



KURDISH HUMAN RIGHTS PROJECT NEWSLINE

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10,000 attend protest concert ahead of Ilisu dam construction ceremony



ABOVE: Crowds enjoying the solidarity concert for Hasankeyf

On 5 August, construction of the highly controversial Ilisu dam was inaugurated with a ceremony attended by Turkey's Prime Minister Recep Tayyip Erdoğan. The ceremony took place the day after around 10,000 people attended a solidarity concert held at Hasankeyf ahead of the symbolic ground-breaking ceremony in Ilisu village.

The concert was organised by Initiative to Keep Hasankeyf Alive and is a powerful symbol of the widespread local opposition

to the project. The protesters' biggest concern is the inadequate plans for resettling and compensating an estimated 78,000 people in 199 settlements that will be displaced by the dam. KHRP is concerned that the project would force those displaced to flee to the nearby cities of Diyarbakır and Batman, places which have been the scene of fierce violence and brutality at the hands of the Security Forces in recent months.

KHRP delivers human rights training in Turkey

Twenty-eight human rights advocates attended a training session focusing on UN mechanisms in Van, south-east Turkey on 1 July, organised by Kurdish Human Rights Project in conjunction with Van Women's Association (VAKAD) and BIKAD KOOP, a Van-based organisation supporting women and IDPs. The training was

carried out by Mara Steccazini, an OHCHR Human Rights Officer and Catriona Vine, a barrister and member of KHRP's Legal Team. The training aimed to give an introduction to the various ways women can access and demand their human rights within the UN system.

RIGHT: 28 lawyers and human rights defenders attended the training in Van



Director's Letter



Dear Friends,

Recent months have been a busy time for KHRP, as well our ongoing litigation work, we have produced seven publications, conducted two fact-finding missions, carried out a women's training Van and travelled across Europe to increase public awareness and update government representatives on the situation in the Kurdish regions.

The situation in the Kurdish regions continues to evolve dramatically: Saddam Hussein was in court once again in Iraq, now facing charges of genocide for the crimes he perpetrated against Kurdish villagers during the 'Anfal' campaign of the 1980s; in Turkey, the pace of reforms has slowed in recent months and the destructive pattern of violence which has blighted Turkey's Kurdish region

continued on page 2

for decades, resurfaced on the international public agenda with bomb explosions rocking tourist and Kurdish areas alike; while in Iran and Syria, political dissidents and human rights defenders continue to face severe repression and the risk of imprisonment.

The coming months at KHRP promise to be even busier, with the expected opening of KHRP's regional office in Turkey; an upcoming cross-border training and partners meeting at our London headquarters and the annual conference of the EU Turkey Civic Commission (EUTCC) to be held in Brussels in October.

The continued repression facing human rights defenders across the Kurdish regions reaffirm our commitment to fighting for the full realisation of fundamental human rights for all peoples through our ground-breaking litigation, outreach, and training programmes.

We are deeply grateful to the partner organisations, funding bodies and individuals who make our continued struggle for redress and justice in the Kurdish regions possible.

Kerim Yildiz

Executive Director

September 2006

Şemdinli bombing – latest news

Seferi Yilmaz, the owner of the bookshop bombed in November 2005 in Şemdinli in Hakkari district, was charged on 23 August with being a member of a terrorist group. The accused is currently being held in Van's F-type prison. The indictment accuses Yilmaz of involvement with the Kurdistan Workers' Party (PKK), charging that he has met with terrorist group members and run activities on behalf of the group, and therefore is a PKK member.

It uses the testimony of Hasan Sala, a PKK member. The case against Yilmaz is scheduled to be heard on 18 September at Van's High Criminal Court.

Yilmaz is the owner of Umut bookshop which was bombed in Şemdinli on 9th November 2005. The attack, which killed one person and injured several others, raised questions over the existence of 'deep state' elements within the military and institutional involvement in the incident.

Following the bombing in Şemdinli, non-commissioned officers Ali Kaya and Özcan İldeniz were convicted of almost 40 years in prison. KHRP Legal Team member, barrister Ajanta Kaza, observed the trial of the two men accused of involvement in May 2006. The report of the trial observation 'Promoting Conflict – The Şemdinli Bombing' is available. For more details or to order a copy, please email khrp@khrp.org or phone 0207 405 3835.

The cycle of violence continues

The horrific pattern of violence resumed when three people were killed and many more were injured in several bomb blasts in Turkey. The wave of blasts began with an explosion on the evening of the 27 August near a government building in an Istanbul suburb. There were explosions in the southern city of An-

talya and the south-western coastal resort of Marmaris on 28 August. The Kurdistan Freedom Falcons, also known as the Liberation Hawks, have claimed responsibility for the blasts in Istanbul and Marmaris.

In a seeming act of reprisal, on 12 September, an explosion occurred at a bus stop outside a family park

in the Bağlar in the district of Amed, Diyarbakır, south-east Turkey. A total of 10 Kurds, seven of them children, were killed and 13 others were wounded.

Responsibility for the explosion has been claimed by the 'Turkish Revenge Brigade' (TIT), a Turkish ultranationalist group.

Human rights lawyer jailed in Iran

Abdolfattah Soltani, an Iranian human rights lawyer, was sentenced to five years imprisonment on 18 July on charges of disclosing confidential information and opposing the regime of Mahmoud Ahmadinejad. Soltani was arrested in July 2005 during a sit-in protest at Tehran's Bar Association. At the time of his arrest, Soltani was defending two people accused of spying on Iran's nuclear programme. He was accused of passing on confidential details of the case

and received four years for disclosing confidential documents and one year for propaganda against the state. Soltani and his lawyers say that they were unable to defend his case because they were denied access to evidence cited in the indictment. Soltani claims that of the seven months he was imprisoned, forty-three were spent in solitary confinement.

