

URGENT ACTION

UA 216/11

FAMILIES FACING FORCED EVICTION

TURKEY

Dozens of families are facing imminent forced eviction in Tarlabaşı, a district in central Istanbul, as part of an urban regeneration project carried out by the municipality of Beyoğlu. Some of the families from the district have already been forcibly evicted.

Eviction notices seen by Amnesty International indicate that the Beyoğlu municipality is intent on carrying out forced evictions in Tarlabaşı with the assistance of lawyers and law enforcement officials. The notices do not give definite timetables or provide details of opportunities for legal or administrative challenges to the evictions. Dozens of families in the area have been affected. Some have made serious allegations of intimidation and threats by the authorities. Many residents have reported that they were made to sign eviction documents around six months ago without being able to read them. They were threatened that they would be evicted immediately by the police if they did not sign them. There has been no adequate consultation process with the affected people, and they have not been provided with alternatives to eviction or with an adequate plan for alternative housing.

Amnesty International spoke to a number of residents, including a single mother, Besra, with a small child, who was forcibly evicted on 24 June while she was visiting her mother in hospital. Neighbours telephoned her to tell her that a large number of officials from the municipality had arrived to evict her. She told Amnesty International that she went home and found her door broken down. She said she pleaded with the officials not to evict her, but was told she had to leave that day. Her furniture and other belongings were thrown into the street, causing irreparable damage to them. Another resident, an unemployed 60-year-old man with a lung condition, told Amnesty International that he had been forced to sign eviction notices that he was not allowed to read. He was threatened with forcible eviction by police on 12 July, but after neighbours intervened he was given until the 18 July to leave.

Under international law, evictions may be carried out only as a last resort, once all feasible alternatives have been explored in genuine consultation with the affected communities. The authorities then have a duty to provide them with adequate notice; legal remedies, adequate alternative housing and compensation. They must ensure that no one is made homeless or vulnerable to the violation of other human rights as a consequence of eviction. The municipal authorities in Beyoğlu are not fulfilling these obligations.

ADDITIONAL INFORMATION

Under a state sponsored scheme, Beyoğlu's many historical buildings are to be refurbished and others demolished to make way for high value housing. As a result of the project, people who currently live in the district face eviction, including transgender women who have lived in the area for many years, and other groups at risk such as Roma people and Kurdish people who settled in the district after being displaced from their villages in the south-east of Turkey during the 1990s.

The vast majority of the residents are tenants who depend on the area's cheap housing and some that Amnesty International spoke to expressed great concern over their ability to seek alternative housing in the area, mainly due to their very low levels of income. Some of the residents who are home owners have, to some extent, been consulted. However, there has not been a comprehensive and adequate consultation process and those affected were not given alternatives to eviction or a plan for adequate alternative housing. For example, the transgender women Amnesty International spoke to as part of a recent report stated that, due to the fact that they do not own their homes, they were not offered alternatives to eviction from their houses, that they were not consulted on the process and that they were not given information on alternative housing or offered any form of compensation. The text of the report, "Not an Illness nor a crime" lesbian, gay, bisexual and transgender people in Turkey demand equality, Index: EUR 44/001/2010 is available at <http://www.amnesty.org/en/library/info/EUR44/001/2010/en>.

In June 2011, Amnesty International met with the Mayor of Beyoğlu, Ahmet Misbah Demircan, and raised concerns about the forced evictions in Tarlabaşı, including with regards to the municipality's obligations under the International Covenant on Economic, Social and Cultural Rights. Turkey is obliged under a range of human rights treaties, including the International Covenant on Economic, Social and Cultural Rights, to refrain from and prevent forced evictions. The UN Committee on Economic, Social and Cultural Rights has emphasized that evictions may be carried out only as a last resort, once all other feasible alternatives have been explored and only after appropriate procedural and legal safeguards are in place. These include genuine consultation with the affected people, prior adequate and reasonable notice, adequate alternative housing and compensation for all losses, safeguards on how evictions are carried out, and access to legal remedies and procedures, including access to legal aid where necessary. Governments are also required to ensure that no one is rendered homeless or vulnerable to other human rights violations as a consequence of an eviction. These requirements apply to all evictions, regardless of the tenure status of residents, including those living in informal settlements.

Besra is a 38 year-old single mother who works as a cleaner in residential buildings in Istanbul. She has lived in Tarlabaşı for 11 years, previously with her husband who died in 2007 in a car accident. On 24 June 2011, Besra was visiting her mother in hospital when she received a phone call from neighbours in Tarlabaşı who informed her that officials from the municipality of Beyoğlu were at her house, in the process of evicting her. When she rushed back to her house, she found dozens of officials including police officers and removal personnel had broken her door down. She explained to Amnesty International, that the officials, accompanied by police officers and removal people emptied her flat, throwing all her belongings into the street, without due care. She reported that bedroom furniture she had still four instalments to pay for had been thrown out and damaged and all her and her child's clothes were thrown into the street. Besra found out subsequently that her belongings had been taken to a municipality depot. Besra reported that she had signed a document which she was not allowed to read, on the promise of being given a home and that they would not be victimised. She was offered the possibility of a flat in Kayabaşı in the outskirts of Istanbul, which she accepted initially. Besra told Amnesty International that when she raised her concerns about earning a living so far away from the city, she was told by an official from the municipality 'to get married.' She explained that since the eviction, she has been staying in a damp one-bedroom basement flat and with other members of her family.

PLEASE WRITE IMMEDIATELY IN TURKISH OR YOUR OWN LANGUAGE CALLING ON THE AUTHORITIES TO:

- Suspend all forced evictions immediately and not to proceed until safeguards consistent with international human rights standards are in place;
- carry out a genuine consultation with the residents facing eviction;
- ensure that no evictions are carried out without adequate notice and remedies including adequate alternative housing and compensation for all losses.

PLEASE SEND APPEALS BEFORE 26 AUGUST 2011.

APPEALS TO

Mayor of Beyoğlu,
Ahmet Misbah Demircan,
Beyoğlu Belediyesi,
Şişhane Meydanı,
Beyoğlu,
İstanbul – Turkey.
Fax: +90 212 252 1100
Email: baskan@beyoglu.bel.tr
Salutation: Dear Mr Demircan

Minister of Interior,
İdris Naim Şahin,
İçişleri Bakanı,
T.C. İçişleri Bakanlığı,
Bakanlıklar,
Ankara – Turkey.
Fax: +90 312 418 1795
Email: ozelkalem@icisleri.gov.tr
Salutation: Dear Minister

COPIES TO

Parliamentary Human Rights Commission,
Ayhan Sefer Üstün,
Türkiye Büyük Millet Meclisi,
İnsan Haklarını İnceleme Komisyonu,
Bakanlıklar,
06543 Ankara,
Turkey.
Fax: +90 312 420 53 94
Salutation: Dear Mr Üstün

Ambassade de la République de Turquie,
Lombachweg 33,
Case postale 34,
3000 Berne 15.
Fax: 031 352 88 19
E-mail: tcborn@tr-botschaft.ch