

Diyarbakır, Mardin, and Şırnak Field Observation and Documentation and Report:

1. Introduction:

Despite the atrocities in the 20th century, the 21st century is more promising for non-Muslims in Turkey. For instance, then prime minister Recep Tayyip Erdoğan issued a circular that calls public institutions to be more careful in protecting minority rights.¹ Assyrians² are among those minorities whose rights supposedly were granted under the AK Party rule. After more than 90 years of being excluded from the Lausanne Treaty, Assyrians could open a primary school for the first time, which was assumed as recognition of Assyrians as a minority regarding the Treaty.

Regardless of the seemingly redress in minority rights of Assyrians, their intangible and tangible culture is still facing eradication due to the political disturbance in the southeast region of Turkey. The Mor Gabriel Monastery case in 2008, the forced disappearance and the death of a Chaldean couple, Hurmuz and Şimoni Diril, in Şırnak in 2020,³ and the inquisition and incarceration of Priest Aho Bilecen in 2020 are a few examples that remind of the dark past that Assyrian people faced throughout 20th century. However, among these problems, the most standing out issue is the violation of property rights, which endangers the Assyrians' right to enjoy their rights.

¹ “Erdoğan’dan Azınlıklar Genelgesi [*Minorities’ Circular From Erdoğan*],” *Vatan Gazetesi*, May 13, 2010. <https://www.gazetevatan.com/gundem/erdogandan-azinliklar-genelgesi-305370>.

² Naming is a matter of a debate among Assyrian/Syriac people regarding whether their definition of identity is based on ethnicity (Assyrian or Aramean) or religion (Syriac). I opt the name Assyrian to point out the historicity of Assyrians that is dating back before the Christ, and therefore, Christianity.

³ I include Chaldean people in the study as well. As Assyrians and Chaldeans, also Nestorians, share same language, Syriac, and common history. The difference is stemming from the religious conflict on Christ’s nature. Chaldeans and Nestorians established their own church after the Council of Chalcedon (451 A.D). After the council, Chaldeans and Nestorians stated that Christ’s nature is Dyophysite, meaning that Jesus Christ had both divine and human nature, while Monophysites, such as Assyrians/Syriacs, consider Jesus Christ’s nature as one and only that is divine. Mehmet Şimşek, *Keldaniler ve Diyarbakır* (İstanbul: Kent Işıkları, 2018), 18.



One of the most known issues of Assyrians' property rights problems is the Mor Gabriel Monastery case. The Mor Gabriel Monastery is one of the world's oldest Assyrian/Syriac monasteries. The monastery was sued by the three neighboring villages and the Turkish Forestry Ministry, and the Land Registry Cadaster Office for allegedly "occupying" the land. After the democratization package, the government gave back less than half of the land plots.⁴ The monastery took the case to the European Court of Human Rights, which is still pending.⁵ The Mor Gabriel Monastery case echoed in the diaspora and international arena; nevertheless, the other marginalized cases are not discussed in media, which will be revealed in this research.

This ethnographic research aims to show the historical continuity of purging Assyrians from the provinces of Diyarbakır, Mardin, and Şırnak with ambivalent policies of the Turkish government. The prevalence of expropriation of lands of Assyrians, imperiling language learning, religious practice, and economic growth aggravates the fear coming from past traumas. Therefore, regardless of the supposedly ameliorated implementation of minority rights, there are still many steps to take urgently to protect the Assyrians' culture, which is on the verge of erosion. This report is a documentation of the situation of Assyrians in Diyarbakır, Mardin, and Şırnak and a quest for how the Turkish government and international organizations can take urgent action against the property loss of Assyrians/Syriacs.

⁴ According to the news, the government gave the 12 plots; nevertheless, 18 plots that is equivalent to 320,000 square meters are still remained. Damaris Kamarida, "Turkey returns less than half of monastery land it seized," *WorldWatch Monitor*, March 13, 2014. <https://bit.ly/3B05CTB>.

