK a terrorist organization. The Turkish government, and its supporters, generally assert that the PKK's goal is to establish a separate Marxist-Leninist state in southeast Turkey, and that it conducts a systematic campaign of terror directed against state officials, the military, and civilians (ethnic Turks and ethnic Kurds) to achieve its objectives.

Italy's apprehension of PKK leader Abdullah Ocalan in November 1998, but its refusal to extradite him to Turkey, brought the terrorist charges into sharp focus. Ocalan publicly renounced terrorism—as he had earlier retracted the PKK's communist and separatist ideology. Ocalan said, "We have abandoned terrorism and are ready for a peace accord."[114] Ocalan listed a seven-point program for the PKK: 1) cessation of military actions against Kurdish villages; 2) the return of displaced people to their villages; 3) the elimination of the corps of the village guards; 4) autonomy for "our region" without damaging the territorial integrity of the Turkish state; 5) assurance that Kurds have all the democratic freedoms enjoyed by Turkish citizens; 6) recognition of Kurds' identity, language, and culture; and 7) pluralism and religious freedom.[115]

The rhetoric has been matched with repeated unilateral declarations of ceasefires in recent years, and, as this paper is going to press (in October 1999), Ocalan, who was sentenced to death in June 1999 and is still awaiting the outcome of his appeal, has called on the PKK to end the insurgency and withdraw outside Turkey's borders.[116] The PKK's words and actions have remained decidedly mixed, and its actions have not convinced the Turkish public that it has truly and fundamentally changed.[117] If Ocalan is executed, there is no predicting how the PKK and the insurgency will change. Despite Ocalan's calls for peace from death row, the Turkish government remains adamant in its refusal to enter into negotiations with the PKK, saying that it will not negotiate with terrorists, and continues to pursue a military solution.

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V. INTERNATIONAL POLITICAL CONTEXT

During the Cold War, Western powers regarded Turkey as a key member of the NATO alliance largely because of its strategic location astride the Dardanelles. The West regarded Turkey as critical both because it could block the Soviet Union's fleet from escaping the confines of the Black Sea and because it served as the forward NATO outpost for nuclear missiles and intelligence gathering. Since the Cold War, Turkey's geopolitical importance has been enhanced by the emergence of Turkic-speaking republics in the former Soviet Caucasus and central Asia, and by the perception that the secular Kemalist ideology represents a bulwark, of sorts, against a revived militant Islam. As relations soured with Iran and Iraq, the alliance with Turkey grew in importance.

Despite consensus regarding the strategic importance of Turkey, most Western powers also express disquiet regarding Turkey's human rights record. The international community's approach to this issue has been ambivalent, due, in part, to Turkey's rigorous response to criticism, and to fears that outside pressure would offend Turkish sensitivities and provoke nationalist recalcitrance. Writing from Boğaziçi University in Istanbul, Kirişçi and Winrow caution, "The international community should not attempt to compel the Turkish authorities to adopt particular policies. That would only prove counterproductive as Turkish officials will not take kindly to outside duress and a xenophobic backlash could also be possible.... While not refraining from criticism, the international community should show patience and understanding and at the same time offer encouragement to the government in Ankara."[118]

The international community has struggled to find the right balance that would provide greater protection to internally displaced persons and other victims of human rights abuses as well as more openness and responsiveness to the rights of Kurds generally without provoking the feared backlash.

The European Union

While Turkey's record on human rights and democracy is far superior to those of its neighbors to its south/southeast, it nevertheless continues to lag far behind the standards of the European Union, which it has sought to join. The question of EU membership has stirred heated debate about Turkey's human rights record (a debate influenced to no small degree by a large and active exile community of Kurds of Turkish origin), straining relations between Turkey and the EU. In December 1997, the EU summit, meeting in Luxembourg, considered applications for EU membership from twelve countries. The EU member-state leaders put six countries on the fast-track for EU membership, placed five on a waiting list, and omitted the twelfth, Turkey, entirely. Turkey was deeply offended by the rejection.

Prior to the debate regarding Turkish EU membership and Turkey's human rights record, in December 1995, the European Parliament admitted Turkey to the European customs union. This came about in the face of intense criticism of Turkey's human rights record. At the time, *The New York Times* wrote, "The intense lobbying campaign that preceded the vote had focused not on economic issues but on human rights, particularly the Turkish security forces' campaign against Kurdish separatists."[119] Turkey initiated a number of reforms to turn the customs union vote in its favor, including amending Article 8 of the Anti-Terror Law, releasing two of the six Kurdish parliamentarians who had been stripped of their parliamentary immunity and imprisoned, and instituting democratization measures.[120] The final vote, characterized by Philip Robins as "a deceptively easy endorsement," was 343 in favor, 149 opposed, and 36 abstentions. Robins noted the influence of the European Parliament, usually a body of marginal influence, observing, "In spite of the Turkish establishment's antipathy, the EP had enjoyed some success in gaining concessions from Ankara over the human rights and Kurdish issues during the short period when its powers were of a decisive importance to the interests of Turkey."[121]

In October 1999, the President of the European Commission announced that Turkey would be considered as a candidate for EU membership, but that "real accession negotiations cannot be opened" until Turkey meets the European Council's conditions for membership, most particularly its human rights criteria, including respect for and protection of minorities.



Displaced women who met with the USCR researcher agree to a photograph only after covering their faces. Their motivation was less modesty than fear.
Photo: USCR/Bill Frelick

The United States

Although a number of EU countries, including Germany, have frozen military aid to Turkey because of human rights violations in the southeast, the United States remains the country's principal arms supplier. From 1991-1993, the height of the campaign to depopulate southeastern villages, about 80 percent of Turkish arms purchases came from the United States.[122] A recent estimate (December 1998) is that the United States has sold or given more than $15 billion in military aid to Turkey since 1980.[123] However, in recent years, the U.S. Congress has tightened its restrictions on arms financing, transfers, and training to units of military and security forces that have poor human rights records. Consequently, human rights organizations, and others, have increasingly scrutinized the forced displacement of civilians and other human rights abuses in Turkey for evidence that U.S. military equipment has been used.[124]

In testimony before the Helsinki Commission on September 19, 1995, Assistant Secretary of State for Democracy, Human Rights, and Labor John Shattuck reported eyewitness identification of U.S. military equipment in a number of specific instances, including the use of M113 armored personnel carriers in the forced evacuation of Nurettin village in November 1993, the use of Blackhawk and Cobra helicopters in operations in Tunceli Province in September and October 1994, and the use of at least four F-16s in bombing four villages on March 26, 1994. "The U.S. government finds the evidence for the use of this equipment in these three instances highly credible," he said.[125] He added, "We do not have information regarding the extent to which U.S. equipment has been involved in village evacuations and/or destruction more generally. Since most, but not all of Turkey's major military equipment has been supplied by the U.S., however, it is highly likely that U.S. equipment and ordinance have been involved in such operations."[126]

Turkey has strongly resisted efforts to link military trade and aid to human rights performance. In FY 1995, when Congress was poised to withhold 10 percent of Turkey's $364.5 million military aid package on human rights grounds, Turkey refused the 10 percent in aid rather than accept the remainder conditional on its human rights performance.[127] In FY 1997 (when Turkey received a $175 million Foreign Military Financing loan and a $22 million cash grant from the United States), Congress debated Turkey's human rights record, and some members attempted to introduce amendments making loans and grants to Turkey conditional on its treatment of Kurds and other groups. During the appropriations debate, Turkish Ambassador Nuzhet Kandemir said that his government would refuse any aid that was conditional.[128]

In 1998, the issue came up again, when General Dynamics applied to the U.S. Export-Import Bank for loan guarantees to finance a $45 million sale of armored vehicles, many designed for urban, anti-riot purposes. The State Department decided that U.S. legal prohibitions on military assistance to units engaged in human rights abuses barred U.S. loan guarantees for the vehicles going to 11 provinces where there was credible evidence that the security forces, chiefly the anti-terror police, commit human rights abuses. The U.S. Ambassador to Turkey and key members of Congress protested the decision. General Dynamics ultimately accepted the loan guarantees for the 101 vehicles destined for the 32 provinces where the State Department did not find credible evidence of human rights abuses. The company decided to finance the loan for the 39 vehicles being sent to the 11 provinces where the State Department said human rights abuses occur.[129]

