

APPENDIX 3

Testimonies of people affected by BTC pipeline

The attached 9 statements were written by residents of Ardahan province who will be impacted by the BTC pipeline. They were translated by the Kurdish Human Rights Project.

The statements have been submitted to the Enlargement Directorate General of the European Commission, as part of a legal complaint by NGOs against the BTC pipeline and its project agreements. All were received in summer 2003, after the opening of the disclosure period of the IFC and EBRD.

As of 8th October 2003, there are 34 statements in total. The 25 not included here are yet to be translated into English.

9 Witness statements of Ardahan Villagers – anonymised

WITNESS STATEMENT

My name is I was born in in Ardahan I still reside in I am of Kurdish origin. The pipeline goes through the pastures of our village and through my land. I have never had any face to face meetings with the company who is going to build this pipeline. We went to the deed office with some other people from our village. I gave the deed for 2000m² of my land which is in total 7000m². The pipeline will go right through the middle of my land. Part of my land falls to the right side of the pipeline and part of it falls to the left. They paid me 507,000,000TL in return for my land which was expropriated. Once I handed my deed I received the payment through a bank account.

Since the pipeline will go through the middle of my land I will not be able to make use of the rest of it. Even if I do, its productivity will be less. The construction company has not met with me or my family to discuss these issues in detail. I did not receive any information concerning the risks or the damages involved. I do not know whether I will be receiving any compensation for the possible damages.

If I have to leave my village and cannot work on my fields, since I do not have any other qualifications that I can use in other settlement areas I will be going through hard times. I have lived in this village with my 10 children for years and earned a living by cultivating these lands and stockbreeding. The compensation I received after the expropriation of my land is so little that me and my children will be even poorer than we are now.

The compensation I received (507,000,000TL) is not even enough for the kitchen expenses of a family like mine with 10 children for 4-5 days in today's Turkey. We were not given any opportunities to ask for our rights. We were not given a chance to bargain with the construction company involved. The Turkish Government valued the m² of our lands for 800,000TL. They told us that we did not have any other rights to pursue.

Our essential rights to life and our rights to possess is violated.

WITNESS STATEMENT

My name is I was born in in Ardahan I reside in I am of Kurdish origin. The pipeline goes through my own land. In addition to that it goes through my customary land. The officials from Botas had a quick face to face meeting with me. We spoke Turkish during the meeting.

My land is 21,000m2. Only 100m2 of my land was expropriated. My customary land is 6000m2. I was not given any explanation or any information on my customary land because of the allegations that it belongs to the Treasure.

My family has been cultivating this land for generations, for 100 years. I earn a living by cultivating these lands. Now they are saying that I have no rights on these lands which I have been earning a living on for years. They told me that I will only receive the equivalent of the crops I have on these lands when the construction company starts building. I do not know whether this has any validity or not, for they did not come with any offers. They paid 803,000TL for the m2 of my land which was expropriated. This amount is definitely a lot less than the actual value of my land. With this amount you can buy 8 chewing gums in Turkey. I do not have any qualifications. I earn my living from agriculture and stockbreeding.

In addition to all these the pipeline goes through the pasture of our village as well. Therefore our only sources of living which is agriculture and stockbreeding is being tried to taken away from us. With the money I was given I have no chances of surviving in other settlement areas. Once the lands I live on are destroyed I will have to leave my village. I will be left in a difficult situation for I do not have any other qualifications.

Additionally during my meeting with the officials of Botas, I was told that even if I tried to apply to legal means, I would not be able to receive any results. For they told me that this was the value estimated by the Government and that we did not have any other rights to ask for any more than that.

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Signed

WITNESS STATEMENT

My name is I was born in Ardahan in I reside in Ardahan, I am of Kurdish origin. The pipeline goes through my own land and the pastures of my village.