⁵ Avrupa Parlamentosuna, Konseye, Avrupa Ekonomik Ve Sosyal Komitesine Ve Bölgeler Komitesine Sunulan Komisyon Avrupa Komisyonu Bilgilendirmesi: AB Genişleme Politikasına İlişkin 2021 Bilgilendirmesi, Avrupa Komisyonu: 38. https://www.ab.gov.tr/siteimages/birimler/kpb/2021_turkiye_raporu_tr.pdf.



2. Methodology:

The historical and geographical context tell that the issue of property problems of Assyrians cannot be delineated by focusing on only Assyrians.⁶ The position of the actors, the Assyrian local people, Assyrian church leaders, local Kurdish people, families (tribes), aghas and Kurdish intelligentsia, and the Turkish government's role render every issue in southeast Turkey political and complex. Although I am well aware of the sensitivity of the problems touching another sensitive minority, the Kurdish people, who are having their struggles to keep/gain their rights, I could not singularize and limit the property issues with Assyrians. Therefore, I conducted interviews with Assyrians in Diyarbakır, Mardin, and Şırnak, as well as some people of Kurdish intelligentsia in Diyarbakır.

I opt for conducting my field research in Diyarbakır, Mardin, and Şırnak, where southeastern Assyrians live and have problems with property rights. Unfortunately, the Assyrian population in Diyarbakır and Şırnak is less than Mardin's, and despite the different city names, churches and people in these two cities are highly connected to Mardin. Therefore, more participants in Mardin accepted to participate in the interview.

The journey began to Diyarbakır early on August 22, 2022, and I stayed there for four days. I researched the Sur district, where Assyrians live and where most of the offices I stopped by are located. Before getting dark, I headed to Mardin on August 25th. I went to the Nusaybin district, where Mor Yakup Monastery, Mor Evgin Monastery, and Mor Yakup d'Qarno Monastery are located. I visited Mardin (center), where Deyrulzafaran Monastery resides, and Midyat district, where Derqube and Ayn Wardo villages are located. I went to Midin village in Azakh (İdil) district, situated in Şırnak. My field research ended on August 31, 2022. Unlike metropolises, like Istanbul,

⁶ The history of political and demographic information will be given on the next section.



the neighborhoods and towns in the southeast were far away from each other. Therefore, it took time to move across the villages, which gave the impression that those villages were far away from the rest of the country, thus, creating a feeling of being alone and of being on the periphery or on the margin where feeling secure is difficult.

The interviews were semi-structured. Two questionnaires were used to lead the conversations: one for Assyrians and the other for Kurdish intelligentsia in Diyarbakır. I used snowball and purposive sampling techniques to find participants who can trust enough to express themselves without feeling threatened.⁷ The anonymity of the participants was the first and foremost ethical principle that was guaranteed to the participants.⁸ The interviews were conducted with seventeen people. Eight people from Diyarbakır, four of which were Kurdish researchers, writers, directors, and professors. The Assyrian participants were mainly local shopkeepers and people serving the Meryem Ana (Virgin Mary) Church. In Mardin, nine people participated, including shopkeepers, priests, and farmers. 2 local people from Idil, Şırnak, volunteered for the interview.

3. Historical Background: Assyrians/Syriacs and the Provinces of Diyarbakır, Mardin, and Şırnak:

Assyrians/Syriacs are indigenous people living in Mesopotamia since the ancient time of the region.⁹ They adopted Christianity and became staunch believers. Their language, Syriac, is Aramean's Edessa (*Urfa*) dialect. Unfortunately, very few portions of the Assyrian population live in the region. They are dispersed all around the world, including Sweden, Belgium, Brazil, and

⁷ H. Russell Bernard, *Research Methods in Anthropology: Qualitative and Quantitative Approaches* (London: Rowman & Littlefield, 2018): 147-153.

⁸ Therefore, the names of participants will not be stated in this report. The documents presented in the annex are given with the consent of the participants.

⁹ Ron Kelley (editor), *Iranages: Iranians in Los Angeles* (Los Angeles: The University of California, Berkeley, 1993), 133.



