Dear Friends,

KHRP’s work has continued apace throughout the summer period as an eventful few months have seen human rights issues at the fore across the Kurdish regions.

Along with many in the international community, we welcomed July’s Constitutional Court decision against banning Turkey’s ruling Adalet ve Kalkınma Partisi (Justice and Development Party, AKP) for “anti-secular activities”. Yet treasury funding to the AKP was slashed and the narrow margin of judges who voted to let the party keep operating underlined the disproportionate powers that unelected officials in Turkey wield over those who voters choose to represent them.

This dangerous dynamic, also reflected in ongoing efforts to shut down pro-Kurdish political parties including the Demokratik Toplum Partisi (Democratic Society Party, DTP), has long been a concern of KHRP.

Around the same time, a further reminder of the fragility of Turkish democracy came in the shape of the far-reaching indictment issued for alleged officials of the presidency. KHRP and its partners have committed to continuing our work, but also to being more vocal and persuasive in our condemnation of the recent governmental actions.

KHRP and Partners Conduct Cross-Border Training in Kurdistan, Iraq

KHRP, the Civil Development Organisation (CDO) and Harikar, hosted by the Union of Kurdistan Writers, co-organised an annual cross-border training session for human rights advocates from across the Kurdish regions in Dohuk, in Kurdistan, Iraq, on 13 and 14 September.

The focus of the training was on the rule of law in the Kurdish regions and capacity building for local civil society organisations. More than 30 human rights advocates from Turkey, Iraq, Syria and Iran took part in the event, which opened with speeches by CDO Director General Atta Muhammad, KHRP Deputy Director Rachel Bernu and Harikar Co-Founder and Program Coordinator Salah Majid.

On the first day of the training Barrister Brenda Campbell, a member of the KHRP Legal Team, gave a presentation to “unpack” the abstract concept of the rule of law.

KHRP and Forum Law Center Conduct Yerevan Training

KHRP and Forum Law Center organised a one-day training programme in the Armenian capital Yerevan on 8 September to follow up on the recent success of the KHRP-assisted case of Meltex Ltd and Mesrop Movsesyan v. Armenia before the European Court of Human Rights (ECtHR), which represented a landmark for freedom of expression in the country.

The training session, entitled “Meltex and Beyond: Executing Judgements of the European Court of Human Rights”, was designed to assist local human rights advocates in taking advantage of the Court’s 17 June ruling that Armenia’s first independent television channel A1+ had suffered a violation of its right to freedom of expression when it was effectively prevented from broadcasting.

Conducted by KHRP Legal Team and Board member Rajesh Kumar Rai and attended by around ten delegates, the focus of the Yerevan event was the rule of law.

Yerevan Training

On the first day of the training Barrister Brenda Campbell, a member of the KHRP Legal Team, gave a presentation to “unpack” the abstract concept of the rule of law.
rule and touched on key features of its implementation, as well as key obstacles to this implementation and the consequent effect on human rights. The following day, Rachel Bernu led discussions on strategies for increasing collaboration amongst civil society organisations in the region and the identification of possible areas for cooperation in the coming year, while both Harikar and CDO gave presentations detailing why and how to decide to partner with other organisations.

The cross-border training initiative has been a great success in recent years, allowing KHRP and organisations from across the Kurdish regions to consolidate ties and to share their respective experiences in order to foster a cross-regional understanding of human rights. Training scheduled for 2007 had to be delayed because of cross-border attacks in northern Iraq by the Turkish military.

Attendees all expressed continued interest in coming together and finding joint projects. Several organisations found common ground and are considering continued collaboration on projects including combating violence against women and effectively using international mechanisms.

Whilst in Iraq, KHRP staff met with several international agencies as well as various branches of the Kurdistan Regional Governorate (KRG) and NGOs in the region to discuss the effects of cross-border bombardments, issues raised in the cross-border training and potential avenues for new work. This included meetings with the Royal Netherlands Consulate, the British Embassy Office in Erbil, the University of Kurdistan-Hawler, the International Committee of the Red Cross, the UN High Commissioner for Refugees, the Kurdistan Journalists’ Union, the US Department of State/USAID, the KRG Ministry of Trade, the Ministry of Human Rights, the Governor of Dohuk and the Head of Peshmerga Affairs.

In particular, KHRP was excited to discuss the possibility of developing a human rights and investment training programme with the KRG Ministry of Trade and to discuss the findings of our recent report, A Fact-Finding Mission in Kurdistan, Iraq: Gaps in the Human Rights Infrastructure, with regard to concrete ways that the international community could support the growth of a human rights culture in Kurdistan and Iraq as a whole.

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**Director’s Letter**

ultranationalist Ergenekon network, accused of fomenting violence in an effort to overthrow the government.

Elsewhere, the Kurdish regions of northern Iraq have continued to suffer from cross-border airstrikes and shelling by the Iranian and Turkish militaries. The devastating impact that this has had on civilians in the area is all too familiar to KHRP from the cases it has taken to the European Court of Human Rights (ECtHR) on behalf of Kurdish and Christian applicants. This year alone, we have begun work on behalf of a total of 76 new applicants who were injured, lost property or family members or otherwise suffered as a direct result of such attacks and KHRP is considering assisting many more individuals in Iraq in seeking justice before the ECtHR.

