



HREIT

HUMAN RIGHTS AND EQUALITY INSTITUTION OF TÜRKİYE

HUMAN RIGHTS-BASED
MONITORING ACTIVITIES
REGARDING POST-EARTHQUAKE
SITUATION AND DISASTER
MANAGEMENT



MARCH 2023

FAST FACTS

On 6 February 2023, two devastating earthquakes of 7.7 and 7.6 magnitudes, epicenters of which were Pazarcık and Elbistan districts of Kahramanmaraş respectively, struck Türkiye. These earthquakes caused severe destruction in Adana, Adıyaman, Diyarbakır, Gaziantep, Hatay, Kahramanmaraş, Kilis, Malatya, Osmaniye, and Şanlıurfa provinces, and also caused small-scale damages in neighboring provinces as well. The biggest two disasters of the Republic of Türkiye's history since the 1939 Erzincan earthquake happened within the same day, following each other. In the disaster of the century, thousands of our citizens lost their lives, more than one hundred thousand were injured, and suffered physical and emotional damages.



It is necessary to adopt a human rights-based approach in all activities and efforts made following the disaster, especially search and rescue activities. However, the situation caused by the disaster brings with it the conditions which allow all disaster victims, especially disadvantaged groups such as women, children, older persons, and persons with disabilities, to become victims of human rights violations, and deepens inequalities.

Our Institution has been conducting several visits to the earthquake zones to contribute to the humanitarian works and to monitor the human rights situation of the disaster victims ever since the first days following the earthquake. During these visits, we monitor the places where earthquake victims are placed, contribute to humanitarian works, and get information about the post-earthquake situation by conducting meetings with the officials.



“Monitoring the Earthquake Zones and Humanitarian Aid Visits”

Within this framework, our Institution contributes to humanitarian aid processes in the earthquake zones, monitors the human rights situation in the region, makes contact with international stakeholders and peer institutions about the process, and carries out works regarding issues learnt via various communication tools within the scope of **“Monitoring the Earthquake Zones and Humanitarian Aid Visits.”** Our Institution has made press releases regarding increasing in housing and rent prices after the earthquake, earthquake victims’ right to work and continues to meticulously follow up on the process and make the necessary efforts.



EXAMPLES OF THE WORK OF HREIT
ON THE RESPONSES REGARDING THE POST- EARTHQUAKE SITUATION:

VISITS CONDUCTED WITHIN THE SCOPE
OF MONITORING THE EARTHQUAKE
ZONES AND HUMANITARIAN AID VISITS

VISIT TO HATAY

VISIT TO DISASTER AND EMERGENCY MANAGEMENT PRESIDENCY

VISIT TO ANKARA CITY HOSPITAL



VISIT TO DIRECTORATE GENERAL OF PRISONS AND DETENTION HOUSES



VISIT TO OSMANIYE AND NURDAĞI



VISIT TO TÜRKİYE DİYANET FOUNDATION ETİMESGUT GOODNESS BAZAAR VISIT TO MERSİN



- Meeting with Deputy Governor Harun Sarıfakioğulları
- Visit to KYK Kırkkışık and Mersin Girls' Dormitories
- Visit to Mezitli Quran Courses
- NPM Visit to the Section for Anti-Terror of Mersin Provincial Security Directorate and Siteler Police Station Center's Detention Rooms

VISIT TO KAHRAMANMARAŞ



- Visit to Kahramanmaraş Crisis Center
- Meetings with Officials and Civilians
- Visit to Elbistan Crisis Center
- Visit to Temporary Shelter Centers in Elbistan



VISIT TO HATAY



- Visit to Hacı Pervin Tosyalı Childrens Homes Site
- Visit to Hatay Disaster Coordination Center
- Visit to Kırkhan Disaster Coordination Center

VISIT TO MALATYA



- Visit to Malatya Crisis Center
- Visit to Malatya Police Department Directorate of Public Order Branch
- Visit to Malatya Beydağı Temporary Shelter Center

VISIT TO ADIYAMAN



- Visit to Adiyaman Care, Rehabilitation and Family Counseling Center and Private Home Care Center
- Visit to Ördekdede Village of Pazarçık District
- Visit to Pazarçık Crisis Center
- Visit to Pazarçık Atatürk Park Tent Center
- Visit to Adiyaman Gölbaşı Crisis Center
- Visit to Gölbaşı Psycho-social Support Center
- Visit to French Field Hospital

