CHAPTER SIX

CLAIMING THE LAND

Empirical Observation on the Ground

All that is solid melts into air.
Karl Marx and Friedrich Engels, Manifesto of the Communist Party, 1848

Introduction

During the bitter war with the guerrillas of the Kurdistan Workers’ Party (PKK) in the 1990s, the Turkish army and paramilitary ‘village guards’ systematically evacuated and burned villages in southeastern Turkey. It has been argued that clearance of the countryside and resettlement of the rural population, from which the PKK drew membership, logistical support and intelligence, was a constitutive part of Turkish counter-insurgency. The introduction of the issue of return onto the political agenda in 1995 has been discussed, and how two comprehensive plans aiming at the creation of a new settlement structure were developed in the years 1999–2001, but failed to materialize. Having delved also into the well of nationalist thought and grappled with the historical roots from and with which the civil plans and planners drew and grew their assumptions about resettlement, its objectives and rationale, it is now time to return to the present, and the situation we find ourselves in today.

The several return-to-village and rural resettlement projects for the evacuated zones of the Southeast announced by the authorities over the past decade have gone largely unimplemented. According to the analysis presented here, the reasons for this are clear enough: the political situation in Turkey is such that the military have the greater weight of voice in this matter of repopulating the region’s countryside, and militarily it is not welcomed. To paraphrase General Osman Pamukoğlu (Chapter 2, heading quotation), the web that fed the PKK might be broken, but the spider that spun it still lurks. Nationalist Turkey will not be persuaded by the PKK clutching at a ceasefire from the jaws of defeat. However,
Turkey and its military do not have complete freedom of action here. They are pressured by the UN and UN charters regarding their obligations to the displaced. They are put under the microscope by a variety of non-governmental organizations, both internationally and from within. Political maneuvers, developments and concessions brokered between the EU and successive Turkish governments have combined to add weight to the growing pressure on the army to withdraw politically from the stage. And finally, villagers, families, people, just take matters into their own hands and go back home.

In the absence of official return schemes, displaced villagers have been re-migrating by their own means since 1999. Official obstacles to this ‘spontaneous’ return have been documented at great length and in considerable detail by several international human rights organizations, including Human Rights Watch (HRW), the London-based Kurdish Human Rights Project (KHRP), and the Turkey-based Human Rights Association, IHD (İnsan Hakları Derneği), Human Rights Foundation, TIHV (Türkiye İnsan Hakları Vakfı), and Mazlum Der (İnsan Hakları ve Mazlumlar için Dayanışma Derneği). Among the obstacles to return are a lack of transparent policies and support, denial of permission from authorities, obstruction by the army, fear of and attacks by village guards, and the danger posed by the presence of landmines. Studies by the Turkish Economic and Social Studies Foundation, TESEV (Türkiye Ekonomik ve Sosyal Etüdler Vakfı) not only focus on the issue of return, but also on the need for the authorities to enhance their efforts to address the current conditions of the displaced, mainly since return in any real, full sense is likely to be a lengthy process and remains a distant prospect (Kurban et. al. 2006). Also, the issue of compensation is addressed in relation to the 2004 Compensation Act (Aker et al. 2005, Kurban et al. 2006).  

1 The Compensation Act—Law No. 5233 on the Compensation of Losses Resulting from Terrorist Acts and the Measures Taken Against Terrorism (Terör ve Terörle Mücadele Eden Doğan Zararlarını Karşılaması Arzılanmasının Hakkında Kanun)—was passed by parliament on July 17, 2004 and became law on July 27, followed by an implementing regulation issued by the Council of Ministers on October 4 and finally amended a year later, on 15 September 2005. The act aims to identify persons who qualify for material damages ‘arising from acts of terror or from measures taken to fight against terror’ (after 1987), and provides for compensation to anyone who has sustained losses due to terrorism or anti-terror activities, including (but not limited to) displaced persons, members of the armed forces, the police and the village guards. It provides for reparation for three kinds of losses: damage to moveable or immovable property, damage to the life and body of the person, and damage sustained due to the inability to access private property.