Recent months have also seen a wave of killings, assaults and threats targeted at journalists in northern Iraq. These have been an unfortunate reminder of the vulnerability of freedom of speech in the region, one of many concerns raised in the course of a series of KHRP fact-finding missions there since early 2007.

In relation to Iran, KHRP was buoyed to receive news in September that a death sentence against the Iranian journalist Adnan Hassanpour, whose case we have been highlighting before UN human rights mechanisms since last year, had been overturned. But the story unfortunately does not end there, with Hassanpour now facing fresh trial proceedings. In addition, both Iran and Syria have also witnessed new waves of arrests of Kurdish journalists, human rights defenders and activists over the summer.

In the face of these ongoing threats, KHRP has continued to work to build the capacity of human rights defenders on the ground. In September, we held trainings in Kurdistan, Iraq, on the rule of law for activists from across the Kurdish regions, as well as a roundtable on women’s rights. Quite apart from the value of the trainings themselves, such events also help to build stronger relationships between disparate organisations spread across many countries and pave the way for future cooperation. In the same month, we also organised a training session in Yerevan to follow up on the success in June of the landmark KHRP-assisted freedom of expression case Meltex Ltd and Mesrop Movsesyan v. Armenia before the ECtHR.

Finally, we are very pleased to welcome a lawyer from Turkey who arrived in our London office in September as part of our international fellowship scheme. We hope that her work alongside KHRP staff and in conjunction with our experienced pro bono Legal Team will provide the opportunity for a unique exchange of knowledge and skills that will be extremely valuable for all involved.

As ever, all of this crucial work would not be possible without the backing of our many funders, supporters and volunteers. I would once again like to express my sincerest thanks to them as we look ahead to a busy autumn.

Kerim Yildiz
Executive Director
September 2008

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**KHRP and Partners Conduct Cross-Border Training in Kurdistan, Iraq**

Rachel Bernu and KHRP Regional Representative Tanyel Taysi with USAID staff in Iraq

Participants on the first day of the training
KHP was pleased to be involved in convening a roundtable meeting of Iraqi and Turkish human rights activists in Dohuk, in Kurdistan, Iraq, on 12 September titled “Strategies and Tactics to Combat Violence Against Women”.

The meeting, which was organised in conjunction with two Iraqi NGOs, the Civil Development Organisation (CDO) and Harikar, and which took place on the premises of the Union of Kurdistan Writers, was a valuable opportunity for regional women’s rights organisations working with Kurdish communities to break down cultural taboos surrounding this sensitive subject.

It opened with addresses by CDO Program Officer Bakhtyar Ahmed, KHRP Deputy Director Rachel Berri and Harikar Women’s Project Manager Rawshan Atrooshi. In the course of the roundtable discussion, presentations were made by a range of participants, including from Van Women’s Association, Selis and the Director General of the Directorate of Follow-Up of Violence Against Women. All participants were encouraged to share their ideas for strategies and tactics that can be used to combat violence against women.

KHP welcomed the Constitutional Court decision that saw Turkey’s ruling Adalet ve Kalkınma Partisi (Justice and Development Party, AKP) narrowly avoiding being banned from politics at the end of July. However, the verdict, which also included halving treasury funding to the party as a “serious warning” over its “anti-secular activities” remained a grave threat to political representation.

With the AKP accused of taking advantage of democratic politics to promote an Islamist agenda, six judges voted in favour of proscribing it – just one short of the majority of seven needed in order for the ban to come into effect. The decision came only months after the Constitutional Court overturned a government decision to lift a ban on female students wearing “hijabs” or headscarves in the country’s universities. Opponents of the AKP claim that policies of this kind promoted by AKP Prime Minister Recep Tayyip Erdogan are unconstitutional and conflict with the secular vision of the Republic’s founder Kemal Ataturk.

AKP supporters, who had feared that a ban on the party would throw the country into political chaos, expressed a sense of relief in the wake of the collapse of the case. European Union politicians also welcomed the outcome, which was broadly seen as a positive development in the context of Turkey’s moves towards accession.

KHP Executive Director Kerim Yildiz remained cautious, however, warning that the move to launch a closure case against the party was “an extremely negative development in itself”.

The case was just the latest step in a pattern of moves to shut down parties with religious or Kurdish associations and prosecute their members. The Constitutional Court has closed 24 political parties since its establishment in the early 1960s. The same prosecutor involved in the AKP case is also seeking the closure of the Demokratik Toplum Partisi (Democratic Society Party, DTP), which in 2007 became the first pro-Kurdish party to secure representation in parliament in 14 years. On 16 September, DTP Chairman Ahmet Turk appeared before the Constitutional Court to argue in defence of his party, insisting that its existence presented a valuable opportunity for Turkish democracy and could help to solve key problems, including the Kurdish question.

A recent KHRP briefing paper exploring these dynamics – Protecting Politicians or Protecting Democracy? Parliamentary Immunity and Party Closure in Turkey – is available for download from the KHRP website.

