Kurdish Human Rights Project
Impact Report



2005

Kurdish Human Rights Project

KHRP

Established 1992

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HOW TO GIVE FEEDBACK ON THE IMPACT REPORT

This impact report covers the period from January to December 2005. An electronic version of this report is available at: www.khrp.org

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Our mission

Kurdish Human Rights Project (KHRP) is the only non-governmental organisation working consistently in the Kurdish regions that is completely independent of political affiliation. Founded in London in 1992, we are a registered charity and our supporters include Kurds and non-Kurds.

We seek a future based on justice within the framework of international human rights law, where discrimination and conflict have been overcome and all people live in dignity and security.

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Letter from the Director and Chairman

Dear Friends,

In the struggle for the recognition of human rights in the Kurdish regions, we cannot recall a time where resolution of the Kurdish question has so dominated the international agenda.

Of course, it does not feature as prominently as it ought to, given the suffering endured by all too many people and the centrality of discrimination and human rights abuse to the region's instability. Nonetheless, we must recognise the progress made.

The trial of Saddam Hussein and other former Ba'athist officials for genocide, war crimes and crimes against humanity provides an opportunity for justice for victims and survivors of the former regime although we are disappointed that crimes against Kurds have been excluded from the indictment for political reasons. More positively, in the new Iraq, Kurds have benefitted from enhanced recognition of their autonomy in the north and protection of their culture and of their language – a particularly important reversal of the former regime's Arabisation policy.

In Turkey, the situation has considerably improved from when we started our work there back in 1992 – a time when villages were routinely being burned and evacuated by security forces and thousands of Kurds were killed or simply disappeared. It is still shocking to remember the killings of young newspaper boys, in reprisal simply for delivering Kurdish-language newspapers. The images of torture beatings received by women and children and mutilated corpses still remain with us.

While the EU accession process has undoubtedly harnessed positive change in Turkey, institutions guaranteeing human rights, minority rights and democracy are not yet secure. We are gravely concerned at evidence of deteriorating protection of human rights over the year, combined with the renewal of armed conflict in the south-east. Since 2004, according to information we have received at least 550 people on both sides of the conflict are estimated to have died.

Elsewhere, nobody yet knows the full humanitarian cost of the war in Iraq or of its fall-out in the region. Authorities in Iran and Syria – disturbed by the increasing influence of the Kurds in Iraq – have increased repression of the Kurds within their borders. This trend shows no sign of abating.

As this report shows, this has been a year with considerable challenges, not least those faced by the communities and partner organisations with whom we work. We are most indebted, of course, to them for continuing to work in often hostile circumstances out of loyalty to human rights and to our mission.

A major challenge underpinning all our activities this year has been the ongoing implementation of a large-scale organisational restructure, the result of an 18-month feasibility study which concluded in 2004. When fully implemented, our capacity to respond to the many diverse groups seeking our help will be enhanced many times over. Our move to larger office premises will undoubtedly bring benefits over the coming year.

> "This has been a year with considerable challenges, not least those faced by the communities and partner organisations with whom we work."

One of the year's highest points was collecting the Sigrid Rausing Trust Award for Leadership in Minority and Indigenous Rights. We were deeply honoured to be described as having changed the landscape for the world's 28 million Kurds, and to collect an award of £100,000 given only to those organisations the Trust felt had shown outstanding leadership in international human rights. The award will allow us to strengthen the organisation institutionally.

We were also delighted to see several of our friends and colleagues acknowledged during the year. We congratulate our new board member Ed Grieves on his Young Barrister of the Year Award from the Legal Aid Practitioners Group, and our patron Harold Pinter on receiving the prestigious Nobel Peace Prize. Both were well deserved.

We would like to take this opportunity to thank those on our board of patrons, directors, advisory group, legal team and staff. Our structure is crucial to our ability to provide a comprehensive response to human rights abuse throughout an enormous geographic area, with a relatively small staff size and minimal overheads. This year we welcomed Tertia Bailey, Rachel Bernu, Peter Carter QC, Andrew Collender QC, Patrick Doris, Ed Grieves, Mustafa Gundogdu, Mark Himsworth, Bridget Hughes, Mary Hughes, Anna Irvin, Michael Ivers, Stuart Kerr, Bill McGivern, Eric Metcalfe, Clarissa O'Callaghan, Folake Ogundele, Margaret Owen, Sajjad Nabi, Rajesh Kumar Rai, Paul Richmond, Paul Troop, Catriona Vine and Joanna Wood, although several were known to us previously in other capacities. We also thank our many excellent volunteers and interns, without whom we simply could not function.

Finally, as a charity, we owe an enormous debt of gratitude to our funders and donors, whose generous support makes all this possible. Our supporters not only help protect the lives of 30 million people, but also contribute to the advancement of human rights on a global level. We will continue fighting injustice within a human rights framework for as long as it continues. Your support – whether moral, practical or financial – is critical to realising our mission: a future where discrimination and conflict have been overcome, and all people live in dignity and security.

Kerim Yildiz
Executive Director

Mark Muller
Chairman

Who we are

Kurdish Human Rights Project (KHRP) is the only human rights non-governmental organisation working consistently in the Kurdish regions that is completely independent of political affiliation. Founded in London in 1992, we are a registered charity and our supporters include Kurds and non-Kurds.

Our position in the international human rights arena is unique because of:

- Our strong links into local communities in the Kurdish regions, making us well placed to monitor, evaluate and comment upon policies
- The high levels of public trust and confidence we command mean that we are well placed to offer alternative ways of engaging with public policy debates and the process of democracy in the Kurdish regions
- The diversity of causes we represent in the Kurdish regions, enabling us to give voice to a far wider range of perspectives and experiences, including those of marginalised or minority groups or interests that might otherwise be ignored



ABOVE: KHRP legal team at a Grand Chamber hearing of the European Court of Human Rights, Strasbourg, June 2004

What we do

Our Aims

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

Our Beneficiaries

Our work benefits all people in the Kurdish regions, particularly the most marginalised groups – those subject to discrimination on ethnic, gender, race or religious grounds. Although many beneficiaries are of Kurdish origin, others are of Turkish, Arab and Persian and other origins.

Everyone in Europe has stronger protection of their human rights as a direct result of our litigation programme, which has established precedents on issues ranging from the abolition of the death penalty to detention without trial.

Our Methods

HUMAN RIGHTS ADVOCACY AND TRAINING

Our strategic use of international human rights mechanisms as a means to tackle human rights abuse forms a central part of our work. Of particular importance is our caseload of applications to the European Court of Human Rights (ECtHR). We have brought cases on behalf of over 500 victims and survivors of extra-judicial killings, 'disappearances', torture, unfair trials, censorship and other human rights abuses. Our use of international and regional human rights mechanisms allows us not only to find redress for victims and their families, but also to create a culture of compliance among authorities and awareness among communities.

In 2005 we:

- Submitted 22 new cases representing 27 victims or survivors of human rights abuse to the ECtHR, with at least 21 more under consideration

- Provided advice to well over 100 victims and survivors of human rights violations, including providing expert testimony in legal cases

- Received ECtHR judgments in 19 cases representing 33 individuals
- Received 2 ECtHR decisions of admissibility

- Liaised with the ECtHR over 12 cases that were communicated to the respondent governments

Part of our commitment to protecting human right in the Kurdish regions involves developing an independent capacity for human rights enforcement in the region. To this end we work to motivate the rule of law and democracy by transferring skills and building capacity among human rights defenders and advocates in the regions through a coherent programme of regional training seminars.

In 2005 we:

- Conducted 5 regional trainings on remedies for rights violations for the most vulnerable groups in Turkey and Armenia

- Conducted 2 regional trainings on gender equality and women's rights

- Trained 2 human rights defenders from the regions through internships at our London office

- Published 2 editions of our unique legal journal dedicated to human rights developments in the Kurdish regions

FACT-FINDING AND TRIAL OBSERVATION MISSIONS

Fact-finding and trial observation missions play an essential part in monitoring human rights abuse by providing independent investigations of allegations. The missions also help maintain vital grassroots links with victims and survivors of human rights abuse and their defenders, frequently also the subject of human rights abuse.

In 2005 we:

- Conducted 6 fact-finding missions focused on gender and development in Syria; women's rights in Iraq; internal displacement, linguistic rights, freedom of expression and association in Turkey; and the social and environmental impact of the BTC oil pipeline in Georgia and Turkey

- Conducted 4 trial observerations. The focal point of 3 was the censorship of









writers in Turkey. The fourth concerned effective criminal accountability for extra-judicial killings.

"The missions also help maintain vital grassroots links with victims and survivors of human rights abuse and their defenders, frequently also the subject of human rights abuse."

LEFT (From top): Barrister Catriona Vine with lawyers, representatives of NGOs and of the local Bar Association who participated in training, Kars, 2005

Lawyers, potential ECtHR applicants, NGO representatives and human rights defenders attending KHRP human rights training in Armenia, 2005

KHRP was honoured to collect the Sigrid Rausing Trust Award for Leadership in Minority and Indigenous Rights in 2005. Pictured: Executive Director Kerim Yildiz with Sigrid Rausing, Joshua Mailman (Sigrid Rausing Trust) and other recipients of the awards

Professor Noam Chomsky authored the introduction to 'Kurds in Turkey: EU Accession and Human Rights', the most up-to-date critical analysis of Turkey's accession to the EU. Pictured: Professor Chomsky (centre) with Executive Director Kerim Yildiz and Chairman Mark Muller

RESEARCH AND PUBLICATIONS

Our publications – ranging from briefing papers to large-scale research – command high levels of public trust and confidence, and offer alternative ways of engaging with public policy debates and the process of democracy in the Kurdish regions. All our publications are available in hard copy and online.

In 2005 we:

- Published and disseminated 7 research reports and position papers, spanning gender, development and the Kurds in Syria; freedom of expression, association and minority rights in Turkey, particularly concerning Kurds; and conference papers from the 2004 'International Conference on Turkey, the Kurds and the EU' held at the European Parliament in Brussels
- Published and disseminated 2 trial observation reports focused on freedom of expression and effective criminal accountability for extra-judicial killings in Turkey
- Published and disseminated 4 fact-finding mission reports focused on the cultural and environmental impact of large dams, extra-judicial killings, linguistic rights and internal displacement in Turkey
- Improved the marketing of our research and publications to enable wider outreach

PUBLIC AWARENESS, EDUCATION AND COMMUNICATION STRATEGIES

We firmly believe that if people knew the extent of the human rights abuses in the Kurdish regions, they could be stopped. Our independence and reputation for high quality analysis leads many policy and decision makers, journalists, academics and civil society organisations to consult us for updates about human rights and conflict in the Kurdish regions.

In 2005 we:

- Achieved press and broadcast media coverage.
- Received over 3 million hits on our website, an upward trend of 20 per cent in 2-years
- Published and disseminated 4000 copies of our newsletter, in addition to those downloaded from our website
- Hosted and participated in public conferences in the UK, Belgium, Paris and Jordan, including the largest conference yet on the controversial issue of Turkey's EU accession at the European Parliament in Brussels





Our History and Achievements

1992	1993	1994
KHRP, the first non-partisan organisation dedicated to the human rights of all people in the Kurdish regions, is established. *"KHRP opened the gate to Strasbourg for Turkey and the Kurds"* Former Head of the Istanbul Bar Association	Fact-finding missions investigate human rights abuses by Iran, Iraq and Turkish authorities including alleged use of napalm. KHRP observes trials of first Kurdish-language newspaper *Ozgur Gundem* and of several human rights lawyers. Urgent action appeals and submissions made to European Commission on Human Rights, OSCE and several UN mechanisms *"I believe that the role played by KHRP is not confined solely towards convicting Turkey for violations of human rights, but that their work is also an important and useful tool as far as the improvement of legislation and human rights practice in Turkey."* Koray Düzgören, Exiled Turkish journalist	KHRP hosts truly historic international conference on conflict in south-east Turkey, aiming to give a democratic platform to both Turkish and Kurdish groups. Turkey tops the league of countries with the most human rights allegations against it at the ECtHR; a direct result of KHRP's case-load of applications Charity Commission accepts KHRP's argument that 'procurement of the abolition of torture by all lawful means' is a legitimate charitable objective for the first time. KHRP becomes a registered charity. *"The work of KHRP is invaluable. The information it provides is both regular and reliable. Without it the task of campaigning for human rights would be much more difficult."* Bruce Kent, peace campaigner

ABOVE (left to right): In the KHRP case Akdivar v. Turkey, the ECtHR ruled for the first time that Turkish authorities had destroyed a village inhabited by Kurds deliberately. Pictured: Villagers surrounded by the wreckage of their former homes; KHRP applicant Nuriye Akman, whose 22-year old son was fatally shot by Turkish security forces; Sukran Aydin was 19-years-old when she was blindfolded, beaten, stripped naked, placed in a tyre and hosed with pressurised water while in custody. She was then raped by a member of the security forces. KHRP fought her case at the ECtHR, which in 1998 ruled for the first time that rape constituted a form of torture contrary to the European Convention on Human Rights





1995	1996	1997
Publication of research on the Kurdish safe haven in Northern Iraq provokes public debate. Fact-finding and trial observation visits to Iraq and Turkey focus on violations of freedom of expression and association. More cases submitted to European Commission on Human Rights. *"Every single day we receive a petition from Kurdish people who have been forcibly removed from their land, whose relatives have disappeared or have been killed, or who have been tortured. We in turn approach the Kurdish Human Rights Project, and ask them to evaluate the information and decide whether the legal mechanisms exist to highlight the issue and provide redress for the victim."* IHD Bingöl	Strasbourg mechanisms give first binding consideration to Kurdish cases. All KHRP cases declared admissible. Judgment in KHRP case *Aksoy v. Turkey* becomes a landmark in prohibition of torture: the first time a state is found guilty of individual torture in Europe. Detention periods reduced throughout Turkey as consequence. KHRP Founder and Director Kerim Yildiz receives Lawyers Committee for Human Rights award for services to promote rule of law and protect human rights *"The Akdivar judgment validated the Kurdish villagers' claims that they were being forced out of their homes by the most brutal methods. It put the program of village destruction on the agenda in Turkey as well as abroad. It showed that the poorest displaced peasant could find international justice."* Human Rights Watch, 'Displaced and Disregarded: Turkey's Failing Village Return Programme' 2002	KHRP case *Aydin v. Turkey* revolutionises the status of rape in international law. Until this judgment, rape was merely a criminal act in most countries, despite its common use as a systematic method of warfare in times of conflict. Together with a judgment from the ICTY, this judgment classifies rape by or with the acquiescance of state actors as 'torture'. The case encourages other survivors of sexual violence to come forward KHRP attends UN Commission on Human Rights Council of Europe invites KHRP to deliver training in Ukraine and Albania on ECHR KHRP represents survivors of rights violations in 14 ECtHR fact-finding hearings.