VISIT TO AFYONKARAHİSAR



- Meeting with Afyonkarahisar Governor
- Visit to Afyonkarahisar Student Dormitories
- Visit to Afyonkarahisar Marshal Fevzi Çakmak Women's Culture Houses
- Visit to Afyonkarahisar Provincial Disaster and Emergency Directorate



TÜRKİYE

Ekinö

CK



YE

İzmit

Gaziantep

PRESS RELEASES REGARDING THE EARTHQUAKES

- Press Release on **Charlie Hebdo Magazine’s Post with Hateful Content About the Earthquakes in Türkiye**
- Press Release on **the Earthquake Disaster in Our Country**
- Press Release on **Increasing Housing Prices After the Earthquake Disaster**
- Press Release on **the Right to Work of Earthquake Victims**

WHAT’S REFLECTED IN THE PRESS

- Chairman Prof. Dr. Muharrem Kılıç’s statements that our Institution may impose sanctions in cases such as asking for exorbitant rental prices following the earthquake, not providing houses to earthquake victims, and not employing earthquake victims have appeared in the press.
- Chairman Prof. Dr. Muharrem Kılıç appeared in the live broadcast of TRT News, made statements about the human rights violations that took place after the earthquake disaster, and talked about the role of HREIT.

HREIT WILL CONTINUE TO MAKE EFFORTS ON THE ISSUES BELOW IN THE UPCOMING PERIOD:

- Proceeding with monitoring works in order to protect all human rights, particularly rights to shelter, health and education, and to ensure no discrimination takes place in any stage of the process,
- Carrying out informative and awareness-raising activities about disasters, starting with human rights in cases of disaster,
- Informing earthquake victims about issues regarding disasters, starting with access to legal remedy mechanisms,

- Policy documentations prepared by decision-makers being based on human rights and advising authorities on this issue,
- Monitoring torture and ill-treatment cases and taking necessary measures on the issue,
- Cooperating with the government, non-governmental organizations, and international human rights organizations.

HUMAN RIGHTS MONITORING CHECK-LISTS FOR THE POST-EARTHQUAKE SITUATIONS AND DISASTER MANAGEMENT¹

1. Rights of the Child

- Situation of children's healthcare and access to food
- Psychological impact of the earthquake on children
- Children at risk of trafficking
- Situation of children with disabilities
- Situation of child labor in the earthquake affected areas
- Situation of unaccompanied children



¹ This section has been prepared with reference to the Human Right Mobile Camp brochure sent by Nepal National Human Rights Commission to our Institution for the purpose of experience sharing. See also., <https://www.asiapacificforum.net/resources/human-rights-monitoring-checklist-nepal/>

2. Right to Education

- Situation regarding the realization of the right to education of all individuals
- Situation of teaching-learning at schools
- Physical condition of the schools
- Situation of damage caused to the educational materials
- Whether or not psycho-social counseling provided at schools
- Situation of the food distribution and consumption at schools
- Situation of availability of resources necessary for the current academic term



3. Women's Rights

- Mental trauma endured by women due to the earthquake
- Situation of increased work-load for women after the earthquake
- Impact of the earthquake left on pregnant women/women in natal period
- Whether or not special attention is given to the women in the natal period and women who have newly given birth
- Women's access to humanitarian aids and services
- Women's participation to decision-making processes in local and national level
- Whether or not women have become victims of ill-treatment and violence, including sexual violence
- Situation of women at risk of trafficking
- Whether or not the mechanism formed for the complaint registration on violence against Women



4. Rights of Older Persons

- Impact of the earthquake on daily life of older persons
- Problems faced by older persons while living in the temporary shelter
- Whether or not older persons are provided with the protection materials such as walking stick, spectacles, etc.
- Whether or not the appropriate support was given by the family members at the time of disaster
- Situation regarding the benefit of older persons from services such as rescue, treatment and assistance Provision and continuity of necessary medicines
- Timely payment of pensions of older persons
- Situation regarding the age-friendly safety measures