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KHP and Forum Law Center Conduct Yerevan Training

on the judicial and political processes that have been devised to ensure enforcement of ECtHR judgements. This included detailed discussions of the role of the Committee of Ministers, made up of representatives of contracting states who are responsible for supervising the execution of Court judgements.

Meltex Ltd launched A1+ in the 1990s but, following a change in the laws governing broadcasting licences, it later saw repeated applications for a new licence denied. The ECtHR found that the treatment of the company amounted to a violation of its rights under Article 10 of the European Convention on Human Rights. The ruling was particularly timely, coming in the wake of post-election violence in Armenia in the spring, which sparked a government crackdown on opposition supporters.

The importance of the training for local human rights advocates was underlined by the concern felt amongst participants about the aftermath of the Meltex judgement, amid reports that the Armenian authorities were considering responding to the Court’s findings by suspending the tender process for broadcast licenses altogether.
Germany May Pull Out of Ilisu Project Amid Ongoing Protests

Germany is reported to be considering withdrawing its financial support for the construction of the Ilisu Dam, with government ministers unconvinced by Turkey’s assurances that the project will take into account environmental, heritage and human rights concerns.

Officials from four ministries apparently agreed in late August that Turkey’s most recent pledge was lacking insofar as it failed to guarantee environmental protection, safe relocation of those affected and the protection of sites of cultural importance. It is also reported that Austrian and Swiss financial backing for the scheme is similarly in the balance.

KHRP has long been involved in international efforts to draw attention to the massive fallout that would be caused should the construction of the Ilisu Dam go ahead. This would include the flooding of the ancient city of Hasankeyf, the displacement of some 55,000 people and a reduction in the flow of water downstream to Iraq. Earlier this year, the Committee of Experts (CoE) overseeing the project criticised Turkish government plans for the resettlement of those who would be forced from their homes, saying more needs to be done to ensure adherence to international standards.

In recent months, activism aimed at highlighting such issues has continued apace. On 17 July, protesters built a cardboard dam outside the headquarters of the UniCredit Group in Milan, Italy, to show their opposition to the bank’s role in funding the project. The activists were granted a meeting with officials from UniCredit, whose subsidiary Bank Austria Creditanstalt is one of the export credit agencies providing funding for the Dam.

Demonstrations also took place in Hamburg on 20 August, featuring boats on the Alster river and street theatre highlighting the threat posed to Hasankeyf and the involvement of European companies in the Ilisu project. The action was organised by the Hamburg Action Circle Hasankeyf. A demonstration also took place on 4 September outside the Berlin Savings Bank to highlight its ties with DekaBank, which is involved in Ilisu.

On 3 October, a symposium will be held in Batman to discuss the social, legal and ecological implications of the Ilisu project. Organised by a local sub-committee of the Keep Hasankeyf Alive Initiative, the meeting will feature speakers including academics, legal experts and politicians from the region.

Previous plans for the Ilisu Dam, opposed by a range of organisations including KHRP, collapsed in 2002 when commercial partners pulled out, believing the practical, legal and environmental obstacles to be too great. However, the project has since been resurrected by the Turkish government.

New Wave of Violence against Journalists Threatens Freedom of Speech in Northern Iraq

Recent months have seen a wave of violence and threats against journalists in the Kurdistan Regional Government and other parts of northern Iraq, in a development which threatens to further undermine freedom of expression in the region.

On 1 July, Azad Arkuchi, the head of the public satellite television station Newroz was ambushed near Erbil by armed men wearing military uniforms and driving a police car, who tied him up, blindfolded him and beat him, according to Reporters Without Borders.

On 21 July, Soran Mama Hama, a 23-year-old reporter with the Sulemanya-based Livin magazine who had written articles criticising local officials, was shot dead in Kirkuk. His last piece in Livin prior to his death reportedly included allegations that police and security officers in the city had been complicit in prostitution.

On 24 July, Souran ‘Omar, who has also reportedly criticised corruption and nepotism in the Patriotic Union of Kurdistan (PUK) and Kurdistan Democratic Party (KDP) in articles in Livin and in the magazine Rega, received anonymous telephone calls warning him that he would be killed if he did not stop writing. In the same month, another journalist, Kusrat ‘Abd al-Rahman, also received threatening telephone calls in connection with his writing and a list was circulated in Kurdistan, Iraq, of 16 journalists and writers which it threatened with death. Those listed were all reportedly known to have been critical of the PUK and KDP and were said to include Souran Mama Hama, Souran ‘Omar and ‘Abd al-Sattar Taher Sharif, a 74-year-old academic who was gunned down in Kirkuk in March, apparently for his criticism of Kurdish leaders.

The Committee to Protect Journalists (CPJ) also reported an anonymous threatening phone call made to Livin Editor in Chief Ahmed Mira on 14 July and a failed assassination attempt on Amanj Khalil, a journalist with the Erbil-based newspaper Rudaw, on 30 July. In addition, the CPJ said Yahya Ahmed, a reporter with the Sulemanya-based Awene newspaper, was injured in a suicide attack in Kirkuk on 25 July and was subsequently attacked by an angry mob.