ABOVE (left to right): KHRP applicant Unsal Öztürk reviewing his case file with Executive Director Kerim Yildiz; intellectual and writer Fikret Baskaya, who has been prosecuted in Turkey on numerous occasions for his opinions, addresses the press outside the courtroom. KHRP observed the trial to ensure adherence to international standards, 2005; writer Ragip Zarakolu, who was indicted after expressing his non-violent opinion about Kurdish rights and self-determination. KHRP observed his trial in March 2005





Our History and Achievements

1998	1999	2000
Five years of work culminates when ECtHR judgments uphold Turkish state's responsibility for burning villages, inhuman & degrading treatment, & failures to investigate allegations of ill-treatment by security forces, in 8 separate KHRP cases. Judgment in *Selcuk & Asker v. Turkey* determines for the first time, that the burning of homes before the applicant's eyes amounts to a breach of the prohibition of torture or ill-treatment as well as a breach of property rights. KHRP publishes research on minorities in Turkey, Armenia and Azerbaijan and observes trial of 10 human rights defenders	Committee of Ministers calls upon Turkey to make fundamental changes to bring an end to human rights abuses in Kurdish regions. Its unprecedented resolution cites 13 cases as evidence of human rights abuse – 12 of them brought by KHRP. KHRP and partner groups launch sustained campaign against controversial Ilisu Dam, generating widespread public opposition and media coverage. *"KHRP has been the most effective force for bringing the human rights violations of the Turkish government to the Bar at Strasbourg, and to the court of public opinion throughout Europe. Its work in combining legal challenge & the raising of public awareness is unique."* Professor Laurence Lustgarten, currently visiting professor at Kings College London and Commissioner at the Independence Police Complaints Commission	KHRP prompts Strasbourg mechanisms to set precedent that a series of incremental events – not only one event - could constitute a human rights violation. In a case of critical importance for non-state media in general, KHRP case *Ozgur Gundem v. Turkey* for the first time places a *positive* obligation on states to protect free expression. Case establishes that Turkey had violated rights of first Kurdish-language newspaper. *"The continuous stream of cases against Turkey would simply not be there without the help of the KHRP. The mere fact that many of these cases result in judgements in favour of the applicant provides conclusive proof of the immense importance of KHRP's work."* Ties Prakken, Professor of Law

ABOVE (left to right): Professor Noam Chomsky delivers the keynote speech to 2000 assembled supporters at KHRP's 10th Anniversary Lecture, St Paul's Cathedral, London, 2001; Executive Director Kerim Yildiz with the applicant in the landmark Tahsin Acar v. Turkey case, outside the European Court of Human Rights, Strasbourg






2001	2002	2003
The controversial Ilisu Dam project in south-east Turkey, which threatened to displace up to 78,000 people in Kurdish communities, was brought to a standstill. Its primary financial backers withdraw following a highly effective campaign by KHRP and local and partner groups ECtHR ruling in KHRP case *Akman v. Turkey* is at very forefront of debate over controversial reform of the Court itself KHRP lodges new cases about killings of Kurdish conscripts in Turkish army. KHRP mourns passing of one of its founders, Michael Feeney, a longstanding supporter of Kurdish rights Comedian Mark Thomas completes a national tour of his show '*Dambusters*', focused on the Ilisu Dam and Kurdish issue. It raises unprecedented support and awareness for KHRP	Noam Chomsky, Harold Pinter, Michael Mansfield QC, Baroness Helena Kennedy QC & 2000 other supporters attend KHRP Tenth Anniversary celebration at St Pauls Cathedral, London. KHRP Executive Director nominated for Redwood Award for Best Environmental Campaign of the year for his work with the Ilisu Dam Campaign. AMEC withdraws from controversial Yusufeli dam project 24-hours before launch of an Ilisu dam-inspired campaign by KHRP and partner groups. KHRP Legal Director nominated for Liberty/ Justice/ Law Society Young Human Rights Lawyer of Year award. KHRP lodges some of first cases against newly-acceded state Armenia. By 2002, KHRP has represented in over 90% of all fact-finding hearings in ECtHR's history, against any country KHRP fact-finding missions in Turkey, Iraq and Syria highlight the risk of 'water wars'. KHRP and partner organisations launch a campaign against BP's planned Baku-Tbilisi-Ceyhan oil pipeline	Grand Chamber delivers landmark decision in KHRP case *Acar v. Turkey*: the strongest legal challenge yet to the inappropriate use of 'strike out' procedure, an issue closely allied to the ECHR's planned reforms. ECtHR accepts KHRP's arguments & delivers strongest statements yet in condemning recourse to the death penalty in *Ocalan v. Turkey*. Judgment represents a landmark in the advancement towards abolition of capital punishment, with global implications. KHRP is inundated with requests for information concerning the crisis in Iraq, following the launch of war in March KHRP Executive Director Kerim Yildiz publishes "The Kurds: Culture and Linguistic Rights"(KHRP, London)

ABOVE (left to right): Campaigners protest outside Balfour Beatty at its Annual General Meeting, in protest at the Ilisu dam project, 2001; Nobel peace prize-winner and member of KHRP's board of patrons, Harold Pinter, opened the organisation's 10th Anniversary Lecture at St. Paul's Cathedral, 2001; internally displaced children in Diyarbakir, Turkey, 2005







Our History and Achievements

2004	2005
KHRP short-listed for the Liberty/ Justice/ Law Society Human Rights Awards. KHRP Executive Director publishes 'The Kurds in Iraq: Past, Present and Future' (Pluto Press, UK and Ann Arbor, MI, USA) Independent feasibility study concludes evaluation of KHRP's expansion & recommends plan for organisational restructure. A successful KHRP challenge to the ECtHR contributed to the early release of Leyla Zana and other Kurdish former MPs in Turkey are released after 10 years incarceration ECtHR ruling in *Issa & Others v. Turkey* is of major significance for the interpretation & application of the ECHR, particularly surrounding the issue of extra-territorial jurisdiction. KHRP case *Ipek v. Turkey* compels ECtHR to make one of its strongest condemnations yet against actions of Turkish security forces *"The Kurdish Human Rights Project has consistently taken the many questions that surround the Kurdish nation and its diaspora and answered with hard evidence, documentation and results. A voice for justice that will not be drowned out."* William Archer, theatre producer	Director Kerim Yildiz & KHRP are awarded Sigrid Rausing Trust award for Outstanding Leadership in Minority and Indigenous Rights. Several ECtHR judgments signal it may be wiling to reconsider its approach in Kurdish discrimination cases. KHRP prompts the Grand Chamber of the ECtHR to confirm the Court's strongest ever comdemnation of the death penalty in *Öcalan v. Turkey*. KHRP expands its work in the Caucasus, taking on several cases to combat political repression in Armenia as well as organising human rights training in the region. KHRP Executive Director publishes 'The Kurds in Syria: The Forgotten People' and 'The Kurds in Turkey: EU Accesssion and Human Rights', featuring an introduction by Professor Noam Chomsky (both Pluto Press, UK and Ann Arbor, MI, USA) *"We are so happy for you that KHRP got the award. It is a world wide recognition of the work that you do. We appreciate your work also and are always amazed about your struggle for the Kurds who are suffering because their rights are not respected."* Dutch religious, community-based organisation CIBO

ABOVE (left to right): Kurdish former MPs Selim Sadak, Leyla Zana and Orhan Dogan photographed following their early release from incarceration, 2004; children protest at the extra-judicial killing of 12-year old Kurdish boy Uğur Kaymaz and his father, Kiziltepe, south-east Turkey, 2004; the ancient Kurdish city of Hasankeyf would be threatened by development of the Ilisu dam

The Kurds: A Background

The Kurds are the largest ethnic group without their own state. Perceived as posing a separatist threat and without any formal representation on the world stage, they have been subject to genocide, crimes against humanity and a host of other human rights abuses.

Many of the Kurds' problems emerged from the aftermath of the First World War. Following the collapse of the Ottoman Empire, the regional powers signed a peace treaty – the Treaty of Sèvres – envisaging, among other provisions, the future establishment of an independent Kurdish state. However, following a war of independence by Mustafa 'Kemal' Ataturk and his movement, the Treaty of Lausanne was enacted instead. That treaty sidelined the Kurdish question altogether and finalised the division of the Kurdish regions between modern-day Turkey, Iraq, Iran and Syria.

Kurdish culture stems back to remote antiquity; descended from the migration of Indo-European tribes some 4,000 years ago to the Zagros mountains, now the heart of the Kurdish region. Although no formal censuses exist, there are estimated to be between 25 and 30 million Kurds originating from the mountainous region bordering modern Turkey, Iraq, Iran and Syria. Despite their cross-border spread and the large number of different languages and religions, Kurds undoubtedly share a strong overarching sense of identity.

The geopolitical importance of the region combined with significant oil and water resources there always appears to have hindered, not helped, the Kurds.

The issues faced by Kurds in each country vary in nature and intensity, but there are undeniably common threads. In almost all regions, Kurds face suspicion of harbouring separatist sympathies simply by virtue of their ethnic origin. Ethnic cleansing programmes, known as 'Arabization' or 'Turkification', have been implemented, accompanied by mass killings, displacement and prohibitions on Kurdish culture and language. Over the last twenty years, the Kurdish regions have been the scenes of genocide, crimes against humanity, extra-judicial killings, torture, mass displacement and censorship, among other abuses of international law.

Today, millions of Kurds live as internally displaced persons within state borders – physically prevented from returning to their former land and livelihoods following armed conflict. Millions more live as migrants, refugees and asylum seekers across the world.

Recent developments, particularly in Iraq and Turkey, have dramatically altered the prospects of the Kurds and the range of possibilities open to the international community to stimulate positive and effective change in the Kurdish regions.

In Turkey, Kurds generally are supportive of the goal of EU accession, bringing with it a promise of improved human and minority rights and tolerance. Recent reforms adopted by the government have liberalised longstanding bans on the use of the Kurdish language in broadcasting and education. Yet, the country still falls far short of EU standards. Registration of Kurdish personal or business names is prohibited – the use of Kurdish letters that do not appear in the Turkish alphabet can result in prosecution. Torture and ill-treatment persists and certain groups – particularly those perceived to harbour pro-Kurdish, Islamist or left sympathies – are particularly susceptible. Human rights defenders and NGOs frequently find themselves the targets of arbitrary intimidation and harassment. The country is still far from recognising gender equality, particularly as it relates to private life. Security in the region has weakened since the resumption of armed conflict between the Turkish state and Kurdistan Workers' Party (PKK) in June 2005.

The source of discrimination against Kurds in Iran stems not only from their ethnic minority status but also, just as importantly, from the fact that the majority of them are Sunnis in a country dominated by Shi'ites. Moreover, many Kurds fear that the conservative, populist Mahmoud Ahmadinejad, elected president in 2005, will roll back the little progress that occurred under his predecessor, Mohammad Khatami.

In Syria, the state of emergency in place since 1963 has augmented the Ba'thist regime's tools for oppression and impunity. Kurds are excluded from the government's general policy of allowing ethnic minorities to perform traditional actitivies; they face restrictions of fundamental freedoms concerning association, residence, travel and movement.

Moreover, up to 360,000 Kurds are stateless following a 1962 census that stripped them of their nationality. This, perhaps more than anything else, denies them of their civil, political, social, economic and cultural rights.

The lack of civil and political freedoms in Azerbaijan and Armenia mean many Kurds are afraid to speak about their situation. The states view civil society organisations, opposition political supporters or human rights defenders with suspicion, leading to arbitrary arrests, detentions, torture or ill-treatment and even killings. Elections are neither free nor fair, and corruption is rife.

Many Kurds in Iraq welcomed the US-led coalition that toppled the Ba'athist regime in 2003, not only because it removed a much-abhorred tyrant, but also because it allowed the Kurds to strengthen their moves towards development of Kurdish Regional Federation state. It remains to be seen whether or not Iraq will progress towards an inclusive, pluralist society based on the accommodation of difference, but, unlike in neighbouring countries, the Kurds of Iraq do at least have political influence with which to promote their own rights. However, their rising influence has led to attendant problems for Kurds in other regions, with authorities in Turkey, Iran and Syria fearing the impact that increased international attention for Kurds could have on the Kurdish situation within their own borders.

REVIEW 2005

Kurdish Human Rights Project

KHRP

Established 1992

Our Activities: Overview

Thematic Area	Region	Related Countries/ Regions	Title
TOOLS FOR PUBLIC PARTICIPATION IN SECURING THEIR HUMAN RIGHTS			
	Caucasus, Eurasia	Armenia, Azerbaijan, Turkey	Human Rights Training
	Eurasia	Turkey	Trial Observation and Fact-Finding Missions
	Eurasia, Middle East	Iraq	Human Rights Litigation and Advocacy
DETENTION, TORTURE AND ILL-TREATMENT			
	Caucasus, Eurasia	CoE Region, Armenia, Azerbaijan, Turkey	Human Rights Litigation and Advocacy
DISCRIMINATION			
	Eurasia, Middle East, Europe	CoE Region, OSCE Region, Turkey, Syria, Iran, EU	Public Awareness, Education and Communication Strategies
	Eurasia, Europe	Coe Region, OSCE Region, Turkey, EU	Human Rights Litigation and Advocacy
	Eurasia, Middle East	CoE Region, Turkey, Syria	Trial Observations and Fact-Finding Missions
ENVIRONMENTAL JUSTICE			
	Caucasus, Eurasia	Georgia, Turkey	Trial Observation and Fact-Finding Missions
	Caucasus, Eurasia	Azerbaijan, Georgia, Turkey, OECD Region	Human Rights Litigation and Advocacy
	Caucasus, Eurasia	Azerbaijan, Georgia, Turkey	Public Awareness, Education and Communication Strategies
EXTRA-TERRITORIAL HUMAN RIGHTS OBLIGATIONS			
	Worldwide	Turkey, Iraq, Iran	Human Rights Litigation and Advocacy
FREEDOM OF EXPRESSION, THOUGHT, CONSCIENCE AND RELIGION			
	Caucasus, Eurasia	CoE Region, Armenia, Turkey	Human Rights Litigation and Advocacy

	Eurasia	Turkey	Trial Observation and Fact-Finding Missions
	Eurasia	Turkey	Research and Publications
GENDER EQUALITY			
	Middle East, Eurasia	Iraq, Turkey	Human Rights Litigation and Advocacy
	Middle East, Eurasia	Iraq, Turkey	Human Rights Training
	Middle East, Eurasia	Syrian, Turkey	Trial Observation and Fact-Finding Missions
	Middle East, Eurasia, Caucasus	Armenia, Azerbaijan, Iraq, Iran, Syria, Turkey, EU	Public Awareness, Education and Communication Strategies
INTERNAL DISPLACEMENT AND EXPROPRIATION			
	Caucasus, Eurasia	Azerbaijan, Georgia, Turkey, Armenia	Human Rights Litigation and Advocacy
	Eurasia	Turkey	Human Rights Training
	Eurasia	Turkey	Trial Observation and Fact-Finding Missions
	Eurasia	Turkey	Public Awareness, Education and Communication Strategies
REFUGEES, ASYLUM SEEKERS AND MIGRANTS			
	Eurasia, Europe, Middle East	Iraq, Syria, Turkey, several EU countries	Public Awareness, Education and Communication Strategies
	Eurasia, Europe, Middle East	Iraq, Syria, Turkey, several EU countries	Human Rights Litigation and Advocacy
RIGHT TO LIFE			
	Caucasus, Asia, Middle East	CoE Region, Iraq, Iran, Turkey, Azerbaijan	Human Rights Litigation and Advocacy
	Eurasia	Turkey	Trial Observation and Fact-Finding Missions
PROTECTION OF HUMAN RIGHTS AND LAW			
	Caucasus, Eurasia	CoE Region, Armenia, Azerbaijan, Turkey	Human Rights Litigation and Advocacy
	Caucasus, Eurasia	Armenia, Azerbaijan, Turkey	Human Rights Training

Our Impact

Political and Judicial Systems

The rule of law is essential in practically ensuring that human rights standards are adhered to. Only a genuinely impartial judiciary can effectively protect the rights of individuals.

