



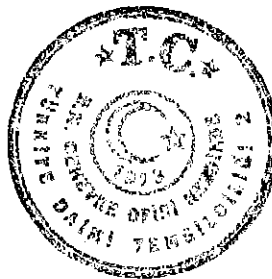
MISSION PERMANENTE DE LA RÉPUBLIQUE DE TURQUIE  
AUPRÈS DE L'OFFICE DES NATIONS UNIES À GENÈVE

2019/62441669-BMCO DT/22922961

La Mission permanente de la République de Turquie auprès de l'Office des Nations Unies à Genève et d'autres organisations internationales en Suisse présente ses compliments au Haut-Commissariat aux droits de l'homme et se référant à la communication conjointe de Mme. Karima Bennoune, de M. David R. Boyd, Rapporteuse spéciale dans le domaine des droits culturels, Rapporteur spécial sur les droits de l'homme et de l'environnement, de Mme Leilani Farha, Rapporteur spécial sur le logement convenable en tant qu'élément du droit à un niveau de vie suffisant ainsi que sur le droit à la non-discrimination à cet égard, de Mme. Cecilia Jimenez-Damary, l'Experte des Nations Unies sur les personnes déplacées dans leur propre pays et de M. Fernand de Varennes, le Rapporteur spécial sur les questions relatives aux minorités, datée du 23 novembre 2018 (Réf: AL TUR 13/2018), a l'honneur de transmettre ci-jointe une note d'information contenant la réponse du Gouvernement de la République de Turquie.

La Mission permanente de la République de Turquie saisit cette occasion pour renouveler au Haut-Commissariat aux droits de l'homme les assurances de sa très haute considération.

Genève, le 24 Janvier 2019



Bureau du Haut-Commissaire aux Droits de l'Homme  
Palais des Nations

1211 Genève 10

**INFORMATION NOTE IN REPLY TO THE COMMUNICATION SENT BY THE  
UNITED NATIONS SPECIAL RAPPORTEURS ON THE CITY OF HASANKEYF  
AND ILISU DAM PROJECT DATED 23 NOVEMBER 2018**

The Southeastern Anatolia Project (GAP) is a regional sustainable development project aiming at bringing prosperity and economic development to the region. GAP is carried out within the framework of sustainable human development. In this sense, it targets creating opportunities for the residents of the region to enable them to materialize their economic potential and preferences fully. Furthermore, critical infrastructure, such as airports and highways, is being constructed to support the development of the region. GAP will provide employment to an estimated 3.5 million people directly.

The Project which was initiated in 1976 as a large-scale and multi sectoral regional development project in Turkey, is one of the biggest of its kind in the world. It is a combination of 13 major projects, primarily for hydropower generation and irrigation, planned by the Turkish State Hydraulic Works (DSI).

As an integrated development project, in addition to hydropower and irrigation schemes, it covers all the related social and economic sectors including industry, transportation, mining, telecommunications, health, education, tourism and social infrastructure, making it a top priority among national projects.

The Ilisu Dam and Hydroelectric Power Plant Project (the Ilisu Project) are key parts of GAP, designed to improve the least developed region of Turkey.

DSI initiated the Ilisu Project within the context of work on the development of water and land resources in 1954.

Although there were other alternatives which were advantageous in the topography, the best alternative was the current dam axis regarding geotechnical features such as impermeability and foundation conditions.

As part of this Project, Environmental Impact Assessment Report had been prepared between 1999-2001 and has been updated by Hydro Concepts Engineering (HCE) firm in accordance with the Turkish legislation, World Bank and International Finance Corporation (IFC) criteria and it has been approved by the DSI. The report was published on the Ilisu web site.

The following reports and plans within the framework of the Project were laid out in compliance with "International Standards" in 2005.

- Environmental Impact Analysis Report
- Resettlement Action Plan

- Cultural Heritage Action Plan

The Ilisu Project was included the investment program of Turkey and it was financed by internal funding from national banks (Halkbank, Akbank and Garanti Bank).

The studies within the context of the Ilisu Project have been accomplished thanks to the following procedures;

- Prime Ministerial Circular No. 2012/10 on 04.04.2012,
- National and International Experts'/consultants' opinion and suggestions,
- Opinions and assessments of the Science Committee formed to conduct the activities of environment, resettlement, and cultural heritage together with the construction works of the Ilisu Project.

**Expropriation issues:**

The official number of the areas that are affected from the Ilisu dam are 1 district (Hasankeyf), 27 villages and 42 hamlets with their fields and settlements and the agricultural lands of 81 villages.

Expropriation and settlement studies started in 2008, were carried out according to the Resettlement Action Plan (RAP) prepared in conformity with the international standards. The citizens affected from the Project were informed several times and they were ensured to participate in the Project via organized meetings and brochures, and all their wishes, demands and suggestions were taken into consideration.

For the primarily affected villages, the alternative areas were determined in the RAP according to the suggestions of the inhabitants before expropriation. In this context, resettlement committees for villages were established and also a mechanism was formed for evaluating and monitoring the complaints. Accordingly, information offices were set up in Dargeçit district center and in the other regions of the Project.

The people not having title deeds are also entitled to compensation. In this framework, the ones having house, cattle-shed and related outbuildings on the deedless fields have also been compensated for the relief. The expropriation compensation has directly been granted to the title holders.

Within the scope of harmonization process with the EU Acquis, radical amendments were made in the Expropriation Law. These amendments adopt owner-oriented approach in expropriation works and processes.