In an open letter to Masoud Barzani, the president of the Kurdistan Regional Government, on 4 August, the CPJ said its research suggested not one person had been prosecuted for the many killings and incidents of harassment that it had documented in the preceding weeks. The letter noted that the Kurdistan Journalists Syndicate had reported around 60 cases of killings, attacks, threats and lawsuits against journalists in the region in the first six months of 2008 and called on Barzani to condemn and thoroughly investigate such incidents.
Ergenekon Arrests Expose “Deep State” Network

A Turkish High Criminal Court issued a landmark indictment in July for 86 alleged members of the ultranationalist “Ergenekon” network, marking the culmination of an investigation that appears to have been sparked by the discovery of an arms cache in a house in Istanbul over a year previously.

Retired senior generals Hurşit Tolon and Şener Eruygur were amongst those reportedly arrested, with the group’s membership said to also extend to bureaucrats, journalists, academics, politicians and members of organised crime networks. Lawyers representing those rounded up in the investigation told the BBC that their clients had been charged under Article 313 of the Turkish Criminal Code with inciting armed revolt against the government led by Prime Minister Recep Tayyip Erdoğan’s Adalet ve Kalkınma Partisi (Justice and Development Party, AKP).

The network’s aim was reportedly to foment chaos in order to precipitate a military coup. It is accused of mounting attacks in 2006 on Turkey’s administrative court and the pro-secular Cumhuriyet newspaper, which infuriated secularists at the time and led to demonstrations against the government.

Others arrested in connection with the network included retired General Veli Küçük, who is alleged to have been involved in the extra-judicial killings of Kurdish politicians, activists and civilians in the 1990s. Küçük has also been linked to the murder of the Armenian editor Hrant Dink in Istanbul last year. Others said to have been on Ergenekon’s list of targets for assassination include the Nobel Prize-winning writer Orhan Pamuk.

The crackdown on “deep state” actors, whose existence has long been rumoured in Turkey, is viewed by some analysts as a test of Turkish democracy, showing that the government is prepared to challenge the country’s powerful military. Others have interpreted the move as retaliation for the attempt to outlaw the AKP, in a case that finally collapsed before the Constitutional Court in July.

Istanbul Bombings Target Civilians

KHRL condemned twin bombings that killed 17 people and injured some 150 in Istanbul on 27 July and urged the Turkish authorities and the international community to ensure that the incident is fully investigated.

In the worst such attack against civilians in Turkey since 2003, the bombs exploded around ten minutes apart in the residential Güngören area. The Turkish authorities subsequently made a number of arrests and blamed the Kurdistan Workers’ Party (PKK), though the PKK condemned the bombing and denied involvement.

“Whoever turns out to have been responsible for this particular incident, such violence will only be avoided in the long-term when all parties agree to seek to heal Turkey’s many political and social divisions through the pursuit of peaceful dialogue and democracy.”

Series of Arrests in Kurdish Regions of Iran

The Iranian authorities have reportedly carried out a series of arrests in the Kurdish regions of the country in recent months, including mass detentions in the city of Bokan following a general strike.

According to the Democratic Party of Iranian Kurdistan (DPIK), 86 people were rounded up between 14 and 16 July in Bokan following the strike on the 19th anniversary of the assassination of the Kurdish leader Dr Abdulrahman Ghassemlou. The detainees were said to have been subsequently transferred to prisons in the cities of Urumieh and Miandoab. The DPIK said the arrests coincided with a campaign to confiscate thousands of satellite dishes in the Kurdish regions of the country and that security forces had also padlocked hundreds of Kurdish shops in the cities of Piranshahr and Oshnavieh.

Late July saw the arrest of the Kurdish journalist Saman Rasoulpour at his home in the city of Mahabad. As of mid-August, he was understood to still be in detention without charge in the same city. The Committee to Protect Journalists (CPJ) reported that Mr Rasoulpour is a regular contributor to the reformist news website Rozoo Online and that he has written about human rights violations against Iran’s Kurdish population. He is said to have previously been detained for six months in 2006. His arrest reportedly took place two days after he participated in a demonstration to show support for the imprisoned Kurdish journalists Adnan Hassanzour and Hiwa Butimar, who were sentenced to death. The death sentence against Adnan Hassanzour has since been overturned, though he now faces fresh trial proceedings.

The following month saw the arrests of two further Kurdish journalists, according to the CPJ. The first, Massoud Kordpour, was reportedly taken from his home in Bokan on 9 August. The second, Anvar Sa’idi Muchash, was said to have been detained along with his cousin by security forces in Sanandaj on 28 August and taken to an unknown location. A day prior to his arrest, he had apparently received a call from an individual identifying himself as a security official, who told him he had “crossed the red lines”.

On 23 August, a four-year sentence of imprisonment and internal exile was also reportedly upheld against the Kurdish women’s rights activist Zeynab Bayzeydi, who had been arrested in July. According to Amnesty International, she was charged with being a member of unauthorised human rights associations.
EUTCC Advisory Council Meets in Run-Up to Conference

Members of the Advisory Council of the EU Turkey Civic Commission (EUTCC) met at the KHRP office on 14 August to discuss recent developments in Turkey and plans for this year’s annual conference at the European Parliament.