We are representing several individuals who allege their rights to a fair trial and to liberty have been violated by Turkish authorities. One concerns a man who was stigmatised and unable to return to his former employment after charges were brought against him for assisting an illegal armed group. He spent 19 months in detention even though all charges were dropped. Another concerns a musician, composer and human rights activist, Sanar Yurdatapan, who was arrested in Turkey in 1997 under suspicion of liaising with supporters of an armed group. This is one of dozens of cases against the activist.

INDEPENDENCE OF THE COURT

Terrorism and security concerns are often cited to justify undermining the rule of law and an erosion of the separation of powers. Turkey's State Security Courts were a case in point. They were heir to the martial law courts and allowed military influence over the systems of justice by mandating the presence of a military judge. Through our strategic litigation, we have sought to challenge and undo the unjust legacy of these institutions. Our cases through the year included:

- **Osman Özüpek, Duran Özdemir and Hüseyin Avni Yazıcıoğlu**. In March the ECtHR upheld our case that the process had breached their rights to a fair trial
- **Hatip Çaplık**. The ECtHR upheld our case that his right to a fair trial had been violated and that the length of proceedings was unreasonable
- **Fikret Karaoglan** Our case to the ECtHR, complaining that his right to a fair trial in Turkey had been violated, was communicated to the government in 2005

POLITICAL REPRESSION

Human rights violations are most often committed against those perceived to pose a challenge to authority, such as human rights defenders and political dissidents. Furthermore, political repression often leads to violent conflict; and in turn widespread human rights abuses. Our programme promotes adherence to international democratic standards and regards cultural diversity and freedom as positive and necessary elements of a true democracy.

During the year we expanded our work in the Caucasus and worked extensively on adherence to democratic standards in cases including:

- **Stephan Demirchyan** is chairman of the People's Party of Armenia and an opposition candidate for the presidential elections in 2003, during which massive fraud occurred accompanied by the harassment and ill-treatment of supporters of certain parties. In 2004 special forces conducted an illegal search and seizure of materials at the party offices, based in the Karen Serob Demirchyan Museum, named after the applicant's father who was killed during an attack on the National Assembly of Armenia in 1999. Twelve people were taken to the police department and several were ill-treated. We submitted a case to the ECtHR complaining of multiple violations of human rights.

- **Artak Zeynalyan** is a senior member of the Armenian opposition party *Hanrapetutyun* (RPP). He was detained following a widespread political process in April 2004 at which thousands of people rallied demanding the resignation of the President of Armenia. Fifteen police officers forcibly entered and searched the RPP offices without providing evidence of authorisation. That night Zaynalyan was forced into a car and taken to a temporary detention facility where he was kept for 36 hours without access to legal representation. He returned to his office to discover several of his belongings destroyed or missing. We submitted a complaint to the ECtHR complaining of multiple violations of his human rights

- **Sasha Sayadyan** is a member of the Armenian opposition party *Hanrapetutyun* (RPP). Following his refusal to sign a statement that he would not attend a demonstration, he was placed on trial at which he was denied legal representation and at which he was sentenced to ten days administrative arrest. He was detained in a small cell with one other person, both sleeping on a wooden desk, and denied access to food and washing facilities. We submitted a new complaint to the ECtHR



complaining of multiple violations of his human rights

- **Sargis Amiryan** complains that he was intimidated by police, who questioned him about his participation in demonstrations. He was brought before a court where he confirmed his name. The judge replied, "Fifteen days of administrative detention. Get out." In detention he was denied access to lawyers and relatives, and he was fined upon release. We submitted a new case to the ECtHR complaining of multiple violations of his human rights

LEFT (From top): KHRP with several applicants in cases to the European Court of Human Rights, Armenia, 2005

Narine Gasparyan (Forum Law Centre), Lucy Claridge (Legal Officer, KHRP), Kerim Yildiz (Executive Director, KHRP) and Tigran Ter-Yesayan (Forum Law Centre) deliver training on just satisfaction claims at the ECtHR, Armenia, 2005

Human rights defender Ferhat Kaya has faced harassment, ill-treatment and a prison sentence for his work to mitigate the impact of the Baku-Tbilisi-Ceyhan oil pipeline in Turkey. Pictured: Ferhat Kaya, photographed during a fact-finding mission to Turkey, 2005

KHRP with human rights defenders in Turkey during a fact-finding mission to investigate linguistic rights, 2005

Detention, Torture and Ill-treatment

The year 2005 was troubling for anti-torture campaigners. Governments professing a commitment to combatting terrorism not only undermined the ban on torture and other cruel, inhuman and degrading treatment – they argued such practices were justifiable and necessary.

We have fought hard not to lose precious ground won on the eradication of torture and ill-treatment, particularly in Turkey. Our strategic litigation and advocacy has in the past ensured the reduction of detention periods and the redefinition of rape as a form of torture under the European Convention on Human Rights. Together with an International Criminal Tribunal for the former Yugoslavia ruling, these cases revolutionised how rape by or with the acquiescance of a state actor is seen in international law.

As our past experience has taught us, there are many practical measures capable of dramatically reducing incidents of torture and ill-treatment. Broadly speaking, independent supervision of law enforcement and security authorities coupled with effective criminal accountability are thought to be the most effective means of prevention.

Through regular meetings with survivors of torture or ill-treatment and their defenders, we continuously monitor the behaviour of law enforcement and security authorities. In most of the Kurdish regions, reports of torture or ill-treatment persist with a regularity that is deeply troubling. Turkish State official statistics estimate that in the first quarter of 2005, 1,239 torture and ill-treatment cases were filed against law enforcement officials. The Human Rights Association's October 2005 'Report on Prevention of Torture and Impunity of Perpetrators' suggests that perpetrators of torture are still protected at almost all levels of investigation and judicial prosecution. According to İHD, 69 per cent of trials led to acquittals and 15 per cent led to postponement, bringing no punishment to suspected perpetrators.

We also continuously strive to obtain effective criminal accountability through domestic or international courts. We monitor domestic cases against police and other officials accused of violating the prohibition of torture or ill-treatment, as well as submitting cases to international human rights courts to incentivise states to bring torturers to justice. For example, when all eleven of the police officials accused of ill-treating Ferhat Kaya - a local politician and human rights defender who has worked to mitigate the impact of BP's Baku-Tbilisi-Ceyhan pipeline in north-east Turkey - during detention were acquitted, we submitted a new case to the ECtHR complaining that his human rights had been violated. Such cases have had strong results – compelling the Turkish government to pay 592,000 EUR in pecuniary and non-pecuniary damages in cases concerning detention, torture, ill-treatment or the right to a fair trial this year alone.

Over half of our new cases to the ECtHR in 2005 concerned detention, torture or ill-treatment in the Caucasus. We lodged eleven new cases concerning the treatment of protestors, or

would-be protestors in Armenia, in demonstrations calling for the resignation of the president in April 2004. One applicant alleges he and his wife were repeatedly requested to appear at the city police department, where he was denied access to legal representation and was requested to sign a false confession. Other applicants allege they were put in detention or subjected to torture or ill-treatment. A further seven new cases were communicated to the Armenian government during the year, relating to the harassment and intimidation of opposition political candidates and protestors during the 2003 presidential elections. The applicants variously complain of having been arrested and detained arbitrarily; forced to share a single bed between three people in detention; and fined. All of the cases were brought with the assistance of the Forum Law Centre.

Many more of our cases relate to the intimidation or harassment of human rights defenders or members of opposition political parties, particularly those that have taken up the Kurdish issue. In 2005 these cases included:

- **Serdar Tanış and Ebubekir Deniz**, two senior figures in the People's Democratic Party (*DEHAP*), disappeared in 2001 after receiving telephone calls requesting their attendance at the Silopi police station. In August, the ECtHR upheld our complaints that Turkey had failed to provide adequate investigations and a credible explanation for the disappearances, therefore violating the right to life and the right to liberty and security. The Court also found that, because the Turkish state had shown a lack of care in investigating the circumstances of the disappearance, it had increased the suffering of the victims' relatives, violating the prohibition of torture and ill-treatment (Article 3)

- **Ahmet Dizman**, a Kurd, was taken to an isolated place and beaten by police officers, during which his jaw was broken. This followed his attendance at the funeral of two members of the People's Democracy Party (*HADEP*), a pro-Kurdish political party whose members have experienced harassment and intimidation. Following a 7-year legal challenge, the ECtHR upheld our complaints and compelled the Turkish government to pay compensation

- **Sinan Tanrıkulu, Servet Ayhan and Fırat Anlı** are three Turkish nationals, two of whom are also prominent human rights defenders with the Diyarbakir Bar Association. They were held in police custody for twelve days before judicial intervention. Following our 9-year legal battle, the ECtHR upheld our complaints in October that their rights to liberty and security had been violated and that they were entitled to compensation

Many of the cases brought before the ECtHR combine torture or ill-treatment with other human rights violations. The ECtHR has recognised in many of our right to life cases that the mental anguish experienced by individuals following the 'disappearance' of a relative was a violation of the prohibition of torture or ill-treatment. Similarly, it has held that the destruction of family homes and possessions before an individual's eyes is a form of mental anguish sufficient to breach the ECHR. In the landmark *Abdullah Öcalan v. Turkey* judgment, the Grand Chamber in 2005 confirmed the ECtHR's strongest statements yet in condemning recourse to the death penalty, describing it as an

inhuman or degrading form of punishment.

Our litigation concerning the right to be free of torture or ill-treatment in 2005 included:

- **Aydin Kişmir** was arrested and detained in Diyarbakir police headquarters in 1997 and died in police custody after six days. The ECtHR upheld our complaints that head and other bodily injuries had led to his death, and condemned Turkey for violating his right to life and the prohibition of torture or ill-treatment. The state was compelled to pay compensation to his relatives

- **Süheyla Aydın**, a Kurd, complained that she and her husband had been taken into police custody where she had been subjected to inhuman and degrading treatment and her husband to torture in 1994. Her husband was subsequently found dead in a shallow grave outside Diyarbakir with his hands tied behind his back and a single bullet through the head. In May the ECtHR upheld our complaints that their rights to life and to be free of torture or ill-treatment had been violated, among other breaches of the ECHR

- **Kadri Ateş** died in June 1995 after being arrested by plain clothes policemen and being allegedly subjected to torture while in custody. The authorities told Kadri's family that he was not in custody and that he had died as a result of a clash between security forces and the PKK. The ECtHR's decision in May 2005 confirmed that Kadri had indeed been unlawfully detained and that Turkey had failed to account for his death

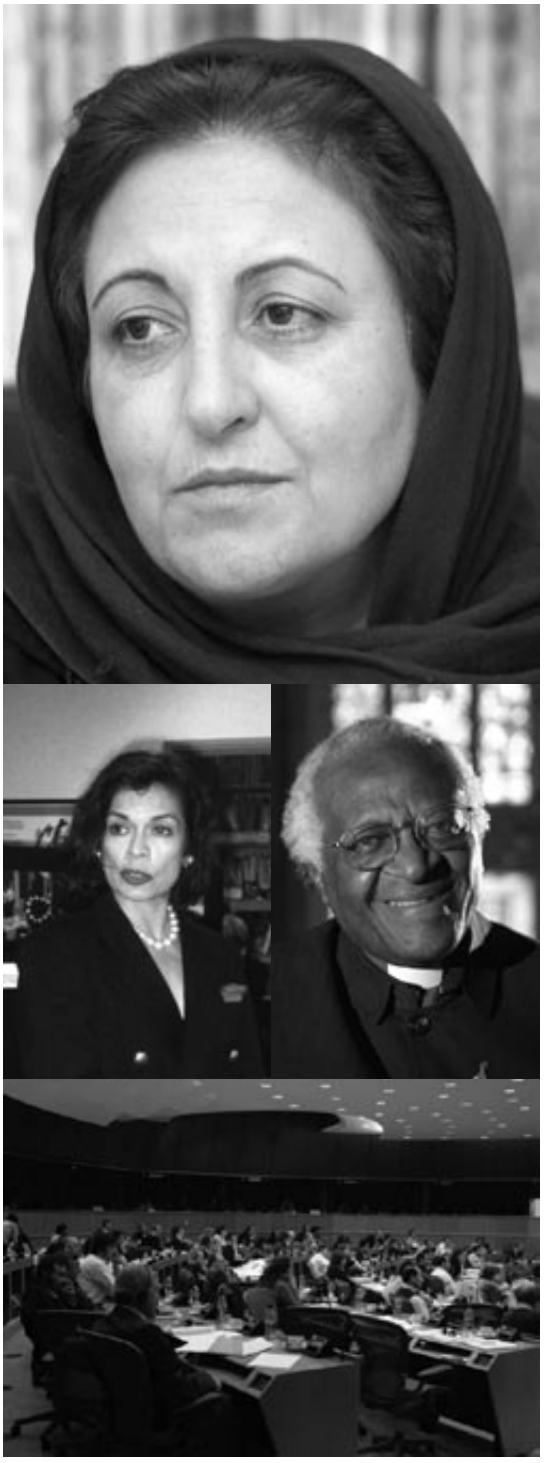
Discrimination

ISLAMIC REPUBLIC OF IRAN

The Islamic Republic of Iran's constitution guarantees equal rights to ethnic and recognised religious minorities, but this does not apply to the overwhelming majority of the Kurdish population.

The human rights situation has deteriorated rapidly over the year, with increases of civilian deaths, harassment of journalists and human rights defenders, newspaper closures, arrests of children and torture or ill-treatment. There is de facto martial law in many areas. The UN Special Rapporteur on Housing confirmed in his recent report that the Kurdish regions suffer a disproportionate lack of basic infrastructure services such as water and electricity.