I did not have any face to face meetings with the construction company which is going to build the pipeline. I found out that my land is also going to be expropriated from the list which was sent to our village mukhtar's office announcing the expropriated lands. My land is 30,000m². The pipeline goes through 150m² of my land. I got paid 335,000,000TL in return for the expropriated part of my land. I received this amount via T. C. Ziraat Bank, after I handed in the deeds of my land. First they wanted to pay me 118,000,000TL. I said I would never agree with that. Then they increased the amount up to 335,000,000TL. I refused to agree with this amount as well. However they told me that this amount was their last offer. They spoke to me in Turkish and because of that I was not able to make myself understood very much and I could not understand what they meant a lot of the time either. They told me that I could not apply to legal means and even if I had they told me that I would be the one who loses, then they took me out. I had to hand my deed in.

They did not mention any risks or damages that might occur in the town. Later on we found out that there were a lot of risks involved. We are worried about these risks and possible damages. For the authorised construction company did not warn us, especially the women.

Additionally the pipeline goes through the middle of my 30,000m² land and divides it into two halves. The rest are not expropriated and are left behind. Whereas my land is going to get damaged by the pipeline. It is going to be less productive and less functional.

I or any of the residents in the area do not receive any help from the Government. I do not have any other permanent job or qualifications. We carry on with our lives by cropping our lands in hard circumstances. We will be left in even harder circumstances if our lands are taken away from us.

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Signed

WITNESS STATEMENT

My name is I was born in Ardahan, in I still reside in Ardahan I am of Kurdish origin. The pipeline goes through the lands of my village and also through my customary land.

The construction company did not have a face to face meeting with me concerning the expropriation of the lands. I found out that my lands were going to be expropriated when I received the enclosed documents that they sent me. Apart from this notification there has been no face to face meetings neither with me nor any member of my family or relatives.

I filed a lawsuit with the T.R. Civil Court of First Instance with the petition I enclosed for your information. However I have not received a result so far.

I have not received an oral or a written offer for my land which is going to be expropriated. Every year I work on this land. When they are expropriated I will not be able to work on these lands. I do not have any permanent jobs. I do not have any qualifications. These lands are my only source of income.

Nearly all of my land, 1,076.97m² in total, has been expropriated for the construction of the pipeline. (775.86m² for temporary servitude rights, 301.11m² for the right of possession) The profit that is going to be gained by working on these lands in order to create/build temporary servitude from 775.86m² of these lands, is going to be my loss. In addition to that when the temporary servitude is removed, since there will be a pipeline going through some parts of my land, the remaining parts are going to lose their productivity which is also going to reduce the value of my land.

Within the area where they are going to build the pipeline, we also do stockbreeding which is also a source of income for us. Along the course of the pipeline the traffic is going to increase, there are going to be road construction, new resting premises for coaches/lorries are going to be built. All of these are going to cause pollution which is going to pollute our pastures where we breed our stock and our fields. This will make it impossible for us to carry on with agriculture and stockbreeding. Consequently our sources of living are going to be taken away from us and we are going to be forced to emigrate.

Our main rights are being tried to be taken away from us. While they are taking our main rights away they are not giving us any other opportunities to live, thus they are violating our human rights.

12.06.2003
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Signed

WITNESS STATEMENT

My name is I was born inin Ardahan. I still reside in Ardahan I am of Kurdish origin. The pipeline goes through my village and my own lands.

The construction company which is going to build the pipeline, made me sign the papers they put in front of me without having a detailed meeting about it. I do not speak Turkish as a mother tongue/native since my mother tongue is Kurdish. They spoke to me in Turkish therefore I did not understand quite a lot of the things they told me. While my lands were being expropriated, I was not given any detailed information about the project. I was not given the opportunity to bargain on the amount they offered either.

They paid me compensation which was a lot less than the actual value of my land which was expropriated. My land was expropriated for 700,000TL for m2. This means that I can buy two loaves of bread for the m2 of my land.

I have been earning my living on stockbreeding . I do not have any other jobs or qualifications. The pipeline also goes through the pastures of our village. Consequently I will not be able to breed my stock and will have to leave my village. Within the metropolis or other residential areas I will be left in a difficult situation. The amount they paid me (795,000,000TL) is not even enough for a months worth of food for my family in today's Turkey. Whereas I managed to survive up to this day by cultivating and planting various different kinds of crops and plants in my fields.