Bringing together leading academics, writers, legal experts, human rights institutions and prominent Turkish and Kurdish intellectuals from around the world at its annual conference, the EUTCC aims to promote Turkish accession to the EU and help to guarantee respect for human and minority rights and a peaceful, democratic solution to the Kurdish situation. Founded in 2004, its work includes monitoring Turkey’s compliance with EU accession criteria, making recommendations, acting as a point of contact, and exchanging information within the institutions of the EU and other governmental and non-governmental organisations.

This year’s annual EUTCC conference on the EU, Turkey and the Kurds is due to take place at the European Parliament in December.

For more information about the EUTCC, or if you would like to attend the conference, please contact Development and Outreach Officer Anna Irvin at KHRP.

Turkish Minister Reports Thousands of Allegations of Excessive Use of Force

A Turkish government minister has said that 4,662 allegations of excessive use of force by state officials were recorded in 2006 and 2007, according to local media reports. Of these cases, only 614 have apparently so far come to trial, despite the “zero tolerance for torture” slogan of the ruling Adalet ve Kalkınma Partisi (Justice and Development Party, AKP).

The information was revealed in an answer by Justice Minister Mehmet Ali Şahin in response to a question from Ayla Akad Ata of the Demokratik Toplum Partisi (Democratic Society Party, DTP). The figures were calculated by the official Forensic Register and Statistics Directorate.

KHRP Takes on New Staff

KHRP is pleased to welcome back our former Legal Officer Lucy Claridge, who will be providing maternity cover for Legal Director Catriona Vine in the coming months, and former KHRP International Intern Saniye Karakaş, who is starting with us as a new Legal Associate. We are also glad to welcome Tanyel B. Taysi as our new Regional Representative. Based in Erbil, Iraq, Tanyel previously co-wrote The Kurds in Iran with KHRP Executive Director Kerim Yildiz.

Dispatches

EUTCC Advisory Council Meets in Run-Up to Conference

Leyla Zana Faces Further Harassment

The prominent Kurdish politician and activist Leyla Zana is once again facing official harassment in Turkey in connection with her involvement in an event at the British House of Commons in May this year.

Hosted by the All Party Parliamentary Group on Conflict Issues, the meeting for members of parliament and members of the House of Lords was chaired by Lord Rea and also featured Moris Farhi, MBE, the Vice-President of International PEN. Following the event, the Guardian newspaper published an article under the headline “Kurdish Politician Calls for Dialogue With PKK”, which reported that Zana had called for an end to the bombing of rebel bases inside northern Iraq and for the Kurdistan Workers’ Party (PKK) to be included in any peace process.

She was due to appear in court in Ankara on 10 September and in Diyarbakır on 18 September in connection with her statements.

In 1991, Zana became the first Kurdish woman to win a seat in the Turkish parliament. During her inauguration, she caused uproar by wearing the traditional Kurdish colours of red, green and yellow, and making a brief speech in Kurdish, use of which is illegal in official contexts in Turkey. She subsequently spent ten years in prison for supposed membership of an armed organisation, following a trial which the European Court of Human Rights – in a KHRP-assisted case – ruled was unfair. She was recognised as a prisoner of conscience by Amnesty International and awarded the Sakharov Prize for Freedom of Thought by the European Parliament in 1995.

More recently, Zana became a co-founder and member of the Demokratik Toplum Partisi (Democratic Society Party, DTP), which in 2007 became the first pro-Kurdish party to gain representation in parliament in 14 years. Prosecutors have since filed a party closure case against the DTP and have submitted a number of requests to have the parliamentary immunity of its MPs lifted in order to pave the way for legal proceedings against them.

In April of this year Zana was given a two-year jail sentence for allegedly disseminating propaganda in support of the PKK.
Turkey and Iran Continue Military Operations in Kurdistan, Iraq

Turkish and Iranian forces have continued to attack targets in Kurdistan, Iraq, in recent months, in a campaign which is purportedly aimed at routing elements of the Kurdistan Workers’ Party (PKK) but which has had devastating consequences for local civilians.

In July, Turkish warplanes bombed the Nero, Rekan and Nehly areas in Amed district, Dohuk province. According to local sources, the attacks caused forest fires in the region. Turkish warplanes also launched attacks in the Zap and Qandil regions, while the Turkish army massed troops along the Iraqi border. During the same period, Iranian artillery shelled the border villages of Sidakan, in Erbil province.

A series of attacks by Turkish warplanes in Kurdistan, Iraq, in August included an airstrike on Bokristan village in the Qandil region which reportedly destroyed the local water project, killed many animals and caused all local residents to flee the area. Iranian artillery was also reported to have struck villages near Qal’at Dizah in Sulemanya province.

In meetings with several Kurdistan Regional Government ministers and parliament members in Dohuk and Erbil, KHRP learned that these bombardments are having a negative effect both on the individuals directly affected by them and also on the collectiv population and their view of their own security.

