

Response of the Kurdish Human Rights Project to United Kingdom Foreign & Commonwealth Office Annual Report on Human Rights 2009, Published on 18 March 2009

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Last Thursday 18 March 2010, the United Kingdom Foreign & Commonwealth Office (FCO) released its Annual Report on Human Rights 2009. The report provides a round-up of the UK government's activities and policies to address the principal human rights challenges that it has identified from around the world, including those in KHRP's project countries, Turkey, Iraq, Iran, Syria and the Caucasus.

KHRP largely welcomes the overview provided, which reiterates a variety of the concerns that KHRP continues to address across the Kurdish regions. In particular, it was pleased to see that KHRP's concerns about the rights of Syria's estimated 1.7 million Kurds who suffer ongoing discrimination, (including 300,000 of whom continue to be denied citizenship), lack of political representation, and repression of their identities, was given a detailed appraisal in the Report. KHRP also joins the UK FCO in applauding the Turkish government's self-termed Democratic Opening, (though it has concerns about how open and transparent this initiative is). KHRP is however uneasy about the degree to which the continued pervasiveness of human rights violations in the Kurdish regions of Turkey and Iran are not fully reflected.

Although Turkey is not one of the FCO's '6 Countries of Concern', and the report is not intended to provide an exhaustive human rights analysis 'for every country in the world', KHRP believes that elements of the picture the FCO have painted are misleading.

The report commends Turkey on an apparent reduction — for the first time since 2005 — in the number of human rights violations reported in 2009 (based on figures gathered by the Human Rights Association for Turkey). Yet given that the human rights situation in Turkey — a potential EU country — has on many levels deteriorated markedly in the last three years, most acutely in the Kurdish region, it is surprising that the FCO's portrayal has glossed over the dire situation of the country's estimated 15 million Kurds; its largest non-Turkish ethnic group who make up nearly a quarter of Turkey's population. For example, no mention is given to the Turkish Parliament's vote in October to extend the Turkish military's cross-border mandate in northern Iraq for another year; the continued imposition of security zones in parts of the Kurdish south-east; or the Turkish Constitutional Court's closure of the *Demokratik Toplum Partisi* (Democratic Society Party, DTP). Omission of these factors would appear to be misleading on several fronts.



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Firstly, the cross-border action gives Turkey the green light to contribute to the ongoing destruction of the lives and livelihoods not only of its own Kurdish citizens, but of the villagers living in neighbouring Iraq. Secondly, the security zones effectively mean that several Kurdish provinces remain under a state of emergency rule. Thirdly, the ousting from the Turkish Parliament of the first pro-Kurdish party to gain seats in the National Assembly for over 14 years was a major set-back to the Kurdish issue, but also another devastating blow to democracy and political stability in Turkey.

In addition, while KHRP welcomes the Report's stated concerns about the practice of torture and ill treatment, as well as the culture of impunity for state actors accused of such activities, it is disappointed that the increase in reports of torture and ill-treatment and an alarming rise in the numbers of Kurdish children in detention awaiting trial, were absent. Finally, though the report notes a significant decline in the number of prosecutions threatening freedom of expression, the apparent reduction seems to rely on the number of prosecutions brought under the contentious Article 301 of the Turkish Penal Code, which has not been matched by a decline in similar prosecutions being brought under anti-terror legislation. The latter however, in fact continues to inhibit free expression and indeed contributes to the worrying criminalisation of children, among others.

Meanwhile, given that Iran is designated as one of the FCO's 6 countries of concern, it is disconcerting that their more detailed analysis, unlike that provided for Syria, stops short by simply alluding to minorities in the Kurdistan region, without actually reflecting on the situation of Kurds; Iran's second largest minority group.

As recognised by the FCO, and as outlined in KHRP's briefing paper, '[Human Rights and the Kurds in Iran](#)' last year, the regime's brutal response to widespread protests after June's disputed presidential elections, signified a 'particularly grim year' for the country's record on human rights. Indeed, KHRP share the FCO's continued concerns about the death penalty, with Iran executing more people per capita than any other country, yet failing to meet fair trial standards, using public or inhumane methods of execution, and executing record numbers of juveniles. Other worries which KHRP too has, regard serious conflict violations, considerable deterioration in rule of law and freedom of expression, and human rights abuses against protestors and political activists who are regularly denied their rights to freedom of assembly. Yet while all in Iran are vulnerable to these human rights abuses, the situation is particularly alarming for Kurds and members of other cultural, ethnic, linguistic and religious minorities. In the case of Iran's estimated 7 to 9 million Kurds — approximately 12 to 15 per cent of the total population — this vulnerability is heightened by a longstanding tendency on the part of the authorities to conflate assertions of Kurdish identity with a

potential threat to the unity and stability of the Iranian state. The situation is even more alarming for those individuals brave enough to publicly question the political and social status quo, or to advocate for greater respect for the human rights of members of marginalised groups.

In conclusion, KHRP largely welcomes the FCO's Annual Report 2009 and calls on the UK government to continue to vigorously monitor and raise awareness of the human rights situation across the Kurdish regions. However, it also urges the FCO to take particular care to not overlook how all citizens in the countries under review are affected by ongoing human rights abuses, especially those who are often those most vulnerable, including Kurds and members of other cultural, ethnic, linguistic and religious minorities.