European Intergovernmental Bodies

Although Turkey has not ratified the International Covenant on Civil and Political Rights, it is a member of the Council of Europe, and ratified the "European Convention for the Protection of Human Rights and Fundamental Freedoms" in 1954. The Statute of the Council of Europe requires that every member state be committed to the principles of individual freedom, political liberty, and the rule of law. The European Court of Human Rights functions under the aegis of the Council of Europe, and hears individual petitions under Article 25 of the European Convention. Its task is to examine those complaints and settle or adjudicate them. As of February 1997, the European Commission of Human Rights had received about 800 individual complaints charging Turkey with violating the European Convention, most of which address abuses relating to Kurds in or from southeastern Turkey.[130] The rare inter-state complaint procedure under Article 24 of the Convention was also used twice against Turkey in the early 1980s.[131]

The European Committee for the Prevention of Torture (ECPT), an intergovernmental body under the Council of Europe mandated by the European Convention on Human Rights to conduct site visits to

places of detention, reported finding torture equipment during surprise inspections of the Istanbul, Ankara, and Diyarbakır police headquarters.[132] According to Amnesty International, "The Turkish Government not only ignored the findings and recommendations of the ECPT and the UN Committee against Torture..., the government made an extraordinary public statement attempting to discredit the methods and impartiality of the Committee."[133]

The Organization for Security and Cooperation in Europe (OSCE), with 55 member states, including Turkey, has tackled questions of minority rights and forced migration in other member states. As of October 1998, the OSCE had missions in Bosnia, Croatia, Estonia, Georgia, Latvia, Moldova, Tajikistan, Macedonia, and Ukraine, as well as other activities in Chechnya, Albania, and Kosovo. A High Commissioner on National Minorities (HCNM), whose mandate focuses on conflict prevention and mediation involving national minorities, operates under OSCE auspices. Although the HCNM lists ten other European countries in which his office is engaged (as well as a special OSCE-wide study on the situation of the Roma and Sinti), the high commissioner has not included Turkey in his work.[134] The HCNM's mandate restricts his activities in several ways, for example, by excluding work on individual cases, and explicitly barring information-gathering or fact-finding missions "in situations involving organized acts of terrorism or to communicate with or acknowledge communication from any person or organization that practices or publicly condones terrorism or violence."[135] The HCNM office observes that "the protection of persons belonging to minorities has to be seen essentially in the context of the interests of the State and of the majority."[136]

In preparing this report, USCR wrote to the office of the HCNM asking why it has not taken up the issue of the Kurdish minority in Turkey. The office responded, saying, "The Kurdish question falls outside of the mandate of the HCNM as this does not allow him to be involved in matters where terrorism is involved. The Turkish Government would consider this to be the case in the Kurdish question, which thus limits effectively his field of action in this area."[137]

Other branches of the OSCE appear to have been more active concerning Turkey. In May 1998, the OSCE representative on freedom of the media visited Istanbul and Ankara, meeting with government officials, members of parliament, journalists, and NGOs. OSCE's Office for Democratic Institutions and Human Rights (ODIHR) has reportedly consulted with Turkish authorities, but has not, as yet, appointed an ombudsman for Turkey.

The OSCE also features a Parliamentary Assembly, which appears to have been more active on human rights in Turkey than its other branches. In May 1995, the Parliamentary Assembly sent a delegation to Turkey to discuss various human rights issues with Turkish government and military officials, parliamentarians, and others. In its report, the delegation summarized the comments of these interviews (but failed to make specific recommendations on behalf of the internally displaced or regarding international access, or to recommend any follow-up activities for the OSCE). It reported that Turkish Prime Minister Çiller faulted Europeans critics for failing to take into account the sensitivities of the Turkish people. She said that pressure on Turkey to "update" democracy is counterproductive because it makes Turkey appear as a "slave of Europe" when it undertakes democratic reforms.[138] Turkey's Foreign Minister, Erdal Inönü, told the delegates that Turkey felt no need to invite any bodies from the OSCE's "governmental" side to investigate the situation in Turkey "since Turkey is a democratic state and such invitation would be seen as a propaganda victory for the PKK."[139]

Finally, the President of the Turkish Grand National Assembly, Hüsamettin Cindoruk, told the delegation that the Kurds are not a minority at all. He said that in Turkey one does not talk about national "minorities" or "majorities," since all Turkish citizens are equal. Furthermore, he said, based on the Lausanne Agreement, there are only three recognized "national minorities" in Turkey: Greeks, Armenians, and Jews.[140]

Up to now, the OSCE may have quietly acquiesced in Turkey's interpretation of the Kurds as not representing a minority group. But it may not be able to avoid the minority issue in Turkey much longer; Turkey will host the next OSCE summit meeting in November 1999. This surely will stimulate debate within the OSCE relating to Turkey's human rights record, and specifically the status of Kurds as a minority group and the rights they ought to enjoy.[141]

The Red Cross

As mentioned earlier in this paper, despite Turkey's signing of the Geneva Conventions, the International Committee of the Red Cross (ICRC) has been frustrated in its attempts to gain access to civilian populations affected by the conflict in the southeastern part of the country and to visit Kurdish combatants and civil-



ians detained by Turkish security forces. It has yet to receive the consent of the Turkish government to enter southeastern Turkey or to visit detention centers, a *sine qua non* for its involvement. It has reached an impasse with the Turkish government on its interpretation of its obligations under the Geneva Conventions, and on whether the Geneva Conventions apply to the situation in southeastern Turkey. The ICRC has negotiated with the Ministry of Defense to conduct training seminars on international law for army officers.

The ICRC has had somewhat more success in its dealings with the PKK. This came about as a result of a 1994 conference organized by the Kurdistan Human Rights Project in which prominent international lawyers advised the PKK unilaterally to declare itself bound by the Geneva Conventions. Following that advice, in 1995, the PKK contacted the Swiss government and declared its intent to respect the Geneva Conventions and the two protocols additional to the conventions.[142] The PKK has also permitted ICRC to visit Turkish soldiers held by the PKK in northern Iraq and to accompany released soldier/prisoners back to the Turkish border.[143] Despite its formal agreement to abide by the Conventions, the PKK in the field has continued to target unarmed civilians in violation of the Conventions.

The UN System

For the most part, the humanitarian arms of the United Nations system have ignored internal displacement in Turkey and muted its criticism of the human rights abuses that force homelessness in that country. In *Masses in Flight: The Global Crisis of Internal Displacement*, Roberta Cohen and Francis Deng write, "In Turkey, despite reports documenting the failure of the government to provide assistance to its internally displaced populations, UN agencies have not sought to monitor or in any way focus on the needs of up to two million Kurds reported to be internally displaced."[144]

In 1992, the UN secretary-general appointed Deng to be his representative on internally displaced persons. The representative is the only figure in the UN system with an exclusive mandate relating to internally displaced persons. Among his tasks are monitoring situations of displacement by undertaking fact-finding missions and establishing dialogues with governments. As Deng writes in *Masses in Flight*, "At present, governments that wish to evade the attention associated with a fact-finding mission can do so with impunity, leaving countries with more cooperative governments to become the focus of the representative's attention."[145] The only country Deng specifically cites as having not responded to his request to visit is Turkey.[146] In 1999, he renewed his request.