KHRP is currently pursuing a number of cases before the European Court of Human Rights that focus on human rights violations alleged to have occurred in the course of cross-border attacks by Turkish forces in northern Iraq.

Kurdish Activists Arrested in Syria

KHRP is concerned about the fate of at least two Kurdish political activists who are reported to have been detained in Syria in recent months.

According to a statement released by the European wings of five Syrian Kurdish political parties, Mohamed Moussa, secretary of the Kurdish Leftist Party in Syria, was arrested on 19 July. Prior to that time, he had reportedly been interrogated in Qamishli and then held for a week in a military intelligence facility in Damascus. Mohamed Moussa was understood to still be in detention in late August.

According to Amnesty International, another Kurdish political activist, Mashaal Tammo, was arrested by Syrian Air Force Security at a checkpoint in northern Syria on 15 August. His whereabouts were reportedly unknown until 26 August, when he was transferred from a detention centre in Damascus run by the Political Security Branch to ‘Adra Prison, also in the capital. The following day, he was apparently brought before an investigating judge and charged with numerous offences, including joining an international organisation without government permission and inciting sectarian strife. If convicted, Amnesty International said, he could face the death penalty. Mashaal Tammo is reported to be a spokesperson for the unauthorised Kurdish Future Current party and a member of an unauthorised pro-reform network known as the Committees for the Revival of Civil Society.

Executive Director and Chairman Visit Iraq

KHRP Executive Director Kerim Yildiz, and Chairman Mark Muller, visited Iraq at the beginning of September to assess the human rights situation in the Kurdish region. During their visit they conducted a number of meetings to discuss KHRP’s work in the region.

Dispatches

KHRP Welcomes New Fellow

KHRP would like to extend a warm welcome to our new Sigrid Rausing Fellow – Zeynep İnan Çam, from Turkey – who began working in the organisation’s London office in September as part of our International Fellowship programme.

The programme gives selected advocates from the Kurdish regions an opportunity to work with KHRP’s Legal Team, allowing for an exchange of legal and professional expertise and skills. The aim is to empower local advocates to bring about lasting change in the human rights climate across the Kurdish regions. The fellowship programme also promotes cultural understanding between advocates within the regions and internationally.

More information about the fellowship programme, including eligibility criteria and details of how to apply, is available on the KHRP website at www.khrp.org.

KHRP Nominated for Human Rights Awards

KHRP is honoured to have been nominated for two prestigious international human rights prizes in recent months.

Louise Christian, herself an award-winning lawyer and co-founder of the Christian Khan law firm, put KHRP forward for the United Nations Prize in the Field of Human Rights. Given in recognition of outstanding achievements in the area of human rights, the prize was first awarded in 1968, on the 20th anniversary of the Universal Declaration of Human Rights. The 2008 prize will be awarded at the UN Headquarters in New York on 10 December, as part of the annual commemoration of Human Rights day, which this year will mark the landmark document’s 60th anniversary.

KHRP has also been nominated by Professor Noam Chomsky for the high-profile Hague Prize for International Law. Launched by the Hague Prize Foundation in the Netherlands in 2002, the award recognizes those who have made a special contribution to the development of public or private international law, or to the advancement of the rule of law. The nomination detailed KHRP’s achievements in advancing the principles of international human rights law and strengthening the implementation of human rights law across the Kurdish regions.

KHRP Welcomes New Fellow

New KHRP fellow Zeynep İnan Çam.
Human Rights Violations Fester Amid Kirkuk Stand-Off

Residents of Kirkuk have continued to face human rights violations exacerbated by a political vacuum in recent months, as wrangling over the future status of the province has shown few signs of reaching any conclusion.

Though the Iraqi constitution that came into effect following the fall of the Ba'athist regime in 2003 provided for a resolution of the status of Kirkuk before the end of last year, no date has yet been set for the referendum that was expected to conclude this process. According to the constitution, this referendum is to be preceded by a process of “normalisation” to resolve complex demographic issues. Key legislation needed to pave the way for provincial elections throughout Iraq was also delayed for months because of the disputes over the future of Kirkuk. A compromise solution eventually agreed upon by parliamentarians in late September excluded Kirkuk and the northern Kurdish region.

A recent KHRP report – A Fact-Finding Mission in Kurdistan, Iraq: Gaps in the Human Rights Infrastructure, published in July 2008 – highlighted a breakdown in the rule of law in Kirkuk and other disputed areas. It also noted that while the poor security situation has had knock-on effects across the whole of Iraq on issues such as access to water and healthcare, these effects have been especially marked in the disputed regions.

In addition, there are allegations that the Kurdistan Regional Governorate authorities are pressuring Kurdish internally displaced persons (IDPs) to return to Kirkuk and that the Kurdish authorities are intentionally making life difficult for the city’s non-Kurdish residents. As reported elsewhere in this edition of Newsline, there have also been a number of attacks and threats against journalists and writers working in the city this year, including in cases where this is believed to have been related to their criticism of Kurdish officials.