Argentina.¹⁰ In Turkey, there are around 20.000 Assyrians, approximately 3.000 of which live in the Tur Abdin¹¹ region and very few in Diyarbakır and Şırnak.

The demographic structure of Diyarbakır in the 19th century shows that the city's population in 1857 was approximately 50,000, most of which were Kurdish and Turkish people. While 1,400 families¹² were Christians, 400 of which were Assyrians, including Chaldeans.¹³ Christian communities in Diyarbakır were aggregated in the same neighborhoods. In addition to their maternal languages, they mostly spoke Armenian and Kurdish, and town notables spoke Turkish.

Furthermore, in the 19th century of Mardin, the estimated population was 20,000, and more than half of the population consisted of Muslims. Because different sources indicate different numbers, it is hard to give an exact number of the people; however, based on some local priests and the Dominican Fathers' notes, the estimated number of Assyrians was between 30,000 to 40,000.¹⁴ Back in those times, Kurdish and Arabic were predominant languages in Mardin.¹⁵

¹⁰ Gabriel Rabo, “Batı Diasporasında Süryaniler ve Süryani Kilisesi [Assyrians and Syriac Church in the West Diaspora],” *Mukkadime*, no.7 (2013), 111.

¹¹ Tur Abdin means the mountains of the servants. It is located eastern part of Mardin, on the eastern and northern side it contains Tigris river and on the southern it has Syria plains.

¹² Both in the sources and my interviews with participants the numbers of the population are given based on families or homes, *hane* in Turkish.

¹³ Sebastien de Courtois, *The Forgotten Genocide: Eastern Christians, The Last Arameans* (Piscataway: Georgia Press, 2004), 64.

¹⁴ *Ibid.*, 70-79. These are the estimated numbers. The author states that finding exact numbers is difficult as the difference between various sources implies the different methodology for counting, some of which might have been biased for political reasons by either exaggerating or understating the sizes of a community.

¹⁵ *Ibid.*, 68.



Before the Genocides,¹⁶ there were almost 1000 Assyrian people in Azakh (İdil), a province of Şırnak.¹⁷ Other villages, such as Beytüşşebap, and Kovankaya, where Assyrians, including Chaldeans, lived. Arabic and Syriac were predominant languages among Assyrians in the region.

3.1 Decline in Population:

The constant decrease in the number of Assyrian people in Turkey is related to the atrocities that took place during the 20th century. Although the 1915 Genocides targeted mainly Armenians, all Christians in the region were killed or deported. Many Assyrian villages defended themselves, such as Ayn Wardo (*Gülgöze*) and Azakh (*İdil*).¹⁸ Nevertheless, half of the population was decimated due to the massacres.

Besides the 1915 Genocides, many incidents kept forcing Assyrians to leave their hometowns. The oppression and fear caused by Turkifying the last names and the village names¹⁹ and not being acknowledged as a minority by being deprived of minority rights based on the Lausanne Treaty²⁰

¹⁶ As known as *Seyfo* in Syriac or Armenian Genocide in general. As the evidences show that the genocide was not limited with Armenians and systematic purges against other Christians were held on purpose, I would like to name it as 1915 Genocides. For further information on how other Christians were massacred in 1915 see: Sebastian de Courtois, *The Forgotten Genocide: Eastern Christians, The Last Arameans* (Piscataway: Gorgias Press, 2004) and David Gaunt, *Massacres, Resistance, Protectors: Muslim-Christian Relations in Eastern Anatolia During World War I* (Piscataway: Gorgias Press, 2006).

¹⁷ David Gaunt, *Massacres, Resistance, Protectors: Muslim-Christian Relations in Eastern Anatolia During World War I* (Piscataway: Gorgias Press, 2006): 383.

¹⁸ Gaunt, *Massacres, Resistance, Protectors* (2006).