Soltani is a member of the Defenders of Human Rights Centre, established by Nobel Peace Prize winner

Shirin Ebadi, and has taken on a series of high-profile cases. Together, Soltani and Ebadi represented the family of Iranian-Canadian photojournalist Zahra Kazemi, who was murdered in Tehran's notoriously violent Evin Prison in July 2003. They have both also been representing jailed journalist Akbar Ganji, one of the country's most prominent dissidents, who was released from jail in March 2006 after six years imprisonment.

Saddam Hussein's trial over Anfal begins

Saddam Hussein, his cousin Ali Hassan al-Majid (known as Chemical Ali) and six other former key Ba'ath party officials have gone on trial for a second time accused of crimes against humanity. Hussein and his cousin stand accused of genocide. If they are found guilty, they could face the death penalty.

The charges read on 21 August concern the Anfal campaign which lasted from February to September 1988 in which Kurds were systematically and deliberately murdered. The operation moved methodically from the south-eastern part of the Kurdish region, starting with the villages



ABOVE: Halabja Family Monument, built in memory of those who died in the Halabja attack

of Seraglou and Bergalou to the north-west corner and was led by Ali Hassan al-Majid.

During the campaign, chemical weapons were launched against Kurdish villagers but attacks also involved the use of jets, helicopters and rocket launchers. It is estimated that during the eight stages of the Anfal military operation, at least 50,000 and as many as 100,000 Kurds were systematically killed.

At least 2,000 villages were destroyed. Villages were methodically razed and bombed; some were gassed and those who survived were often taken to detention centres to be executed and were later buried in unmarked mass graves.

The trial is hugely significant for Kurds particularly as it will raise the crucial issue of the deliberate targeting of Kurds by Hussein. To establish the charge of genocide the prosecution must prove that those killed in the Anfal campaign were killed because of their Kurdish identity. This has important implications for the recognition of the systematic discrimination wrought against Kurds in recent decades.

The Dujail trial in which Saddam Hussein is accused of ordering the murder of Shia villagers following an attempt on his life has been roundly criticised by human rights organisations. It is hoped that this more recent trial will be conducted fairly and to the highest international legal standards.



ABOVE: Anfal destroyed village.

Dispatches

KHRP CONGRATULATES CHAIRMAN AND LEGAL CONSULTANT...



Mark Muller and Tim Otty

Kurdish Human Rights Project congratulates its Chairman of the Board of Directors, Mark Muller of Garden Court Chambers and Legal Consultant, Tim Otty of 20 Essex Street Chambers, on their appointments to be Queen's Counsel in the first round of appointments under the interim scheme in England and Wales.

... AND THANKS DEPARTING VALUED STAFF MEMBER AND VOLUNTEERS

KHRP would also like to thank Rochelle Harris for her the enormous contribution she made during her five years as KHRP's Public Relations Officer. Sincere thanks are also extended to all KHRP interns and volunteers who facilitated activities during the summer months.



RIGHT: Rochelle Harris

SEFERI YILMAZ REMAINS UNDER ARREST

The owner of Umut bookstore in Şemdinli, Seferi Yilmaz remains in custody, charged with 'membership of a terrorist organisation' following his arrest in June. At his hearing on 18 September, Yilmaz's lawyers requested bail for their client. However, judges decided that he should remain in prison. Yilmaz will therefore remain under arrest until the second hearing which is set for 15 November.

KHRP Legal Team member and barrister at 1 Pump Court, Ajanta Kaza carried out a trial observation in Van in May of the hearing of the non-commissioned officers charged with involvement in the bomb attacks in Şemdinli. The men were found guilty and sentenced to a total of 39 years imprisonment.

KHRP conducts two fact-finding missions in Turkey



ABOVE LEFT: Tascanak (Xirabedar in Kurdish) is a returned IDP village in Van province. It was evacuated by the security forces in 1994, but some of the villagers returned in 2001. They have been rebuilding their village and trying to rebuild their lives ever since. The mission visited Tascanak on 4 July 2006 to investigate the living conditions in the village. ABOVE RIGHT: Mission members with members of BIKAD KOOP, a women's organisation working with IDPs in the Bostanci district of Van running classes such as rug making and a rug selling cooperative to support the women of the local community. BELOW: The mission members met with representatives of İnsan Hakları Derneği (İHD) Van branch to discuss the situation of IDPs and refugees in Van district. They also arranged and took KHRP to meet a number of refugees living in Van town itself.

Kurdish Human Rights Project recently conducted two fact-finding missions in Turkey to investigate the treatment of refugees and internally displaced persons (IDPs) in Turkey. One mission looked into state policy and practise regarding measures to provide redress to persons internally displaced during the 1980's and 1990's armed conflict in east and south-east Turkey, while the other explored the situation of refugees and asylum seekers.

The missions were carried out by KHRP Legal Officer, Lucy Claridge and Legal Team member, barrister Catriona Vine.

Both missions revealed worrying trends in the treatment of these already-marginalised groups. Evidence was found that many IDPs not only face obstacles to accessing compensation but are also facing regular intimidation and harassment by state agents. KHRP is also concerned about the situation of refugees and

asylum seekers, in particular twelve hundred Iranian citizens of Kurdish origin currently stranded in Turkey with no access to social provisions or the option of resettlement in a third country.

Both fact-finding missions observed serious shortcomings in the legal framework in place to address the problems faced by IDPs and refugees. If Turkey is to institute the necessary mechanisms to remedy the situations, re-

forms which conform to international standards are urgently needed.

A full report will be released in October; preliminary findings can be downloaded at <http://www.khrp.org/publish/p2006/06N.htm>



Special US envoy named for countering Kurdish terror group

The United States' State Department has appointed retired US Air Force General Joseph W. Ralston, a former NATO supreme allied commander, as US special envoy for countering the PKK (Kurdistan Workers' Party).

