***Coming to Terms with Forced Migration: Post-Displacement Restitution of Citizenship Rights in Turkey*, Dilek Kurban/ Deniz Yükseker/ Ayşe Betül Çelik/ Turgay Ünalan/ A. Tamer Aker (August 2007)**

Foreword to the English Edition

There is in the 2000 millennium report of the United Nations Secretary-General a line well worth recalling: "Every group needs to become convinced that the state belongs to all people." When ethnic groups experience tolerance and inclusion within societies, it is less likely that conflict will erupt over ethnic divisions. Yet in far too many countries, ethnic minority groups do not feel an integral and accepted part of the state. Many feel dispossessed and abandoned by the national authorities; their beliefs, culture and language insufficiently respected; and their political and economic interests not fully protected by the institutions of their government. In such situations, all too often, extremist elements within the group turn to violence to reverse power imbalances and achieve the group's aims. Indeed, armed conflicts between governments and ethnic minority groups seeking greater political, economic and cultural autonomy are one of the major causes of forced displacement.

Whereas in genuinely democratic societies, governments tend to see minorities as legitimate members of the state with whom they have to negotiate and reach accommodation, in societies that are less pluralistic and with less developed mechanisms for conflict resolution, governments often respond with force, fearing that minority demands will disrupt the state and lead to its disintegration. Diversity is seen by the state as a threat to the unity of the nation, whereas in the view of Francis Deng, former Representative of the United Nations Secretary-General on Internally Displaced Persons, "it is rather the denial of diversity that actually threatens the nation." In the ensuing struggle, hundreds of thousands, even millions, of minority members may become internally displaced either as a byproduct of the conflict or as a deliberate goal of counterinsurgency or ethnic cleansing campaigns. Cut off from their communities and livelihoods and in dire need of material assistance and protection, they often fall into a vacuum of responsibility within the state. Viewed by the authorities as "suspect" for being part of an ethnic, cultural or social group considered threatening, they are denied the elemental protection and assistance owed by a state to its citizens. This phenomenon Deng described as "a crisis of identity" for the state.

Countries torn asunder by conflicts along ethnic, linguistic, religious or racial lines do not mend easily. It is not enough to bring the uprooted populations a modicum of humanitarian relief and development aid and encourage them to return home. Something far more profound is needed to knit communities together and establish long-lasting peace. Ethnic divisions must be healed, trust reestablished, property and compensation claims honored, human rights violators brought to justice, and more inclusive power-sharing and wealth-sharing arrangements designed together with a broader concept of national and ethnic identity. To achieve this restructuring, a national dialogue becomes essential to address the causes of the conflict, the numbers and conditions of the displaced and the steps that must be taken to ensure successful return or resettlement. A framework recently developed by Walter Kälin, current Representative of the United Nations Secretary-General on the Human Rights of Internally Displaced Persons, demonstrates that ending displacement is "a process" in which the displaced must be able to reintegrate successfully and regain the full exercise of their human rights. Without sufficient attention to rehabilitating the displaced and to

redressing the inequalities at the core of the social and political divisions within their societies, countries can easily fall back into conflict.

The large number of civil wars in the world in which ethnic groups are involved has given rise to a growing body of literature about how to rebuild nations so that they do not lapse back into violence. Among these is the well-researched new book by the Turkish Economic and Social Studies Foundation (TESEV), *Coming to Terms with Forced Migration: Post-Displacement Restitution of Citizenship Rights in Turkey.* Its five co-authors, Dilek Kurban (TESEV), Deniz Yükseker (Koç University), Ayşe Betül Çelik (Sabancı University), Turgay Ünalan (Hacettepe University) and A. Tamer Aker (Kocaeli University) dig deeply into the causes of conflict and displacement in Turkey, seeking to go beyond official versions and to unearth what really occurred in their country and how best to move forward to resolve the political, economic and social divisions. Each of the authors brings a different discipline to the book, together examining displacement from a broad perspective, encompassing the sociological, political, psychological, demographic and legal. Reinforcing their two years of academic research is rigorous field work in the provinces of Diyarbakır, Batman, Istanbul and Hakkâri where they interview municipal leaders, civil society and the people who were forcibly displaced.

Among their major findings is one especially important for the government and the international community to register: that internal displacement in Turkey is not just a security problem confined to a limited number of hamlets in the southeast but a widespread and large-scale phenomenon with impact on “the whole nation.” After all, some one million men, women and children were forcibly uprooted from rural areas in the east and southeast of the country as a result of the armed struggle from 1984 to 1999 between the Kurdistan Workers’ Party (*Partiya Karkerên Kurdistan* - “PKK”) and the Turkish military. Large numbers fled to urban areas all over the country where they have long experienced poverty, poor housing, joblessness, loss of land and property, limited access to physical and mental health care services, and limited educational opportunities for their children. Acknowledging the plight of the displaced in both rural and urban areas and developing effective policies and programs to help them reintegrate is therefore critical not only for the lives of the displaced but also for the coherence and stability of the country as a whole.