In 2005, we launched a 1-year research project on the discrimination faced by the region's Kurds, holding interviews and consultations with numerous interested individuals and groups. We also raised awareness of the issue at public meetings, including a parliamentary meeting, and in interviews with domestic and international media.



IRAQ

Saddam Hussein's regime did not provide any effective measures to protect the rights of ethnic or religious minorities in Iraq, such as Christians, Yazedis, Mandi Sabeans, Turkmen, Syriacs, Armenians and Chaldo-Assyrians. His fall from power has presented something of an opportunity for these groups to tackle the discrimination they have faced.

The Constitution of Iraq, approved in the referendum of October 2005, contains provisions aiming to protect minority rights. Article 14 states that: "Iraqis are equal before the law without discrimination based on gender, race, ethnicity, origin, colour, religion, creed, belief or opinion, or economic and social status." Elsewhere, the constitution "guarantees the full religious rights" of all citizens and permits political, language and cultural freedoms.

However, minority groups and international observers still have a number of concerns. For instance, Article 121, which guarantees "administrative, political, cultural and educational rights", will only be effective if further laws

LEFT (From top): Nobel Peace Prizewinner Shirin Ebadi, human rights activist Bianca Jagger and Archbishop Desmond Tutu were patrons of the 'EU, Turkey and the Kurds' conference held at the European Parliament in Brussels, 2005

Delegates at the Second International Conference on EU, Turkey and the Kurds, held at the European Parliament in Brussels from 19 to 20 September 2005

are enacted, but these laws have yet to be enacted. Minorities fear that their representation at parliament, in which they gain one seat per 100,000 members of the population, does not provide enough influence to ensure that laws will sufficiently uphold the constitution's statements on anti-discrimination.

We have worked throughout the year to raise awareness of these issues and to influence decision and policy-makers in Iraq, as they try to rebuild a devastated country. We have also worked to combat discrimination against women and girls (see 'Gender Equality, page 40).

ARAB REPUBLIC OF SYRIA

In Syria, discriminatory legislation prevents thousands of Kurds from marrying, working, obtaining travel documents or even speaking their language freely. A state of emergency has been in place for 41 years and up to 360,000 Kurds are stateless, as a result of a 1962 census that stripped citizenship from them overnight. A summer 2005 promise to some has not yet materialised. There is concern about the practice of torture and ill-treatment in prisons and related state security divisions, and over the impunity of perpetrators.

In 2005, Executive Director Kerim Yildiz published a unique insight into the plight of the Syrian Kurds. 'The Kurds in Syria: The Forgotten People', published in the UK by Pluto Press and in the US by the University of Michigan, examines the contemporary situation of the Syrian Kurds in the context of the region's history, and the present situation whereby Syria is blacklisted as a terrorist state by the USA.

This year's second publication concerning discrimination in Syria was published in July, and focused on the effects of the government's development policies. The report details the hardships felt by women, particularly those that are Kurds, in the areas of citizenship, poverty and labour. Concluding a 2-year research project, we also sent a fact-finding mission to the Kurdish regions of north-east Syria in February.

TURKEY

Turkey's accession to the European Union frequently topped the political agenda in 2005, particular in the lead up to the October decision to begin official membership talks. The Kurdish issue is central to a stable, democratic and peaceful Turkey – and by extension, Europe.

There was optimism in July when Prime Minister Erdogan acknowledged past mistakes and the existence of a Kurdish question – in itself a transformation of official policy. However this optimism was offset by widespread concerns of a deteriorating human rights climate and the renewal of armed conflict against the Turkish state.

Our position as the only non-partisan, multidisciplinary organisation working consistently on the human rights situation in the Kurdish regions has pushed us to the very forefront of the debate. In 2005, Executive Director Kerim Yildiz published the most up-to-date critical analysis of the problems faced by the Kurds in Turkey and the prospects for Turkey joining the EU. 'The Kurds in Turkey: EU Accession and Human Rights' was published in the UK by

Pluto Press and in the US by the University of Michigan, received critical acclaim, and was reviewed in leading periodicals including the New York Review of Books.

Alongside our very public role in organising events, producing reports and liaising with press and broadcast media, we have also held numerous briefings with governments, non-governmental organisations, intergovernmental organisations and others with an interest in the present and future stability of Turkey and the EU.

Turkey And the European Convention on Human Rights

No organisation has had a greater impact at the European Court of Human Rights or in Turkey's socio-political configuration than KHRP. We have the strongest track record of successfully proving gross human rights violations to have occurred of any organisation in Europe.

This was implicitly acknowledged by the Council of Europe's Committee of Ministers in June when over three quarters of the 77 cases it cited as measures of Turkey's compliance with the European Convention on Human Rights were those brought by the KHRP. The cases concerned established human rights violations committed by Turkey's security forces, including violations of the right to life, prohibition of torture or ill-treatment, the destruction of property and lack of effective domestic remedies. In the past six years alone there have been 764 such judgments finding Turkey in breach of at least one of its human rights obligations, the majority of them against Kurdish people.

Surprisingly, however, the ECtHR has never to date found it necessary to consider whether these were symptomatic of an underlying discrimination against Kurds in Turkey. Partly dissenting opinions in six of our cases that reached judgment in 2005 suggest the ECtHR may be reconsidering this approach. This is the very first time the Court has given such attention to complaints of discrimination from Kurds in Turkey.

One of the cases concerned a Kurdish boy who was killed in an incident that appeared to constitute reprisal against the youth for expressing his Kurdish identity (*Mesut Dundar v. Turkey*). The ECtHR condemned Turkey for its failure to investigate the circumstances of the death. Whilst the majority considered it unnecessary to consider the complaint of discrimination separately, Judge Mularoni said she felt uncomfortable not considering the issue of discrimination given the number of applications lodged by Turkish citizens of Kurdish origin, and particularly following an earlier judgment finding a violation of the right to freedom from discrimination in a case brought by Roma people against Bulgaria.

A ECtHR ruling that abuses against Kurds are discriminatory and therefore systematic could carry serious implications for the process of Turkey's accession to the EU, and allow for wider scope for group action claims. One of our key aims in 2006 will be to pursue this possibility. We will also continue to pursue test cases on a range of other issues, including torture, ill-treatment and internal displacement.

Turkey and the Copenhagen Criteria

On balance, we are supportive of Turkey's eventual accession to the EU. The prediction that full accession will not take place until at least 2014 may allow enough time for prompting and fully implementing further human rights reform and facilitating dialogue on important issues including the Kurdish question. However, there are numerous indications that the human rights environment in Turkey deteriorated during 2005, and we remain convinced of the need for the Copenhagen Criteria – the EU standards on human rights, minority rights and democracy – to be robustly enforced.

With the Kurds neither occupying a seat in Europe nor having access to mainstream politics in Turkey, there is a particular duty on all parties to the accession process to ensure that Turkey's Kurdish population is adequately represented. We have worked with people at all levels of the political spectrum – from grassroots groups to high-level policy and decision-makers – to ensure, as much as possible, that the perspectives of minority groups including Kurds are represented in the discussions.

As a founding member of the EU-Turkey Civic Commmission (EUTCC), a non-profit association aimed at monitoring the accession process and making recommendations, we supported their second conference at the European Parliament entitled 'The EU, Turkey and the Kurds'. Archbishop Emeritus desmond Tutu, Nobel Peace Prize winner Shirin Ebadi and human rights defender Bianca Jagger were patrons of the event, which attracted leading commentators including the Vice-President of the European Parliament, Edward McMillan-Scott, Kurdish writer Mehmet Uzun, former parliamentarians in Turkey Hatip Dicle and Selim Sadak, president of the delegation to the EU-Turkey Joint Parliamentary Committee Joost Lagendijk MEP, mayor of Diyarbakir Osman Baydemir, member of the Parliamentary Assembly of the Council of Europe Lord Russell Johnston and representatives of human rights groups including the Human Rights Association, TOHAV, FIDH, International PEN and Mazlum-Der. We facilitated several further EUTCC public and private events throughout Europe during the year.

Turkey and the Organisation for Security and Co-operation in Europe

Concerned with Turkey's non-compliance with human rights standards, we urged the OSCE's High Commissioner for Minorities to examine the case for establishing a bilateral Turkish-Kurdish forum as part of our submission to the OSCE in September.

Our annual submissions to the OSCE provide the only representation afforded to Kurds as part of its regular Office for Democratic Institutions and Human Rights Human Dimensions Implementation meetings.

"We will also continue to pursue test cases on a range of other issues, including torture, ill-treatment and internal displacement."









Environmental Justice

BAKU-TBILISI-CEYHAN OIL PIPELINE

The social and environmental impacts of BP's Baku-Tbilisi-Ceyhan pipeline through Azerbaijan, Georgia and Turkey are set to worsen as soon as it begins pumping oil. Accordingly throughout the year we intensified our efforts to defend local people's human rights and to hold BP and the project's financial backers to account.

Construction of the project has been proceeding for around two-and-a-half years, and has had a

LEFT (From top): Chairman Mark Muller and Executive Director Kerim Yildiz at the European Parliament in Brussels to discuss Turkey's accession to the EU with MEPs, 2005

The ancient city Hasankeyf in south-east Turkey stands to be flooded by the proposed Ilisu dam (photo: John Wreford)

KHRP in conjunction with its partner organisations hosted a seminar to examine the international experience with large dams and its relevance to Turkey's dam-building programme in general and the GAP project in particular. Pictured: Panellists at the conference, Diyarbakir, 2005

BP's Baku-Tbilisi-Ceyhan oil pipeline, photographed during a fact-finding mission to Turkey and Georgia, 2006

severe impact for the people and environment of Azerbaijan, Georgia and Turkey. Persuaded by the promises that it would bring development a majority of people living on the route initially supported the pipeline before construction began, but now most oppose it, having seen those promises broken.

People have lost their land, and with it their livelihood, often with minimal or no compensation. In Georgia, compensation is still disputed with 30 per cent of land plots. In Azerbaijan, people had to sign compensation documents written in the Latin script, whereas they can only read in Cyrillic. Similarly, in Turkey, many of the expropriation documents were actually in English.

Far from bringing promised long-term, well-paid employment, international labour standards have been violated in all three countries. Workers from the three countries themselves have been paid a fraction of what foreigners have earned for the same jobs, have been kept in inadequate living conditions, and have been subject to short-term contracts and arbitrary dismissal.

The project has bulldozed through protected areas, and has violated its environmental permits. In the vital Borjomi-Kharagauli National Park in Georgia, through which the pipeline passes, experts still feel that BP has not given any realistic assessment of the risk to the area or to the mineral water produced there.

Yet this is only the start. Its most severe impacts will begin to be felt when the oil begins to flow. Human rights violations are expected as the host states move to defend the pipeline, and critics of the project have already been subject to intimidation and arrest. A central question will be whether the revenues are distributed accountably and fairly, or whether they will increase corruption and strengthen undemocratic institutions.

The major flaws in construction standards create a high likelihood – some say an inevitability – of oil spills.

In 2005, we, together with our partner organisations in the Baku-Ceyhan Campaign - Friends of the Earth England, Wales and Northern Ireland, the Corner House and Platform – joined forces with other civil society organisations including CEE Bankwatch Network (Europe), Urgewald (Germany), Green Alternatives (Georgia), Center for Civic Initiatives (Azerbaijan) and the Committee for the Protection of Oil Workers' Rights (Azerbaijan) to:

- Enhance systems for monitoring the impacts of the pipeline, both in the three countries and through international fact-finding missions – and publicise these results. This included sending two international fact-finding missions to Georgia and Turkey to investigate the pipeline's impact on the ground.
- Help individuals and communities whose rights have been violated to seek redress through local, national and international courts and through international recourse mechanisms, and to press for propery, independent and accessible mechanisms for redress. This included our representation of over 38 Kurdish farmers who claim to have been expropriated by the pipeline in the

north-east Ardahan and Posof districts of Turkey in cases before the ECtHR (See also Ferhat Kaya case, page 27)

- Examine the broader economic, social and environmental impacts of the pipeline in the three countries. This included collaborating with civil society organisations on the ground, including participation in a 2-day strategy meeting in Georgia in September. Together with the Corner House and a local individual affected by the project, we are also taking a legal challenge to the European Court of Justice concerning the failure of the European Commission to ensure the project complies with Turkey's pro-EU obligations

- Hold to account the companies and financial institutions that backed the pipeline and pushing for their urgent reform. This included providing expert evidence to a UK House of Commons Trade and Industry Select Committee investigation into the Export Credit Guarantees Department (ECGD), which ultimately criticised the ECGD's lack of transparency over the project. We also urged UK parliamentarians to sign onto Early Day Motions in relation to the project, and raised awareness of the project through regular press releases, supporters' updates and press and broadcast media interviews

SOUTHEAST ANATOLIAN PROJECT (GAP DAMS)

Fundamental flaws in plans for the proposed Ilisu dam in Turkey provoked international attention from 2000 to 2002. Following an exemplary international campaign, the consortium of companies planning to build the dams collapsed, safeguarding the ancient sites of archaeological significance in the area as well as the welfare of up to 78,000 people, mostly Kurds, who stood to be displaced by the project.

Almost three years on, our fact-finding mission conducted jointly with the National University of Ireland, Galway gathered evidence of a new consortium of companies coming together to build the discredited dam and others. Formal applications for public funding support have been submitted to the export credit agencies (ECAs) of Austria, Switzerland and Germany. On this and other subsequent visits, communities vigorously disputed the claim that 100 per cent of locals have been consulted, as suggested by the company leading the consortium VA Tech Hydro. The overwhelming response on the ground is one of absolute opposition to the dams.

In 2005 we joined forces with local, regional, national and international civil society organisations to:

- Enhance systems for monitoring the dam, through regular liaison with communities on the ground and through international fact-finding missions, and publicising the results. (See our joint publication with the National Univer-

sity of Ireland, Galway, 'The Cultural and Environmental Impact of Large Dams in Southeast Turkey')

- Examine the broader economic, social and environmental impacts of the pipeline in the three countries. In conjunction with local groups and Corner House (UK), Berne Declaration (Switzerland), World Economy Ecology and Development (WEED), ECA-Watch (Austria), Fern (Belgium) and Goc-Der (Turkey), this included holding a seminar in October to examine the international experience with large dams and its relavance to Turkey's dam building programme in general, and the Southeast Anatolia Project (GAP) in particular.

- Hold to account the companies and financial institutions that are backing the dams and pushing for their urgent reform. This included raising awareness of the project through our newsletter, website, press releases and press and broadcast media

"*Issa v. Turkey,* concerns the alleged killing and mutilation of seven Kurdish shepherds by Turkish troops during cross-border incursions in 1995. The case has been of key importance."

Extra-territorial Human Rights Obligations

We are fighting to put the global advancement of human rights on a legal footing, by arguing that signatories to the European Convention on Human Rights are compelled to comply with its obligations even when intervening in the territory of third states, even when they are under different jurisdictions.

