Refugee Review Tribunal

AUSTRALIA

RRT RESEARCH RESPONSE

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Questions

1. Please provide details of any evidence of the treatment of people of Arab ethnicity in Turkey, including any evidence of discrimination or persecution of people of Arab ethnicity.
2. Is there any evidence to suggest that the treatment of ethnic Arabs in Turkey has changed over the past few years, whether as a result of Turkey's attempts to join the EU or otherwise.
3. Please provide any evidence relating to the treatment of persons of Arab ethnicity in the self-proclaimed TRNC region of Cyprus, including any evidence of discrimination or harassment on the basis of Arab ethnicity.

RESPONSE

1. Please provide details of any evidence of the treatment of people of Arab ethnicity in Turkey, including any evidence of discrimination or harassment of people of Arab ethnicity.

The US Library of Congress stated that the Arabs are mostly in the Hatay Province on the border with Syria:

> In 1995 Turkey's ethnic Arab population was estimated at 800,000 to 1 million. The Arabs are heavily concentrated along the Syrian border, especially in Hatay Province, which France, having at that time had mandatory power in Syria, ceded to Turkey in 1939. Arabs then constituted about two-thirds of the population of Hatay (known to the Arabs as Alexandretta), and the province has remained predominantly Arab. Almost all of the Arabs in Turkey are Alevi Muslims, and most have family ties with the Alevi (also seen as Alawi or Alawite) living in Syria. As Alevi, the Arabs of Turkey believe they are subjected to state-condoned discrimination. Fear of persecution actually prompted several thousand Arab Alevi to seek refuge in Syria following Hatay's incorporation into Turkey. The kinship relations established as a result of the 1939-40 emigration have been continually reinforced by marriages and the practice of sending Arab youths from

Hatay to colleges in Syria. Since the mid-1960s, the Syrian government has tended to encourage educated Alevi to resettle in Syria, especially if they seem likely to join the ruling Baath Party. (Metz, H. '*Turkey: A Country Study – Turkey - Arabs'* 1995 US Country Studies website, http://countrystudies.us/turkey/29.htm - Accessed 2 July 2007 – Attachment 1).

The UK Home Office provides information on the number of Arabs in Turkey, and their inability to use Arabic officially:

19.55 According to World Directory of Minorities (1997) "There are probably about one million Arabs in the provinces of Urfa, Mardin, Siirt and Hatay (Alexandretta). Unlike the Turkish Sunni Majority Sunni Arabs belong to the Shaf'I tradition (which they share in common with most Sunni Kurds). They are denied the opportunity to use their language except in private, and the use of Arabic is forbidden in schools." **[57a] (p382)**

19.56 The World Directory of Minorities continued "About 200,000 Alawi, or Nusayri Arabs live in the northern most settlements of the larger Alawite community in Syria. They are a distinct religious community from Alevis but have in common reverence for Ali, the prophet's son-in-law, as an emanation of the divinity. Alawites have an uneasy relationship with Sunnis, but are more comfortable with Christians." **[57a] (p382)**

19.57 The World Directory also stated that "There are still about 10,000 Orthodox and Melkite (uniate with Rome) Christians (or, as they call themselves, Nasrani) in the Hatay…. They feel under pressure, like other Arabs, to 'Turkicize'." **[57a] (p382) (**UK Home Office 2007 'Country of Origin Information report: Turkeyi', UK Home Office website, 12 March http://www.homeoffice.gov.uk/rds/pdfs07/turkey-140307.doc - Accessed 19 March 2007 – Attachment 2).

In 2005 Muslims attacked orthodox Christians of Arab ethnicity:

The unchecked passions of two young Greek Orthodox Christians in rural Turkey last month showed how a single misstep can result in the persecution of the larger community.

More than 100 residents of the Turkish village of Karsu vandalized the Greek Orthodox quarter of Altinozu last month after receiving reports that Christians had attacked Muslims. A street fight had erupted when two young cousins allowed themselves to be provoked by a Muslim insult of Christian women.

The Muslim mob descended on Altinozu's Greek Orthodox neighborhood of Sarilar shortly before 11 p.m. on August 3, chanting "there is no room for infidels here."