¹⁹ Jan Bet-Sawoce and Abdulmesih BarAbraham, “Cumhuriyet tarihi boyunca Doğu ve Batı Asurlara Karşı Baskı, Zulüm, Asimile, Kovulma [Repression, Discrimination, Assimilation, and Displacement of East and West Assyrians in the Turkish Republic],” in *Resmi Tarih Tartış-maları 8: Türkiye’de Azınlıklar*, ed. Fikret Başkaya and Sait Çetinoğlu (Ankara: Özgür Üniversite Kitaplığı, 2009), 221

²⁰ Although the Lausanne Treaty (1923) offers protection to all minorities in Turkey, all Turkish governments arbitrarily approached the Treaty by considering only Armenian Orthodox Christians, Greek Orthodox Christians, and Jews as the non-Muslim minorities whose rights can be protected. As a result of this narrow definition, other non-Muslim minorities like Assyrians cannot benefit from the rights as the recognized minorities. For this reason, Assyrians are deprived of human and financial resources, property rights, and language rights, and they are also excluded from bureaucratic and political processes. Soner Önder, “Minority rights in Turkey, Quo Vadis, Assyrians?” in *The Slow Disappearance of the Syriacs from Turkey and of the Grounds of the Mor Gabriel Monastery* (Berlin: LIT Verlag, 2012): 99-121.



are just a few of the many reasons for the Assyrians' migration to other countries. Those who stayed could not enjoy their minority rights and live without fear. They could not establish their schools and churches and, thereby, had difficulties preserving their language and culture.

Another reason for the Assyrians' migration is that in the 1960s, some Kurdish tribes from eastern regions migrated to the southeast, which caused a feud between these tribes and Assyrian farmers.²¹ The conflict between the groups was never solved based on law but the tribal rules (*aşiret kuralları*), which often did not protect Christian farmers in the region. In 1964, the Cyprus crisis fed the Turkish nationalist sentiments resulting in hatred against Christians. In the 1980s, Assyrians were caught in between due to the conflict between the Kurdish militia and the Turkish government. The village guards (*korucular*), armed villagers mostly in collaboration with the government, were hostile to the Assyrians. As a result of these conflicts, Assyrians had to evacuate their villages either because they felt in danger or because the Turkish military commanded them.²² In the 1980s and 1990s, around 50 Assyrians were forced to disappear, which triggered the waves of migration.²³ As a result of migrations, properties that were left behind became a problem when Assyrians wanted to return to their homes.

4. The Field Research:

4.1 Diyarbakır:

²¹ As stated earlier, there are many actors in the region and despite the Assyrian participants' narration, not every Kurdish people or fraction is the same. Kurdish families have close relationships with Assyrians, some do not, and some families/tribes are aligned with the government. Hence, it should be in mind that the Kurdish people in the study are not a homogenous group. I realized that Assyrians tended to totalize Kurdish or Muslim people, which reveals their defensive reflex against the oppression of their difference that they have been exposed to, such as being Christian or speaking another language.

²² Susan Güsten, "Turabdin'deki Süryani Taşınmazları Sorunu [The Syriac Property Issue in Tur Abdin]," *İstanbul Politikalar Merkezi* (June 2015): 3.

²³ In addition to forced disappearances, abductions took place as well. For instance, in 1994, a priest, Melke Tok, was abducted by Hezbollah and buried alive. Although he managed to survive, people refused to live under the shadow of a possible threat and left their towns.



Unlike Mardin and Azakh, Şırnak, Assyrians of Diyarbakır sold their properties before they left. Therefore, Assyrians in Istanbul and the diaspora's connection to Diyarbakır have almost gone. Only 20-25 Assyrians are living in Diyarbakır. Thus, the problems of property rights of Assyrians are rare. At first, the seldom property issues appeared minor and not a worth-investigating issue. However, the interviews revealed significant insights on this matter. The decreased number of owned properties and the deafening silence about the reason for it were indications of a bigger and more complex issue that included not only Assyrians but Kurdish people living in the region and the Turkish government.