Our case *Mansur Pad and Others v. Turkey* concerns one Iraqi and seven Iranian citizens, all Kurds, who were abused and killed when Turkish troops crossed the border into Iran in 1999. The Turkish government has admitted responsibility for the killings. We have made further representations in the case, which was newly communicated to the government in March. The case is now pending judgment.

Disappointingly, the Grand Chamber in 2005 declined our appeal to reduce the evidentiary burden placed on applicants in such cases, given the unequal access to resources between the individual and the state in cases of this kind. That case, *Issa v. Turkey*, concerns the alleged killing and mutilation of seven Kurdish shepherds by Turkish troops during cross-border incursions in 1995. The case has been of key importance in determining the human rights obligations of, for example, British troops serving in Iraq.



Freedom of Expression

Freedom of expression is closely related to other civil and political rights – the rights to hold particular beliefs, thoughts or issues of conscience; to adhere to a particular religion; or to associate or assemble with others sharing similar beliefs. These rights all combine to fulfil the vital role of allowing individuals to realise their full human potential.

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 about censorship. In

LEFT Vali Ali Hossein, Jader Ebrahim-Manesh, Vahap Pad (Bottom row L-R) Changiz Afrasi, Abdul Khalet Keshawerz, Ghasi Afrazi and Kamfar Pad were all Kurds living in Iran when Turkish security forces crossed the border, killing them and grossly mutilating their corpses. Their relatives' cases to the ECtHR could have a dramatic impact on interpretation of the ECHR's scope

Noyan Tapan, applicant in a critical KHRP to the ECtHR concerning freedom of expression and censorship in Armenia

Kurdish woman with child, Iraqi Kurdistan (Photo: Tom Carrigan)

Lesley Abdela (Shevolution), Meryam Al Ryes (Iraqi MP), Rachel Bernu (KHRP), Dilek Elveren (UNESCO) and others participants in discussions in Amman on the new Iraq constitution and gender equality, 2005

2005 this widespread apprehension proved to be well-founded. In fact prosecutions against publishers, human rights defenders, writers, artists, and journalists increased in 2005.

If Turkey is to adequately protect the right to freedom of expression, additional reforms are needed to bring legislation in line with international standards. For example, Article 301 of the Turkish Penal Code has been used frequently to prosecute human rights defenders, journalists and other members of civil society peacefully expressing their dissenting opinion.

Freedom of expression, association, thought, conscience, belief and religion continue to be priority areas for our work in Turkey. Our fact-finding mission to Istanbul, Diyarbakir, Tunceli and Batman in south-east Turkey in April found that in spite of numerous EU-related reforms, there remain grave concerns about the 'chilling effect' of Turkey's state practices surrounding the media and human rights defenders. The mission's findings were published in September (see 'Dissenting Voices: Freedom of Expression and Association in Turkey', Resources page 52).

We pursued these findings with a further mission in July, conducted jointly with BHRC and the EU-Turkey Civic Commission (EUTCC) focused on linguistic rights enjoyed by minorities in the region and on the status of the Kurdish language. The mission found further evidence that EU-reforms were not being implemented on the ground, and concluded that lifting restrictions on education and broadcasting in the Kurdish language would be essential to ensuring a multicultural, pluralist and ultimately peaceful country. The mission's findings were published in September (See 'Recognition of Linguistic Rights? The Impact of Pro-EU Reforms in Turkey', Resources page 52).

Our most detailed report yet on the issue, 'Freedom of Expression and of Association in Turkey' was published in November. The report concludes that much remains to be done before Turkey could meet European standards on civil and political rights.

As well as examining the overall practice of violations of freedom of expression and of association, our casework on individual cases included:

- **Ünsal Öztürk**, the owner of an independent publishing firm in Turkey who was convicted by several State Security Courts for publishing propaganda against the 'indivisible unity' of the state and sentenced to 17-months imprisonment and a fine. In October 2005, the ECtHR upheld our case that his rights to freedom of expression and to due process had been violated

- **Noyan Tapan Ltd** is an independent news agency and television company that experienced harassment and intimidation from authorities. We have continued working on our case alleging violations of freedom of expression, which in 2004 set a precedent by being the very first ECtHR case against Armenia to be declared admissible

- **Ragip Zarakolu and Fikret Baskaya** are repectively a publisher and a leading intellectual who published separate articles expressing their beliefs on issues including self-determination and secularism. Both men have been the subject of numerous prosecutions for their beliefs. We observed the trials of both men in March to monitor adherence to

fair trial standards, and published a report, 'Freedom of Expression at Risk: Writers on Trial in Turkey' in March 2005

- **Orhan Pamuk** is an internationally renowned novelist who was put on trial in Turkey for allegedly 'insulting Turkey's national character'. He was quoted in a Swiss newspaper as saying that only he had dared to say that Turkey killed 30,000 Kurds and a million Armenians. We observed the first hearing in his trial in December to monitor compliance with international human rights law. The charges were subsequently dropped

Gender Equality

Discrimination and violence against women is relentless and systematic throughout the world. It is all the more damaging when compounded with ethnic discrimination and violent conflict. Women in the Kurdish regions face an uphill struggle as they tackle discrimination on several fronts, often without access to political or legal remedies.

As well as recognising women as survivors of human rights abuses, we acknowledge and actively support the role that women often play in peace work and community reconstruction through research, training and public awareness activities.

Our trainings focus on how women access their internationally and nationally recognised human rights. By raising awareness of the international standards to which many states are committed, such as the Convention for the Elimination of Discrimination Against Women (CEDAW), or have set as a target, such as the Millennium Development Goals (MDGs), we have committed ourselves to advancing gender equality. In March we provided a 2-day training to over fifty men and women in Diyarbakir, south-east Turkey, on CEDAW, the preparation of 'shadow reports' for UN human rights mechanisms, the Beijing Platform for Action and the MDGs. This was complemented by further training in Diyarbakir in April, focused on the MDGs and their relavance for women's rights organisations working in the Kurdish regions. Together with partner organisations, we submitted our findings about full access to education, health and employment – in our view the three most necessary Goals for the Kurdish regions – to a UK civil society consultation on the use of the MDGs.

In 2005 we concluded a 2-year research project into the impact of Syria's development policies on its most disadvantaged groups, particularly women and minorities. This was supplemented, in February, by a fact-finding mission to the region. The report 'Development in Syria – A Gender and Minority Perspective' highlighted the discrimination felt by women and by Kurds in the areas of citizenship, poverty and labour.

Another key focus of the year has been in ensuring that women and men receive equal recognition in the new Islamic Federal Republic of Iraq. We participated in an international conference on the status of women in Iraqi Kurdistan, delivering a presentation on the use of

international legal instruments to bring about change. The conference, which was supported by the Kurdistan Regional Government, aimed to highlight the role of women in democratisation, to develop ideas for new initiatives and to generate dialogue between Kurdish and non-Kurdish men and women.

Although our planned training in Suleimaniyah, Iraqi Kurdistan, on the use of international human rights mechanisms to promote gender equality was rendered impossible by an airport closure, we met with several civil society organisation representatives in neighbouring Jordan to share information. We also attended a key meeting, bringing together members of the Iraqi National Assembly, Constitutional Committee and civil society leaders, on the role of women in drafting the Iraq constitution. This was complemented by our advocacy to UN and national governments on the inclusion of women in the constitution-drafting process.

Throughout the year we have worked to raise public awareness about the discrimination faced by women in the Kurdish regions, including delivering public talks and being featured several times in national and international media.

"Today, an estimated 3 million people remain internally displaced following armed conflict in Turkey between 1984 and 1999. The majority of them have been unable to return to their homes or villages since being evacuated during state security operations in the early 1990s."

Internal Displacement and Expropriation

Virtually all major armed conflicts take place within and not between states. In many cases, this is a disincentive for the international community or other states to ensure adequate restitution for civilians caught in the conflict.

Today, an estimated 3 million people remain internally displaced following armed conflict in Turkey between 1984 and 1999. The majority of them have been unable to return to their homes or villages since being evacuated during state security operations in the early 1990s. Although their right to return to their homes is recognised in domestic and international law, very few have been able to do so. The government has failed to provide infrastructure such as electricity, telephone lines and schools to returning communities. There is an 80 per cent rate of unemployment among internally displaced people (IDPs) in major south-east Kurdish cities. In some areas, the government's paramilitary village guards intimidate, attack and sometimes even kill returnees. The resumption of armed conflict in the Kurdish regions in 2005 has made the need to secure redress for these marginalised groups even more pressing.

In July 2004, Turkey introduced a law purporting to grant compensation to people who had suffered a loss of property in this way. However, our fact-finding mission, conducted jointly with the Bar Human Rights Committee of England



and Wales (BHRC) and the EU-Turkey Civic Commission, found that this appeals process is seriously flawed, leaving the overwhelming majority of IDPs without any effective domestic remedy. (See 'The Status of Internally Displaced Kurds in Turkey and Compensation Rights', September 2005).

Our work equips internally displaced people and those defending them with the tools necessary to approach international human rights mechanisms for resolution of their cases. Over fifty lawyers and human rights defenders attended our training on this issue in June in Diyarbakir, conducted jointly with Human Rights Watch, the Diyarbakir Bar Association and the BHRC, on the rights of IDPs to compensation. The training was accompanied by a strategy meeting among civil society organisations.

LEFT (From top): KHRP Executive Director Kerim Yildiz with Amnesty International UK Director Kate Allen at the Sigrid Rausing Trust Awards ceremony, 2005

KHRP welcomed prominent human rights defenders from TOHAV and politicians from Turkey to its London office in August. Pictured (l-r) Nazmi Gür, Mustafa Gündoğdu, Rachel Bernu, Tuncer Bakirhan, Kerim Yildiz and Evrim Yilmaz

Sefika Gürbüz, Chairperson of the migrants' association Göç-Der, has faced prosecution for peacefully expressing her non-violent opinions

KHRP Executive Director Kerim Yildiz, Turkey's former Minister of Culture Fikri Sağlar and broadcast consultant Hikmet Tabak following a panel discussion at London's largest Kurdish and Turkish community centre, 2005

The recent European Court of Human Rights judgment in *Xenides-Arestis v. Turkey* concerning Cyprus suggests the restoration of properties and compensation for 'loss of use' could be an effective remedy. We are examining how this judgment could prove significant in cases affecting Kurdish IDPs. Our ECtHR case-work in relation to internal displacement and expropriation of property in 2005 included:

- **Abdullah Menteşe, Zühra Bozkuş, Hatun Demirhan, Mustafa Demirhan, Ayşe Harman and Süleyman Moçu** are villagers and Turkish nationals whose family homes were forcibly destroyed and evacuated in May 1996. Four relatives were killed. We took their complaints to the ECtHR which ruled, in January 2005, that their rights to an effective remedy had been breached and that they should be compensated

- **Thirty people, mostly Kurdish farmers, living in the Ardahan and Posof districts of north-east Turkey** complain that they were inadequately consulted and compensated for the loss of use of their land when the Baku-Tbilisi-Ceyhan oil pipeline was constructed. Disappointingly, the ECtHR declared the first of these cases inadmissible in 2005

In 2005 we brought a new case on behalf of Elkhan Chiragov, Adishirin Chiragov, Qaraca Gabrayilov, Ramiz Gebrayilov, Akif Hasanof and Fekhreddin Pashayev, six Azeri Kurds who were forced to leave their homes in the town of Lachin in Nagorna Karbakh, when it was captured by Armenian forces in May 1992.

We also worked to support organisations working domestically to improve the situation of IDPs, including raising awareness of the intimidation and harassment experienced by the NGO Göç-Der, our partner organisation.

Migrants, Refugees and Asylum-seekers

Our work is aimed at promoting and protecting human rights abuse within the Kurdish regions of Turkey, Iraq, Iran, Syria and elsewhere. However, a very high proportion of the world's refugees and asylum seekers derive from these countries due to the widespread human rights abuses there. As a consequence, we are also are frequently requested to assist asylum seekers and refugees, and consulted about refugee and migration policy in general.

Throughout the year on an *ad hoc* basis, we provided independent expert reports which evaluated the individual's case for asylum and, where applicable, the government's reasons for refusal. Our unique position also enables us to participate in consultations with governments about immigration issues pertaining to the Kurdish regions and in general.

Right to Life

DEATHS IN CUSTODY

Many prisoners and detainees and have died in custody as a result of torture and ill-treatment by police and security forces in the Kurdish regions. Without effective controls and legal protection, individuals are particularly vulnerable. Collecting evidence and seeking redress for relatives is an immense and sometimes fruitless struggle. We have long fought to bring justice to victims and their families and worked to strengthen systems and controls which can prevent further deaths.

We are currently working on several cases concerning the suspicious deaths of Kurdish conscripts in the Turkish army. For example, Cihan Tunç, a Kurdish conscript, was found dead in February 2004 while completing his military service. Cihan's parents Mustafa and Fecire Tunç vigorously reject the military court's official finding that their son had committed suicide, believing instead that he was killed due to his ethnic origin.

Our cases relating to deaths in custody in 2005 included:

- **An incident that became known as the *Gucluconak* massacre** – The British peer Lord Avebury once described the case as, "One of a great many cases where the truth may never be fully uncovered," and the incident raised questions in the UK parliament. In 1996, our fact-finding mission gathered evidence that state security forces were responsible for the deaths of ten men who had been in Turkish custody when the minibus they were travelling in came under fire. In November 2005, the ECtHR upheld our complaints that Turkey had failed to secure their rights to life, to liberty and security and to an effective remedy for the bereaved relatives, who were each awarded damages for emotional distress, costs and expenses

- **Necati Aydin's** body was found abandoned in a shallow grave outside Diyarbakir in 1994. He had last been seen in police custody where he had been subjected to inhuman and degrading treatment and torture. The ECtHR ruled that Turkey had failed to prove beyond reasonable doubt that the deceased was not in custody at the time of his death and was responsible for his death. Turkey was also found to have violated the ECHR by failing to disclosure crucial documents, summon crucial witnesses, and by failing to provide an effective remedy to the applicant

- **Cemal Ucar** was detained, tortured and forced to sign confessions 'admitting' his involvement in Hizbullah in 1999. He remained in custody for a further eleven days before being found dead in Diyarbakir E-type prison. The ECtHR declared all his father's complaints admissible

DEATH PENALTY

In one of the most significant cases ever to come before Strasbourg, the European Court of Human Rights (ECtHR) made its strongest statements yet in condemning recourse to the death penalty. Its highest panel of judges confirmed in May that the imposition of capital punishment on Kurdish rebel leader Abdullah Öcalan violated his human rights in several respects.

The Grand Chamber took the exceptional step of declaring its view that, in principle, the applicant should if he requested be provided a retrial without delay to compensate deficiencies in his earlier trial. He has remained in solitary confinement as the sole prisoner on Imrali Island since 1999.