The lack of resolution is leading to an impasse. All parties involved, including Iraq’s neighbours, should support the citizens of these cities and towns by allowing their voice to be heard. Hardliners must not be perceived to be in control, since that will lead to them taking control in reality. It is a complex and difficult situation, but the only way for it to be resolved is through dialogue and adherence to democratic principles. The international community should do more to create public spaces for citizens’ voices to be heard, as should those who claim to represent the disparate groups and views. Further, rumour and innuendo about the parties concerned should be forcefully and immediately denounced, while at the same time, facts about the progress and failings of each party should be aired.

KHRP believes that this issue cannot be resolved without courage and strict adherence to the rule of law from everyone involved, but particularly from the international community, the Kurdistan Regional Government and the Government of Iraq.

Turkish Mayors Escape Jail Over Minority Language Waste Disposal Pamphlets

A Diyarbakır court acquitted two mayors on 27 June who were standing trial for printing Kurdish-language brochures on waste disposal, according to local media reports.

Prosecutors had apparently sought two-year prison terms for Diyarbakır Mayor Osman Baydemir and Bağlar Mayor Yurdusev Öşökenler, arguing that their decision to publish the pamphlets violated the Law on the Acceptance and Application of Turkish Letters and amounted to official misconduct.

Use of any language other than Turkish in official matters is illegal in Turkey, with promotion of the Kurdish language often seen as being synonymous with encouraging separatism. In June 2007 the Council of State dismissed the mayor of Sur municipality from office and dissolved the Municipal Council over the provision of multilingual municipal services. The court said this had been in violation of the constitutional principles that Turkish is the language of the state and that no other language should be taught as a mother tongue.

The ban on the official use of languages other than Turkish restricts the social, economic and civil and political rights of Kurds and other minorities, including by hindering their engagement in elections and their access to public services.
Regional Instability Underlines Pipeline Concerns

The conflict in Georgia and a major explosion on the Baku-Tbilisi-Ceyhan pipeline in recent weeks have underscored concerns that have long been raised by KHRP and its partners working on the Baku-Ceyhan Campaign about the destabilising effect of the project and its damaging consequences for local residents and the environment.

While government officials blamed a blast on the Turkish section of the pipeline on 5 August on a technical fault, the Kurdistan Workers’ Party (PKK) subsequently claimed responsibility, saying it had carried out the attack in response to Turkey’s intensified campaign against its fighters both on Turkish territory and in northern Iraq.

The fire caused by the explosion burned for six days, damaging crops and property and severely disrupting life in villages near the pipeline. It was estimated to have consumed some 12,000 barrels’ worth of oil, releasing carcinogens and other pollutants into the atmosphere. At the time of writing no clear compensation plan has been put in place by the relevant state authorities.

The explosion occurred just days before the outbreak of the conflict between Russia and Georgi a over the breakaway region of South Ossetia. In the course of the fighting, Georgia claimed Russian forces had carried out airstrikes on the pipeline, though Russia denied the allegations. Separatist groups in South Ossetia and Abkhazia have in the past threatened to target the pipeline.

KHRP and other members of the international Baku-Ceyhan Campaign, including PLATFORM and The Cornerhouse, have long objected to grave problems in the way the project is being implemented, including a lack of adequate compensation for local residents whose land has been taken from them. Campaign members have also repeatedly warned that the pipeline is a threat to the local environment and stands to exacerbate regional conflicts.

A specific concern for NGOs monitoring the project has been the apparent failure to account for the environmental impact of the pipeline’s construction and operation.

A Special Month for a Special Cause

Together we can make a real difference to the lives of millions of Kurds, who because of their ethnic origin are still denied access to their basic human rights. As a result, they suffer from economic and social deprivation, illiteracy and poverty.

Four weeks, 5 ways to give. It really is that simple.

1. **Set your homepage** to [http://khrp.easysearch.org.uk/](http://khrp.easysearch.org.uk/). By making just 10 searches a day with easyssearch, instead of Google or any other search engine, you can raise around £20 a year for KHRP. It works by donating 50% of the fees paid by their advertising sponsors to charity. So that you get the very best results, it combines the strengths of several search engines together - Yahoo!, MSN Windows Live Search, Ask.com, and many more. Why not try out Easyssearch for just one month?

2. **Use either http://www.buy.at/khrp or http://www.easyfundraising.org.uk/ to generate income.** If you shop online from hundreds of popular retailers including Amazon, Expedia and John Lewis. The retailer will donate up to 15% from every purchase you make to KHRP (as long as you adjust your internet security settings to ‘medium’ to enable cookies).

3. **Sell items on eBay for Charity.** When you are selling, the real beauty of eBay for Charity is that there is something for everyone - yourself included. You decide exactly what percentage of your final selling price you would like to give to KHRP, and what percentage you would like for yourself.

4. **Give through your salary.** By deducting donations before tax, payroll giving costs you less to give more. All you need to do is ask your payroll department to deduct either a one-off or regular charitable donation from your salary to give to KHRP. Just fill out a simple application form or contact KHRP for more information.

5. **Make a donation.** You can now use KHRP’s online shop to make a quick and easy donation to KHRP. Alternatively call us to make a credit card payment over the phone or post us a cheque.