And now they are trying to take my main rights away from me by taking my lands over.

09.06.2003

Statement Record

My name is . I was born in , Ardahan in . I am currently resident . I am of Kurdish origin. The pipeline passes through my land, for which I have title deeds.

The pipeline passes right through the middle of my land (see attached documents), dividing it into three parts. They have taken a part measuring 227.72 square metres. I was paid one million lira per square metre, a total of 227,000,000 Turkish lira. This is not the true value of this land. Furthermore, since my land has been split the fertility of the other sections has fallen.

I was not consulted at all regarding this compulsory purchase. When they came to our village certain people were spoken to but as I'm a woman I was unable to attend the meeting.

I was making a living utilising this land in my village. My land has been divided, part of it compulsorily purchased and furthermore the remaining part has been occupied. I won't be able to utilise my land. If the true value of my land is not paid to me I shall be forced to leave my village and move elsewhere. Such a life would be very difficult as I have no profession and am an old woman.

25.08.2003

Statement Record

My name is . I was born in in . I am currently resident in . I am of Kurdish origin. The pipeline passes through my land, for which I have title deeds. The pipeline passes right through the middle of my land (see submitted documents), dividing it into three parts. They have taken a part measuring 147.24 square metres. This is not the true value of this land. My land has been split, reducing its fertility. I was paid one million lira per square metre. Subsequently, the land to the right and left of the compulsorily purchased land was occupied and taken away from me temporarily. In return for these occupied sections I was paid a very small amount of compensation. Furthermore, BOTAŞ has never talked to us face to face and given us detailed information. We are concerned as to whether there will be long term harm or if there are risks. I make a living by utilising my land and feeding a few animals. In the event of the true value of my land not being paid I will be forced to leave my village and will incur irreversible losses. As can be seen in the title deeds my land has been split into three parts. I only have a small piece left. It is not possible for me to survive on this.

25.08.2003

Statement Record

My name is . I was born in in . I am of Kurdish origin. I am currently resident in . The pipeline passes through the land belonging to my close relative , the title deeds for which I submit in the appendix. I maintain my life by utilising this land. Since my relative lives in Istanbul and I have no land of my own he left this land for my use.

The pipeline passes right through the middle of this land, dividing it into two. They compulsorily purchased a section of 463.53 square metres, paying a very low price of 900,000 lira per square metre. The yield from the land has fallen as a result of it being divided into two. They also occupied sections of my land to the right and left of the compulsorily purchased area. They paid me only 103,000 lira per square metre on account of this occupied land.

I maintain a living in my village by working this land and feeding a few animals. I secure the living of a family of nine. The land has been taken away from me. Consequently I have lost my only source of income. I have no other profession or work. My children are very young and I am responsible for looking after the family. As a result of our land being taken away I will have to leave my village, but I have nowhere to go. Along with the project they want to get rid of us. Officials of the company that will construct the pipeline did not consult us in detail. Women were absolutely not asked. We were not given the opportunity to bargain.

We also have concerns regarding the future as regards this project. In the event of an explosion we would suffer serious damage. Officials of the company gave us no information in this regard.

25.08.2003

Statement Record

My name is . I was born in in . I am of Kurdish origin. I am currently resident in my village making a living as a farmer.

The pipeline temporarily occupied two pieces of land, photocopies of the title deeds of which I submit in the appendix. This prevented my using this land. I received a written warning telling me I would not be able to use an area of 150 square metres. However when I went to my land I saw that 500-1,000 square metres had been occupied.

I was paid a very low amount of compensation for this occupation, which was not a real reflection of the reality that more of my land had been occupied.

I am an elderly, sick man. I have no other income or social security. I make a living by working this land. Heavy industrial machinery will damage my arable land and reduce future yields. Our land has been compulsorily purchased and occupied. I have concerns regarding this project. We have not been informed regarding what harm may occur in the future of the pipeline and whether we will be compensated. No face to face consultation was carried out by BOTAŞ officials with anyone.

25.08.2003

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