Until recent years, Diyarbakır has been overwhelmed by the conflict between the Turkish state and the Kurdish militia. During the field visits, the trauma caused by ongoing everyday violence and more recent attacks, such as *Suriçi Olayları* (Diyarbakır) and *Hendek Olayları* (Diyarbakır and Mardin), traumatized people in the region. One of the participants, who defines himself as Kurdish, told me how he heard the bombs while conversing with his colleagues. A couple of weeks later, he lost one of his best friends during the conflicts. The conversation revealed that loss and death were part of everyday life for people in Diyarbakır. His statements resonate with the Assyrian people as well.

One of the Assyrian participants living nearby Meryem Ana (Virgin Mary) Church told me that while he was working at a restaurant where live music and entertainment were held, he heard bombs and warplanes flying over. While he was describing the absurdity of life in Diyarbakır, where the bombs exploded and on the other side, entertainment went on; entertainment, especially live music, as a strategy to cope or suppress the stress caused by the conflict revealed itself. These dire circumstances affected the research so that Assyrian participants could not be comfortable talking about property rights and even the reasons for the drastic decrease in the Assyrian



population. Compared to participants in Mardin and Şırnak, Assyrians in Diyarbakır were afraid to participate in the interviews. One participant said that a man was stabbed because he spoke about how non-Muslim minorities were under pressure due to their dissension with local Kurdish residents and the conflicts between the Kurdish militia and the Turkish government. Under these oppressive conditions, Assyrians were highly reluctant to express themselves.

After a couple of visits to Meryem Ana (Virgin Mary) Church and some shops to familiarize myself, some Assyrian participants felt secure enough to talk about their property problems. One participant told me he has a property inherited from great grandparents. In the early 1900s, there were no proper land registries, but the properties' descriptions were based on the properties' surroundings at those times.²⁴ After 1915, the participant's family returned to Turkey and could not obtain their properties because they could not find the land's exact border indicated in the register regarding the change in the village's surroundings over time.

Another property issue that I came across in Diyarbakır is about people who rent the condos and stores that are owned by Assyrians. There are three stores and condos that have been given rent to the local people. Nevertheless, the owners complain about renters not paying their rent. Based on the participants' accounts, the renters who have been renting there for more than ten years stopped paying the rent last five years. According to the participants, the renters claim the properties. Based on these remarks, the reason fueling segregation between local Kurdish and Assyrian people is purely economic.

4.2 Mardin and Azakh (İdil), Şırnak:

²⁴ For instance, according to the participant, the borders were described as “one pole to one well” or with Turkish yard or ell, called *arşın*. Briefly, the borders of the properties were primarily described based on the surroundings at those times.



The problems in the villages of Mardin and Şırnak's Azakh district are different from Diyarbakır. Most people who migrated did not sell their properties and had land registries. However, based on the participants' accounts, they are deprived of their rights. For instance, one of the villages in Midyat, called Derqube, used to be a small Assyrian village where more than 100 families lived. Now there are 20 people (only two families) left there. One of the participants told me the complexity of the issue in his words:

Unfortunately, in all of the villages, we have the same problems. In 1911, we had our land deed; however, back then, there were no terms like a parcel, etc., certain borders were defined and divided on the share, and local authority (*muhtar*)²⁵ used to affirm the borders and shares with his signature. After the Genocide, the village was evacuated, and Kurdish people living in the city center started to settle in the town. A couple of decades later, when the diaspora wanted to return, they had to struggle either by force or by appealing to the state. Haco Agha, who had a friendly relationship with Assyrians, evacuated the village, but the rest of the Kurdish people had to be moved by the force of the state. The neighboring villages (where Kurdish people lived) told that after the Assyrians left, they cultivated the soil, and they said we are only two families; these lands are too big for two families. When the cadaster mission began in 2005-2006, we showed the boundaries (*hudut*) to the officials to prove that the land is ours. The officials told us they would do as they (Kurdish people in the region) said, and we could appeal to the court later if we wanted. This is proof of state policy. Now, 99% of the land is registered in the name of the Ministry of Forestry. You can see that they cut all of the trees. The government put

²⁵ The information in the brackets belongs to the researcher.



the land out to tender, and someone bought the land. They cut all the trees.²⁶ All of our fig and almond trees are registered in the name of the Treasury and Forestry. All we want is justice.

