

URGENT ACTION

CHILDREN, ELDERLY AT RISK OF FORCED EVICTION

Around 30 Roma families in Istanbul are under threat of forced eviction to make way for road construction. The families are currently living in shacks in precarious conditions.

Around 120 people, including 37 children have been living in makeshift accommodation on barren land in Kurtköy Altintepe area of the Pendik district, Istanbul for almost five years. Two of the children are disabled, one is a newborn baby. There are three elderly people who are seriously ill - a 65 year-old man with severe asthma, a woman with tuberculosis and a 60 year-old woman who is paralysed. Snow started in Istanbul on 10 December.

In mid 2013 some of the Roma families were informally told by the municipal police that their houses would be demolished to make way for road construction. No further information or formal notice was provided to the residents. According to information received, municipal police demolished the homes of these families on at least two occasions in the summer of 2013. The families were able to reconstruct their homes following the demolitions.

The Roma families had previously been forcibly evicted on 19 July 2006 from their homes in Küçükbakkalköy, then part of the Kadıköy district (now Ataköy). The eviction took place in the absence of many of the due process requirements including genuine consultation and adequate notice. After almost a year and a half living amongst the ruins of their former homes, the families arrived in Pendik in early 2008. They have lived in inadequate housing for many years, without access to basic sanitation and clean water. Residents told Amnesty International that they had previously requested access to clean water and adequate alternative housing from the municipality but had not received an answer.

Amnesty International is concerned about the failure of authorities in Istanbul to take appropriate action in line with Turkey's international human rights obligations to follow due process while conducting evictions and guarantee the right to adequate housing without discrimination.

Please write immediately in Turkish or your own language:

- Call on the authorities to ensure that no evictions are carried out without following due process including genuine consultation, provision of adequate notice and alternative accommodation for those who cannot provide for themselves;
- Ensure that all those who have been forcibly evicted have access to effective remedies;
- Engage in immediate genuine consultation with the affected families to provide adequate alternative housing.

PLEASE SEND APPEALS BEFORE 23 JANUARY 2013 TO:

Mayor of Pendik Municipality

Dr. Kenan Şahin
Pendik Belediye Başkanlığı
Batı Mah. 23 Nisan Cad. No:11
34890 Pendik/Istanbul
Turkey
Fax: +90 216 585 1414
Email: mail@kenansahin.com.tr
Salutation: Dear Dr Kenan Şahin

And copies to:

Head of Department
Aile ve Toplum Hizmetleri Genel
Müdürlüğü
Daire Başkanı
Ahmet Murat Altuğ
Söğütözü Mahallesi
Çankaya Ankara, Turkey
Fax: +90 312 705 5599
Email: murat.altug@aile.gov.tr

Salutation: Dear Mr Murat Altuğ

Director General

Aile ve Toplum Hizmetleri Genel
Müdürlüğü
Genel Müdür
Ömer Bozoğlu
Söğütözü Mahallesi
Çankaya Ankara, Turkey
Fax: +90 312 705 56 26
Email: omer.bozoglu@aile.gov.tr

Salutation: Dear Mr Ömer Bozoğlu

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

The 30 Roma families in Pendik are living in extremely dire conditions. There is no electricity on site. The makeshift structures they live in are difficult to heat. They have also told us they had requested coal for the winter, which they said they had not yet received. As of 6 December, it started snowing in Istanbul. Only some of the families have green cards which provide them with free health care, others do not have green cards. There are no nearby health facilities, the nearest being in Sultanbeyli, 6-7km from the site. Some children are able to attend the nearby primary school others were not given access due to lack of official residence.

Amnesty International is deeply concerned at the dire situation these families find themselves in and that they are also at risk of an eviction in the absence of adequate safeguards that will amount to forced evictions, which are prohibited under international law. The European Court of Human Rights, as recently as 24 April 2012, held in a landmark decision that the removal of a Romani community in Bulgaria, from land that they were occupying informally, would be unlawful. The Court emphasized that if a community lived in a place for a number of years, the authorities should not treat it the same as other "routine cases of removal... from unlawfully occupied property". Instead, the authorities have an obligation to show that the eviction is 'proportionate' to the aim being pursued. The authorities also have to consider the risk of people being rendered homeless as a result of the eviction.

Turkey is a party to a range of other international and regional human rights treaties, which strictly require it to prohibit, refrain from and prevent forced evictions. These treaties include the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, the International Convention on the Elimination of All Forms of Discrimination. The UN Committee on Economic, Social and Cultural Rights has emphasized in its General Comment 7 that evictions may be carried out only as a last resort, once all other feasible alternatives to eviction have been explored.

Even when an eviction is considered to be justified, it can only be carried out when the appropriate procedural protections are in place and if compensation for all losses and adequate alternative housing is provided to all people affected.

Name: Around 120 people

Gender m/f: both

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