On May 10, 1995, Deng, in his capacity as representative of the secretary general on internally displaced persons, along with the chairman of the UN working group on arbitrary detention, the UN special rapporteur on extrajudicial, summary or arbitrary executions, the UN special rapporteur on torture, and the chairman of the UN working group on enforced and involuntary disappearances attempted to break through the wall by sending a joint letter to the Turkish government criticizing Turkey's refusal to allow investigative arms of the UN Centre for Human Rights (now called the Office of the High Commissioner for Human Rights) to monitor Turkish armed forces operations in northern Iraq. Although the letter addresses itself specifically to Turkish military operations in northern Iraq, it also could be read as arguing that UN human rights monitoring mandates extend within Turkey itself. The letter noted that:

> *human rights law, whether treaty or customary law, is applicable as such in all instances, including in situations of war, armed conflict, or disturbances of public order. Consequently, any activity of the Government of Turkey or its agents (which include the Armed Forces) that has implications for the human rights we are mandated to monitor and protect, be it in the territory under control of the Turkish authority or in a territory where agents of the Turkish authority operate, falls squarely within the purview of our mandates.*[147]

Turkey rejected the argument, and made it clear that it would not cooperate with these bodies in investigating human rights abuses relating to armed conflict. On June 16, 1995, the Permanent Mission of Turkey to the United Nations responded to the May 10, 1995 letter, saying, "[T]hese articles and provisions do not confer special rapporteurs and working groups of the UN human rights system any duty to oversee the performance of the State Parties to an armed conflict."[148]

In its 1996 report, *Turkey: No Security without Human Rights*, Amnesty International reported that the Turkish government had not responded to requests for invitations to visit from the UN special rapporteur



on extrajudicial, summary, or arbitrary executions, the special rapporteur on torture, the UN Working Group on Enforced or Involuntary Disappearance, and the Working Group on Arbitrary Detention.[149]

Since that report, through persistent pressure from the EU as well as human rights groups, the government has become more open to UN missions. In September 1996, Turkey permitted a visit by the special rapporteur on the promotion and protection of the right of freedom of opinion and expression, Abid Hussain. Hussain noted that he "much appreciated the perfect balance the Turkish Government has struck between assistance and discretion in receiving the mission," and said that the mission received "full freedom of movement, including a visit to Diyarbakır," and "full freedom of inquiry."[150]

Turkey's openness was rewarded with a generally positive report. The special rapporteur said that he received a large number of allegations on infringements on the right to freedom of expression, but that "only a minority of the allegations that were communicated to the Special Rapporteur met basic standards of accuracy and good faith."[151]

In September 1998, the UN Working Group on Disappearances visited Turkey. In November 1998, the UN's special rapporteur on torture visited the country. In 1999, the Turkish government invited the UN special rapporteur on extrajudicial, summary or arbitrary executions and the rapporteur on religious intolerance to visit.

The UN Commission on Human Rights has not, however, appointed rapporteurs or representatives specifically to investigate human rights abuses in Turkey (although it has created such mandates to investigate and report on human rights violations in neighboring Iran and Iraq, and its special rapporteurs have reported extensively on internal displacement in Sudan, Congo/Zaire, and Burma).

Lack of coordination among UN agencies in response to humanitarian emergencies led to the creation of the post of emergency relief coordinator (ERC) in 1991 and the Department of Humanitarian Affairs (DHA) in 1992. In 1997, the Office for the Coordination of Humanitarian Affairs (OCHA) replaced DHA. The ERC chairs the Inter-Agency Standing Committee (IASC), which is comprised of the heads of the UN's major humanitarian and development agencies.[152] In December 1994, the IASC designated the ERC as the "reference point" in the UN system for internally displaced persons.[153] It has not, however, undertaken any activity regarding internally displaced persons in Turkey, nor has the IASC Working Group, which has a standing item on its agenda regarding the displaced.

Of the UN agencies, UNHCR has taken on increasing responsibility for internally displaced persons in recent years—acting as the "lead agency" for the UN in Bosnia and Kosovo, among other places with large numbers of internally displaced persons. Nevertheless, internal displacement in Turkey has been entirely off UNHCR's radar screen. In its 1997-1998 edition of the *State of the World's Refugees*, UNHCR lists 1,066,092 internally displaced persons of concern to UNHCR in Europe, counting hundreds of thousands of internally displaced persons in Bosnia, Croatia, and Russia. It lists 487 persons in its statistical table under "Europe: other countries."[154]

Although UNHCR does not have a specific mandate for internally displaced persons, it has set out criteria to guide it in determining if, when, and in what manner to intervene on their behalf. It requires that there be a specific request for UNHCR involvement on behalf of a specific displaced population from the General Assembly, the secretary-general, or another competent principal organ of the United Nations, such as ECOSOC (Economic and Social Council), and the consent of the concerned state and, where, applicable, other relevant entities.

UNHCR guidelines, published as internal directives on April 28, 1993 and December 2, 1997, distinguish two types of situations where UNHCR might become involved. First, are situations of internal displacement where UNHCR can establish a clear link with activities it normally undertakes in fulfillment of its mandate, such as cases where the displaced are mixed with returned refugee populations, where the causes that produce a refugee flow have also produced internal displacement, or where there is a risk of cross-border spilling of internal displacement. The second type of situation is where there is not a direct link to UNHCR's mandate, but where UNHCR's involvement could attenuate the causes of internal displacement and contribute to conflict resolution. In such cases, UNHCR's preferred role is to supplement the work of other UN agencies.[155]

Although UNHCR does work on behalf of refugees and asylum seekers in Turkey, and has field offices in several cities in the southeast, to date it has done nothing with regard to internally displaced persons.

Unlike UNHCR, the UN Development Programme (UNDP) can be said to have a standing mandate on behalf of internally displaced persons. The UN General Assembly has delegated to UN resi-



dent coordinators—who generally are UNDP resident representatives in the country—the task "of coordinating assistance to the internally displaced, in close cooperation with Governments, local representatives of donor countries, and the United Nations agencies in the field."[156]

Despite this mandate, UNDP in Turkey has basically turned a blind eye to the humanitarian assistance needs of the internally displaced. In 1995, the UN resident coordinator informed the office of the representative of the secretary-general on internally displaced persons that UN agencies were not then involved in any activities in support of internally displaced persons in Turkey.

In the resident coordinator's view, the Turkish government was addressing the problem in its efforts to protect the human rights of the affected persons, as well as to resettle the uprooted. The UN system was not planning future involvement because the government had not requested international assistance and had stated that the displacement problem did not exist. The resident coordinator further noted that people displaced as a result of the dam construction of the Southeast Anatolia Project (GAP) should not be considered as displaced persons because they had been or were being resettled, and because they would in fact benefit from UNDP-supported activities for sustainable human development in that region.

Although UNDP is not geared specifically to address the humanitarian assistance needs of displaced persons, to its credit, it has shifted its development focus from western to eastern Turkey. In November 1995, the UNDP resident coordinator established an Inter-Agency Social Development Programming Committee (ISDPC) to coordinate the work of ten UN agencies engaged in development activities in Turkey. UNDP has budgeted $5 million, including government cost sharing and donor funding, to support 28 sub-projects in the GAP region. Activities include income-generation programs for women and girls in rural eastern and southeastern Turkey and a World Health Organization (WHO) project to eradicate malaria in the southeast. At the same time, UNDP has focused some attention on the *gecekondular* of western Turkey. In Ankara, UNDP is working with the Chamber of City Planners and local authorities to work toward upgrading squatter settlements by legalizing existing settlements and developing local communities.

The World Food Programme (WFP) has not been involved in either relief or development in Turkey.[157] WFP notes that Turkey is a country with a food surplus; it purchases food in Turkey for transport to other countries with food needs. WFP has been designated as the lead UN agency on behalf of internally displaced persons in Angola, Cambodia, Liberia, Mozambique, and Sierra Leone. Despite the government's use of a food embargo as part of its counterinsurgency strategy in southeastern Turkey, and the lack of food as a contributing factor to internal displacement, WFP failed to address this issue.

International NGOs

Aside from international human rights organizations—principally Amnesty International and Human Rights Watch—that conduct relatively brief site visits, the international humanitarian NGOs often present in other refugee (and other displaced persons) situations are conspicuously absent in southeastern Turkey.

A Kurdish intellectual commenting on the role of international NGOs said, "I worked for ten years on development in the southeast. I saw lots of NGOs. They agreed with our feelings, but we have seen nothing from their promises."