That the displaced are predominantly Kurdish, the authors find, has very much to do with the cause of the conflict, since Kurds have long faced legal, institutional and social obstacles in expressing their identity in Turkey. Indeed, a 1998 Parliamentary commission report, cited in the book, calls for the abolition of impediments that prevent different ethnic groups from expressing their identities, and in particular recommends recognition of “the Kurdish identity” as part of “the richness of Turkey’s cultural mosaic.” At the same time, in calling for “a process of reconciliation” and greater equality for the Kurds, the book acknowledges that the PKK must be disarmed and rehabilitated, together with state-employed village guards, and that reconciliation will “require the PKK to demonstrate a similar will to assume its responsibility for human rights violations it has committed.” Although achieving reconciliation may take a long time, the authors urge the government to initiate a dialogue “between civil society and the government” and to set up a structure to achieve this. In 2006, it is noteworthy that Prime Minister Recep Tayyip Erdoğan publicly referred to the country’s having to address “the Kurdish question” through “more reforms, more democracy, more citizenship law [and] more welfare.”

A good portion of the book focuses on the laws and policies thus far adopted by the government to address the problem of displacement, the extent to which they are sufficient, and the manner and scope of their implementation. The book praises the law enacted in 2004 to compensate the displaced as an important effort to establish rapprochement between the state and its citizens while also pointing out its shortcomings and recommending that it should apply not only to those deliberately uprooted by the PKK and the state security services but also to those who felt obliged to leave because of the effects of armed clashes. It proposes that civil society representatives be added to damage assessment commissions, that the high number of rejections for compensation be reviewed and that damage awards be increased. It further comments on the government's 2005 policy document on displacement (the "Framework Document"); the government's agreement to data collection through Hacettepe University; its appointment of a small government office to coordinate policies on internal displacement; its undertaking of rural development plans in the east and southeast; its endorsement of the Guiding Principles on Internal Displacement; and its collaboration with the United Nations (UN) and the European Union (EU) to address the return and resettlement of the displaced.

While welcoming these steps, the authors point out the gaps between the government's announcement of laws, policies and plans and their actual implementation. For example, the authors call upon the authorities to promote not only returns but *sustainable* returns, which require safety (eg. removing landmines, abolishing the village guard system), jobs, access to public services, due process, restitution or compensation for lost property, psychosocial rehabilitation, and efforts at reconciliation. At the same time, the book emphasizes that solutions to internal displacement cannot be limited to returns alone. Those who fled to urban areas and have chosen not to return must also be given assistance with reintegration. Throughout, the authors apply international standards to the Turkish situation. Thus, the series of policy proposals at the end seek to develop, in the words of TESEV's Chair, Can Paker, "effective and democratic responses to internal displacement that are fully in accordance with relevant international standards." These encompass return and resettlement, restitution and compensation, socio-economic development of the southeast, health and psychosocial rehabilitation, and reconciliation.

The book's recommendations should prove a helpful tool to the government, but the way forward will not be easy. As the authors uneasily point out, the government's response to the displaced may be less a result of profound internal change than of external pressure. Ever since Turkey became a candidate for membership in the EU in 1999, it has sought to demonstrate its commitment to democracy and human rights, minority protection, and the successful reintegration of its displaced population. Whatever the motivation, however, change has been occurring in Turkey, with the government seemingly coming around to the view that it is in Turkey's best interest to resolve the tensions and divisions that have led to conflict and displacement. Nonetheless, it remains to be seen how fully the displacement problem will be addressed. Divisions exist within the government, the military and the society capable of undermining policies that are more open and tolerant toward minorities and in particular promote material assistance, protection, reintegration and development aid for uprooted Kurds.

Nothing could have brought home more graphically the sensitivities and resistance to policies of greater diversity than the reception TESEV received at its July 2006 launch of the Turkish edition of this volume. According to newspaper accounts, a group of “ultra nationalists” broke up the meeting after shouting and striking people assembled in the room while the police present stood by and made no arrests. However, when the rescheduled book launch took place the following December, it went off without incident due to the heightened security measures taken by the police and the fact that the meeting was closed to the public. The Prime Minister himself had telephoned the chair of TESEV to express his regret about the July incident and his support for the work of this leading research institution. Newspaper stories about the affair reported widely on TESEV’s findings.

Clearly, cooperation and consultation with civil society is the most effective way for the government to achieve success and develop well-founded, well-informed and sustainable policies toward the internally displaced. The international community has reinforced this view. In addressing the Ministry of the Interior in February 2006, Walter Kälin underscored that “consultation with civil society and the displaced is essential to the success of any program.” TESEV, he noted, had begun to play an important role in policy development for the internally displaced. “Rather than being perceived as opponents of the state,” non-governmental organizations, he said, “should be seen as strengthening and supporting the state.”

The government would be well advised to study the findings and recommendations of this constructive volume. It may not agree with each and every proposal, but it clearly will find ideas and suggestions for moving forward. Government policies and programs should seek to avert further displacement, reintegrate those currently displaced, and isolate those who would use violence. Indeed, continuing hostilities in the southeast of the country should speak to the need to work together with rather than radicalize Turkey’s Kurdish population. The Kurdish issue is an identity question but also a human rights problem that must be addressed within a democratic framework. The country will be on a much more sound and secure footing if its government is able to acknowledge and effectively address the conflicts and divisions that have rent its communities apart and produced so much suffering and displacement. Fully grappling with Turkey’s past is the best way to assure a sounder and more democratic future, one in which every group will feel an integral part of the state.

Roberta Cohen
Non-Resident Senior Fellow at the Brookings Institution, and Co-Founder and former Co-Director of the Brookings-Bern Project on Internal Displacement