The appointment was announced 28 August and State Department spokesman Sean McCormack says that this "underscores the commitment of the United States to work with Turkey and Iraq to eliminate terrorism in all its forms." Ralston will be responsible for "coordinating US engagement with the government of Turkey and the government of Iraq to eliminate the terrorist threat of the PKK and other terrorist groups operating in northern Iraq and across the Turkey-Iraq border". He will be based in Washington DC.

State of Emergency declared in Kerkük

A series of explosions in the multi-ethnic though historically Kurdish city of Kerkük in north Iraq killing 26 people while wounding a further 85. The worst of the six blasts was placed outside the Kerkük police department's bureau of major crimes and resulted in the deaths of 18 and wounded 58. A state of emergency was declared and checkpoints erected in an attempt to prevent further attacks.

Kerkük has long been the site of ethnic tension, largely due to Saddam Hussein's programme of 'Arabisation' which resulted in the forcible eviction of the city's long-standing Kurdish population and the resultant hostility between Kurdish, Turkmens and Arabs.

Women in Turkey: almost half face abuse throughout life

Two studies published in August have shown that women who move to more urban and developed regions of Turkey increase the likelihood that they will become a victim of honour killing and that education and social status do not prevent them from facing physical abuse at home.

Turkey's Police Department Public Order Bureau released the findings of a six-year study into honour killings. The report claims that the majority of cases in recent years took place in the capital city, Ankara with 10 percent, with Istanbul coming second with 9 percent. The report notes that most of those who had committed murders motivated by 'honour' were immigrants from the country's Kurdish east and south-east, though this has been questioned by some. It also showed that most of the victims were between the ages of 19 and 25, with the majority of murders being committed by men.

Contributing factors for honour killings cited in the report were primarily religious beliefs, regional economic and social structure, tradition and Turkey's paternal society.

Another study showed that forty-two percent of women face physical abuse in both childhood and marriage. The report, which studied one hundred married women who attended the Aegean University Faculty of Medicine Psychiatry Clinic, has shown that almost half of the women surveyed had faced physical abuse throughout their lives. Sixty-two percent of participants in the study said they faced abuse at home, 42 percent said they were abused during both childhood and marriage. Only 17 percent said they were not abused during childhood and marriage.

The study said there was no discernible difference between women from various economic or social levels when it came to physical abuse and found that violence within families had a tendency to continue in subsequent generations.

Human Rights defenders missing in north Iraq

KHRP learnt from its partner agency the Human Rights Association of Turkey (IHD) that they have received reports that three members of the Free Thought and Educational Rights Association (Özgür-Der) have been in detention in KRG-administered Iraqi Kurdistan by the security forces for the past two months. There has been no news of the well-being of the detainees since they were taken into custody. IHD's Diyarbakır Office plan to send a delegation to north Iraq contact the local authorities and attempt to ascertain the whereabouts of the human rights defenders.

Özgür-Der Diyarbakır branch office administrator Metin Demir was detained on 1 June, while head office manager Mustafa Egilli and Diyarbakır Office member Mehmet Hasip Yokuş were detained on 19 June.

Dispatches

IRAN HUMAN RIGHTS DEFENDERS SENTENCED TO TWO YEARS IMPRISONMENT

Prominent Iran Human Rights defender and journalist, Saeed Saeedi, recently stood trial at Sannandaj Revolutionary Court, Iran, on 17 July for illegally crossing Iran's borders in August 2005.

Prior to his trial, Saeed Saeedi worked with human rights organisation, the Xorhelaat Institute. He continues to work with other established NGOs and has also recently become the editor of a weekly newspaper, published throughout Iran. He visited KHRP's London office in February of this year and spoke to KHRP's Legal department about the status of human rights in Iran and about the possibility of Xorhelaat and KHRP working together in the future. KHRP will continue to monitor the trial and expresses concern at the continuation of discrimination levelled at human rights defenders within Iran.



Saeed Saeedi

SYRIAN DISSIDENT TO BE TRIED IN MILITARY COURT

In the previous issue of Newline, KHRP expressed concern at the Syrian state's wave of arrests of critics of the Ba'athist government. The previous day, the National Organisation for Human Rights in Syria reported that authorities had dismissed 17 government workers as a punishment for signing the Beirut-Damascus Declaration of 20 May that questioned state policy towards Lebanon.

This crackdown was further boosted on 20 July when it emerged that Ali al-Abdallah and his son Mohamed, members of the Jamal Al-Atassi Forum for National Dialogue, have been charged with insulting government employees. Ali al-Abdallah was arrested days after reading a statement calling for reforms, pluralism and the establishment of a modern civil society in Syria to a meeting of representatives from across the political spectrum on 7 May 2006. He has reportedly been interrogated by the Prosecutor of the Syrian Supreme State Security Court (SSSC) but has not yet been charged.

UPCOMING CROSS-BORDER TRAINING

KHRP Legal Department is busy organising a two-day Cross-border training planned for October. 'Cross-regional strategies for promoting and protecting human rights with the Kurdish regions' will be held in London and will host representatives of civil society organisations and human rights NGOs, lawyers and human right defenders from Turkey, Armenia, Iraq, Iran and Syria. The training will include panel discussions from UK experts addressing topics such as 'Counter-terrorism and Human Rights' and will create vital opportunities for information-sharing.

Dispatches

SPREADING THE WORD: KHRP IN THE USA AND EUROPE

KHRP Executive Director, Kerim Yıldız travelled to Finland and Norway to speak with the Finnish and Norwegian Ministries of Foreign Affairs. Deputy Director, Rachel Bernu, met with representatives of the Swiss Government in Berne. The meetings were opportunities to exchange information and update the European governments' on the situation in the Kurdish regions.