The houses, both in Ilisu village and in the new Hasankeyf district, with the 6 types of building projects have been designed taking into consideration of the affected families' opinions. In accordance with the demands of the inhabitants, these projects were revised. Moreover, the satisfaction of the inhabitants regarding the construction works is being observed by the periodical meetings and field studies.

The expropriation plans are prepared and the owners and possessors of the potential expropriated immovables are determined according to the Article 7 of Law No 2942 and within the Article 1. The estimated price of the immovable possession is determined by using scientific and objective data.

The affected inhabitants with suitable economic conditions may keep their expropriation compensation and settle by their means. These inhabitants, if they desire, may also take advantage of the programs for improving their income in their new settlement area.

In the affected villages, regular meetings were organized for the settlement procedure. The citizens had the opportunity to focus on group discussions and to meet with the local authorities. In line with the demands of local and representatives of villages, the inhabitants participated in the decision-making processes. The projects of settlement areas were completely prepared according to the demands of the affected inhabitants. In addition, the infrastructural facilities, such as roads, water and the sewerage, and public buildings, places of worship, schools, health facilities, educational institutions and parks, have been constructed by the financial support of DSI.

### **Conservation Works of Cultural Assets and Archeological Heritage**

History will be revived with the Ilisu Dam and in Hasankeyf and a wonderful heritage will be transmitted from the past to the future. Hasankeyf's rich historical structure and monumental architectural feature will pave the way for a Museum – City characteristics. The new Hasankeyf will become a center of attraction for culture and tourism. Hasankeyf Upper City will not be flooded and will be preserved as the Upper City Archaeological Park and Open-Air Museum.

Hasankeyf District relocated in accordance with resettlement application projects. The cultural assets in the Tigris Basin will be exhibited in the Cultural Park and museum area within the scope of the project.

The cultural heritage that will remain partially under the Ilisu Dam Lake needs to be protected and transferred for the future generations. The cultural assets located in the lower part of Hasankeyf City, such as the El Rızk Mosque, the Koç Mosque, the Sultan Süleyman Mosque, the Kızlar Mosque, the Küçük Mosque, the Zeynel Bey Tomb, the Imam Abdullah Zawiyah, the Artuklu Bridge will be affected by the Ilisu Dam Lake. Most of these assets were relocated to Hasankeyf Cultural Park Area, close to their previous location. Hasankeyf Cultural Park is developed as a new archaeological park concept to become a major tourist attraction venue.

The historical and cultural assets in the Lower City affected by the dam lake are either preserved in their place or relocated. For instance, 540 years old the Zeynel Bey Tomb as the most ancient monument of the world is relocated as a whole. During the relocation process, approximately 1100 tons of historical structure was moved to its new location without any damage.

The Artuklu Bathhouse, which weighs approximately 1500 tons, was also transported to its new destination by August 2018. The relocation of the Imam Abdullah Zawiyah, which is in the

Ilisu Dam lake area, is carried out in three parts (Imam Abdullah Tomb, Minaret and Outbuilding Department).

### **Biological Diversity Conservation Works:**

The conduct of species inventory was completed in mid-2009 in the Ilisu Dam reservoir area. The study aimed at identifying species, evaluating the impacts of the project on the biological environment and developing measures in mitigating these impacts.

A research was carried out for mammals, fish species, bats and birds as well as the transportation and re-planting of rare and endangered plants within the scope of the Conservation of biological diversity of Ilisu Dam area study.

The Project of the "Implementation and Monitoring regarding Biological Diversity Conservation Measures of the Ilisu Dam" was tendered by DSI and its contract was signed.

The continuing facilities in this framework;

1. Vegetation, which was planted within the scope of above-mentioned Project, will be monitored and replanting procedures will be carried out for the non-germinated ones.
2. Reproduction nests will be formed for the falco naumanni species, which is determined as endangered species.
3. Since a large part of the feeding area of "hieraaetus fasciatus" will be submerged, a suitable 1 hectare area will be fenced for their feeding activities.
4. A feeding platform will be prepared for the "neophron percnopterus" species.
5. Through examining nearby caves, precautionary measures for bats will be implemented.
6. To provide continuity of migration for fish species and "trionyx euphraticus", towards upstream part of the Dicle River from the Dam's derivation tunnel, capture-transport-release method will be implemented.

### **Conclusion**

In light of the explanations above, it is believed that the allegations communicated to the Special Rapporteurs on the issue of the city of Hasankeyf and Ilisu Dam Project are unfounded and misleading. Furthermore, some of the allegations do not depend on up-to-date information, especially adequate housing facilities. Other claims regarding PKK and minority groups are factually wrong as expressed below;

- The PKK, which was mentioned as "Kurdistan Workers' Party" in the second page of the Joint Communication, is a terrorist organization. The PKK is listed as such internationally by numerous countries, including the United Kingdom, the United States, Canada, Australia and New Zealand. European Union designated PKK as a terrorist organization in 2004. The North Atlantic Treaty Organization (NATO) also refers to PKK as a terrorist entity. We regret that a reference is made to "Kurdistan Workers' Party" in the Joint Communication without mentioning it as a terrorist organization.

- On the other hand, according to the Turkish Constitutional system, “minorities” encompass only groups of persons defined and recognized as such on the basis of multilateral and bilateral instruments to which Turkey is a party. In this framework, according to the Lausanne Peace Treaty of 1923, there is only non-Muslim minorities in Turkey.

Furthermore, all Turkish citizens are equal before the law regardless of their ethnicity or origin and enjoy their fundamental rights and freedoms without discrimination on any ground.