5. Rights of Persons with Disabilities

- Impact of the earthquake on the persons with disabilities
- Situation of easy movement of persons with disabilities to the secured places at the time of disaster
- The situation of providing the necessary care to the persons with disabilities during the times of disaster
- Prioritization of persons with disabilities in the rescue, treatment and relief distribution work
- Situation regarding special arrangements for the protection of the persons with disabilities
- Situation of access to information of the persons with disabilities at risk such as persons with visual or/and audial impairment, or intellectually challenged persons
- Problem faced by the persons with disabilities due to the lack of disabled-friendly toilets while living in the temporary shelter
- Situation related to providing psycho-social counselling



6. Prohibition of Discrimination

- Easy access to aid by disadvantaged groups in the region
- Whether or not disadvantaged groups, especially refugees, face discrimination while living in the same shelter area with others
- Whether or not any discrimination took place during rescue efforts and relief distributions
- Access of all communities to services such as food, education and health care without discrimination

- Whether or not persons were discriminated against on the bases of race, religion, and any other reason
- Situation of hate speech



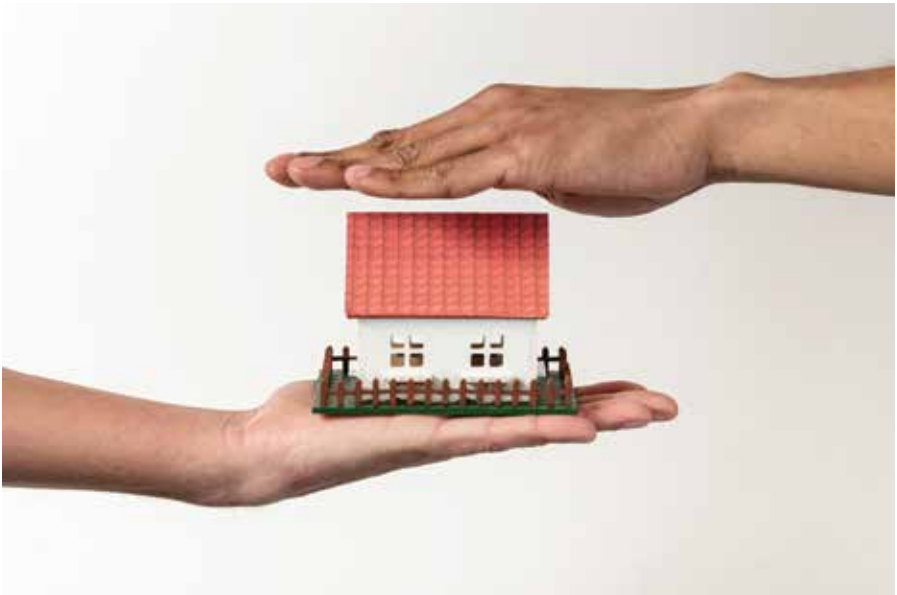
7. Right to Food

- Whether or not food was provided as a part of the relief services
- Situation of drinking water supply and consumption
- The quality of food and drinking water provided, including aid material
- Situation of black marketing and price hiking
- Impact of the earthquake on agricultural produces and seedlings



8. Right to Housing and Shelter

- Situation of the permanent /temporary shelter
- Situation related to the provision of the materials such as tarpaulin and zinc-sheets for temporary shelters
- Construction of temporary shelters in sensitive areas under risk such as landslides
- Situation regarding the inspection of partially damaged buildings by the authorities
- Situation related to allocation of funds necessary for rebuilding infrastructure
- Situation of the risk of rebuilding houses
- The suitability status of the land within the scope of rebuilding works



9. Cleanliness and Sanitation

- Whether or not appropriate arrangements are made for the carcasses of dead animals
- Status of the preparedness in advance to mitigate the possible risk of diseases and epidemics
- Environment and sanitation situation of the areas of the temporary shelters
- The injured's access to free treatment
- Access of persons residing in geographically remote places to healthcare services



10. Right to Social Security

- Impact of the earthquake on employment, occupation, and business world
- Mental trauma and stress endured by the victims
- The situation in which the relatives of the deceased receive the necessary support for the burial of the deceased
- The status of older persons including widows related to receiving their pensions as social security
- Everyone's access to relief materials
- Basic needs of the earthquake victims