Kerim Yıldız and Rachel Bernu also travelled to the USA where they met with human rights advocates, Aryeh Neier, President of the Open Society Institute, and Joshua Mailman, a Trustee of the Sigrud Rausing Trust.

KHRP BOARD MEMBER INVITED TO ADDRESS UK PARLIAMENTARY MEETING

Secretary on KHRP's Board of Directors and Legal Team member, Michael Ivers, barrister at Garden Court Chambers addressed a parliamentary meeting in the House of Commons on 18 July 2006. He spoke about the Öcalan judgment at the European Court. The meeting, hosted by John Austin MP, focused on the case of Abdullah Öcalan, the Kurdistan Workers' Party (PKK), Anti-Terror legislation and the European Union.

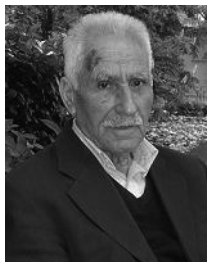
The meeting was also addressed by any others concerned with the negative effects of these issues on the lives of Kurds.

KHRP RAISES AWARENESS OF KURDISH SITUATION

KHRP Executive Director spoke about Turkey's EU accession process and its implications on the Kurds in two interviews. Israel-based Medialine asked for a non-violent Kurdish perspective on the situation facing Kurds, especially in light of recent terrorist attacks perpetrated in the name of Kurds.

The second interview took place on 7 September with Estonian television in KHRP's London office. The dialogue focused on the Turkish administration's policies towards Kurds.

TRIBUTE TO İSMET KILIÇARSLAN



İsmet Kılıçarslan

All at KHRP extend their condolences to the family and friends of Mr İsmet Kılıçarslan and his colleagues at the Kurdish Institute in Istanbul who has died at the age of 74 in a tragic car crash in İzmir province of Turkey.

KHRP represented Mr Kılıçarslan, in the case of Varli and others v Turkey, submitted to the ECtHR in 2000. The case obtained a successful judgment in April 2006. Mr Kılıçarslan was a member of Senato of the Kurdish Institute in Istanbul. Since 1993,

İsmet Kılıçarslan he taught Kurdish to children and adults at various places in Turkey. He was prosecuted by the Turkish state for his activities and writings concerning Kurdish rights.

Torture Committee highlights work still to be done in Turkey

The report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) following a December 2005 visit to Turkey was published 6 September.

One of the main purposes of the visit to the provinces of Adana, İstanbul and Van was to assess whether the positive legal framework instigated by the EU accession process, combined with the Turkish government's message of 'zero tolerance' of torture and ill-treatment, is resulting in concrete changes on the ground. While the report acknowledges that the signs are encouraging and concludes that torture is becoming exceptional, there are still several areas of grave concern, particularly in regards to prisoner welfare, services for mental health patients and detention.

The report cites allegations of recent physical ill-treatment whilst in police custody, during apprehension and/or in the context of public demonstrations, where there remains a disproportionate use of force. Worryingly, the report describes an increase in instances of ill-treatment being inflicted outside of law enforcement establishments, in isolated areas such as forests.

The report also says that Turkey is still not fulfilling its duty to safeguard detainees from torture and ill-treatment. This was witnessed, for example, in enforced delay in accessing a lawyer, so as to enable the person detained to be informally questioned without the presence of a lawyer prior to the taking of a formal statement. The report also states that the confidentiality and thoroughness of medical examinations was far from guaranteed, with detainees often being examined fully-dressed and in the presence of law enforcement officials, thus limiting the use of medical reports as evidence of torture and ill-treatment in court.

The report also outlines abuses faced by detainees in Turkey's prisons at the hands of staff, with prisoners alleging incidents of torture and ill-treatment. Overcrowding, poor conditions and solitary confinement of prisoners are also serious issues. The report also criticises Turkey's lack of unambiguous mental health law, meaning that the rights of the mentally-ill are not clearly enshrined in domestic law.

The CPT makes a number of recommendations to remedy the inadequacies of implementation combating torture and ill-treatment. KHRP will continue to monitor Turkey's progress in this most important area of human rights legislation.

Prosecution of Mayors in Turkey

Diyarbakir's Metropolitan Mayor Osman Baydemir has been charged with 'knowingly and willingly assisting' an outlawed organisation through public remarks he made to calm residents and security forces during three days of violence that swept through the city following funeral ceremonies held on March 28 for PKK members killed in operations. Baydemir is primarily accused of assisting the PKK only through remarks he made at a press conference on 29 March 2006 where he called for calm from both sides and insisted that a peaceful solution to the Kurdish problem was the only solution. 'Security forces should as of this hour withdraw to their stations. Our citizens, who at this moment are conducting protests, should withdraw to their houses'

were part of Baydemir's remarks that are to be used as evidence by the prosecution. Charged under Article 314 of the Penal Code that could carry a prison term of up to 15 years, the next hearing in Baydemir's case is due to take place at the Diyarbakir 6th High Criminal Court on 3 December 2006.

A case has been opened also citing Article 314 of the Penal code against 56 mayors from the Democratic Society Party who submitted a letter to Danish Prime minister, Anders Fog Rasmussen, requesting that the Denmark-based Kurdish television channel ROJ-TV remain open. The first hearing of the case is scheduled to take place on 26 September 2006.

Charges were also brought against Abdullah Demirbaş, the mayor of



ABOVE: Osman Baydemir, Mayor of Diyarbakir is facing charges under Article 314 of the Turkish Penal Code for comments he made during unrest in the Kurdish south-east of Turkey

Diyarbakir Sur Municipality and member of Democratic Society party (DTP). Demirbaş attended the Social Forum held in Vienna in January 2006 where he submitted a paper entitled 'Municipal work in the light of multi language and local administrations'. In the paper he stated that democracy and multi-culturalism

are related to language, and advocated a departure from the nation-state and mono-nation and mono-language approach. He argued that the Turkish government has a fixation on homogeneity and called for greater self-government within municipalities, encouraging those in the south-east to use Arabic, Kurdish, and Assyrian in addition to Turkish. The indictment accused Mayor Demirbaş of producing propaganda for a terrorist organisation and of challenging the unity of the state. At the hearing held on 19 September at the 4th High Criminal Court in the Diyarbakir Sur Municipality, the Mayor's lawyer, Tahir Elçi appealed for an acquittal. The court ruled that no offence had taken place Demirbaş's speech and he was acquitted.