The Ayn Wardo village faces the same problem. One of the participants told me that until the 90s, there were 250 families at Ayn Wardo village, and now, there are seven families. One participant told me his father was warned by the JITEM (Gendarmerie Intelligence and Counter-Terrorism Organization). The officials said either they had to leave or they would be killed. His father did not leave, and one day, he was arrested, taken under custody, and tortured with electrocution and asphyxiation. Ten days later, he was released. According to the participant, most Assyrian people had to leave after all these atrocities. The participant explained that everyone was concerned about their lives, not their properties. Based on the participant's narrative, when the government officials came for the cadaster in 2002, the Kurdish village guards (*korucular*) did not want the land registry cadaster because the land deeds belonged to Assyrians. The guards (*korucular*) used the land for 20-30 years. Therefore, they claim the land is their right. The neighboring villages sued the Ayn Wardo residents, and the residents won most of the cases. However, there are still lands registered in the name of the Treasury and Ministry of Forestry. Based on his account, the government's expropriated the lands because no one could cultivate the soil.

Another tragic case is Mor Evgin Monastery. Two priests are living at the monastery. The monastery is at the top of the hills, where you can see the rest of the plain. On the plateau, there is a long path dividing the area into two. One of the priests accounted that in 1973, one side of

²⁶ Although the participant blames the person who bought the land from the government, he includes the government in his sentences.



the land was given to Assyrians, and the other was given to an agha. However, according to the priest, the agha transgressed the borders in time, and the feud between the priests and agha caused the government's declaration of the land as a forbidden zone. In 2002, the government rescinded the order. People in the Marine village, neighbors of the monastery, also wanted the land. Therefore, the villagers threatened the agha, and now the monastery and the villagers are in contention. According to one of the priests, after 2006, with the cadaster's work, the land was given to the villagers. The monastery suffers from drought and a lack of water in wells. Hence, they decided to drill to look for underground water. After drilling, which resulted in disappointment, around 15 villagers came to the monastery and threatened the priests, saying that as they were the land owners, the monastery could not drill. The two priests did not accept the villagers' claim on the land, and the contention ended in a fight.

The same problems resonate in Azakh (İdil), Şırnak. In Azakh, approximately forty families are living. One of the participants narrated the dark past of the region. Hezbollah's terror, the conflict between the government and Kurdish militia, the forced disappearances, and various techniques to frighten Assyrians to leave. When I asked the participants about appealing to the court, he said:

After the cadaster registries, people could have appealed in ten years; however, people in the diaspora who have deeds are old and do not know how to read and write. How do you expect them to understand the law? They did not realize they had ten years. They forced us to leave. We are left with nothing. Either we had to escape or die. They took me to prison, they plotted against me, and in commerce and spiritually, we are blocked. They cut our economic development; fig trees were our mainstay, our culture... they cut our bond to our culture.



When I visited the Deyrulzafaran Monastery, which faces similar property problems, I saw thousands of almonds in its yard. After socializing with the young people in the monastery, I understood that along with grapes and olives, almonds and grains are essential to sustain the community. However, the lands are not just crucial for food or economic reasons but culture. One of the youngsters residing at the monastery pointed out the importance of the monasteries.

Even Assyrians in Mardin's center do not speak Syriac. Besides some villages in Midyat, people do not know Syriac. I learned the Classic Syriac here (monastery). Our language is about to go extinct. I do not know what will happen in the future. We have many remnants of churches, but they are empty because there are not enough people, and priests do not conduct ceremonies. It is just a shame. If people were not afraid to come and live here, we could be more in numbers, and our culture could have multiplied.²⁷

5. Results:

The most common impacts of property rights problems are feeling under threat, cultural erosion, and financial difficulties. One of the participants told me that Christians and Assyrians might no longer live in these areas (Diyarbakır); however, with the churches and other buildings, they keep existing in our (Diyarbakır people's) memories. The statement intimates that culture is composed of tangible and intangible features. Buildings, nature, religious practice, language, and many other features conjure the Assyrian culture. Properties, lands, and nature are intertwined with Assyrian culture and, therefore, intertwined with Assyrians' presence in southeast Turkey.