11. Transparency, Accountability, and Good Governance

- Earthquake victims' participation to disaster management processes
- Inclusive formation of the organization responsible for disaster management
- Performing of disaster management activities in a justifiable manner
- Situation regarding the transparent activities of national and international non-governmental organizations, including the abuse of fund
- Situation of monitoring the effectiveness and transparency of the activities carried out under the disaster management plan
- Situation related to establishing effective mechanisms which allow persons who claim to have been victims of injustice within the scope of disaster management activities to make complaints
- Situation related to consulting victims with regard to the disaster management plan formulation, implementation and monitoring



12. Disaster Management Activities

- Effectiveness of rescue, relief, and reconstruction activities
- Status of carrying out the necessary works to remove the rubble and debris formed after the earthquake
- Status of the coordination and cohesion between the government authorities on disaster management activities
- Situation related to deploying adequate number of staff
- Availability of the resources and materials for the disaster management activities
- Status of building houses in accordance with local needs



13. Policies and Plans

- Status of implementation of policy and disaster plans
- Status of preparedness for a possible future disaster
- Whether or not the plans for reconstruction and rebuilding are based on human rights
- Status of preparing special plans for persons residing in the geographically remote places



What is Prohibition of Discrimination?



Within the scope of Law No. 6701, prohibition of discrimination means the prohibition of treating persons differently or putting persons in a disadvantaged position based on the grounds of sex, race, colour, language, religion, belief, sect, philosophical or political opinion, ethnical origin, wealth, birth, marital status, health status, disability and age in the exercise of legally recognized rights and freedoms.

Which Areas Does the Prohibition of Discrimination Cover?



- Education and training, judiciary, law enforcement, health, transportation, communication, social security, social services, social assistance, sports, accommodation, culture, tourism and similar services,
- The acquisition or renting of the movables and immovables or getting information about them,
- Becoming a member of associations, foundations, unions, political parties, and professional organizations, election to their organs, benefitting from membership opportunities, termination of membership,
- Employment and self employment.

Earthquake victims who claim they have been discriminated against during the aid works and service provision following the disaster can make an application to HREIT. Moreover, HREIT is meticulously monitoring the human rights situation during the process and can also use its power to start an ex officio investigation when it deems it necessary.

All natural and legal persons who claim to have been victims of discrimination can make an application to our Institution. Foreign citizens and legal persons who claim their rights as legal persons have been violated can also make applications.

There is no application fee for making an application to the Institution.

Our Institution passes verdicts on applications regarding allegations of violations of the prohibition of discrimination are made in accordance with the conditions mentioned in the Law no. 6701 within the scope of the duty of prevention of discrimination. If it is decided that prohibition of discrimination has been violated as a result of the investigations, public institutions and organizations, public institutions, public professional organisations, real persons, and private law legal persons are given an administrative fine with a lower limit of 5,958.00 TL and an upper limit of 89,571,00 TL in accordance with the revaluation ratios decided for 2023.

What Is National Preventive Mechanism (NPM)?



National Preventive Mechanism is an independent national institution that regularly visits places where people are deprived of their liberty to prevent torture and ill-treatment under the Optional Protocol to the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT).

In cases of disasters, one of the groups in the most vulnerable position is those who are deprived of their liberty. In case of any disaster, while ensuring the security of life of those who are deprived of liberty is a primary concern, it is also important to fulfill the fundamental human rights of these persons such as access to clean drinking water and food or healthcare. Within this scope, monitoring whether those who are deprived of liberty are given the basic guarantees they are entitled to as a necessity of the human rights-based approach or not constitutes a part of the monitoring duties of NPM.

What is Deprivation of Liberty?



Deprivation of liberty means any form of detention or imprisonment or the placement of a person in a public or private custodial setting which that person is not permitted to leave at will by order of any judicial, administrative or other authority.

Where Are the Places That Persons Are Deprived of Their Liberty?



Prisons, Custody centers, Mental and psychiatric health hospitals, Removal centers, Transit zones at airports, Detention vehicles, waiting areas of the courthouses reserved for the prisoners. However, the places where people are deprived of their liberty are not limited to the ones listed above. Any place where conforms to the definition of the OPCAT can be visited as a place of detention.

NPMs can visit not only places where people deprived of their liberty are held, but also places where people with special needs and vulnerable situations are taken under protection. These places are generally; Care centers for people with disabilities, Nursing homes and elderly care and rehabilitation centers, Children's homes and child support centers, Temporary accommodation centers.