The lack of an ongoing international NGO presence in Turkey's southeast primarily results from Turkish government obstruction. While the USCR researcher was visiting the southeast, a local NGO representative described Oxfam-U.K. efforts to establish a project for displaced persons in the southeast several years ago. He said that the government would not give Oxfam-U.K. permission to come and stay. USCR checked with Oxfam International and Oxfam-U.K., but could not confirm the story. Currently Oxfam has no programs in Turkey. Members of the Diyarbakır Physician's Association told USCR that they initiated a sister city arrangement with the medical association in Berlin that might have provided medical aid, but the doctors said that the Turkish Foreign Ministry blocked it. The Physician's Association also attempted to collaborate with Médecins Sans Frontières (MSF)-Belgium in 1996 on a project to provide primary medical care in slum areas, but that the Foreign Ministry blocked the project before it could start. MSF-Belgium confirmed that the Dutch and Belgian sections of MSF had planned such collaboration with the Diyarbakır Physician's Association to provide medical aid to vulnerable groups, especially children under the age of five and pregnant women. MSF-Belgium wrote to USCR, saying, "MSF could however not obtain the authorization to continue this project (refusal by the Turkish Ministry of Foreign Affairs), so this project came to an end in '96. Several attempts (most recent: mid '98) to obtain authorization for this project, or other projects in Turkey, failed."[158]



VI. CONCLUSION AND RECOMMENDATIONS

It is difficult even to broach the subject of internal displacement in Turkey, let alone to do anything to provide for the welfare and safety of the displaced. A wall of denial isolates the displaced from their own society and from the world at large. Denial extends to the existence of a Kurdish problem at all. As the OSCE's Parliamentary Assembly delegation found, "Most government representatives, as well as several others, expressed a belief that the 'Kurdish problem' does not exist. The problem, according to them, is terrorism." Denial covers nearly every aspect of the problem: Kurds are not a minority; they don't speak a cohesive language; there is no discrimination; there is no forced displacement. As evident from this paper, the Turkish government itself is the principal architect of the wall of denial.

But the wall is constructed with the help of an international system that finds it convenient to look the other way. Turkish denial is too often met with silent acquiescence from Turkey's trade and security partners due to its strategic importance to other governments. Turkey, sensitive to any criticism of its treatment of the Kurds, loudly proclaims its displeasure when international actors take an interest in this internal affair. Governments and other bodies that want to maintain good relations with Turkey see the Kurdish question as a litmus test. Those who defend the Kurds are accused of supporting the PKK, of being unwitting or active accomplices of terrorism. Weighing the relative value of good relations with the Kurds or with Turkey, international actors sometimes remain silent when Turkey commits abuses, such as forced displacement.

Another brick in the wall is the UN system's limitations in dealing with governments that deny a problem exists and do not request international assistance. Only in the rarest of circumstances has the UN system overcome the barrier of sovereignty to come to the aid of an uprooted population within a country whose government denies the problem and refuses international assistance.

Still another barrier is definitional. Who qualifies as a displaced person? This is not a registered population. Although the number of migrants is huge, distinguishing the number of forced migrants as a specific subset of that population is difficult.

The scope of the problem itself is among the most formidable of the barriers. Hundreds of thousands (by some estimates, millions) of people are at risk. Their needs are great on many fronts. The vastness of the problem and the deep roots of its underlying causes discourage piecemeal interventions. Yet, there is no agreement on the root causes and nothing remotely like consensus, much less willingness, to rectify the conditions that prevent the uprooted from returning to their homes in safety and dignity.

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This paper arrives at a unique historical moment. As this paper goes to press, the PKK leader, Abdullah Ocalan, is still awaiting the appeal of his death sentence. He has called on his followers to end their insurgency, and has dramatically reduced the PKK's demands, calling for cultural rights, but no longer demanding political autonomy. The secretive and enigmatic history of the PKK and its leader instills little trust, yet the Turkish government is in a position of strength, and has an opportunity unmatched in 15 years to arrive at a settlement that could end the bloodshed, rebuild the southeast, and allow the displaced to return to their villages.

However tantalizingly close a political solution may be, this ought not to justify any delay in attending to the humanitarian needs of the displaced. While it is almost impossible, and perhaps not even advisable, to attempt to disentangle the problems of internal displacement from the larger Kurdish question in Turkey, we nevertheless will try in the hope of treating the symptoms, if not the underlying pathology, of internal displacement in Turkey.

Before making concrete recommendations to specific actors, our first recommendation is to civil society within Turkey: to support the efforts of Turkish citizens themselves, of whatever ethnic background, to push for greater openness in political discourse generally, and specifically to counter



the stigma that imputes support for terrorism or separatism to those who defend the rights of Kurds and who seek to assist displaced people.

We also call upon all elements of Turkish society to acknowledge that the problem of internal displacement, at its core, is political, and requires a political resolution of outstanding problems between the state and the Kurdish population. Although economic depression in the southeast contributes to forced migration, it is not the primary cause—in fact, it may better be characterized as one of the effects—of the unresolved conflict. Prime Minister Bülent Ecevit, among others, defines the problem, and the solution, solely in terms of economic underdevelopment. Hence, the government points to the GAP project and to resettlement centers as its solution to the problem. Given the complexity of the GAP project, including its many and varied goals, it is difficult unequivocally to endorse or denounce it in terms of its potential for benefitting displaced persons and facilitating their return. But whatever the GAP project's potential economic benefits may be, displacement in and from the southeast is not fundamentally economic, but political; thus GAP cannot represent a comprehensive solution. Until the state and the Kurds have reached an amicable accommodation, as long as a low intensity conflict simmers, displaced persons will not feel safe in returning, investors will shy away from the southeast, and the chances of rehabilitation and reintegration will remain slim.

An interim approach to build trust and facilitate return would be for the government to invite the international community to play a role in mediating and monitoring a return program. A precedent exists that could serve as a model for return migration that would require the cooperation of all the interested parties listed separately below. The model is the recent, albeit modest, organized repatriation of about 1,500 Turkish Kurds from Iraq between 1996 and 1998. These were part of an original group of 15,000 Kurdish refugees who had fled from southeast Turkey in 1994, many who fled for similar reasons as the displaced persons discussed in this paper.

UNHCR assists the Kurds with their return on both sides of the border. The UNHCR office in Dahok, northern Iraq, interviews them to assess the voluntariness of their decision to return. A UNHCR officer based in Silopi, Turkey, meets them at the border, along with the Turkish military. They are transported to the Hajj camp, where they stay for the next few days, undergoing security interviews and health screening.

After returnees pass the health and security clearance, UNHCR provides them with a repatriation aid package. They may also bring their livestock and personal possessions. Many of the refugees come from evacuated villages that the authorities have not allowed to be repopulated. The Turkish authorities have, however, provided shelter material for the rebuilding of two destroyed villages, Tasdelem and Inceler, to which some of the repatriates have relocated.

There have been some arrests of returnees, but UNHCR has exercised a limited protection role, sending observers to trials, as well as providing orientation and ongoing monitoring.

UNHCR has a specific mandate on behalf of refugees, and the Turkish authorities have accepted its role in the repatriation exercise as a welcome and useful facilitator that dispels fears and distrust on both sides. The same fears and distrust exist with respect to internally displaced persons. There is no reason why the government and representatives of the internally displaced could not agree on an international mediator, whether from the UN or the OSCE, that could monitor and assist the displaced to return. Involving branches of the international community in such a protection role would also in all likelihood result in an infusion of international humanitarian assistance—including NGO involvement and, eventually, economic investment—in the southeast to promote reintegration and stabilization.

To start, however, the following are specific recommendations to each of the key actors:

To the Government of Turkey:

1. Accept the applicability of Common Article 3 to the 1949 Geneva Conventions and Additional Protocol II of 1977 to the non-international armed conflict in southeastern Turkey.
2. Evacuate civilians only for reasons of imperative military necessity, in conformity with Article 17 of Protocol II, and allow them to return as soon as it is safe.



3. Treat internally displaced persons in accordance with the UN's Guiding Principles on Internal Displacement, particularly their needs for adequate shelter, health care, and safety. Observe the Guiding Principles with regard to the prevention of arbitrary displacement.
4. Provide full access to its own civilian officials, including the Parliamentary Migration Commission, to investigate displacement in the southeast.
5. Allow the ICRC, as well as UN humanitarian bodies, full access to make needs assessments of internally displaced persons and others affected by internal armed conflict in Turkey and to assist and protect those populations.
6. Allow international and domestic NGOs, including human-rights investigating NGOs, unimpeded access to monitor and assist the displaced and other conflict-affected populations in Turkey.
7. Allow journalists unimpeded access to the displaced and to conflict-affected areas and cease harassment of those reporting on the Kurdish issue.
8. Facilitate the voluntary return of displaced people to their towns, villages, and hamlets, including reconstruction and rehabilitation of damaged or destroyed properties.
9. Compensate internally displaced persons for their losses if they are unable or unwilling to return.
10. Resist calls by some mayors and other local officials to impose internal visas or other travel or residence restrictions on Turkish citizens.
11. Prosecute members of military and security forces who abuse civilians and destroy their property.
12. Abolish the village guard system.
13. Seek a political, non-military solution to the Kurdish problem that accords with internationally recognized standards of human rights and minority rights.