Gendarmerie reinforced local police and helped halt the violence, but not before the vandals had damaged 10 houses and injured five people ranging in age from 12 to 62, including the wife of parish leader Spir Bayrakcioglu.
…
As they made their way unopposed through the Orthodox neighborhood, they reportedly chanted "get out of here, you have no business here, this land is ours," while using sticks and stones to break windows and attack the ethnically Arab Turkish citizens. (Lamprecht, P. 'Muslim Horde Vandalizes Orthodox Village in Turkey' 2005, Compass Direct, 30 September, CISNET Turkey CX136303 – Attachment 3).

The US State Department Human Rights Report for 2007 provided no specific reference to the treatment of Arabs in Turkey.

2. Is there any evidence to suggest that the treatment of ethnic Arabs in Turkey has changed over the past few years, whether as a result of Turkey's attempts to join the EU or otherwise.

The Commission of the European Communities produced its progress report on Turkey in November 2006. On the issue of Human Rights, it reports that:

> During the first 8 months of the year 2006, the *European Court of Human Rights* (ECtHR) delivered 196 final judgements finding that Turkey had violated at least one article of the ECHR. In 5 cases the ECtHR ruled that there was no violation of the ECHR. Most of these judgements refer to cases lodged prior to 1999.
> …
> With regard to the *promotion and enforcement of human rights*, the Human Rights Presidency and the 931 District Human Right Boards continued to provide training on human rights and process applications on alleged human right violations. Between January and June 2006, 778 applications were received. The vast majority of applications related to health and patients' rights, non-discrimination, right to property, and social security rights.
>
> However, the Human Rights Presidency lacks independence from the government, is understaffed and has a limited budget. Furthermore, a new president has not been appointed since the resignation of the previous one in September 2005. The Human Rights Advisory Board under the Office of the Prime Minister has not been operating since the publication of a report on minority rights in Turkey in October 2004. This is a body composed of NGOs, experts and representatives from ministries.
>
> The Parliamentary Human Rights Committee continued to play an active role in collecting complaints on human rights violations and conducting fact-finding visits to the regions. The Committee received 864 applications between October 2005 and June 2006. It has conducted several investigations and finalised three reports since January 2006. The Committee has no legislative role, and is thus not consulted on legislation affecting human rights.
> …
> Turkey's approach to minority rights remains unchanged. According to the Turkish authorities, under the 1923 Treaty of Lausanne, minorities in Turkey consist exclusively of non-Muslim religious communities. The minorities associated in practice by the authorities with the Treaty of Lausanne are Jews, Armenians and Greeks. However, there are other communities in Turkey which, in the light of the relevant international and European standards, could qualify as minorities.
>
> The February 2005 visit of the OSCE High Commissioner on National Minorities (HCNM) to Ankara has not been followed up and no progress has been made in starting a dialogue on the situation of national minorities in Turkey. The deepening of such a dialogue between Turkey and the HCNM is necessary. It needs to include relevant areas such as minority education, minority languages, the participation of minorities in public life and broadcasting in minority languages. This would facilitate Turkey's further alignment with international standards and best practice in EU Member States to ensure cultural diversity and to promote respect for and protection of minorities. (European Commission 2006, '*Turkey 2006 Progress Report*' 8 November http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=4562c51a4&skip=&category=COI&publisher=EUCOMMISSION&coi=TUR&rid=4562d8b62 – Accessed 2 July 2007 – Attachment 4).

3. Please provide any evidence relating to the treatment of persons of Arab ethnicity in the self-proclaimed TRNC region of Cyprus, including any evidence of discrimination or harassment on the basis of Arab ethnicity.

The US State Department in its Human Rights Report states that:

> Turkish Cypriot authorities generally respected the human rights of citizens living under their control; however, there were problems in some areas. Police abuse of detainees and arbitrary arrest and detention continued to be problems. There were also restrictions on citizens' privacy rights and on the rights of asylum seekers. The "government" proposed legislation to govern the treatment of asylum seekers, but by year's end there did not exist a regulatory infrastructure to handle asylum applications or specifically to protect the rights of asylum seekers. Trafficking in persons continued.
> …
> National/Racial/Ethnic Minorities
>
> The law prohibits discrimination, and the 1975 Vienna III Agreement remains the legal source of authority regarding the treatment of Greek Cypriots and Maronites; however, the authorities' noncompliance with some of the agreement's provisions made daily life difficult for the 403 Greek Cypriot and 140 Maronite residents (US Department of State 2007, *'Country Reports on Human Rights Practices - 2006 – Cyprus - The Area Administered By Turkish Cypriots'* 6 March – Attachment 5).

