**TEMPORARY SPECIAL SECURITY ZONES**

**OBSERVATION REPORT (TUNCELİ-ŞIRNAK)**

August 2015

# Executive Summary

# The Composition and Objective of the Observation Missions

In Turkey, between 1987-1994, around 4 million people were forced to migrate from their lands, houses and villages. Turkey implemented the policy of depopulation as a security measure without guaranteeing the rights of the affected groups under the Turkish constitution and international human rights conventions. The former residents of the depopulated areas were left without any alternative or guidance which was followed by several cases against Turkey at the European Court of Human Rights and Turkey being sentenced in most of them.

Since the halt in the negotiation process that was launched 3 years ago to resolve the Kurdish question and the escalation of armed conflict, former security measures of the 1990s have started to be implemented. The hope and prospect of peace is also being destroyed due to the shift towards harsh security measures. Turkey is once again facing the threat of a war environment with millions of people forcibly displaced, and many others becoming victims of extrajudicial killings and armed conflict.

We are witnessing similar measures that force people to leave their settlement areas or places of work. With the Council of Ministers' decision, first in the city of Siirt a 10-months long policy of "Temporary Special Security Zones" was initiated between 01.03.15 and 31.12.15 in 2 different zones. Then the policy included 6 zones in Şırnak for 5 months and 20 minutes between 10.7.15 and 31.12.15 only to be followed by the declaration of temporary security zones in the additional cities of Tunceli (14 zones), Gaziantep (2 zones), Ağrı (2 zones), Kars (2 zones) and Şanlıurfa (3 zones). After the media coverage of the adoption of this policy by the Governorates of the mentioned cities and the complaints and concerns over the policy along with instances of the practice of depopulation, **Marmara Migration Monitoring Platform** (Federation of Dersim Associations, Platform of East-SouthEast Associations, Association for Monitoring Equal Rights, İstanbul and Dersim Offices of Human Rights Association, Migrants’ Association for Social Cooperation and Culture İstanbul Office, Association of Libertarian Lawyers, Foundation for Society and Legal Studies) and **Migration Platform** (Mediterranean, Amed, Botan, İstanbul and Van Offices of Migrants’ Association for Social Cooperation and Culture) decided to establish 2 observation missions composed of civil society representatives.

The objectives of the commissions were identified as follows: visit the cities of Tunceli and Şırnak with the highest number of temporary special security zones declared, interview the people and public officials affected by the policy, identify the rights violations and bring forward recommendations to prevent further violations and compile all this information as a report to be shared with the Turkish and international public.

Observations Missions of Tunceli and Şırnak made their field visits between August 12-14. Governorates of Tunceli and Şırnak refused to meet our missions.

# The Situation at the Time of the Composition of the Observation Missions

The number of the declared temporary special security zones when the observation missions were established is as follows:

#### Tunceli (14 Temporary Special Security Zones), Şırnak (6 Temporary Special Security Zones), Gaziantep (2 Temporary Special Security Zones), Siirt (2 Temporary Special Security Zones), Ağrı (2 Temporary Special Security Zones), Kars (2 Temporary Special Security Zones), Şanlıurfa (3 Temporary Special Security Zones), Kilis (4 Temporary Special Security Zones)

# Interviews Conducted by the Observation MissionsTestimonies from Tunceli and Şırnak can be summarized as follows:- Negative effects on livelihood: Animal husbandry and beekeeping are two major sources of livelihood in Tunceli. The de-escalation of the armed conflict had a positive impact on these two sectors. The president of the Association of Beekeepers Kazım Doğan stated that the locals engaged in the activities of animal husbandry and beekeeping are those mostly affected by the policy of temporary special security zones. Farmers in Şırnak were also negatively affected by the policy.- Violation of rights due to the temporary special security zones: Democratic Regions Party member in Tunceli, Ali Yazır, mentioned the case of the 2 families doing animal husbandry. Their village was exposed to several helicopter flights that caused distress among the locals and that there were cases of heavy shootings targeting the very settlement areas. - Negative effects on the environment: It was stated that due to the shootings from police stations and helicopters, fire erupted in more than one spot which was put out by the local population in Tunceli. In Şırnak, too, there were cases of fires in the surrounding areas of the villages. - Confusion over the selected areas declared as temporary special security zones: It was stated that whereas one highland was declared as a temporary special security zone another one located in close proximity was not and this created confusion among the locals as to the security measures.- Lack of warning signs: It was stated that there were no clear signs informing the passerbys of the temporary special security zones. Findings of the Observation Missions