To the PKK:

As this paper goes to press, the future of the PKK as an insurgent force is uncertain. In the event that the insurgency continues, USCR reminds the PKK that insurgent forces, as well as governments, are bound under Article 3 common to the four 1949 Geneva Conventions and Additional Protocol II to respect humanitarian law principles when engaged in military actions. This does not confer legitimacy on the PKK or other insurgent groups, whose members are still subject to domestic law, according to principles of due process. Accordingly, the PKK should:

1. Refrain from attacking civilians, even if they fought for or supported the government.
2. Desist from taking hostages.
3. Treat humanely persons not actively engaged in combat, including members of the armed forces (including village guards) who have laid down their arms.
4. Do not interfere with UN, ICRC, or nongovernmental human rights investigators or humanitarian entities seeking to assist displaced persons in Turkey.
5. Observe the UN's Guiding Principles on Internal Displacement, which apply both to governments and to insurgent groups.
6. Seek a political, non-military solution to the Kurdish problem.

To the United Nations:

1. The UN secretary-general, the high commissioner for human rights, and the emergency relief coordinator (ERC) should make concerted efforts to gain access for their representatives in Turkey, in particular, the secretary-general's representative on internally displaced persons and other human rights and humanitarian officials.
2. UN humanitarian and development agencies, in particular UNDP, UNHCR, WFP, and UNICEF, should monitor and investigate the



protection, assistance, reintegration, and development needs of displaced persons and, under the leadership of the UN resident coordinator, explore ways to address these. The Interagency Standing Committee (IASC) and its working group should monitor the situation in Turkey, given the ERC's designation as "reference point" for UN assistance and protection for the displaced. At the outset, the ERC should request the resident coordinator to report on the displacement, to report on the UN response to date, and to propose recommendations for UN humanitarian and development initiatives with regard to internal displacement in Turkey.

3. UNHCR should explore with the Turkish government the possibility of its taking a role to facilitate and monitor returns of internally displaced persons to their home areas, modeling this initiative on UNHCR's current program of facilitating the repatriation of Kurdish refugees of Turkish origin in northern Iraq.
4. The UN Commission on Human Rights should appoint a country rapporteur on Turkey to investigate and report on the full spectrum of human rights concerns in the country.

To the Organization for Security and Cooperation in Europe:

1. The OSCE summit, which Turkey is hosting in November 1999, should consider what role the OSCE itself should play in mediating the conflict in Turkey and seeking a political solution.
2. The High Commissioner on National Minorities (HCNM) should reassess the Kurdish situation in Turkey and determine whether engagement on the Kurdish question fits within the HCNM mandate. The HCNM should take into account the PKK's formal renunciation of terrorism and whether the restriction in the HCNM's mandate against considering the cases of minorities in "situations involving organized acts of terrorism" still applies to the situation in Turkey.
3. The OSCE should revisit the HCNM's mandate generically to ensure that the existence of relatively small terrorist groups does not preclude the HCNM from becoming engaged on behalf of an entire minority group, whose members may not identify or support the terrorist group in question.
4. The Council of Ministers should use the OSCE's human dimension mechanism to initiate good offices missions and dialogue with the Turkish government relating to internal displacement in Turkey. If consensus cannot be reached with the Turkish government, the OSCE should use its "consensus-minus-one" authority to authorize investigation of Turkish compliance with OSCE commitments without Turkey's consent.
5. The Office for Democratic Institutions and Human Rights (ODIHR) should work with Turkey for the creation of an ombudsman on human rights for Turkey.
6. The OSCE ought to consider appointing a contact point within the ODIHR to consider Kurdish issues (comparable to the contact point established with regard to Roma and Sinti issues).

To the European Union:

1. Press the Turkish government to extend invitations to the ICRC and relevant UN human rights bodies.
2. Provide funding for Turkish lawyers bringing petitions before the European Human Rights Commission.
3. Continue to link arms transfers to Turkey's compliance with human rights standards.
4. As significant donors to the UN humanitarian programs, press for projects that assist the displaced in Turkey.
5. Continue to link discussion of Turkey's membership in the EU with its compliance with human rights standards, including standards relating to forced displacement and respect for and protection of minorities.



6. Press the Turkish government and the PKK to seek a political, non-military solution to the Kurdish problem.

To the United States:

1. Link arms transfers and military training to Turkey's compliance with human rights standards. As Turkey's principal arms supplier, the United States is legally and morally bound to ensure that Turkey does not use those weapons in deliberate government actions that arbitrarily displace civilians or violate other fundamental human rights.

2. Request UN humanitarian programs, to which the United States is a major donor, to assist displaced persons in Turkey.

3. Press the OSCE to become involved in conflict mediation and minority rights advocacy in Turkey.

4. Urge Turkey to extend invitations to the ICRC and relevant UN human rights and humanitarian bodies, and to grant full access to international nongovernmental organizations monitoring human rights or seeking to provide humanitarian assistance.

5. Press the Turkish government and the PKK to seek a political, non-military solution to the Kurdish problem.

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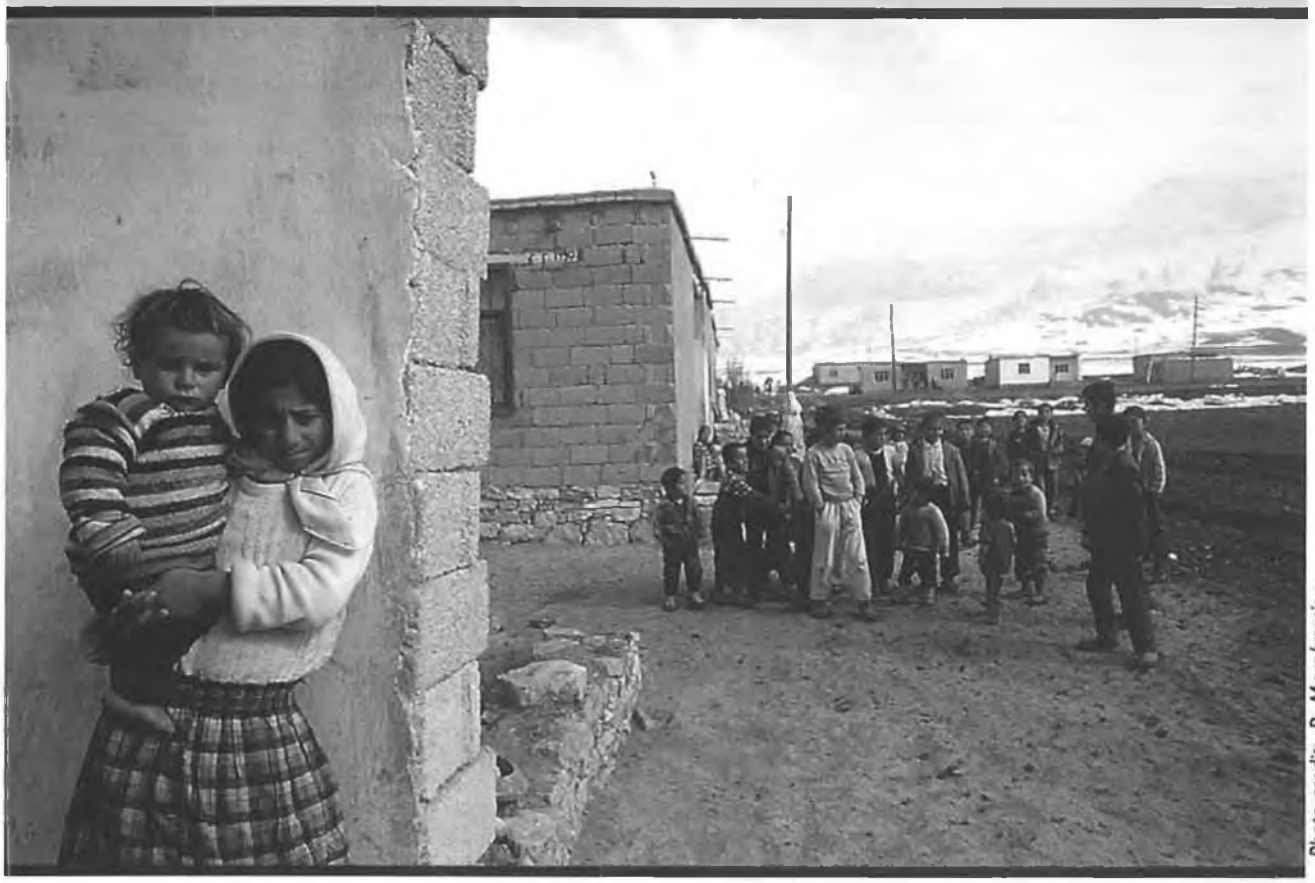


Photo credit: R. Marolversion

ENDNOTES:

[1] U.S. Committee for Refugees, *World Refugee Survey 1998*, p. 9.