APPLICATION PROCEDURE TO HREIT

Applications can be delivered to our Institution by using one of the methods below:

- By **visiting** our Institution and **handing the application in person**,
- By **sending a mail** to our Institution’s address,
 - Address: Kocatepe Mah. Yüksel Caddesi No: 23 06420, Kızılay, Çankaya/ ANKARA
- Via the link of **Online Application** on the webpage of our Institution,
 - <https://ebasvuru.tihек.gov.tr/Giris.aspx>
- Via the form filled on **e-Devlet (e-Government) system** after confirming one’s identity,
 - <https://www.turkiye.gov.tr/turkiye-insan-haklari-ve-esitlik-kurumu-e-basvuru-sayfasi-5890>
- By **E-mail**,
 - E-mail: oninceleme@tihек.gov.tr
- Via **telephone (24/7)²**
 - 0312 422 7800
- Via **fax**,
 - 0312 422 78 99
- It is possible to make an application to our Institution via Governorates in provinces or via District Governorate in districts. Governors or District Governors send applications directly to our Institution after recording them.
- It is possible to make an application by filling the forms **“Application Form for Natural Persons or Application Form for Legal Persons”** on our website.
- Original copies of the petitions sent with e-mail or fax must be sent to our Institution within 15 days. Otherwise, the application will not be considered valid.

2 For earthquake victims who want to apply to the our Institution, get information, or requests, an exceptional 24/7 consultancy service is provided.

PHONE NUMBERS TO CONTACT FOR DISASTER ZONES

ALO 144: Ministry of Family and Social Services Social Services Hotline

You can use ALO 144 hotline to make aid in kind to earthquake zones.

Call center numbers of the Ministry of Family and Social Services for children whose families and relatives cannot be reached in disaster areas

0501 730 10 50
0501 730 10 51
0501 730 10 52
0501 730 10 53
0501 730 10 54
0501 730 10 55
0501 730 10 56
0501 730 10 57
0501 730 10 58
0501 730 10 59
0501 730 10 60

ALO 183

For children without a guardian in the earthquake zones, you can contact Alo 183 hotline which belongs to the Ministry of Family and Social Services.

112 EMERGENCY CALL

110 Fire Call, 112 Medical Emergency, 155 Police Emergency, 156 Gendarmerie Emergency, 122 Alo AFAD, 177 Forest Fire Call, and 158 Coast Guard numbers were merged into a single hotline under the number 112 by the Ministry of Interior. In cases of emergency, you can use 112 Emergency Call Center hotline.

YİMER 157

The hotline for foreigners to call if they have any questions or problems is YİMER 157 which is operated by the Presidency of Migration Management.

ALO 168

Turkish Red Crescent (Kızılay) Donation and Help Hotline

ALO 182

You can make an appointment with any doctor of your choosing via ALO 182 hotline belonging to the Ministry of Health.

ALO 150

Applications to be made to CİMER can also be made via ALO 150.

SABİM ALO 184

Those who want to know where their injured family members are can call 184 hotline or check E-Nabız system for their immediate family members.

ALO 199 Citizen Interaction Center

A call center regarding the services provided by Directorate General of Civil Registration and Citizenship Affairs.

Contact Information of AFAD Centers of the Provinces in the Earthquake Zone.

Adana Provincial Disaster and Emergency Directorate

Phone Number 0 322 227 28 54 / 0 322 227 28 55

Adıyaman Provincial Disaster and Emergency Directorate

Phone Number 0416 216 12 34- 12 31

Diyarbakır Provincial Disaster and Emergency Directorate

Phone Number 0 412 326 11 56

Gaizantep Provincial Disaster and Emergency Directorate

Phone Number 0 342 336 26 92

Hatay Provincial Disaster and Emergency Directorate

Phone Number 0 326 233 54 15-16-17

Kahramanmaraş Provincial Disaster and Emergency Directorate

Phone Number 0344 224 14 14- 0344 223 75 79

Kilis Provincial Disaster and Emergency Directorate

Phone Number 0 348 813 44 78

Malatya Provincial Disaster and Emergency Directorate

Phone Number 0 422 212 84 32

Osmaniye Provincial Disaster and Emergency Directorate

Phone Number 0 328 826 20 01

Şanlıurfa Provincial Disaster and Emergency Directorate

Telephone 0414 313 72 90 / 0414 314 08 52

ANNEXES

EARTHQUAKE IN TÜRKİYE³



MAGNITUDES 7.7 and 7.6

On 6 February 2023, two devastating earthquakes of 7.7 and 7.6 magnitudes, epicenters of which were Pazarcık and Elbistan districts of Kahramanmaraş respectively, struck Türkiye.