Öcalan was abducted from Kenya in 1999 and sentenced to death in Turkish courts. It was clear from the outset that if condemned by the ECtHR, Turkey would be forced to make a humiliating climb-down in the treatment of its longstanding opponent in order to accede to the EU. It is widely believed that this concern influenced Turkey to reduce his sentence in 2002 to life imprisonment with no chance of parole or amnesty. In any event, the ECtHR held that the original imposition of the death penalty had violated the prohibition of inhuman and degrading treatment, as well as the applicant's right to liberty, security and a fair trial.

Turkey's approach to upholding this ruling will be seen by many as a test of its commitment to the universal applicability of basic human rights and fundamental freedoms for all, irrespective of ethnic or political status.

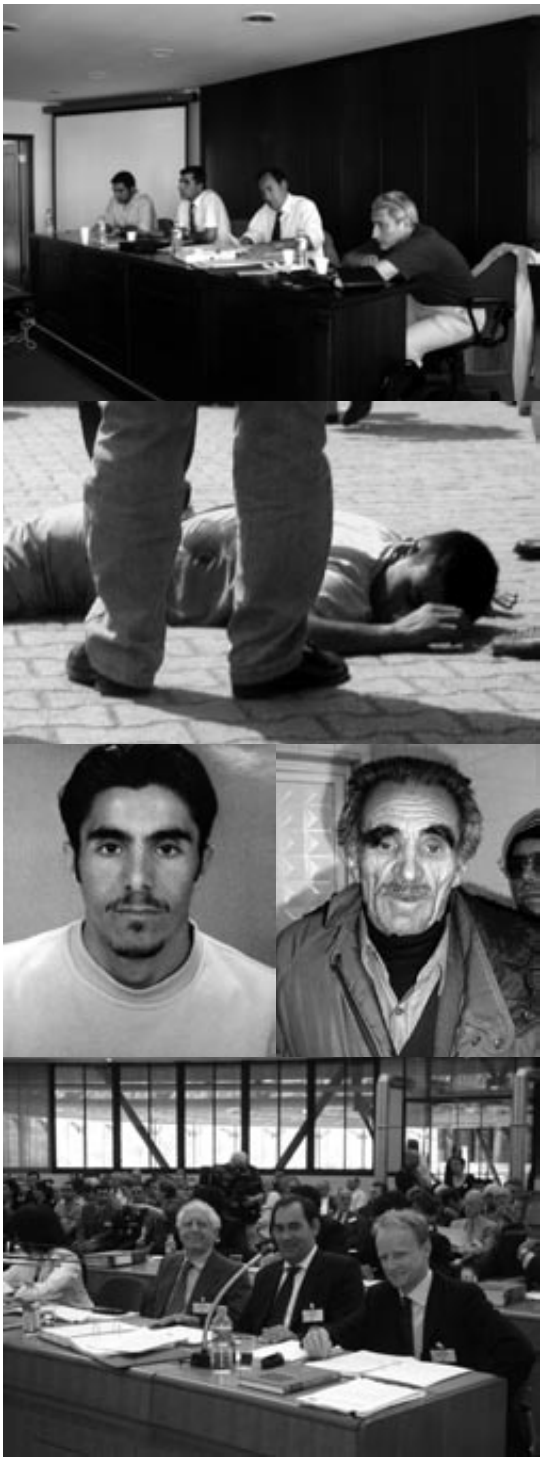
DISAPPEARANCES

During the 1990s, hundreds of human rights defenders, journalists and opposition political party representatives in the Kurdish region of south-east Turkey 'disappeared', often after last being seen in the custody of Turkish security forces. Far from aiming to achieve reconciliation, the Turkish government has impeded investigations into these disappearances. Sadly, such incidents still occur today.

This year, we secured justice in seven disappearance cases. Each was brought by relatives of the disappeared men and represented the final landmarks in lengthy legal battles.

Three of the cases concerned representatives of opposition political parties that had taken up the Kurdish issue and subsequently experienced harassment and ill-treatment from the authorities.

- **Hüseyin Koku** was a prominent politician with the Democracy Party (DEP) and later the People's Democracy Party (HADEP). He was abducted by armed police officers in 2004 bacause of his involvement with HADEP. He suffered inhuman and degrading treatment and was found dead six months later. The ECtHR said that it was unclear whether state agents had killed him, but that he had not been sufficiently protected and that the authorities had failed to investigate his disappearance and death.
- **Serdar Tanış and Ebubekir Deniz**, both prominent members of the People's Democratic Party (DEHAP) and



of Kurdish origin, were requested to go to the Silopi police station in August 2000. In January 2001, both men disappeared. The ECtHR found that Turkey's failure to provide a credible explanation for the disappearances violated the right to life and that the right to a fair trial and the prohibition of torture and inhuman and degrading treatment had also been breached.

- **Mehmet Şen** was leading member of the DEP party and a mayoral candidate for which he suffered police intimidation. The case was brought by his wife, Nuray Sen. On 25 March 1994, he was abducted by plain-clothes police officers, tortured, shot and killed. Turkey was found to have violated the

LEFT (From top): Jonathan Sugden (Human Rights Watch), Tahir Elci (Diyarbakir Bar Association) and Mark Muller (KHRP, BHRC) attend strategy meeting on internal displacement and compensation, Diyarbakir, 2005

Şiyar Perinçek, the son of a human rights defender, following his shooting outside the Adana branch of the Human Rights Association in May 2004. KHRP and the Bar Human Rights Committee jointly observed the trial of three security officers accused of conducting an extra-judicial killing and the torture or ill-treatment of a key witness

Cihan Tunç (left), a Kurdish conscript in the Turkish army, was found dead in February 2004. His father Mustafa Tunç (right) challenged the official explanation that his death was the result of suicide in a KHRP case. KHRP continued its work on the case in 2005

Mark Muller, Tim Otty and Sydney Kentridge QC at a European Court of Human Rights hearing.

right to life for its failure to investigate the killing of the applicant's husband. In 2005, we undertook further work on the case following the Strasbourg court's 2004 judgment condemning the Turkish Government

We also worked on behalf of the relatives of many people who disappeared who were not involved in human rights or political work:

- **Attila Osmanoğlu** disappeared in March 1995 after eyewitnesses saw him being taken away by armed policemen. His father complains that his petitions to local authorities seeking answers about Attila's fate have been ignored. We submitted a new case to the ECtHR complaining of multiple breaches of his human rights. The case has been communicated to the Turkish government

- **Abdulkadir Çelikbilek** was abducted by plain-clothes police officers in December 1994. He was killed and his body found on a rubbish heap near a cemetery eight days later. The ECtHR judged that Turkey was responsible for his death and had violated the right to an effective remedy. The Turkish Government failed to provide documents about the case and this allowed the Court to draw inferences regarding their involvement in the victim's death.

- **İhsan Haran** was witnessed being abducted from his village by security forces in 1994. His wife Nesibe brought the case after being repeatedly prevented from finding out where her husband was and from petitioning local courts. The ECtHR agreed that the authorities had not investigated İhsan Haran's disappearance and there had accordingly been violations of the right to life, as well as other rights under the Convention.

- **Mehdi Akdeniz** was detained after Turkish security forces arrived at his hamlet, Semversen in 1994. Villagers were ordered out of their homes which were burned and destroyed. Mehdi was beaten, tortured and never seen again. The Court found that the Turkish Government was responsible for his disappearance and death; for torture and ill-treatment and for failing to conduct an effective investigation.

- **Aydin Kişmir** was arrested and died after six days in custody in October 1994. The Court ruled that Aydin died from the injuries he suffered whilst in police custody and that Turkey was responsible for his death.

- **Ender Toğcu** was a hotel and club manager. In 1994 he was taken into custody by security forces and was never seen again. The Court was unable to be sure who was responsible for Ender's disappearance but found that the Turkish government had violated the right to life and the right to an effective remedy by responding inadequately.

- **Yasin Ateş** was shot and killed in June 1995 allegedly while in police custody. The Turkish Government claimed that he died in crossfire between the Kurd-

istan Workers Party (PKK) and security forces. While the Court could not consclusively say that Yasin had died in custody, it did find the authorities responsible. Their response was found to have violated his right to liberty and that Yasin's father had been prevented from challenging his killing.

- **Mehmet Şah Şeker** was 23-years-old when he was abducted and disappeared. In the month before, he had been involved in a fight with policemen and had been followed and suffered threats from the police. His father believes that the circumstances surrounding his son's abduction and disappearance violated the ECHR. In February, the case was unanimously declared admissible and we continued our correspondence with the Court and applicant throughout 2005

EXTRAJUDICIAL KILLINGS

In international law the circumstances in which a person's life can be taken are strictly construed. Often, particularly in conflict situations, authorities act outside of their legal authority. We are determined to bring an end to such lawless killings.

Our work on individual cases has included:

- **Ahmet Kaymaz** was a lorry driver who, together with his 12-year-old son Ugur, was shot dead outside his home by plain-clothed policemen in November 2004. We conducted a field investigation on the incident in conjunction with the Bar Human Rights Committee of England and Wales (BHRC) and gathered evidence that contradicted the official account of events. Our report 'Thirteen Bullets – Extrajudicial Killings in South-east Turkey' was published in March. In October we pursued the case by observing the trial of Turkish security officers involved in the killings. Our investigation found that there was no effective criminal accountability for the killings.

- **Siyar Perinçek** was the son of a member of the Human Rights Association (*IHD*) board of directors who was shot in the back by a security officer after falling from his motorbike in May 2004. He died later in hospital. We observed the trial of three security officers for the alleged extrajudicial killing and the torture or ill-treatment of a key witness and found strong evidence to support the claim that there had been violations of domestic and international law. (See 'Relatives of Human Rights Defenders at Risk – the Extrajudicial Killing of Siyar Perincek' February 2005).

- **Kamil Menteşe, Yusuf Bozkus, Resit Demirhan and Vahap Maco** were abducted and later found dead in May 1994 when soldiers entered their village in the province of Diyarbakir. The soldiers were accused of being responsible for their deaths and for village destruction. The Court found insufficient evidence to state that the security forces

were responsible but agreed that there had been a breach of the right to an effective remedy.

- **Pakize Uzun** was killed in September 1994 in a shell explosion. Her son, Kamil, complained to his local police department but alleges that the authorities did not investigate his mother's death or identify the person responsible for the explosion. The Court found the claim sufficient enough to communicate it to the Turkish Government in April 2005.

FAILURE TO INVESTIGATE

The state is not only obliged to respect an individual's substantive right to life, but also to adequately investigate circumstances where individual's rights may have been violated in this way. The protection of the law and its enforcers must extend to all people, regardless and without discrimination.

We have several cases in which relatives of the deceased allege that authorities failed to investigate the deaths or killings adequately, denying them of answers. These include:

- **Mesut Dündar**, a Turkish citizen of Kurdish origin, was mentally disabled. He enjoyed Kurdish music and poetry and wearing Kurdish colours on national holidays. His father believes these expressions of national identity drew the attention of the police, who began following Mesut. Eyewitnesses saw four armed men, one of whom was a police officer, strangling Mesut; there were even photographs of his body being dragged behind an armoured personnel carrier by soldiers. His father believes that his son was killed by state agents and that the authorities had not carried out an effective investigation. After a 10-year legal challenge, the ECtHR finally denounced Turkey for failing to carry out "any meaningful investigation, let alone an adequate and effective one" into the circumstances of Mesut's death. The Court also found that Turkey had violated the right to life.

- **Ali Ekber Kanlibas** was found dead in 1996 following a police operation. He had been severely mutilated. His brother complains that he had been subject to torture or ill-treatment prior to his death. In December, the Court held unanimously that there had been violations of the right to life and prohibition of torture.

Resources in 2005

"I have been using the publications of the KHRP for teaching and research purposes, and I find them indispensable in pedagogical work on the Kurds and the countries where they live."

Professor Amir Hassanpour, University of Toronto

Advocacy & Training Resources



International Conference on Turkey, the Kurds and the EU: European Parliament, Brussels, 22-23 November 2004 - Conference Papers

ISBN 1900175878

Leading commentators held a historic conference on Turkey, the Kurds and the European Union in November 2004, hosted by the European Parliament. This publication gathers together all the papers presented at the first of what is now the largest annual gathering on one of the most controversial issues currently facing the international community.

For ordering information see Order Form (page 63) or available to download at www.khrp.org

Human Rights Violations Against Kurds in Turkey: Report Presented to the Organisation for Security and Cooperation in Europe (OSCE)

This submission addresses concerns over Turkey's non-compliance with international human rights standards, particularly in respect of its Kurdish population. It urges the OSCE High Commissioner for Minorities to examine the Kurdish situation, and suggests the establishment of a bilateral Kurdish-Turkish forum.

For ordering information see Order Form (page 63) or available to download at www.khrp.org

KHRP Legal Review (Biannual)
ISSN 1748-0639



This is the only existing legal journal considering significant developments in the Kurdish regions of Turkey, Iraq, Iran, Syria and elsewhere. Each edition covers a 6-month period including summaries and analysis of all of the most significant ECtHR decisions. Uniquely, this journal includes information about new cases that have not yet reached any judicial decision; but nonetheless provide invaluable updates about the most recent allegations of human rights violations to be submitted to international courts and mechanisms. We published two issues during the year.

For ordering information see Order Form (page 63) or available to download at www.khrp.org

Fact-Finding and Trial Observation Reports



The Cultural and Environmental Impact of Large Dams in South-east Turkey: Fact-Finding Mission Report
ISBN 1900175851

Details the cultural and environmental impact that the development of dams has in south-east Turkey, and the overwhelming local opposition to them.

For ordering information see Order Form (page 63) or available to download at www.khrp.org



Dissenting Voices: Freedom of Expression and Association in Turkey - Fact Finding Mission Report

In spite of the introduction of wide-ranging pro-EU reforms enacted in Turkey, journalists, writers, artists and human rights defenders continue to face state harassment and censorship. The report concludes that the Turkish government must commit to genuine free expression and association to meet its EU accession aspirations.

For ordering information see Order Form (page 63) or available to download at www.khrp.org

Freedom of Expression at Risk: Writers on Trial in Turkey - Trial Observation Report

This report provides the findings of observers at the trials of two prominent intellectuals, accused of having 'insulted' the Republic of Turkey in their writings. It also examines the obstacles faced by writers, journalists, authors, publishers and artists in Turkey when trying to exercise their right to freedom of expression.

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Recognition of Linguistic Rights? The Impact of Pro-EU Reforms in Turkey - Fact Finding Mission Report
ISBN: 1900175932

State restrictions on broadcasting and education in the Kurdish language have a deeply disturbing impact on the Kurds in Turkey. This report details the high demand for Kurdish language education, and concludes that lifting such restrictions would be a giant step towards a multicultural, pluralist and ultimately peaceful country.