The Council For Europe Commissioner for Human Rights reported that:

> Development of the situation and measures taken
>
> 42. Since May 2004, the Ombudswoman's Office has been designated the new Anti-Discrimination Agency, the independent body for the promotion of equal treatment of all persons without discrimination on the grounds of racial or ethnic origin.17 The Ombudswoman's Office has already been very productive on this issue, submitting over 20 reports concerning discrimination issues, and handling individual complaints. The number of complaints received in a relatively short period of time reflects the fact that issues of racism and xenophobia need to be taken seriously by the authorities. Unfortunately, the necessary increase in funding to deal with the extra work-load has not been provided.
>
> 43. According to the authorities, a special police office for combating discrimination has been set up. The staff is responsible for co-ordinating and advising on all aspects of policing in the areas of ethnic and cultural diversity, racism, discrimination, and xenophobia. At every divisional police headquarter, an ethnic liaison police officer has been appointed in order to liaise with the local leaders or members of ethnic communities and improve dialogue with these groups. A reporting system has been established for incidences or offences which are racially motivated. Under an internal recording system any offence reported as racially motivated shall be defined and registered as such.
>
> 44. According to the Cypriot authorities, great emphasis is given to training police officers on issues pertaining to human rights protection and combating discrimination. In the last semester, 13 lectures were given to police cadets and police officers on issues surrounding discrimination, racism, intolerance and human rights in general. Numerous leaflets, brochures and booklets have been published and given to police officers concerning human rights issues. In co-operation with a number of ethnic communities, the Police organise various open social events in an attempt to bring ethnic communities and the police closer and to build mutual understanding and respect. (Council of Europe: Commissioner for Human Rights, *Follow-up Report on Cyprus (2003 - 2005) - Assessment of the Progress Made in Implementing the Recommendations of the Council of Europe Commissioner for Human Rights*, 29 March 2006 http://www.unhcr.org/cgi-

bin/texis/vtx/refworld/rwmain?page=country&docid=44c4e3c44&skip=&coi=CYP&rid=4562d8b62 – Accessed 2 July 2007 – Attachment 6).

List of Sources Consulted

Internet Sources**:**
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US Department of State http://www.state.gov/
United Nations (UN)
United Nations http://www.un.org/
UNHCR http://www.unhcr.org
Search Engines
Google http://www.google.com.au/
Copernic http://www.copernic.com/

Databases**:**
FACTIVA (news database)
CISNET (Department of Immigration Country Information database)
ISYS (RRT Country Research database, including Amnesty International, Human Rights Watch, US Department of State Reports)

List of Attachments

1. Metz, H. '*Turkey: A Country Study – Turkey - Arabs*' 1995 US Country Studies website, http://countrystudies.us/turkey/29.htm - Accessed 2 July 2007.

2. UK Home Office 2007 'Country of Origin Information report: Turkey', UK Home Office website, 12 March http://www.homeoffice.gov.uk/rds/pdfs07/turkey-140307.doc - Accessed 19 March 2007.

3. Lamprecht, P. 'Muslim Horde Vandalizes Orthodox Village in Turkey' 2005, Compass Direct, 30 September. (CISNET Turkey CX16303)

4. European Commission 2006, '*Turkey 2006 Progress Report*' 8 November http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=4562c51a4&skip=&category=COI&publisher=EUCOMMISSION&coi=TUR&rid=4562d8b62 – Accessed 2 July 2007.

5. US Department of State 2007, '*Country Reports on Human Rights Practices - 2006 – Cyprus - The Area Administered By Turkish Cypriots*' 6 March.

6. Council of Europe: Commissioner for Human Rights, *Follow-up Report on Cyprus (2003 - 2005) - Assessment of the Progress Made in Implementing the Recommendations of the Council of Europe Commissioner for Human Rights*, 29 March 2006. http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=country&docid=44c4e3c44&skip=&coi=CYP&rid=4562d8b62 – Accessed 2 July 2007.