University of Kurdistan opens in Erbil

The University of Kurdistan—Hewler, with Professor Abbas Vali as Rector, has opened in Erbil, capital of the Kurdistan Region. This is a historic event for the Kurdish regions, having an internationally recognized university bear the name Kurdistan. Its stated mission is to provide 'free world-class education in English to extremely motivated students in the subjects needed for the political and cultural development of the Kurdistan Region. The university is set to offer degrees in Economics and Finance, Management and Business Studies, Politics and International Relations, Sociology and Social Work, Modern History and Information Technology.



ABOVE: Dr Tanyel B. Taysi, Lecturer in International Relations at the newly opened University of Kurdistan-Hewler

The University of Kurdistan-Hewler is poised to take on a central role in the rebuilding of Kurdish society in Iraq, acting as a centre of cutting edge research that not

only advances knowledge, but also informs government policy, and takes an active role in the strengthening of civil society. Through the course of their degree programs, which will be monitored by Bradford University in the UK, the students will gain access to an education that meets internationally recognized standards. The subjects taught at the University reflect the unique needs of Kurdish society at this key time, offering the students a solid grounding in social, political and economic sciences, equipping them with the skills needed to become active players in the building of democratic institutions and civil society.

Dr. Tanyel B. Taysi, co-author with KHRP Executive Director Kerim Yildiz of the forthcoming book, *The Kurds of Iran*, is a Lecturer in International Relations at The University of Kurdistan-Hewler. Dr. Taysi said that one of the principle reasons she accepted the post was that she was impressed with the University of Kurdistan-Hewler's commitment to the exploration of the subjects and issues that are important to building a strong Kurdish civil society, including human rights, gender and politics.

Poorly drafted and fundamentally flawed: Turkey's amendments to Anti-Terror laws

In July 2006, KHRP Legal Department sent a letter to Turkey's Prime Minister, Recep Tayyip Erdoğan to express grave concerns with the proposed amendments to Turkey's Anti-Terror legislation. The amendments have been forcefully criticised by lawyers, judicial bodies and many non-governmental organisations, but were approved by the Parliament and will be presented to Erdoğan for approval.

The amendments do not meet internationally accepted human rights standards and threaten the right to life, prohibition of torture as well as freedoms of thought, expression,

communication, the press and freedom of belief, conscience and assembly. Under the new amendments, the definition of 'terrorist' would be expanded to such a point as to include legitimate forms of non-violent peaceful protest including 'conscientious objection', while ignoring the notion of state terror, and is likely to lead to an increase in prisoners of conscience.

The law threatens the right to life by including a provision for allowing security forces to use a gun "without hesitation" against an armed suspect who does not obey the "stop" command; and the prohibition

of torture by allowing for the first 24 hours of detention to be held 'incommunicado' where a suspect is denied access to legal counsel. In a country such as Turkey with an already shocking culture of impunity, a new provision included in the new law which provides for state-financed legal counsel for perpetrators of torture, can only be a retrograde step.

These amendments also come at a time when, outwardly, Turkey has been seeking to liberalise and reform its own legal system to uphold and respect fundamental rights and freedoms. KHRP believes these draco-

nian provisions contained within the new anti-terror law are a retrograde step for Turkey, which could encourage a worrying return to the era of a police state.

The amendments have now been approved by both the Parliament and the President. Although the President has recently appealed to the Constitutional Court for an annulment of the 5th and 6th Articles of the new Anti-Terror Laws, which cover issues of press freedom and the publication of 'terrorist propaganda', it is concerning that the remainder of the provisions are now in force.

EUTCC meet in Brussels

Kerim Yıldız and Anna Irvin of KHRP travelled to Brussels to draw up the agenda and a list of possible speakers for a conference planned for October 2006 in Brussels. It will be the third annual conference held by the EU Turkey Civic Commission (EUTCC) and is designed to gauge the progress of the accession process in terms of Turkey's compliance with the EU's accession criteria and the status of the Kurds.

Kurdish writer and novelist, Mehmet Uzun has agreed to be patron of the conference. In May, KHRP

was saddened to hear that he is fighting stomach cancer and wishes him warm wishes for a full recovery. Other patrons of the conference have been confirmed as: Bianca Jagger, Shirin Ebadi, Nobel Prize for literature winner Harold Pinter and the Archbishop Desmond Tutu.

KHRP is a founding member of the EUTCC, whose other member-organisations include the Bar Human Rights Committee of England and Wales (BHRC), the Rafto Foundation and medico international.

OSCE urged to be firm on Turkey's compliance with international obligations

KHRP made a submission to the Organisation for Security and Co-operation in Europe (OSCE) Office for Democratic Institutions and Human Rights as part of the 2006 Human Dimension Implementation Meeting (HDIM), which will take place in Warsaw, 2-13 October.

The submission stresses that Turkey is not fulfilling OSCE obligations and adhering to internationally accepted human rights standards with regards to issues such as IDPs, freedom of expression, freedom of as-

sociation, torture, new Anti-Terror laws, minority rights, arbitrary detention, and the resolution of conflict in the south-east.

The submission urges greater compliance on the part of Turkey with a view to resolving the Kurdish question and calls upon member states of the OSCE to give their most urgent consideration to the situation faced by Kurds in Turkey and assist the Turkish Government to end human rights violations.

