



**PROCEDURES SPECIALES DE LA**  
**COMMISSION DES DROITS DE L'HOMME**

**SPECIAL PROCEDURES OF THE COMMISSION**  
**ON HUMAN RIGHTS**

**Mandates of the Independent Expert on Minority Issues, Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, Special Procedures assumed by the Human Rights Council**

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REFERENCE: AL Housing (2000-6) G/SO 214 (2005-1)  
TUR 14/2006

31 July 2006

Excellency,

We have the honour to address you in our capacities as Independent Expert on Minority Issues and Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, pursuant to Commission on Human Rights resolutions 2005/79 and 2004/21 respectively, to General Assembly resolution 60/251 and to Human Rights Council decision 2006/102.

In this connection, we would like to draw the attention of your Government to information we have received regarding the situation of the **Romani community of the Sulukule mahalles (Neslisah and Hatice Sultan) in the municipality of Fatih, Istanbul.**

According to information received, this 3,500 person Romani community is seriously concerned regarding the potentially highly negative effect on this historic community resulting from the municipality's urban rehabilitation project. According to the information received, this project will result in the demolition of the historic Romani neighbourhood, with detrimental consequences for the Romani community that lives there.

According to reports, in October 2005 the local authority considered measures to redevelop the area, and from a range of choices adopted the decision to demolish the existing housing, where large numbers of Romani minority community have lived for centuries since their first arrival in this area in the eleventh century. Allegedly this decision was adopted without consultation with the community, or community representatives and the decision does not reflect the result of any feasibility study carried out by the municipal authorities. Since this decision was taken, there have reportedly been a number of meetings between members of the community and the municipality, but without any resolution of the concerns raised by the Romani minority community for their future. The planned programme of demolition remains in place and work is expected to begin in September.

According to information provided, the community of the Sulukule mahalles (Neslisah and Hatice Sultan), are the descendants of Romani minority community that arrived a thousand years ago in the then Byzantine capital, Constantinople. Traditional music and dance remain part of the Romani culture that is still a vibrant and essential expression of Romani identity in this area. Taking into account the long history of Romani communities in this area, the community is asking for the decision to demolish the area to be rescinded, and a programme of regeneration and urban renewal be considered instead.

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Information provided informs us that the community has been offered the opportunity to receive compensation for their loss of home and shelter, but that the cost of buying new property, even for those that own their current abode is prohibitive in the new apartment blocks that the developers will erect. The question of title deeds and legal claims to these properties also raises problems, as many of the families that live in the area, reportedly lack official documents.

The Romani families in this community are reportedly in need of urgent measures to alleviate social and health problems and the poverty that is a reality for the majority of the residents. Racial prejudice against Romani along with the recent closure of the entertainment establishments that were the traditional sources of jobs for Romani have led to a crisis level of unemployment. Less than one in ten of the adult population has any kind of work on a regular basis, and none have employment that would provide security for their families. The lack of sufficient documentation means that most of the residents are not able to secure the so-called "green card" that would entitle them to basic state support and health-care. Schooling is also an issue that needs addressing; the levels of basic education are minimal and the community lacks access to further education.

The community has suggested that with careful consultation and planning, possibilities exist to see the social and economic improvement of the area, including its potential for growth as a heritage centre for both Romani and non-Romani alike, offering traditional Romani music and dance, and new opportunities for employment and training. They suggest further consultation on such ideas and discussion about the community and its future that would provide a more harmonious resolution to the current situation.

Without in any way implying any conclusion as to the facts of the case, we should like to appeal to your Excellency to seek clarification of the circumstances of this situation with a view to ensuring that the rights of the persons in this Romani minority community are protected in accordance with the fundamental principles as set forth in the UN International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the International Convention on the Elimination of all forms of Racial Discrimination, to which Turkey is a Party.

We would further draw your attention to the provisions of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, which stipulates in Article 1 that: "States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity."

Article 2 states that: "Persons belonging to minorities have the right to participate effectively in decisions on the national and, where appropriate, regional level concerning the minority to which they belong or the regions in which they live, in a manner not incompatible with national legislation."

Article 4 (1) further stipulates that: "States shall take measures where required to ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law."

We urge your Government to take all necessary measures to guarantee that the rights and freedoms of the aforementioned persons are respected. We also request that your Government, upon consideration of the legality of these actions, adopts effective measures to prevent the recurrence of acts found to be in contradiction of obligations under international human rights law to which Turkey is a party.

Since we are expected to report on these cases, we would be grateful for your cooperation and your observations on the following matters:

1. What are the existing legal frameworks and implementation procedures that have guided your approach to the circumstances of this case?
2. Have petitions or complaints regarding these matters been lodged by the Romani community with the relevant authorities?
3. Please provide the details, and where available the results, of any studies, investigations, and judicial or other inquiries that may have been carried out in relation to this case.

4. Please indicate whether consultations have been, or are going, to be held with the concerned communities and what alternatives have been envisaged to displacement of these communities.

6. Please provide information on the measures taken to protect the rights of persons belonging to Roma minority communities, including in regard to adequate housing and to registration and access to social services.

Finally, as your Excellency may be aware, the Special Rapporteur on adequate housing has repeatedly drawn attention to the worrying practice of forced evictions worldwide. Forced evictions constitute prima facie violations of a wide range of internationally recognized human rights and large-scale evictions can only be carried out under exceptional circumstances and in full accordance with international human rights law. In view of this, the Special Rapporteur has recently developed a set of guidelines (E/CN.4/2006/41) aimed at assisting States in developing policies and legislations to prevent forced evictions.

We would appreciate a response within sixty days. We undertake to ensure that your Government's response to each of these questions is accurately reflected in the reports we will submit to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.



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Independent Expert on Minority Issues



Miloon Kothari  
Special Rapporteur on adequate housing as a component of the right  
to an adequate standard of living