As the participant in Azakh stated, Assyrians' access to their culture is hindered. For instance, one of the significant problems was language learning. As villages were evacuated,

²⁷ The participant meant thrived.



there were few priests, and therefore, few active churches and monasteries remained. As language is learned in churches and monasteries, language is one of the intangible cultures facing effacement. Therefore, to keep not just the memories; but the barely existing culture of Assyrians, there are several steps to take and resolve the property rights issue.

Based on the United Nations Human Declaration Article 17,²⁸ it can be clearly stated that Assyrians cannot enjoy their property rights, which impacts the rights to enjoy article 27 in ICCPR²⁹ and article 5 in CERD.³⁰ As all of these are pertinent to the state policies and are germane to the displacement problems, I would call the NGOs and the government's attention to the Pinheiro principles.³¹ As in the principles section 5, clause 10.1 says that all displaced people hold the right to return to their homes and lands.³² Pinheiro principles could be an efficient itinerary for these complex situations. The government can offer a bill to the extent of the time for appealing to the courts for people in the diaspora.

As the monetary compensation could sever the bonds of both Assyrian and local Kurdish people, distributing the land equally and rightfully can be another proper solution. For

²⁸ 1. Everyone has the right to own property alone as well as in association with others. 2. No one shall be arbitrarily deprived of his property.

²⁹ In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.

³⁰ In compliance with the fundamental obligations laid down in article 2 of this Convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights: (v) The right to own property alone as well as in association with others; (vii) The right to freedom of thought, conscience and religion,

³¹ The principles can be found at <https://www.unhcr.org/protection/idps/50f94d849/principles-housing-property-restitution-refugees-displaced-persons-pinheiro.html>.

³² 10.1 All refugees and displaced persons have the right to return voluntarily to their former homes, lands or places of habitual residence, in safety and dignity. Voluntary return in safety and dignity must be based on a free, informed, individual choice. Refugees and displaced persons should be provided with complete, objective, up-to-date, and accurate information, including on physical, material and legal safety issues in countries or places of origin.



example, the lands that Assyrians legally and rightfully own should be given back from neighboring Kurdish villages, and villagers should be given an adequate amount of land from the Treasury so that the lands could be cultivated, and local Kurdish people could economically be secured as well.

As for the NGOs, they should be actively working in the southeast region. As the region has its own rules and dynamics, NGOs could be intermediary agents enabling healthy dialog between these sensitive groups. As the issues are complex and political concerning the conflict between the government and the Kurdish militia, NGOs could notify the government and other international organizations about the conflicts in the region and contribute to sustaining peace.



Annex:

List of Participants:

| Diyarbakır | | |
|---------------|---------|------------|
| Person: | Status: | Details |
| Participant 1 | Done | 24.08.2022 |
| Participant 2 | Done | 22.08.2022 |
| Participant 3 | Done | 23.08.2022 |
| Participant 4 | Done | 23.08.2022 |
| Participant 5 | Done | 24.08.2022 |
| Participant 6 | Done | 22.08.2022 |
| Participant 7 | Done | 22.08.2022 |
| Participant 8 | Done | 24.08.2022 |

| Mardin and Şırnak | | |
|-------------------|--------|--------------------------|
| Person | Status | Details |
| Participant 1 | Done | Deyrulzafaran 30.08.2022 |
| Participant 2 | Done | Derqube 27.08.2022 |
| Participant 3 | Done | AynWardo 27.08.2022 |
| Participant 4 | Done | Midin/Şırnak 29.08.2022 |
| Participant 5 | Done | İdil/Şırnak 29.08.2022 |
| Participant 6 | Done | Midyat 28.08.2022 |
| Participant 7 | Done | Mor Yakup 26.08.2022 |
| Participant 8 | Done | Mor Evgin 26.08. 2022 |
| Partciipant 9 | Done | Deyrulzafaran 30.08.2022 |



Photos:



Diyarbakır, the door of Meryem Ana (Virgin Mary) Church. The participants explained that they had to have this door for their safety.





