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**SPECIFIC GROUPS AND INDIVIDUALS:
MASS EXODUSES AND DISPLACED PERSONS**

Written statement* submitted by Society for Threatened Peoples International, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[11 February 2005]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

DISPLACED PERSONS IN TURKEY

Society for Threatened Peoples International is concerned about the situation of internally displaced Kurds in Turkey. During and after the Turkish-Kurdish war 3.428 mostly Kurdish villages were destroyed and 2.5 Million Kurdish civilians had to flee. They now live under severe circumstances in the outskirts of the big Turkish cities mostly in Eastern Anatolia.

Whilst various return schemes have been initiated by the Turkish Government over the past few years, the Global Internally Displaced Persons Project being undertaken by the Norwegian Refugee Council noted in its February 2004 report that only a small proportion of the population has been able to benefit from the return and resettlement programme. The U.S. Commission for Refugees estimated in 2003 that approximately 37 000 persons had returned to 460 villages and pastures since 2000 through the "Back to Villages and Rehabilitation Project".

On 29 June 2004, the European Court of Human Rights issued its judgement on the case of Dogan and Others v. Turkey with regard to violations of Articles of the European Convention on Human Rights. The case illustrates the delay and obstruction to villagers returning to their homes. Between 1999 -2001, the applicants petitioned various state departments including the Prime Minister's Office and the State of Emergency Regional Governor's Office to be allowed to return to their home village of Boydas in the Hozat region of Tunceli. Only some of their petitions received a response which communicated that any return was "prohibited for security reasons". The Court found that the access to the village was prevented until 22 July 2003, resulting in the applicants not being able to use or dispose of their property for almost nine years and ten months. The Court stated that "the refusal of access to the applicants' homes and livelihood constituted a serious and unjustified interference with the right to respect for family life and home" and as such violated Article 8 of the European Convention.

Whilst the Turkish Government has stated that it attaches great significance to "the return on a voluntary basis of those who were displaced from their homes", there are several limiting factors discussed below that make returns extremely difficult:

- There have been reported cases of the further displacement of villagers in the south-east of Turkey during 2004 and returns of previously displaced persons have been slow.
- A lack of co-ordination between the Government of Turkey and national and international organisations has resulted in multi-lateral initiatives not being pursued at this time.
- There is evidence that in some cases discriminatory caveats have been placed upon returns, such as a preference accorded to those electing centralised settlements, those who are prepared to join the village guard, and requests for villagers to sign forms that effectively remove the right to judicial redress.
- Returns remain unsafe due to obstruction by the village guards and active mines.

Society for Threatened Peoples International is very concerned about these facts and the severe situation the IDPs have to face. Therefore Society for Threatened Peoples International respectfully asks the UN Commission on Human Rights to:

- abolish the village guard system and clear landmines and munitions from villages and farmland areas;
- provide clear guidance as to the names of villages open for return with regular progress updates outlining resettlement statistics;
- abolish the “system” that requires villagers to sign declarations that they left their village voluntarily or as a result of terrorism;
- introduce clear regulations to implement the “Law on Compensating for Losses Arising from Terrorism and Anti-Terrorism Operations”.

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