New right to life case against Turkey declared admissible at the ECtHR

The ECtHR declared fully admissible the case of Muhyettin Osmanoğlu on 21 June 2006, concerning allegations of violations of the right to life, the prohibition of torture and ill-treatment and the right to an effective remedy (Articles 2, 3 and 13 of the European Convention on Human Rights).

The applicant was put in contact with KHRP after the disappearance and presumed death of his son Atilla at the hands of State agents in March 1996. KHRP made further submissions to the Court in August 2006.

KHRP voice concerns at Foreign and Commonwealth NGO Forum Meeting

On 25 September, KHRP's Legal Officer, Lucy Claridge and Consultant on Women and Children's Rights, barrister Margaret Owen attended a meeting with fellow human rights organisations at the FCO in London. The forum was designed as a pre-meeting ahead of the OSCE's Human Dimension Implementation Meeting which will take place in Warsaw from 2-13 October.

The meeting was attended by Minority Rights Group International, Index on Censorship, Article 19 and ILGA and discussed the need for monitoring, dialogue and investigation

of the root causes of trafficking. Access to Justice was also discussed; KHRP expressed concerns regarding Turkey's new Anti-Terror laws and called for dialogue to promote the rule of law.

KHRP's legal department has also responded to the FCO's request for topics to discuss in 2007 in regards to the OSCE. KHRP believes that those of most concern are forced migration, including refugees and IDPs; freedom of expression and association and gender based violence and women's rights.

UPDATE ON KHRP ENVIRONMENTAL WORK

Latest news of Ilisu Dam

The European Court of Human Rights (ECtHR) has agreed to hear a case concerning the ancient site of Hasankeyf in south-east Turkey. The complaint was filed in February 2006 by Professor Zeynep Ahunbay, head of the restoration department at Istanbul Technical University; retired Professor Metin Ahunbay; Professor Oluş Arık, head of the art history department at Ankara University; Atlas magazine editor, Özcan Yüksek; and lawyer Murat Cano. The case relates to the construction of the proposed Ilisu dam which would displace up to 78,000 residents of the area in Batman region (the majority of whom are Kurds) and

submerge the historically and culturally significant structures of Hasankeyf. The Turkish government was asked to "urgently brief" the court about measures planned to preserve the historic site as well as inform the Court of the present stage in construction progress of the dam.

The decision is being viewed as the first step towards the Court's full recognition that cultural heritage is a legitimate fundamental human right. However, the court has refused to issue interim measures to stop construction of the dam until an admissibility decision has been made. The ECtHR has also refused to put the case on the priority case



ABOVE: the archeologically important town of Hasankeyf, which would be submerged under current plans for the Ilisu Dam

list.

Export Credit Agencies (ECAs) recently carried out a site visit following sustained pressure from local groups, Corner House Research (UK), KHRP, Berne Declaration (Switzerland), World Economy Ecology and Development (WEED), ECA-Watch (Austria) and FERN (Belgium). The Initiative to Keep Hasankeyf Alive, a

platform borne of an international conference which took place in October 2005 in the region, were involved in the organisation of the ECAs' visit. The delegation was shown the realities of the impact of the project, not only upon displacement and resettlement, but also upon the stability and security of the predominantly Kurdish region.

NEW AND UPCOMING KHRP REPORTS

The Kurds of Iran

The book presents a detailed study of the Kurds in Iran, bringing together the main political, social, and economic trends of this traditionally oppressed but well-organised group. Yildiz and Doctor Tanyel Taysi, Lecturer in International Relations at Kurdistan-Hawler University, address the contemporary complexities of Iran, identifying the power structure of the existing regime, and the historically antagonistic relationship with the West. Within this framework Yildiz and Taysi seek to unravel the implications of regional geopolitics for the Kurds in Iran, focussing specifically on developments in Turkey and Iraq, and the Iranian government's increasingly discriminatory attitude toward its Kurdish population. In doing so, attention shifts to future possibilities for the Kurds in Iran and the imminent challenges facing the government of Mahmoud Ahmadinejad in its relations with the European Union and the US. *The book is due for release in January 2007*

The Kurds of Iraq; the Past, Present and Future. Second Edition.

Kerim Yildiz, KHRP Executive Director explores the key issues facing the Kurds in Iraq in the aftermath of the US-led invasion and chaos of the occupation. This fully-updated edition is the most clear and up-to-date account of the problems that all political groups face in rebuilding the country, as well as exploring Kurdish and international relations in the broader sense. New chapters concerning the city of Kirkuk and the insurgency raging across Iraq has been added in addition to the latest information on the situation of IDPs, the new Iraqi government and women's rights. It should be required reading for policy-makers and anyone interested in the current position of the Kurds in Iraq. Yildiz explores the impact of war and occupation on Iraqi Kurdistan and examines the power struggles within the UN have the potential to affect the Kurds. The book looks at the historically complex relationship between Iraqi Kurds and the governments of Turkey, Iran, Syria and the USA. *The book is due for release in January 2007*



Turkey's Accession to the EU: Democracy, Human Rights and the Kurds

This publication, presented at the 2nd annual EUTCC conference on Turkey, the Kurds and the EU in September 2005, discusses the background to Turkey's accession to the EU. It evaluates the likely impact of EU membership on the democratisation process within Turkey and its likely benefits for human rights and fundamental freedoms and for Turkey's Kurdish population. The publication goes on to assess the reforms that have been enacted thus far as part of the accession process, particularly the amendments that have been made to the Turkish Penal Code. Whilst acknowledging that great strides have been made, it ultimately concludes that a lot of work remains to be done on the part of the Turkish administration if the accession process is to fulfil the promise that it has engendered.