Derqube village. A church that is not active.



Derqube. The arid plain where the trees were cut.





Mor Evgin Monastery, the horizontal path defining the borders.



T. C.
NUSAYBIN İYİ HAYAT KAMU İDARESİ

Karar No: 3
Karar Tarihi: 8-3-1973

K A R A R

DAVACI : Hanun Demir, Süleyman Uçar, Ferhan Örs, Nusaybin Girmeli köyünde mukim olup DERMAROGI KİLİSESİ Vakıflar yönetim kurulu

DAVALI : Nusaybin Eskihisar (Marin) köyünden Resmî Ufak, Hacı Reşit Aslan, Ahmet Dayan, Naif Uçar, Sekvan Akcan, Bahri Dağ, Halil Ak, Derviş Yetik, İzzettin Akcan, Emin Aslan Nusaybin Eskihisar köyünden

GAYRİ MENKULÜN MEVKİİ VE HÜDUDU : Nusaybin Girmeli Köyünde : **ŞERKEN**: Keşne ve Derharaptan inen dere, **GARREN**: Dermarogi manastırında inen dereye Behdika kuyusu, **ŞİMALEN**: Manastırın bulunduğu dağın eteği, **GENÜBEN**: Girke efram ve Fuğ tepesi ile çevrili tahminen 1500-2000 dönümlük susuz arazi

TECAVÜZ TARİHİ : 23-2-1973

TİLLA TARİHİ : 23-2-1973

KARARIN MUCİP SEBEBLERİ : Yukarıda mevki ve hududu yazılı gayrimenkul DERMAROGI KİLİSESİNİN silyet ve tasarrufunda iken Nusaybin Eskihisar (Marin) köyünden Resmî Ufak ve arkadaşlarının bu yere füsulen müdahalede buldukları yerinde diyalan şahit ve bilirkişi ifadeleri ile yerinde tahkikatı yürüten Tahkik Memurunun kanaatından anlaşılmıştır.

VERİLEN KARAR : Yukarıda mevki ve hududu yazılı Gayrimenkul DERMAROGI KİLİSESİNİN silyet ve tasarrufunda iken ve bu yeri Kilisenin yönetim kurulu tarafından sürmek istenildiğinden bu kere Nusaybin Eskihisar (Marin) köyünden Resmî Ufak, Hacı Reşit Aslan, Ahmet Dayan, Naif Uçar, Sekvan Akcan, Bahri Dağ, Halil Ak, Derviş Yetik, İzzettin Akcan, ve Emin Aslan'ın füsulen müdahalede bulduklarından ve bu yere olan tecavüzlerinin füsuli olduğu anlaşıldığından yukarıda adları yazılı Resmî Ufak ve arkadaşlarının bu yer üzerindeki vaki tecavüzlerinin MEN'İ ile gayrimenkul mahallen Dermarogi kilisesi yönetim kurulunu isafetten Müsteke Ferhan Örs, Süleyman Uçar ve Hanun Demir'e mahallen teslimine, takdire şayan bir hak iddia edenlerin ait olduğu mahkemeye baş vurmakta serbest bulduklarına, Kararın mahallen infazı için bir nüshasının Girmeli Bucak Müdürlüğüne tevdiğine 5917 sayılı kanun hükümleri gereğince karar verildi.

TUGEL TÜRKEN
NUSAYBIN İYİ HAYAT KAMU İDARESİ

Mor Evgin Monastery, a document form 1973 proving the complaint and the lawsuit of Mor Evgin Monastery against the Marin villagers.





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