[2] David McDowall, *A Modern History of the Kurds*, p. 105. [Hereafter: McDowall]

[3] Martin van Bruinessen, *Agha, Shaikh and State: The Social and Political Structures of Kurdistan*. Zed Books, Ltd., London and New Jersey, 1992, p. 277. [Hereafter: Van Bruinessen]

[4] Van Bruinessen, p. 274.

[5] The causes of the revolts, in all their complexity, are beyond the scope of this paper. Suffice it to say that nationalism, per se, is not an adequate explanation, as religion, tribalism, and other factors played an important role. For more, see Van Bruinessen, above.

[6] McDowall, p. 196, quoting British Foreign Office dispatch 371/14579, W.S. Edmonds, May 1930.

[7] British Foreign Office dispatch 371/12255, Clerk to Chamberlain, Istanbul, June 22, 1927, quoted by McDowall, p. 199.

[8] Sureya Bedr Khan, *The Case of Kurdistan against Turkey* (Philadelphia, 1929), p. 63; Bletch Chirguh, *La Question Kurde* (Cairo, 1930), p. 33, cited by McDowall, p. 200.

[9] McDowall, p. 202.

[10] McDowall, p. 207. See also, Stichting Nederland-Koerdistan (SNK—Netherlands Kurdistan Society), *Forced Evictions and Destruction of Villages in Dersim (Tunceli) and the Western Part of Bingöl, Turkish Kurdistan, September-November 1994* (1995), p. 11. [Hereafter: SNK, *Forced Evictions*]

[11] McDowall, p. 207.

[12] William Linn Westermann, "Kurdish Independence and Russian Expansion," *Foreign Affairs*, July 1946, reprinted in full in *Foreign Affairs*, Vol. 70, No. 3, Summer 1991, p. 53.

[13] Chris Kutschera, "Mad Dreams of Independence: The Kurds of Turkey and the PKK," *Middle East Report*, July-August 1994, p. 13. See also McDowall, p. 400-401.

[14] Van Bruinessen, p. 46.

[15] Nevertheless, prominent Kurds have often run afoul of the law, and quickly dropped in status. In March 1981, a former Minister of Public Works, Serafettin Elçi, was sentenced to two years and three months in prison for "making Kurdish secessionist propaganda." He reportedly said, "I am a Kurd. There are Kurds in Turkey." (Michael M. Gunter, "The Suppression of the Kurds in Turkey," *Kurdish Times*, Vol. 3, No. 2, Fall 1990, p. 8.) Turgut Özal appeared to be prepared for genuine reform and open dialogue regarding the Kurdish problem, but his sudden death in 1993 halted such movement.

[16] Gülistan Gürbey, "The Kurdish Nationalist Movement in Turkey since the 1980s," *The Kurdish Nationalist Movement in the 1990s: The Impact on Turkey and the Middle East* (1996), p. 17. [Hereafter: Gürbey]

[17] McDowall, p. 418-419.

[18] Reuters, July 31, 1997.

[19] McDowall, p 423-424.

[20] Reuters, January 7, 1998, reported the People's Democratic Party (HADEP) charging that the Turkish military had placed a food embargo on Benin village in late December 1997 after having destroyed the village's food stocks. *Le Monde* on August 17, 1998, reported displaced persons fighting for food, although some observers attributed that incident to disorganized distribution.

[21] *Le Monde*, reprinted in *The Guardian Weekly*, gives 1.5 million figure 8/17/98; The *World Refugee Survey 1995* cites a Human Rights Watch report showing an increase of the Diyarbakır population from 300,000 to 900,000, but doesn't give dates. McDowall, p. 401, gives earlier figures.

[22] Tom Hundley, "Kurds' Plight Taxes Turkey: Desire to Quash Separatists Creating an Army of Refugees," *The Chicago Tribune*, February 6, 1998, p. 1.

[23] Robert D. Kaplan, *The Ends of the Earth: A Journey at the Dawn of the 21st Century*, p. 135. [Hereafter: Kaplan]

[24] Kaplan, p. 137.

[25] Gürbey, p. 16.

[26] Akin Birdal, Human Rights Association president, used the three million figure in a speech at the opening of the Peace Conference in Ankara on May 8, 1997. He said that the figure represents both internal and external forced migration. (On May 12, 1998, Birdal was nearly assassinated. Two unknown gunmen entered his office and shot him six times in the chest and leg.)

[27] *Cumhuriyet*, October 11, 1994, p. 1, cited by Human Rights Watch, "Turkey: Turkey's Failed Policy to Aid the Forcibly Displaced in the Southeast," Vol. 8, No. 9(D), June 1996, p. 6, footnote 8.

[28] U.S. Department of State, "Turkey Country Report on Human Rights Practices" for 1996, 1997, and 1998.

[29] Turkish Parliamentary Commission Report, Table 1. See also, Mustafa Erdoğan, *Turkish Daily News*, June 7, 1998.

[30] Quoted in the Parliamentary Commission Report, informally translated for the author.

[31] Reuters, December 2, 1997.

[32] U.S. Department of State, "Turkey Country Report on Human Rights Practices for 1997," January 20, 1998, at (g). [Hereafter: DOS HR report 1/20/98(g)]



[33] DOS HR report 1/20/98(g).

[34] "1997: A Year of Isolation," *Info-Türk*, No. 234, February 1998. Amnesty International reported in November 1997 that security forces surrounded Çinarönü village, burned down 19 households, and dispersed the village's inhabitants—by some estimates, numbering more than 1,000 people—over a wide area, forcing some to flee to Bismil and Diyarbakır. At least 23 persons were arrested on charges of supporting the PKK and taken to Mardin Prison.

[35] DOS HR report 1/20/98(g); Human Rights Watch, *World Report 1998*, p. 284 said 20,000 had returned to their homes in 108 villages and hamlets by March but do not say covering what period of time. [Hereafter: HRW, *World Report*]

[36] Maria Leissner, "The Situation of the Kurds in Turkey," *Kurdistan Times*, Vol. 1, No. 2 (summer 1992), p. 190. Although the area was officially closed to foreigners, the enterprising and persistent foreign traveler could find a way in.

[37] International Committee of the Red Cross, *Annual Report*, 1997. [Hereafter: ICRC, *Annual*]

[38] SNK, *Forced Evictions*, p. 7.

[39] Amnesty International, *Turkey: No Security without Human Rights* (1996), p. 112 and SNK, p. 7. [Hereafter: AI, *No Security*]

[40] Amnesty International Urgent Action Alert, December 4, 1997, EXTRA 158/97; also two AI UAs on November 11, 1997, include 1,000 people in the village, and the claim by one person that the village had been emptied.

[41] *Turkish Daily News*, November 26, 1998.

[42] "1997: A Year of Isolation," *Info-Türk*, No. 234, February 1998.

[43] SNK, *Forced Evictions*, pp. 17-18. The Erzincan-Pülümür road is now open.

[44] Human Rights Watch, *Turkey: Forced Displacement of Ethnic Kurds from Southeastern Turkey* (Vol. 6, No. 12), October 1994, p. 4. [Hereafter, HRW: *Forced Displacement*]

[45] Robert Olson, "The Kurdish Question and Turkey's Foreign Policy toward Syria, Iran, Russia and Iraq since the Gulf War," *The Kurdish Nationalist Movement in the 1990s: The Impact on Turkey and the Middle East* (1996), p. 87.

[46] Chris Morris, "Kurds Wield Television as a Weapon," *The Guardian Weekly*, May 26, 1998, p. 7.