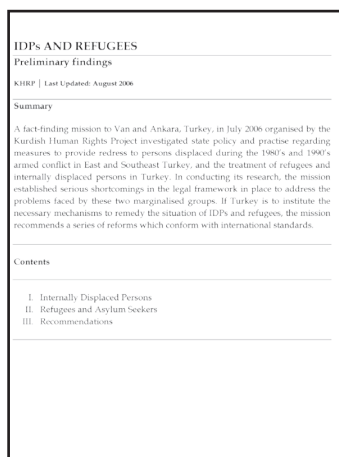
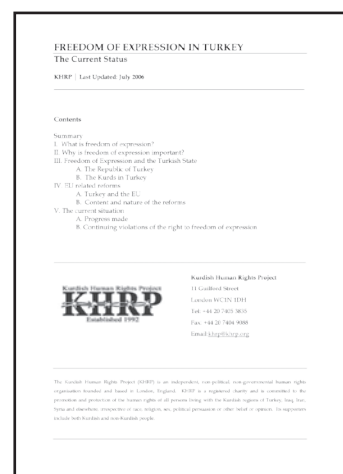
Publication available for 10 GBP from khrp@khrp.org or +44 (0) 207 405 3835 – ISBN 19001750991

Freedom of Expression in Turkey Briefing Paper

Turkey is committed under international law to secure the right to freedom of expression and has instituted numerous reforms in this area in relation to the EU accession process. Yet despite the abundance of new legislation, there remain serious concerns that the law continues to emphasise the protection of the state at the expense of the individual. In recent months the widespread apprehension has proved to be well founded. Publishers, journalists, and satirists continue to be prosecuted and convicted for non-violent expression.

If Turkey is to adequately protect the right to freedom of expression, additional reforms are needed to bring legislation in line with international standards. Furthermore, legal reform must be accompanied with a fundamental shift in the attitudes of the Turkish authorities. This paper brings together the latest research into the status of freedom of expression in Turkey.

Available for free from khrp@khrp.org or +44 (0) 207 405 3835



IDPs and Refugees: Preliminary findings from two recent fact-finding missions

Two fact-finding missions to Van and Ankara, Turkey, in July 2006 organised by the KHRP investigated state policy and practice regarding measures to provide redress to persons displaced during the 1980's and 1990's armed conflict in east and south-east Turkey, and the treatment of refugees and internally displaced persons in Turkey. In conducting this research, the missions established serious shortcomings in the legal framework in place to address the problems faced by these two marginalised groups. If Turkey is to institute the necessary mechanisms to remedy the situation of IDPs and refugees, the missions recommend a series of reforms which conform to international standards.

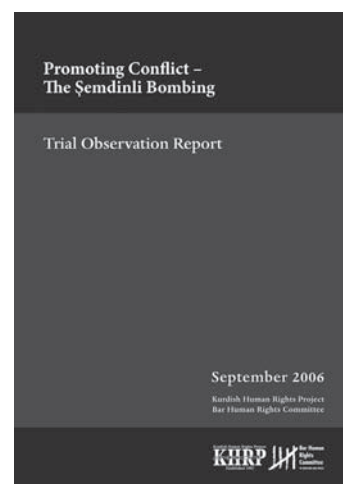
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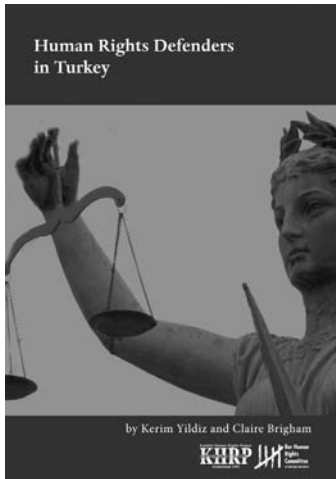
Promoting Conflict – the Şemdinli Bombing – Trial Observation

In April 2006, KHRP Legal Team member, Ajanta Kaza, travelled to Turkey to observe the trial of two of three men accused involvement in the bombing of a bookshop in the town of Şemdinli in the province of Hakkari.

The incident sent shock waves throughout Turkey and internationally because the three individuals accused of planting the explosive devices – together with incriminating material – were apprehended by a crowd of civilians at the scene. Two of the men were non-commissioned army officers, raising the spectre of 'deep state' involvement in the attacks. The report expresses concern that no investigation was conducted of higher level official involvement and at the high degree of political involvement in the Şemdinli incident by the government, state officials and senior military personnel.

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Human Rights Defenders in Turkey

Turkey has a vibrant and dynamic human rights movement which has defied the odds to form an effective force for bringing the Turkish government to account for breaches of human rights. It is of crucial importance to Turkey's democratisation effort that Turkey acknowledges the validity of Human Rights Defenders (HRDs) activities and respects their rights. HRDs not only play a valuable role to the process of democratic renewal, but provide a gauge of a government's true commitment to genuine democratisation.

Because of their tendency to expose and criticise state actions violating human rights and to seek to impose government accountability, HRDs frequently themselves become primary targets of repressive state practices in breach of human rights. HRDs' messages are silenced; they are denied access to victims of human rights abuses, and frequently face arbitrary detention, torture, ill-treatment and even 'disappearance'.

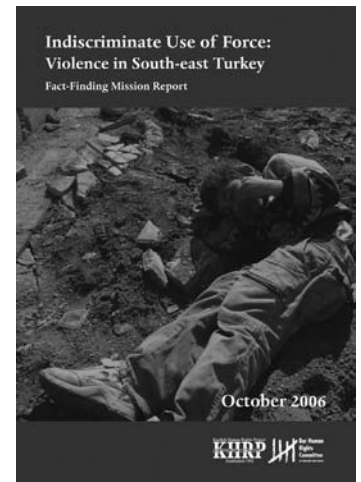
KHRP has been instrumental in documenting abuses committed against HRDs, through pressing for improvements in their treatment and using international mechanisms to achieve justice for HRDs whose rights have been violated. This report is the result of research carried out by KHRP in London and representatives in Turkey. The aim of this report is to contribute to analysis and debate on the reform process as part of the EU accession by examining how far is progressing in the direction of European standards in its treatment of HRDs.