³ The data is for March 6, 2023

11 CITIES

WERE AFFECTED BY EARTHQUAKE.



13.5 MILLION

THE POPULATION OF THE TEN PROVINCES MOST AFFECTED BY THE EARTHQUAKE



46.104

PEOPLE WERE DEAD.



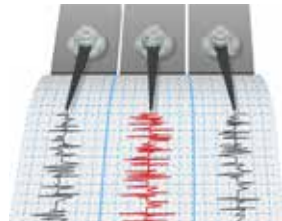
115.000

PEOPLE WERE INJURED.



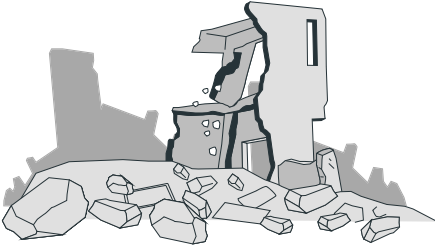
13.072

AFTERSHOCKS



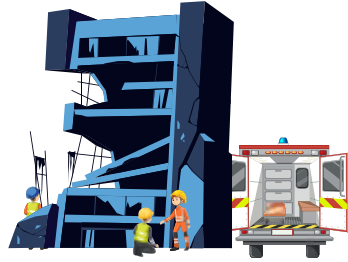
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TOTAL NUMBER OF DEBRIS



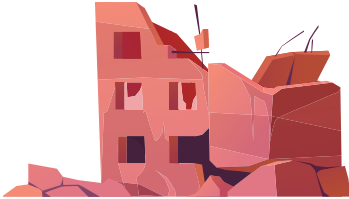
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NUMBER OF DEBRIS IN SEARCH AND RESCUE OPERATIONS



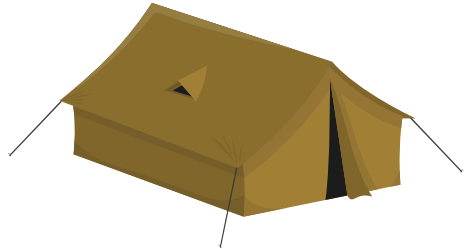
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BUILDINGS WERE DESTROYED AND HEAVILY DAMAGED, TO BE DEMOLISHED IMMEDIATELY.



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NUMBER OF TENT



[332]

NUMBER OF TENT CITY AREA CREATED IN THE EARTHQUAKE ZONE

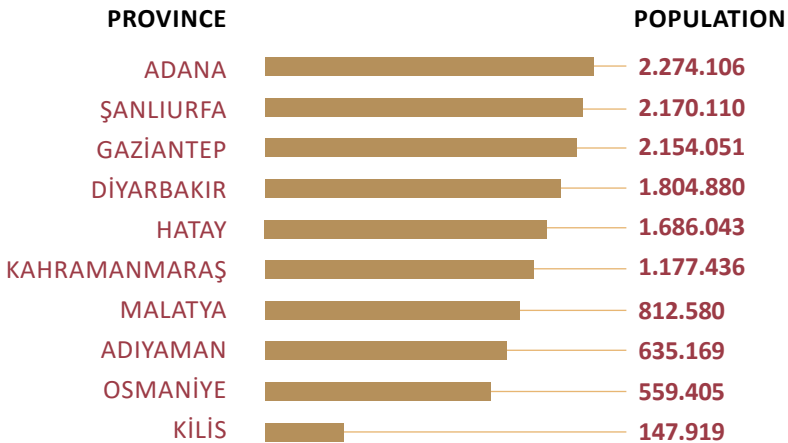


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NUMBER OF MONITORING THE EARTHQUAKE ZONES AND HUMANITARIAN AID CONDUCTED BY HREIT



THE POPULATION OF THE TEN PROVINCES MOST AFFECTED BY THE EARTHQUAKE









HREIT

HUMAN RIGHTS AND EQUALITY INSTITUTION OF TÜRKİYE

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