[47] "Security Forces Kill 22 PKK Terrorists," *Turkish Daily News*, September 15, 1998, p. A3.

[48] UN Commission on Human Rights, 53rd session, Item 8. E/CN.4/1997/31/Add.1, February 11, 1997, para. 27. [Hereafter: UNCHR, 2/11/97]

[49] Human Rights Watch, *Turkey: Violations of the Right of Petition to the European Commission of Human Rights*, Vol. 8, No. 4(D), April 1996, p. 7, citing several ECHR cases. [Hereafter: HRW, *Violations*.] Note that as of November 1998, the Commission has been merged with the European Court of Human Rights, and now goes by that name.

[50] The *Gendarmerie* (*"Jandarma"*) in Turkey is a paramilitary rural police force that is part of the Ministry of Interior.

[51] Mahmut Sakar, quoted by HRW, *Violations*, p. 8.

[52] The most notable breaking of government ranks on this question came on October 10, 1994 when Azimet Köylüoğlü, the minister of state for human rights, said that "in Tunceli, it is the state that is evacuating and burning villages. Acts of terrorism in other regions are done by the PKK. In Tunceli it is state terrorism." (*Cumhuriyet*, October 10, 1994, cited by Aram Nigogosian, "Turkey's Kurdish Problem: Recent Trends," *The Kurdish Nationalist Movement in the 1990s: The Impact on Turkey and the Middle East* (1996), p. 42. The government reportedly reprimanded Köylüoğlü for his statement, which he retracted.

[53] *Foreign Affairs*, Vol. 77, No. 6, November/December 1998, p. 170.

[54] Quoted by the *Turkish Daily News*, June 8, 1998.

[55] Quoted by *The Turkish Daily News*, June 8, 1998.

[56] There have been scattered reports of food embargoes in parts of the southeast. The Netherlands Kurdistan Society reports that "the army imposed a strict food embargo in at least some parts of Dersim.... A similar embargo is mentioned for the western districts of Kigi, Adakli, Yedisu and Yayladere of Bingöl, and the subdistrict of Sancak in the central district of that province. (SNK, *Forced Evictions*, p. 16-17, citing Özgür Ülke, 12/5/95)

[57] HRW, *Forced Displacement*, p. 10.

[58] Assistant Secretary of State John Shattuck, "Human Rights and Democracy in Turkey," testimony before the Helsinki Commission, September 19, 1995. [Hereafter: Shattuck]

[59] AI, *No Security*, p. 3, quoting Çiller from *Cumhuriyet*, October 28, 1994.

[60] Reuters, August 6, 1998. In September, the Supreme Court of Appeals upheld Erdoğan's conviction for inciting ethnic, racial, and religious enmity. Erdoğan, a prominent member of the Islamist Virtue Party, faced a 10-month sentence and a lifetime ban from politics. His arrest and conviction were unrelated to the internal visa issue.

[61] Reuters, July 24, 1997.

[62] Reuters, August 6, 1998.

[63] Cited by AFP, August 16, 1998.

[64] Human Rights Watch says that about 1,200 "actor unknown murders" occurred in Turkey between 1992 and 1994 (HRW, *Forced Displacement*, p. 5). Amnesty International reports that more than 400 people died in police custody, apparently



as a result of torture, and that in the early 1990s more than 100 people "disappeared" in "an unprecedented wave of extrajudicial executions." (AI, *No Security*, p. 2 and 3)

[65] AI, *No Security*, p. 46.

[66] AI, *No Security*, p. 46. Human Rights Watch documents the same case in HRW, *Forced Displacement*, p. 19.

[67] SNK, *Forced Evictions*, p. 18-19. The report cites the names of the villages represented by the *muhtars*.

[68] *Akduvar and Others v. Turkey* (Application Number 21893/93), cited by Human Rights Watch, *Turkey: Turkey's Failed Policy to Aid the Forcibly Displaced in the Southeast*, Vol. 8, No. 9(D), June 1996, p. 7, footnote 11. [Hereafter: HRW, *Failed Policy*]

[69] Kemal Kirişçi, "Turkey," *Internally Displaced People: A Global Survey* (1998), Norwegian Refugee Council, p. 199.

[70] SNK, *Forced Evictions*, p. 8-9, 15.

[71] Miloon Kothari, "Turkey—One of the World's Worst Violators of the Right to Housing," *Tribune des Droits Humains*, Vol. 4, No. 1 (January 1997), p. 27.

[72] Section 7.3 of the Turkish Parliamentary Report. Statistics available in Table 8 of that report.

[73] Parliamentary Migration Commission Report, at 8.1.18 (informally translated for the author).

[74] SNK, *Forced Evictions*, p. 19.

[75] HRW, *Failed Policy*, p. 7.

[76] HRW, *Failed Policy*, p. 9, citing *Cumhuriyet*, July 16, 1995.

[77] *Diyarbakır Tabipler Odası Bölgesi'nde Göçün ve Göçertmenin Ekonomik Sosyal ve Sağik Boyutu*, Diyarbakır Tabipler Odası (1996). Translated informally for the author and on file with the author.

[78] Dr. Necdet İpekyüz (Diyarbakır Tabipler Odası), "Güneydoğu'da iç Göç Tartısmaları ve Sağlık Boyutu," *Türk Tabipleri Birliği* (1996), "In the Southeast: Internal Migration Discussions and Health Dimensions." Original article in Turkish on file with author, informally translated.

[79] Prime Minister Adnan Menderes, overthrown by the military in 1960, was subsequently executed.

[80] The Constitutional Court banned both parties for "separatism," the HEP in August 1993 and the DEP in June 1994. Kurdish HEP and DEP parliamentarians were stripped of their parliamentary immunity and arrested. Some are still in detention.

[81] Gürbey, p. 19.

[82] *Cumhuriyet*, August 4, 1995, cited by Amnesty International, *Turkey: No Security without Human Rights* (1996), p. 112.

[83] HRW, *Forced Displacement*, p. 7, footnote 14.

[84] "Minister Accuses Turkey of 'State Terrorism,'" Reuters, October 11, 1994, cited by HRW, *Forced Displacement*, p. 3.

[85] SNK, *Forced Evictions*, p. 18.

[86] Faith Çekirge, "Özel Tim Hacaloglu'nu Tehdit Etti," *Sabah*, August 9, 1995, cited by Henri J. Barkey and Graham E. Fuller, *Turkey's Kurdish Question* (Carnegie Corporation of New York 1998), p. 111. [Hereafter: Barkey and Fuller]

[87] AI, *No Security*, p. 98.

[88] AI, *No Security*, p. 98.

[89] U.S. Department of State. "Turkey Country Report on Human Rights Practices for 1998." Released February 26, 1999.

[90] U.S. Department of State. "Turkey Country Report on Human Rights Practices for 1998." Released February 26, 1999.

[91] U.S. Department of State, "Turkey Country Report on Human Rights Practices for 1998," February 26, 1999, section 2.d. He has not exercised this authority in recent years, according to the report.

[92] Miloon Kothari, "Turkey—One of the World's Worst Violators of the Right to Housing," *Tribune des Droits Humains*, Vol. 4, No. 1 (Jan. 1997), p. 26.

[93] SNK, *Forced Evictions*, p. 4.

[94] HRW, *Forced Displacement*, p. 12, footnote 37.

[95] HRW, *Forced Displacement*, p. 8.

[96] DOS HR report 1/30/98.

[97] Human Rights Watch. *World Report 1998*, p. 295. Also, U.S. State Department, "Turkey Country Report on Human Rights Practices for 1998," February 26, 1999, section 2.a.

[98] "Turkish Court Sends Top Rights Activist to Jail," Reuters, October 27, 1998.

[99] U.S. Department of State, "Turkey Country Report on Human Rights Practices for 1998," February 26, 1999, section 1.e.

[100] Barkey and Fuller, p. 188.

[101] Van Bruinessen, p. 45.

[102] Kemal Kirişçi and Gareth M. Winrow, *The Kurdish Question and Turkey: An Example of Trans-state Ethnic Conflict*, London, 1997, p. 184. [Hereafter: Kirişçi and Winrow]

[103] Kirişçi and Winrow, p. 151.

[104] Barkey and Fuller, p. 118.

[105] Barkey and Fuller, p. 122.