## Findings of the Tunceli (Dersim) Observation Mission

* It was repeatedly stated by the interviewees that the borders of the special security zones were not clear. The use of vague definitions and coordinates of the areas declared as special security zones caused confusion.
* The areas declared as special security zones included settlement areas in some cases, and in many others where the local population does stockbreeding and beekeeping. This fact negatively affected the daily lives of the villagers. It was stated that the special security zones did not only include limited areas, but the whole local geography as a whole. These spots are all said to be former settlement areas depopulated in 1994 and to have been receiving returns since the decline of the armed conflict. Hence, the restrictions and escalation of the conflict once again lead the way to the depopulation of the same areas.
* Mukhtars were given notice about the special security zones through different means all over Tunceli. In some of the regions, mukhtars of the special security zones or nearby villages, were handed the notice in police stations after signing to confirm that they received the notice. In some others, meetings were held in district governorates and mukhtars had to sign the official minutes of these meetings and then were given the notice with regard to the special security zones. According to some of the interviewees, some mukhtars refused to sign the official minutes of these meetings.
* Some mukhtars were asked to put up the written notice on the mukhtar buildings and village coffeehouses. It was also stated that special security zones were announced through the local media, however, the information was not made available for the illiterate population. Moreover, the information was not provided in the mother tongue of those who do not speak Turkish.
* The Governorate of Tunceli announced the written notice directly to the mukhtars while it did not inform the Municipality of Tunceli. In another example, the District Governorate of Ovacık informed the Municipality of Ovacık. As shown by this, the announcement process of the written notice regarding the special security zones did not follow a single fashion.
* Other than informing the mukhtars, there was not any measure taken to inform or warn the civilian population of the special security zones. Our observation missions did not come across any warning sign while crossing through these zones. Security forces did not inform the missions either.
* The written notice made to the mukhtars stated that in case of a conflict or eruption of adverse circumstances in the region, security forces would not guarantee the safety and security of the local population. This was perceived as a direct threat of depopulation by the locals. Our mission’s position is that this perfection is based on the depopulation carried out by the security forces in the 1990s.
* The villagers stated that they did not come across any security forces despite having the impression that the written notice was a threat of depopulating the area and that the ambiguity of the process was distressing for them. To the question of what their reaction would be in case of the occurrence of depopulation, villagers often gave the answer that they would not leave their villages and highlands and as well not let the 1990s be repeated once again.
* The Governorate did not take any measures as to where the locals living in the special security zones could go after the declaration of these zones. The only step taken was the written notice made available only to the mukhtars.
* The de-escalation of the armed conflict gave way to the flourishing of animal husbandry and beekeeping in Tunceli. Hence, the locals involved in these two economic activities are those mostly affected by the existence of the special security zones.
 **Findings of the Şırnak Observation Mission**

# • Some of the villages in Şırnak, including Cevizdüzü, Güleşli, Bulmuşlar and Hesana, declared as special security zones are the villages that received returns after the depopulation practices of the 1990s and are now settlement areas.

# • In some of the villages within the now special security zones, including Ziyaret, Cevizdüzü, Güleşli and Alkemer, there are fruit and vegetable gardens and villagers do animal husbandry and farming.

# • Village of Güleşli has been depopulated as a result of the declaration of the special security zones.

# • The written notice regarding the special security zones were made to the last elected mukhtars of the villages back in the 1990s and these former mukhtars were expected to inform all of the villages.

# • There were no clear signs to warn the civilian population at the borders of the special security zones. Our mission underlined the lack of clear signs during the interview with the Cizre District Governor, however the response was that there was no obligation to do so. The lack of clear signs could even lead to the violation of the right to life.

# • The population suffered from serious financial losses in the villages that make their living with farming and animal husbandry. It was estimated that the financial losses added up to 140 – 150.000 Turkish Liras in Ziyaret village and 500.000 Turkish Liras in Güleşli village.

# • The formerly depopulated areas that later on received returns and once again became settlement areas did not have electricity, roads and water. In addition to that, there were no education and healthcare services.

# • Families of school age children rent out apartments in Cizre and Şırnak during the academic year for the children to have access to education. Children’s right to education is being violated.

# • The families that filed application for electricity, roads, water, and school to the Governorate were given the answer that there needed to be at least 30 households and 150 residents in total.

# Recommendations

**1)** A democratic solution to the Kurdish question is possible. We call on both sides for an immediate ceasefire so that both the very narrowly used democratic methods and negotiations can be reinitiated again.
**2)** The temporary special security zones, including residential areas occupied and utilized by the civilian population, and that are in clear violation of both the constitution and the laws, should immediately be abolished.
**3)** The written notice made to the mukhtars does not cancel the obligation of the state to provide and protect human rights, primarily right to life. The state has an obligation to take the necessary measures to protect the right to life under any circumstances including the temporary special security zones in question.
**4)** In Turkey, around 4 million people were forcibly displaced during the 1990s. This fact alone makes it all the more unacceptable to cause more displacement whereas the former local population is exhausting their financial means for resettlement.
**5)** A mechanism should be put in place to investigate and compensate the harms and losses caused by the establishment of the temporary special security zones and this mechanism should be accessible by the villagers.
**6)** Instead of causing further depopulation of villages, necessary measures need to be taken to promote, facilitate and ensure returns to villages.
**7)** Deforestation of the green areas in the special security zones should be stopped.
**8)** Electricity, water, roads, and schooling needs of the families that returned to the villages formerly depopulated in the 1990s should be met. The implementation of quotas with regard to the related petitions to the Şırnak Governorate does not have any legal grounds.
**9)** The lack of schools in the formerly depopulated villages leads to the violation of right to education. School age children instead go to schools in the central areas of Cizre and Şırnak which is causing their families to have economic problems.
**10)** It has been observed that some of the villages where the “village guards” live are treated differently by the state officials than the other villages. Due to the close proximity of the villages, this leads to social disputes between the villagers.
**11)** In the settlement areas and areas prohibited for civilians, special security zones should have a clear sign at the entrance and information should be made available to the people in the local language as well.
**12)** Decisions with regard to the special security zones should also require confirmation by the provincial council.