

Figures¹

Methods

The methods employed forcibly to evict Kurds from their homes and lands are often brutal and violent. They can be direct, or involve the enforcement of laws or policies that discriminate on the basis of ethnicity.

Under the 1925 Law and 1934 Law No. 2510, Turkish authorities organized the depopulation of two-thirds of all Kurdish settlements, and arbitrarily closed these areas to Kurds so that "only Turks may settle these areas." In 1990, in a similar ideological line, the National Security Council passed decree No. 413 that organized compulsory relocation of individuals. Official sources report, 85–90% of the population of Kurdish villages in Turkey has had to migrate to city centers. Over 3 million people have been affected.

Under the Ba`thist regime in Iraq, property destruction and confiscation were popular tactics used to "transfer" the Kurds and other ethnic minorities, in order to achieve ethnic homogeneity in the State, and control oil resources concentrated in Kurdish regions. "Arabization" was a policy of demographic manipulation; providing the

incentives for Arab families to settle in the vacated Kurdish regions, while creating legal impediments to the possession and transfer of property by non-Arabs. The total number of individuals forced to leave Kirkuk alone in 1991–2003 amounts to 94,026. In 2001 and 2002, the authorities increased their strategy of forced displacement of non-Arabs, with five to six families deported every day to northern Iraq. According to the UN Assistance Mission in Iraq (UNAMI), some 800,000 Kurds were forcibly displaced prior to the 2003 invasion.

Forced Eviction

States have orchestrated forced evictions of Kurdish populations under the guise of seemingly legitimate objectives, such as the "security" pretext. In Turkey, this is coupled with the aim of maintaining "the integrity of the State"—a euphemism for ethnic purity—as written in the Constitution. The "State integrity" pretext became the Turkish authorities' preoccupation after the Kurdistan Workers Party (PKK) began armed resistance in 1984. Since 1990, villagers have been displaced for their "protection" from the PKK, while those refusing to denounce the eventually separatist PKK as "terrorists" have been branded opponents of the Turkish State.

In Iraq, war and the openly racist "arabization" policy led to the flight of 160,000 Iraqi Kurds to neighboring Turkey and Iran, abandoning their lands, homes and possessions. At the end of the Iran-Iraq war and throughout the genocidal *Anfal* campaigns, Iraqi authorities reportedly destroyed 4,500 Kurdish villages.

As in the other cases, "development," has been cited as one of the justifications for the

forced eviction and transfer of Kurdish populations. In Turkey "development" has taken the form of dam construction in the southeastern Kurdish region, and has resulted in the dispossession of the local Kurdish inhabitants' water resources. These projects, most prominently the Illisu Dam, have facilitated the displacement of about 500,000 Kurds from their lands. Syrian ordinances deny Kurdish communities access to building materials and revoke Syrian nationality from those refusing to arabize their names, causing their dispossession and effective displacement.

Implantation of Settlers

Because State borders cross Kurdish territory, or if their territory is resource rich (as in Iraq), Kurds have been made targets of evictions and strategic replacement by dominant ethnic occupants.

Few Turks have settled in Kurdish Anatolia, despite the State's facilitating efforts. The 1934 "Forced Settlement Law" No. 2510, stipulated that the eastern and southeastern regions would be areas where Turks should be settled and Turkish culture popularized. Ethnic Turks from other countries (*diştürkler*) were invited from Yugoslavia, Bulgaria and elsewhere with special incentives to settle emptied areas under State guarantee.

Under the rubric of "arabization," the Ba`thist regime implanted 300,000 Iraqi Arab settlers in northern Kurdish regions. Authorities paid 10,000 Iraqi dinars (US\$ 31,000) as incentive to Arab families that would settle in the newly depopulated areas, where the State built new settlements for them.

¹ Because the aim in providing figures would be to give a clear and comprehensive picture of the situation, the data on the transfer of Kurdish population are too incoherent to be presented here. Consequently, they are only reported as examples to illustrate the scale of the methods used. Moreover, only Turkish and Iraqi examples are developed here, which does not mean that there has been no population transfer affecting Kurds in Syria and Iran.

Population Transfer in International Law

The UN Committee on Economic, social and Cultural Rights (CESCR), in its General Comment No 7, has defined "forced eviction" as "the permanent or temporary removal against their will of individuals, families and/or communities from their homes and/or land which they occupy, without the provision of, and access to, appropriate forms CESCR and the UN Commission on Human Rights have determined forced eviction as a grave violation of human rights, particularly the human right to adequate housing.

The UN Special Rapporteurs have defined population transfer as resulting from economic or political processes that are massive or incremental, direct (military operations, deportations, evictions or implantations) or indirect (administrative measures, impoverishment or economic incitements). They are discriminatory, systematic and coercive, and imply a political will.

Population transfer has been declared illegal in most international treaties and laws since the *Allied Declaration on German War Crimes* in 1942. The latest and its strongest condemnation is found in the 1998 *Rome Statute of the International Criminal Court* that defined deportation, forcible transfer of population and implantation of settlers as war crimes.