[106] Barkey and Fuller, p. 116.

[107] Barkey and Fuller, p. 17.

[108] Andrew Finkel, "Thoughts of Change for the Kurds, and Me," *The Washington Post*, February 21, 1999, p. B3.

[109] Finkel, p. B3.

[110] Other violent opposition groups reportedly include the Revolutionary Left (Dev Sol/DHKP-C) and the Turkish Workers' and Peasants' Liberation Army (TIKKO).

[111] In 1998, the PKK abducted three mayors in the southeast, killing one. (HRW, *World Report 1999*, p. 295.)

[112] AI, *No Security*, p. 61-62.

[113] AI, *No Security*, p. 62.

[114] Sami Kohen, "Kurds Take Their Case to Europe," *The Christian Science Monitor*, November 19, 1998, p. 6.

[115] "Kurdish Leader Proposes Peace with Turkey with Europe's Help," ANSA news agency, November 25, 1998, reported by the BBC Summary of World Broadcasts, November 27, 1998.

[116] "Rebel Kurdish Urges End to Revolt: Ocalan's Entreaties Dismissed by Turks," *The Washington Post,* August 4, 1999, p. A15; "Kurdish Rebels Say They'll Pull Out of Turkey," August 6, 1999, Reuters.

[117] Shortly before his apprehension, Ocalan said that if there was no political agreement the war would resume and would spread to the cities. (See Sean Boyle, "Parting Words from 'a Ball of Fire,'" *The Washington Post*, February 21, 1999, p. B3.)

[118] Kirişçi and Winrow, p. 184.

[119] Celestine Bohlen, "European Parliament Admits Turkey to Its Customs Union, *The New York Times*, December 14, 1995, p. A7.

[120] Amnesty International characterizes these reforms as mere "gestures" that left the underlying thrust of Article 8 intact. "When most sentences were reviewed under the new wording of the law," said Amnesty, "most released prisoners' sentences were confirmed." (AI, *No Security*, p. 17.)

[121] Philip Robins, "More Apparent than Real? The Impact of the Kurdish Issue on Euro-Turkish Relations," *The Kurdish Nationalist Movement in the 1990s: The Impact on Turkey and the Middle East* (1996), p. 128.

[122] Jennifer Washburn, *St. Louis Dispatch*, September 7, 1995, reprinted in *Kurdistan Times*, Vol. 2, No. 1, November 1997, p. 70.

[123] Dana Priest, "New Human Rights Law Triggers Policy Debate," *The Washington Post*, December 31, 1998.

[124] Human Rights Watch, *Weapons Transfers and Violations of the Laws of War in Turkey,* November 1995.

[125] Shattuck.

[126] Shattuck.

[127] Washburn, p. 70.

[128] Marios L. Evriviades, "Turkey's Role in United States Strategy during and after the Cold War," *Mediterranean Quarterly*, Vol. 9, No. 2, Spring 1998, p. 35.

[129] Dana Priest, "New Human Rights Law Triggers Policy Debate," *The Washington Post*, December 31, 1998.

[130] UN Commission on Human Rights, 53rd session, Item 8. E/CN.4/1997/31/Add.1, February 11, 1997, para. 26. Until November 1998, the European Commission of Human Rights had responsibility for the preliminary examination of petitions. At that time, it was merged with the European Court of Human Rights, a reform aimed at easing the management of an overburdened case load.

[131] Ihsan Dagi, "Democratic Transition in Turkey, 1980-1983: The Impact of European Diplomacy," *Middle Eastern Studies*, Vol. 32, No. 2 (April 1996).

[132] European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, "Public Statement on Turkey," December 6, 1996 and AI, *No Security*, p. 34.

[133] AI, *No Security*, p. 93, citing the statement of the Turkish Ambassador to the UN in Geneva, November 24, 1993.

[134] The High Commissioner on National Minorities is currently involved in Albania (the Greek minority), Croatia (inter-ethnic relations), Estonia (the Russian-speaking minority), Hungary (the Slovak minority), Kazakstan (inter-ethnic relations), Kyrgyzstan (inter-ethnic relations), Latvia (the Russian-speaking minority), Romania (the Hungarian minority), Slovakia (the Hungarian minority), Macedonia (the Albanian minority), and Ukraine (the situation in the Crimea).

[135] High Commissioner on National Minorities Factsheet (Ref. HCNM/FS-ENG/001-February 1997). [Hereafter: HCNM Factsheet]

[136] HCNM Factsheet.

[137] E-mail message to the author from H.G. Scheltema, personal advisor to the High Commissioner for National Minorities. (January 19, 1999)

[138] OSCE Parliamentary Assembly's Delegation to Turkey 1-6 May 1995, Report to the Fourth Annual Session, July 4-8, 1995. [Hereafter: OSCE Delegation]

[139] OSCE Delegation.

[140] OSCE Delegation.

[141] Letter to Turkish Prime Minister Yılmaz from U.S. Helsinki Commission representatives, February 24, 1998.

[142] ICRC, *Annual*, 1995.



[143] ICRC, *Annual*, 1996.

[144] Roberta Cohen and Francis M. Deng, *Masses in Flight: The Global Crisis of Internal Displacement* (Brookings Institution, 1998), p. 357, footnote 134.

[145] Cohen and Deng, p. 158.

[146] Cohen and Deng, p. 357, footnote 126.

[147] Letter to H.E. Gündüz Aktan, Permanent Mission of Turkey to the UN in Geneva, May 10, 1995, Geneva, from the Centre for Human Rights, UN Office at Geneva.

[148] Letter from the Permanent Mission of Turkey to the Centre for Human Rights, UN Office at Geneva, Ref. No. 11.820, June 16, 1995.

[149] AI, *No Security*, p. 94-95.

[150] UNCHR, 1/11/97, para. 3.

[151] UNCHR, 1/11/97, para. 6. For a more critical view, see Human Rights Watch, *Violations of Free Expression,* February 1999.

[152] The IASC is comprised of the heads of FAO, UNDP, UNHCR, UNICEF, and WHO. The Red Cross movement, (both the ICRC and the IFRC), the UN High Commissioner for Human Rights, and the representative of the secretary general on internally displaced persons are also standing invitees.

[153] Cohen and Deng, p. 143.

[154] UNHCR, *The State of the World's Refugees 1997-98: A Humanitarian Agenda* (1997), p. 288. See, also, the graph on p. 119, showing the number of displaced persons of concern to UNHCR worldwide (in which neither Turkey nor Sudan is listed).

[155] See Bill Frelick, "Aliens in Their Own Land: Protection and Durable Solutions for Internally Displaced Persons," *World Refugee Survey 1998*.

[156] UN General Assembly Resolution 44/136 (February 27, 1990), cited by Cohen and Deng, p. 133.

[157] According to the WFP web page listing of countries where it has relief or development activities. WFP does have a "procurement and logistics" office in Turkey. See <www.wfp.org>.

[158] Letter from William Bourgeois, Operational Context Manager, MSF-Belgium, February 16, 1999.

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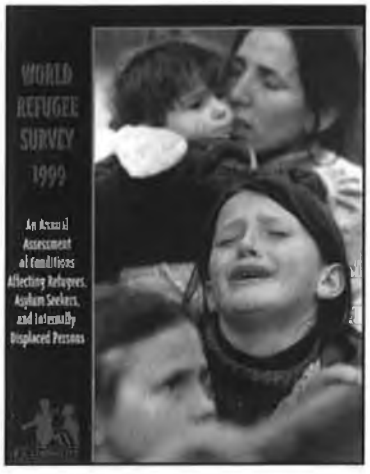
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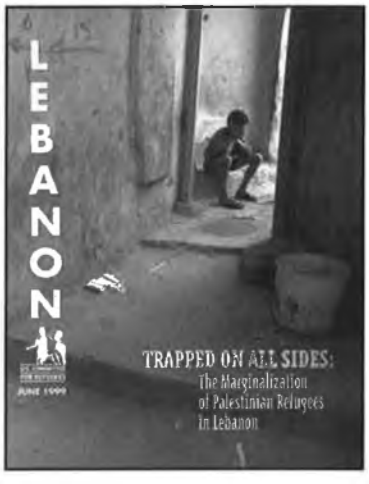
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SUITE 200
WASHINGTON, D.C. 20036
(202) 347-3507
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