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Indiscriminate Use of Force: Violence in Southeast Turkey – Fact-Finding Mission Report

On 24 March 2006, fourteen Kurdistan Workers' Party (PKK) guerrillas were killed in the mountains outside Diyarbakır by the Turkish army. Thousands of people attended the funerals. Although they passed peacefully, some funeral goers threw stones and rocks when passing a police station. The police responded with tear gas, water cannons, batons and firearms, apparently indiscriminately. The security thereafter deteriorated and Special Forces were deployed. Violence rapidly spread to other Kurdish cities; many were killed, including children, and hundreds more were injured. Three people were killed when a bomb was thrown at a bus in Istanbul in protest at the violence in the south-east. Hundreds of people were detained, many of them illegally, including many children, facing a real risk of torture or inhuman treatment.

KHRP mission members, Michael Ivers and Brenda Campbell, visited the region between 19 and 24 April in order to monitor and document the situation on the ground. They spoke with witnesses of the violence and local human rights organisations. This report documents the mission's findings.



Publication available for 10 GBP from khrp@khrp.org or +44 (0) 207 405 3835 – ISBN 1 900175983

The Status of Internally Displaced Kurds: Return and Compensation Rights – An Update

KHRP recently returned from Turkey where it gathered evidence about the situation and status of internally displaced persons (IDPs) in Turkey. The mission was carried out by KHRP Legal Officer, Lucy Claridge and Legal Team member, barrister Catriona Vine to investigate state policy and practise regarding measures to provide redress to persons displaced during the 1980's and 1990's armed conflict in east and south-east Turkey. The mission discovered severe failings in the legislative mechanisms designed to deal fairly with IDPs and their claims for compensation. Without essential reforms to ameliorate the legal provisions available to displaced persons, this already marginalised group may never receive a just solution to their plight.

A full report will be released in late October; preliminary findings can be downloaded at <http://www.khrp.org/publish/p2006/06N.htm>

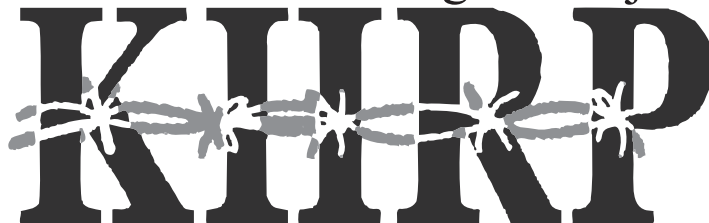
Refusing Refuge: Investigating the Treatment of Refugees in Turkey

In July 2006, Kurdish Human Rights Project carried out a fact-finding mission to Van and Ankara in Turkey. It discovered worrying trends concerning the situation of refugees and asylum seekers. KHRP is concerned about the welfare of these marginalised and vulnerable people. Of particular concern are twelve hundred Iranian citizens of Kurdish origin currently stranded in Turkey with no access to social provisions or the option of resettlement in a third country.

The mission established serious shortcomings in the legal framework in place to address the problems faced by refugees. If Turkey is to institute the necessary mechanisms to remedy the situation of refugees, the mission recommends a series of reforms which conform to international standards.

A full report will be released in late October; preliminary findings can be downloaded at <http://www.khrp.org/publish/p2006/06N.htm>

Kurdish Human Rights Project



Established 1992

Project Information

THE ORGANISATION

The KHRP is a non-political, independent human rights organisation, founded in December 1992 and based in London. Its founding members include human rights lawyers, barristers, academics and doctors.

The Project is registered as a company limited by guarantee (company number 2922108) and is also a registered charity (charity number 1037236).

The KHRP is committed to the protection of the human rights of all persons within the Kurdish regions of Turkey, Iran, Iraq, Syria and elsewhere, irrespective of race, religion, sex, political persuasion or other belief or opinion.

investigations and producing reports on the human rights situation of the Kurds in Turkey, Iran, Iraq, Syria and elsewhere by sending trial observers and fact-finding missions.

- Using reports to promote awareness of the plight of the Kurds on the part of the committees established under human rights treaties to monitor the compliance of states.
- Using the reports to promote awareness of the plight of the Kurds on the part of the European Parliament, the Parliamentary Assembly of the Council of Europe, the national parliamentary bodies and inter-governmental organisations including the United Nations.
- Liaising with other independent human rights organisations working in the same field, and co-operating with lawyers, journalists and others concerned with human rights.
- Offering assistance to indigenous human rights groups and lawyers in the form of advice, training and seminars in international human rights mechanisms.
- Assisting individuals in the bringing of human rights cases before the European Court of Human Rights.

Aims

- To promote awareness of the situation of Kurds in Turkey, Iran, Iraq, Syria and elsewhere.
- To bring an end to the violation of the rights of the Kurds in these countries.
- To promote the protection of the human rights of the Kurdish people everywhere.

Methods

- Monitoring legislation, including emergency legislation, and its application.
- Conducting

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Calendar of Events

3 October 2006	'Political and human rights dimensions of the Kurdish question' conference organised by the Kurdish Association of Victoria supported by the Federation of Community Legal Centres, Victoria and the University of Melbourne, Melbourne, Australia.
2 – 13 October 2006	Organisation for Security and Co-operation in Europe (OSCE) Office for Democratic Institutions and Human Rights Human Dimension Implementation Meeting (HDIM), Warsaw.
16 – 17 October 2006	EU Turkey Civic Commission annual conference, Brussels
26 October 2006	KHRP Cross-border training, KHRP headquarters, London.
8 – 14 December 2006	Forth London Kurdish Film Festival, Rio Cinema, London.