



European network of legal experts in gender equality and non-discrimination

NEWS REPORT

Country:	Turkey
Title:	Turkish Parliament rejects the motion by a parliamentarian of Roma ethnic origin for a parliamentary inquiry into the housing conditions of the Roma minority in Turkey
Date:	22 January 2016
Expert:	Dilek Kurban
Context	
Issue at stake:	The housing conditions and problems of the Roma minority
Ground of discrimination:	Race/ethnic origin
Source:	National Parliament
Field:	Housing
Applicable law:	Article 98 of the Turkish Constitution, Articles 104 and 105 of the Rules of Procedure of the Turkish Parliament

Policy development:

The Urban Renewal Law of 2005 has had a disparate impact on Roma people, giving impetus to urban transformation projects, most of which resulted in massive destruction and dislocation of Roma neighbourhoods throughout Turkey.¹ According to a joint report submitted by the Habitat International Coalition and its national partners for Turkey's Universal Periodic Review by the UN Human Rights Council, the number of Roma displaced due to the Government's urban transformation projects by 2014 was about 10 000.² In its feedback for the 2014 Universal Periodic Review of Turkey by the UN Human Rights Council, the Committee on Economic, Social and Cultural Rights 'noted with concern that forced evictions had taken place in Istanbul, without adequate compensation or alternative accommodation' and emphasised their adverse effects on the schooling of children. The Committee urged the Government to review the legal framework governing urbanisation projects 'to ensure those affected received adequate compensation and/or relocation'.³

¹ European Roma Rights Centre and the Edirne Roma Association, *Written Comments Concerning Turkey for Consideration by the United Nations Committee on the Elimination of Racial Discrimination at its 74th Session*, available at: http://www2.ohchr.org/english/bodies/cerd/docs/ngos/ERRC_Turkey_CERD74.pdf [last accessed 19/01/2016].

² United Nations (UN), Office of the UN High Commissioner for Human Rights (2014), *Summary prepared in accordance with paragraph 15(c) of the annex to Human Rights of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21: Turkey*, submitted to the UN Human Rights Council Working Group on the Universal Periodic Review twenty-first session: 19-30 January 2015, p. 9, available at: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/191/56/PDF/G1419156.pdf?OpenElement> [last accessed 5 May 2015].

³ United Nations (UN), Office of the UN High Commissioner for Human Rights (2014), *Compilation prepared in accordance with paragraph 15(b) of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21: Turkey*, submitted to the UN Human Rights Council Working Group on the Universal Periodic Review twenty-first session: 19-30 January 2015, p. 12, available at:

On 7 January 2016, the Turkish Parliament debated the motion submitted by Özcan Purçu, a parliamentarian of Roma ethnic origin, and 22 other deputies from the main opposition Republican People's Party (*Cumhuriyet Halk Partisi-CHP*) for the undertaking of a parliamentary inquiry into the housing conditions of the Roma minority in Turkey.⁴ The proposal, submitted to the Parliament on 8 December 2015, was rejected due to the negative votes of the deputies from the governing Justice and Development Party (*Adalet ve Kalkınma Partisi-AKP*), who constitute the majority. The AKP deputies did not make a public statement as to the grounds for their negative vote.

The motion emphasized the importance of the right to housing as a fundamental human right necessary for the exercise of other fundamental rights. Pointing out the close link between the right to housing and the right to be free from discrimination, the motion referred to the Roma neighbourhoods in Turkey as "the personification of discrimination in urban settings." The motion then problematized ongoing urban renewal projects carried out across Turkey from the perspective of the right to housing of the Roma community. Pointing out that these projects have been carried out in neighbourhoods where the Roma and other socially marginalized and impoverished communities lived, the motion laid out the following problems with these projects: lack of information available to the public as to the number, location and nature of urban renewal projects, lack of transparency, the exclusion of the Roma residents from the decision making processes which are exclusively carried out between private companies and local municipalities, the low amounts of compensation paid to the Roma individuals who had been forced to move out of their homes due to urban renewal projects, the lack of affordable, alternative housing for the displaced Roma, the fact that many Roma citizens had become homeless or have to live in poor conditions in their new residences, and that the legal framework in which these projects are carried out virtually deprive the Roma of their right to seek legal remedy in courts and cause their forced displacement. The motion also pointed out there are still Roma neighbourhoods where residents live in tents in extremely poor conditions, without access to water, electricity and sewage.

Purçu reacted strongly against the rejection of the proposal, particularly due to the death due to cold weather of a 55-year-old bed-ridden Roma woman on 2 January 2016.⁵ Ünzile Türkmen froze to death in the tent she lived in with her husband in the Ezine district of Canakkale province in north-western Turkey.

Key points of analysis:

The November 2015 general elections were the first time a Roma person was elected to the national parliament. The AKP deputies' rejection of the motion for a parliamentary inquiry (or investigation, for that matter) submitted by deputies belonging to the opposition parties or by the parliamentary group of one or more opposition parties in the Parliament is an established practice. In a political culture where consensus seeking or acting along bi-partisan lines are virtually non-existent, the rejection of this particular motion is not surprising. Yet, it is all the more striking when the issue at hand is the urgent housing needs of an extremely vulnerable group. It is also at odds with the Roma opening launched by the AKP government in 2009 and undertaken by the Ministry of Family and Social Policies since 2011. Among the self-declared goals of the government in launching the initiative was "identifying and seeking solutions for the problems faced

<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G14/210/44/PDF/G1421044.pdf?OpenElement> [last accessed 5 May 2015].

⁴ Motion for the Opening of a Parliamentary Inquiry for the Purpose of Inquiring into the Housing Needs of Roma Citizens and Identifying the Measures that Need to be Taken, no. 10/50, submitted by Izmir deputy Özcan Purçu and his 22 friends, submitted to the Parliament on 8 December 2015.

⁵ "Çanakkale'de Barakada Yaşayan Kadın Donarak Öldü!" (Woman living in a hut in Çanakkale froze to death), *Habertürk*, 3 January 2016, <http://www.haberturk.com/gundem/haber/1175781-canakkalede-barakada-yasayan-kadin-donarak-odu> (last accessed 19/01/2016).

by the Roma particularly in the fields of employment, housing, health and education through increasing dialogue between the Roma and relevant Government units.”⁶

Internet link source:

For the text of the motion for parliamentary inquiry into the housing conditions of the Roma, see:

<http://www2.tbmm.gov.tr/d26/10/10-9206gen.pdf>

For general information about the parliamentary inquiry procedure of the Turkish Parliament:

<https://global.tbmm.gov.tr/index.php/EN/ym/icerik/36>

All last accessed 19/01/2016.

⁶ United Nations (UN), Committee on the Elimination of Racial Discrimination (CERD) (2014), *Consideration of reports submitted by States parties under article 9 of the Convention, Combined fourth to sixth periodic reports of States parties due in 2013: Turkey*, CERD/C/TUR/4-6, 17 April 2014, p. 5, available at http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CERD%2fC%2fTUR%2f4-6&Lang=en [last accessed 19/01/2016].