For ordering information see Order Form (page 63) or available to download at www.khrp.org

Relatives of Human Rights Defenders at Risk: the Extra-Judicial Killing of Siyar Perinçek– Trial Observation Report
ISBN 1 900175819



This report details concerns about inadequacies in the trial against three security officers, accused of extra-judicially killing the son of a prominent human rights defender in 2004. The mission gathered further evidence about the practice of torture or ill-treatment, including that of a key witness, and the non-implementation of other ECHR obligations by Turkey.

For ordering information see Order Form (page 63) or available to download at www.khrp.org



Thirteen Bullets: Extra-Judicial Killings in South-east Turkey - Fact-Finding Mission Report
ISBN 1 900175 827

This report details concerns about three extra-judicial killings in south-east Turkey that occurred in 2004. It also examines shortfalls in the protection of other human rights – including the prevention of torture or ill-treatment, the rights of internally displaced persons, and the high level of abuse against women.

For ordering information see Order Form (page 63) or available to download at www.khrp.org

The Status of Internally Displaced Kurds in Turkey and Compensation Rights - Fact Finding Mission Report
ISBN 1 900175916



This report details the difficulties faced by Turkey's 3-million internally displaced people to obtain redress or compensation for their displacement. It finds that a law purporting to grant compensation to the internally displaced has failed to protect their basic human rights.

For ordering information see Order Form (page 63) or available to download at www.khrp.org

Newsline



Our newsletter is one of the best resources available for readers seeking an up-to-date and objective view of developments in the Kurdish regions. 'Newsline' offers a quarterly overview of news end events combined with updates on human and minority rights. It also updates readers with information about the organisation's activities, including its litigation, advocacy, training, monitoring missions, research and publications.

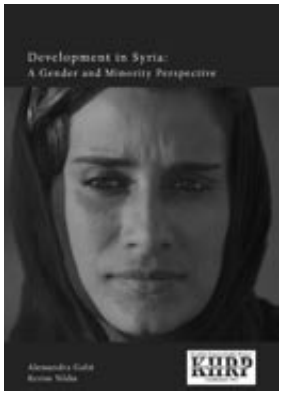
To order back issues of Newsline, available from 1998 onwards, see Order Form (page 63). The complete collection of back issues from issues 1 to 30 is available for 30.00 GBP. To become a Friend of Kurdish Human Rights Project and receive Newsline regularly, see Order Form (page 63).

Press Releases

We firmly believe that if people knew the extent of the human rights abuses in the Kurdish regions, they could be stopped. Through press releases and complementary public awareness activities, we provide regular updates to policy and decision makers, journalists, academics and civil society organisations and others.

Our press releases are available to those with email access. To subscribe, send an email to rharris@khrp.org with 'subscribe' in the subject line

Research



Development in Syria - A Gender and Minority Perspective
ISBN 1 900175886

Women, especially in rural areas and those that are Kurds, face discriminatory hardships in the areas of citizenship, poverty and labour in Syria. This report presents the findings of a two-year research analysis into the impact of Syria's development policies on the most disadvantaged groups, including those living in the Euphrates Basin and those displaced by the Attawra dam.

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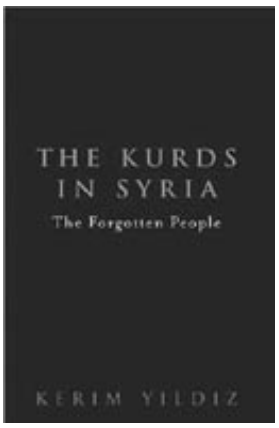


Freedom of Expression and Association in Turkey
ISBN 1900175940

As prosecutions of journalists, publishers, human rights defenders, novelists and artists increase, it is clear that there remain concerns over freedom of expression and freedom of association in Turkey. This report evaluates the measures Turkey has taken in an effort to meet EU standards, but concludes that much remains to be done.

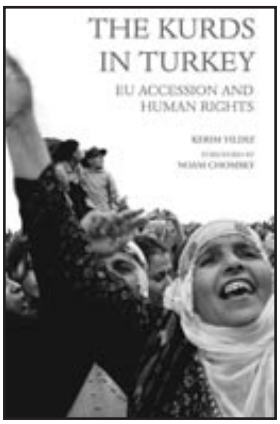
For ordering information see Order Form (page 63) or available to download at www.khrp.org

The Kurds in Syria: The Forgotten People (Pluto Press, London and Ann Arbor, MI)



A unique insight into the human rights situation of the Kurds in Syria, the author covers all aspects of Kurdish life including language, education, religion and history. The publication examines the contemporary situation of the Syrian Kurds in the context of Syria's own history, and the present situation whereby the country is outlawed as a 'terrorist' state by the USA.

For ordering information see Order Form (page 63)



The Kurds in Turkey: EU Accession and Human Rights (Pluto Press, London and Ann Arbor, MI)

The most up-to-date critical analysis available on the Kurdish situation in Turkey and the country's prospects for joining the EU. Covering all aspects of the human rights situation, this is essential reading for anyone interested in EU, Turkey or the Kurdish situation.

For ordering information see Order Form (page 63)

Pumping Poverty: Britain's Department for International Development and the Oil Industry
Researched and written by PLATFORM Research

KHRP endorsed this report, by PLATFORM Research, investigating the role of British overseas development aid in facilitating oil development. It concludes that development aid is being used to reform developing countries' oil taxation and regulation regimes to better favour British business interests, but overlooking the suffering endured by the poor.

For ordering information see Order Form (page 63) or available to download at www.khrp.org

Website

Our website (www.khrp.org) has grown significantly in terms of content and scope since its launch. Today, it is consistently ranked among the best resources available on Kurdish issues, being both a source of updates as well as featuring an archive of submissions to international conferences and mechanisms. Including information about all of the organisation's activities since its establishment in 1992, it attracts over 3 million visits per year.

Information Requests

We have an extensive resources library on human rights in the Kurdish regions, packed with thousands of articles, reports, documents and books from all around the world.

As an objective source of advice and information about the situation in the Kurdish regions, we receive numerous requests for information from academics, researchers, human rights defenders, victims or survivors of human rights abuse, lawyers, journalists and interested members of the public. We aim to share our expertise and knowledge as widely as possible, and, where possible, respond to all such requests within ten days.

On an ad hoc basis, we provide independent expert reports in asylum cases which evaluate the case and, where applicable, the government's reasons for refusal (see Migrants, Refugees and Asylum Seekers, page 43).

Financial Reports

To maintain our independence, we do not accept money from any organisations or institutions, governmental or non-governmental, in the Kurdish regions – or anyone with ties to them. Our funding derives from charitable grantmaking trusts and foundations and non-statutory sources. In addition we receive money from a number of private institutions and individuals.

Our funders in 2005 included:

ACAT Suisse- Action des Chrétiens pour l'Abolition de la Torture (Switzerland)
Bishop's Subcommission for Misereor (Germany)
The Bromley Trust (UK)
C.B. & H.H. Taylor 1984 Trust (UK)
Global Greengrants Fund (USA)
European Action Council for Peace in the Balkans (Netherlands)
Finnish Ministry for Foreign Affairs (Finland)
Netherlands Ministry of Foreign Affairs (Netherlands)
Oakdale Trust (UK)
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Organisation Mondiale contre la Torture- OMCT (Switzerland)
Rowan Charitable Trust (UK)
The Sigrid Rausing Trust (UK)
Stiching Cizera Botan (Netherlands)
UIA Foundation (UK)
UN Voluntary Fund for Torture (Switzerland)

KURDISH HUMAN RIGHTS PROJECT

STATEMENT OF FINANCIAL ACTIVITIES INCLUDING INCOME AND EXPENDITURE ACCOUNT
FOR THE YEAR ENDED 31 DECEMBER 2005

	Notes	Unrestricted funds £	Designated funds £	Restricted funds £	Total 2005 £	Total 2004 £
Incoming resources						
Donations and legacies	2	**7,386**	**-**	**-**	**7,386**	3,635
Activities in furtherance of the charity's objects	3	**75,199**	**-**	**337,369**	**412,568**	370,355
Investment income	4	**1,986**	**-**	**-**	**1,986**	4,388
Other incoming resources	5	**8,672**	**-**	**-**	**8,672**	17,230
Total incoming resources		**93,243**	**-**	**337,369**	**430,612**	395,608
Resources expended						
Fundraising and publicity costs		**20,752**	**-**	**18,685**	**39,437**	29,341
Charitable expenditure						
Grants payable		**-**	**-**	**20,685**	**20,685**	-
Human rights advocacy and training		**34,195**	**-**	**128,657**	**162,852**	167,058
Trial observation and factfinding		**7,576**	**-**	**33,734**	**41,310**	42,396
Research and publication		**16,391**	**-**	**33,472**	**49,863**	93,120
Public awareness, education, communication strategy		**22,895**	**-**	**32,561**	**55,456**	67,991
Support costs		**9,460**	**-**	**16,050**	**25,510**	40,411
Management and administration		**3,300**	**-**	**5,576**	**8,876**	6,606
Total resources expended	6	**114,569**	**-**	**289,420**	**403,989**	446,923
Net (expenditure)/income for the year/ Net movement in funds		**(21,326)**	**-**	**47,949**	**26,623**	(51,315)
Fund balances at 1 January 2005		**110,323**	**93,000**	**98,096**	**301,419**	352,734
Fund balances at 31 December 2005		**88,997**	**93,000**	**146,045**	**328,042**	301,419

The statement of financial activities also complies with the requirements for an income and expenditure account under the Companies Act 1985.

"In our view the account give a true and fair view of the charitable company's state of affairs as at 31 December 2005 and of its incoming resources and application of resources, including its income and expenditure, in the period then ended and have been properly prepared in accordance with the Companies Act 1985."

H W Fisher and Company Limited, Independent Auditors

Our Partners

Our work is based on responses to locally and regionally voiced concerns. We work in partnership with survivors of human rights violations and their defenders, and aims to link our local and regional programmes with international advocacy initiatives.

Where possible, we encourage strategic networking and issue-based alliances. Joint activities frequently include the sharing of information and advice in litigation, the provision of training, human rights monitoring through trial observations and fact-finding missions, and preparation of joint reports which are circulated among national and international decision and policy makers.

In addition to forging new relationships with Civilization Development Organisation, Hawlati, Khatuzeen Center for Social Action, Kurdish Human Rights Watch, Women Media and Education Centre and NAWA in Iraq; the Xorhelat Institute in Iran; the Centre for Civic Initiatives and Human Rights Centre in Azerbaijan, this included specifically working with the following regional partners in 2005:

In Turkey

Çağdaş Gazeteciler Derneği (Contemporary Journalists' Association)
Çağdaş Hukukçular Derneği Diyarbakır Şubesi (Contemporary Lawyers' Association – ÇHD Diyarbakır Branch)
Göç Edenler Soyal Yardımlaşma ve Kültür Derneği (Göç-Der)
İnsan Hakları ve Mazlumlar İçin Dayanışma Derneği (Mazlum-Der – The Association of Human Rights and Solidarity for the Oppressed People in Turkey)
Toplum ve Hukuk Araştırmaları Vakfı (TOHAV – The Foundation for Legal and Social Studies)
İnsan Haklari Derneği (The Human Rights Association of Turkey – İHD)

In Armenia

Forum Law Centre (formerly Union of Armenian Lawyers)
Young Lawyers Bar Association

In Azerbaijan

Azerbaijan National Committee of Helsinki Citizen's Assembly (HCA)

Thank You

Individuals

Dina Abousamra, Pırıl Akkuş, Haci Akman, Barış Altun, Fırat Anlı, Dr Allen Anscombe, Azize Asan, Katy Athersuch, Eric Avebury, Ercan Ayboğa, Zekeriya Aydın, Alison Azer, Rhona Badham, Osman Baydemir, Nazand Begikhani, Lowri Bennett, Davey Benson, Meral Danış Beştaş, Rachel Bird, Akin Birdal, Mrs EN Blake, Owen Bowcott, Nonno Breuss, Claire Brigham, Emma Brown, Mark Brown, Dr Chris Burns-Cox, Constance Burrough, Tom Carrigan, Ali Cairns, Hugo Charlton, Robyn Chomyshyn, Dinah Clements, Anne Clwyd MP, Helen Cobain, Mr N Cornwell, Isabelle Dekeyser, Gülseren Demir, Yaser Dirki, Ruhşen Doğan, Diane Doherty, Heike Drillisch, Sally Eberhardt, Christine Eberlein, Tahir Elçi, Hannah Ellis, Teresa Elwes, Saime Erdoğan, Simon Evans, Dr. Rebwar Fatah, Desmond Fernandes, B Finucane, Matthew Fisher, Gina Fryer, Alessandra Galié, Narine Gasparyan, Hannah Griffiths, Mayis Gulaliyev, Michael Gunther, Nazmi Gür, Alison Harker, Grant Harris, Amir Hassanpour, Naomi Haughton, Ian Hendry, Camille Hensler, Nicholas Hildyard, Mark Himsworth, Edel Hughes, Dr Mary Hughes, Fikret Ilkiz, Metin Iriz, Tara Jaff, Ajanta Kaza, Saniye Karakaş, Abdulcelil Kaya, Ferhat Kaya, Nurcan Kaya, Sandrine Kazumaza, Baroness Helena Kennedy QC, Stuart Kerr, Gültan Kışanak, Jean Lambert MEP, Peter Lanyon, Welat Lezgin, Sharon Linzey, Conor de Lion, Jim Loder, Mike Logan, Scott van Looy, Robert Lowe, Caroline Lucas MEP, Baroness Sarah Ludford MEP, Ali Manaz, James Marriott, Eric Metcalfe, Tom Miller, Mika Minio Paluello, Monireh Moftizadeh, Mrs A Moroder, Jacki Muirhead, Greg Muttitt, Judith Neyer, Francesca Naylor, David Ogden, Kareem Omar, Elvan Öğ, İnan Örs, Hiwa Osman, Tim Otty, Margaret Owen, Kahraman Özçağin, Regina Ozcan, Yurdusev Özsökmenler, Figen Praktikant, Gala Riani, Katy Rijnders, Özcan Kılıç, Saeed Saedi, Estella Schmidt, Danielle Setton, Mahmut Şimşek, Keir Starmer QC, Rosemary Stratton, Jonathan Sugden, Hikmet Tabak, M. Sezgin Tanrıkulu, Mary Taylor, Mark Thomas, Roger Tompkins, Şehnaz Turan, Remzi Ükelge, Catriona Vine, Edward Watts, Joanna Wood, İnan Yılmaz, Şanar Yurdatapan, Eldar Zeynalov and Roger van Zwanenberg.

We also thank all our applicants and those on the advisory board, board of patrons, board of directors, staff, interns and volunteers, past and present.

Organisations

10-11 Grays Inn Square, Appichar, Bar Human Rights Committee of England and Wales, Batman Bar Association, Berne Declaration, Bianet, İHD Bingöl Branch, İHD Batman Branch, Corner House Research, Diyarbakır Göç-Der, Diyarbakır Bar Association, ECA Watch, Environmental Defense, EU Turkey Civic Commission, FERN, Forum Law Centre, Friends of the Earth, Global IDP Project, Göç-Der, Human Rights Association, JUSTICE, Kardelen Women House, the Keep Up! Team, Kurdish Women's Project, Mailboxes Etc, Medico International, National University of Ireland, Galway, Rafto Foundation, SELİS, TOHAV, Van Regional Bar Association, Van Women Association, Women for Women International, and World Economy Ecololgy and Development.

We also thank all our partner organisations.

How you can help



Our supporters not only help protect the lives of 30 million people; they support the advancement of human rights on a global level. We will continue fighting injustice and changing the law for as long as injustice continues – but we need your support.

Please consider helping us in one of the following ways.

Give regularly

Become a Friend of KHRP - regular donations are vitally important. Ongoing support allows us to plan with confidence for the future. With regular support, we can provide not only immediate relief to victims of human rights abuse, but also challenge its long-term and underlying causes. Details about how to give are provided overleaf. You can also opt to receive our quarterly newsletter updates.

Give now

Make a difference with a one-off payment today, and we'll put it to good use straight away. Details about how to give are provided overleaf. You can also opt to receive our quarterly newsletter updates.

Legacies

The drawing up of a will, or the adding of codicil to an existing will, is a serious and personal matter. But, once family and other loved ones are catered for, a bequest to a charity is one way of ensuring that the causes you espouse during your lifetime continue to flourish. A legacy to a charity is also tax-efficient in that it is exempt from inheritance tax and does not count as part of an estate.

Grants and Trusts

We rely on charitable trusts, foundations and institutions to help us obtain redress for victims and survivors of human rights abuse. You can help by advising us of the names of contacts at private or government trusts and other grant-making bodies or nominating us for funds from trusts/ companies that do not accept unsolicited nominations.

Corporate

We welcome support from companies who want to see a future based on hope, tolerance and social justice. Many companies choose to support a cause by nominating a particular charity for its support over the year. Payroll giving is another easy way to make tax-efficient and regular donations direct from your gross pay to KHRP. We are happy to come to the workplace to talk to staff about our charity, and the company can even match those donations given by staff to boost the contribution. Encourage your staff to start donating today!

Raising Awareness

We firmly believe that if people knew the extent of the human rights abuses in the Kurdish regions, they could be stopped. If you are able to arrange or invite us to a speaking event, to provide details of press or media contacts or to disseminate flyers about our work at your event, please contact us.

Other Ways of Giving

Your time commitment may be more valuable to us than a financial donation. If you can contribute your time, please contact us. Set your search engine to www.everyclick.com and literally every click will generate income for us. Shopping online from retailers including Amazon and Comet at www.buy.at/khrp will also allow us to benefit from every purchase, at no cost to yourself

Contact Details

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Our supporters not only help protect the lives of 30 million people; they support the advancement of human rights on a global level. We will continue fighting injustice and changing the law for as long as it continues – but we need your support.

- ❑ YES I would like to receive a standing order form so that I can donate regularly
- ❑ YES I would like to donate…… (amount) to join your cause
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Payment Options (to order publications and briefings, see overleaf)

- ❑ Cheque – Please make cheques payable to Kurdish Human Rights Project
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The management is responsible to the board of directors, who retain responsibility for the organisation's compliance with its aims, objectives and charitable mandate. We are also subject to the legal and regulatory framework surrounding registered charities in England and Wales.

We also make ourselves accountable to stakeholders by publishing information about our methodologies and procedures and inviting feedback. For information about our trial observation, fact-finding and training methodologies, guidelines on in-house terminologies and definitions or to give feedback on any aspect of our work, contact us at +44 (0) 207 405-3835 or email *khrp@khrp.org*.

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Administrator	Georgina Fryer/ Anna Irvin (May 2005)
Junior Legal Officer	Rebecca Greenhalgh (to March 2005)

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Publications List

Other materials available from the Kurdish Human Rights Project include:

- A Fearful Land: Fact-Finding Mission to Southeast Turkey (1996)
- A Delegation to Investigate the Alleged Used of Napalm or Other Chemical Weapons in Southeast Turkey (1993)
- Advocacy and the Rule of Law in Turkey (1995)
- After the War: Fact-Finding Mission to Iraqi Kurdistan (2003)
- *Akduvar v. Turkey* - The Story of Kurdish Villagers Seeking Justice in Europe (1996)
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- *Aksoy v. Turkey* & *Aydin v. Turkey*: Case reports on the practice of torture in Turkey - volume II. (1997)
- Azerbaijan and Armenia – An Update on Ethnic Minorities and Human Rights by Deborah Russo and Kerim Yildiz (2000)
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- Cases Against Turkey Declared Inadmissible by the European Commission of Human Rights Volume 1 (1998).
- Censorship and the Rule of Law: Violations of Press and Attacks on *Özgür Gündem* (1994)
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- Charter for the Rights and Freedoms of Women in the Kurdish Regions and Diaspora - English, Sorani, Kurmanci, Arabic, Turkish, French (Second Edition) (2004)
- Cultural and Language Rights of Kurds: A Study of the Treatment of Minorities under National Law in Turkey, Iraq Iran and Syria (1997) *Also available in Turkish*
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- Development in Syria – A Gender and Minority Perspective (2005)
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- Dissenting Voices: Freedom of Expression and Association in Turkey – Fact-Finding Mission Report (2005)
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- Due Process: State Security Courts and Emergency Powers in Southeast Turkey – Trial Observation Report (1997)
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- Freedom of Expression at Risk: Writers on Trial in Turkey - Trial Observation Report (2005)
- Freedom of the Press in Turkey: The Case of *Özgür Gündem* (1993)
- Freedom of Thought, Conscience, Religion and Expression Handbook (1998)
- *Gundem v Turkey*, *Selcuk and Asker*: A Case Report (1998)
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- Human Rights Violations against Kurdish People in Turkey - Report to the Budapest Review Conference, of the Conference on Security and Co-operation in Europe (1994)
- Human Rights Violations against Kurds in Turkey, presentation in Warsaw (1995)
- Human Rights Violations Against Kurds in Turkey: Report Presented to the Organisation for Security and Cooperation in Europe (OSCE) (2005)
- Human Rights and Minority Rights of the Turkish Kurds (1996)
- "If the River were a Pen…" - The Ilisu Dam, the World Commission on Dams and Export Credit Reform (2001)
- Internally Displaced Persons: The Kurds in Turkey (2002)
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- International Fact-Finding Mission Report: Baku-Tblisi-Ceyhan Pipeline–Turkey section (2003)
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- *Kaya v Turkey*, *Kiliç v Turkey*: Failure to Protect Victims at Risk - A Case Report (2001)
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- KHRP Cases Declared Admissible by the European Commission of Human Rights, Volume 2, June 1995.
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- 'Peace is Not Difficult' - Observing the Trial of Nazmi Gur, Secretary General of the Human Rights Association of Turkey (IHD) (2000)
- Policing Human Rights Abuses in Turkey (1999)
- Profile on Torture in Turkey: Making Remedies Work? Report for the 'Torture in the Middle East and North Africa, Prevention and Treatment Strategies' Symposium (Athens) (1996)
- Pumping Poverty: Britain's Department for International Development and the Oil Industry (2005) (*Published by PLATFORM, endorsed by KHRP*)
- Recognition of Linguistic Rights? The Impact of Pro-EU Reforms in Turkey : Fact-Finding Mission (2005)
- Relatives of Human Rights Defenders at Risk: The Extra-Judicial Killing of Siyar Perinçek - Trial Observation Report (2005)
- Report of a Delegation to Turkey to Observe the Trials of Former MPs and Lawyers (1995)
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- Report on Mission to Turkey to Attend the Trial of the Istanbul Branch of the Human Rights Association (1994)
- Report to the UNESCO General Conference at its Sixth Consultation on the Convention and Recommendation against Discrimination in Education (1996)

- *Sadak & Others v. Turkey*: The Right to Free Elections—A Case Report (2002)
- *Salman v Turkey* and *Ilhan v Turkey*: Torture and Extra-Judicial Killing - A Case Report (2001)
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- Some Common Concerns: Imagining BP's Azerbaijan-Georgia-Turkey Pipelines System (2002) *Also available in Azeri and Russian*
- State Before Freedom - Media Repression in Turkey (1998)
- State Violence Against Women in Turkey and Attacks on Human Rights Defenders of Victims of Sexual Violence in Custody – KHRP Trial Observation Report (2001)
- Submission to the Committee Against Torture on Turkey (1996)
- Surviving for a Living: Report on the Current Conditions of Kurds in Turkey (1996)
- Taking Cases to the European Court of Human Rights: A Manual (2002) *Also available in Azeri, Armenia, Turkish and Russian*
- Taking Human Rights Complaints to UN mechanisms – A Manual (2003) *Also available in Azeri, Armenian, Turkish and Russian*
- *Tanrıkulu v Turkey*, *Çakıcı v Turkey*: Violations of the Right to Life - A Case Report (2000)
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- The European Convention Under Attack: The Threat to Lawyers in Turkey and the Challenge to Strasbourg – Fact-Finding Mission Report (1995)
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- The Ilisu Dam: A Human Rights Disaster in the Making (1999)
- The Ilisu Dam: Displacement of Communities and the Destruction of Culture (2002)
- The Internal Conflict and Human Rights in Iraqi Kurdistan: A Report on Delegations to Northern Iraq (1996)
- The Kurds: Culture and Language Rights (2004)
- The Kurds in Iraq - The Past, Present and Future (2003) *Also available in Turkish*
- The Kurds in Iraq: Past Present and Future (Pluto Press, London and Ann Arbor, MI) (2004)
- The Kurds of Azerbaijan and Armenia (1998)
- The Kurds of Syria (1998)
- The Kurds in Syria: The Forgotten People (Pluto Press, London and Ann Arbor, MI) (2005)
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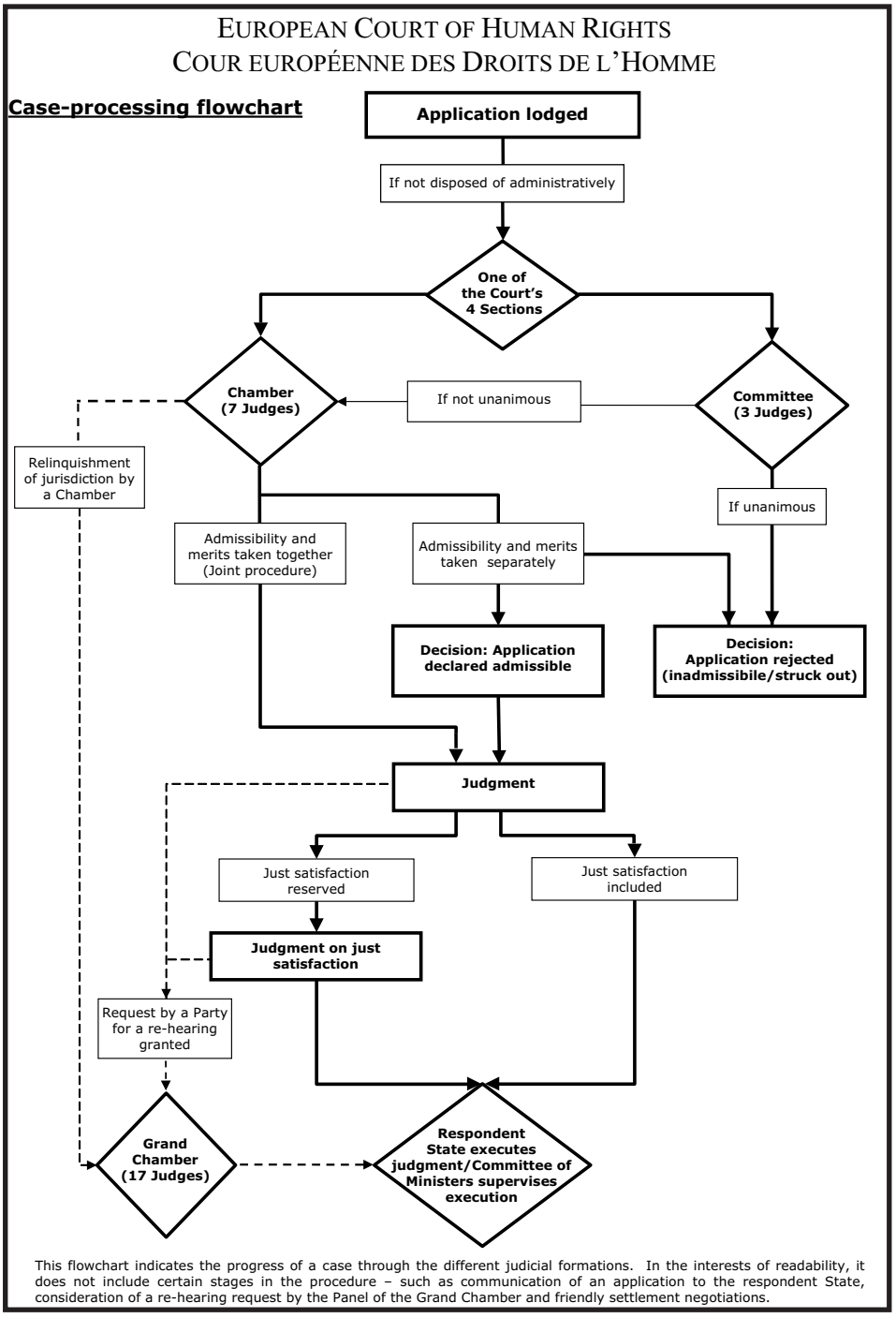


Diagram 1: Practice and Procedure of the European Court of Human Rights

"Kerim and KHRP have succeeded in changing the landscape for the world's 28 million Kurds."

Sigrid Rausing Trust

"The Kurdish regions have been the scene of terrible crimes. Information has been sparse, and reaction far too limited. Throughout these years, the careful and judicious work of the KHRP has been an invaluable resource for understanding the events that have been taking place, their backgrounds and roots, and the opportunities for constructive action. These have been outstanding contributions. They will be all the more important in the difficult days that surely lie ahead."

Professor Noam Chomsky

"No organisation has had more impact both in Strasbourg at the European Court of Human Rights, and in Turkey's political-legal configuration."

Stephen Solly QC, barrister

"KHRP's work in bringing cases to the European Court of Human Rights, seeking justice for the victims of human rights violations including torture and extra-judicial killings, has been groundbreaking. In many of these cases the European Court of Human Rights has concluded that the Turkish authorities have violated individuals' rights under the European Convention on Human Rights. Amnesty International salutes the work of this organisation… in defending human rights."

Kate Allen, Director Amnesty International UK