For more information on how you can help assist KHRP in the struggle against injustice in the Kurdish regions, please contact the Development Department at khrp@khrp.org or call us on +44 207 405 3838.
A unique insight into the organisation’s work in relation to environmental justice and human rights in Turkey, Iraq, Iran, Syria and the Caucasus in the course of the year. This includes litigation, advocacy, training, trial observations, fact-finding missions, research and public awareness initiatives. The report should be viewed as a primary resource for those interested in the human rights situation in the Kurdish regions.

A Children’s Choir Face Terrorism Charges: Juveniles in the Turkish Justice System

Trial Observation Report
ISBN: 978-1-905592-21-0

In June 2008 a KHRP mission travelled to Diyarbakir in south-eastern Turkey to observe trial proceedings against members of a local children’s choir who had been charged under anti-terror laws for singing a Kurdish song at a world music festival in the United States the previous October. Prosecutors argued that the song was associated with the outlawed Kurdistan Workers’ Party (PKK) and that singing it amounted to disseminating propaganda on behalf of a terrorist organisation. Of nine children who went to trial, three faced proceedings in an adult court. Although all were eventually acquitted, the episode illustrated the threats posed to human rights by Turkey’s recently-amended anti-terror legislation, as well as the failure of the country’s criminal justice system to afford adequate protection to children. Contrasting the treatment of the children with standards set out in international human rights agreements, this report also places the case in the context of broader patterns of restrictions on freedom of expression and cultural and language rights in Turkey.

A Fact-Finding Mission in Kurdistan, Iraq: Gaps in the Human Rights Infrastructure

Fact-Finding Mission Report
July 2008

This new publication is based on a series of visits to the region in the course of 2007 and early 2008, during which mission members detected an enormous desire amongst civil society representatives and government officials for proper implementation of human rights norms, accountability and the rule of law. The reality, however, is a region where there remains a lack of awareness amongst members of the public about their human rights and a dearth of effective systems in place to ensure that these rights are protected. While the mission noted that all countries in transition need time to develop their infrastructure, such weaknesses are also partly due to a lack of strategic planning for long-term strengthening of mechanisms for human rights protection, and in particular to a disappointing absence of investment by the international community in support of this end.

The report explains the historical and political context of the current human rights situation in Kurdistan, Iraq, and goes on to explore this situation with special reference to women’s rights, minority rights, freedom of expression, and the rights of prisoners and other detainees. Further sections are dedicated to the human rights situation in Kirkuk and other ‘disputed areas’, and the impact of the military incursions into Kurdistan, Iraq, by neighbouring countries. It concludes with a set of recommendations for the Government of Iraq, the Kurdistan Regional Government, local civil society organisations, the international community and international NGOs working in the region.

Turkey’s Anti-Terror Laws: Threatening the Protection of Human Rights

Briefing Paper
September 2008

In June 2006, Turkey amended its anti-terror laws and enacted a series of draconian provisions which fail to meet the country’s human rights obligations under international law and which have in practice been used to violate the human rights of its citizens. Unacceptable features of this new legislation include an overly broad definition of terrorism, an increase in the range of crimes that can count as terrorist offences, and provisions that jeopardise the freedoms of expression and association, the right to a fair trial and the prohibition of torture. The new legislation will further the deterioration that has been witnessed in the human rights situation in Turkey since 2005 and should therefore be amended. This KHRP briefing paper explores the threats posed by Turkey’s amended anti-terror law, and places it in an international context in which governments around the world have increasingly shown themselves willing to put security considerations before the protection of human rights.

Protecting Politicians or Protecting Democracy? Parliamentary Immunity and Party Closure in Turkey

Briefing Paper
July 2008

The formation of a Demokratik Toplum Partisi (Democratic Society Party, DTP) group in parliament following the July 2007 general elections in Turkey gave a pro-Kurdish party representation in the country’s parliament for the first time in 14 years. Since then, prosecutors have filed a number of requests to have the parliamentary
immunity of DTP MPs lifted in order to pave the way for legal proceedings against them, and have instigated proceedings to have the party shut down. In July 2008, the ruling Adalet ve Kalkınma Partisi (Justice and Development Party, AKP) narrowly avoided closure in a similar case. KHRP’s latest briefing paper explores the mechanisms available in Turkey for the lifting of parliamentary immunity and the shutting down of political parties, and the ways in which these mechanisms have been employed in the relentless pursuit of parties and politicians by unelected agents.

Return to a State of Emergency? Protecting Human Rights in South-East Turkey

Fact-Finding Mission Report
June 2008

From 10 to 16 March 2007 KHRP organised a mission to the east and south-eastern regions of Turkey to gather information on the situation there following recent military operations – including cross-border incursions and aerial bombardments – against the pro-Kurdish armed group the Kurdistan Workers’ Party (PKK). At that time the provinces of Şırnak, Hakkari and Siirt had been declared high security zones and check-points had been set up in neighbouring regions. There were reports of the use of chemical weapons and the mutilation of the bodies of PKK members by state security forces, as well as killings of civilians during PKK attacks. Civil society groups were also said to be facing difficulties carrying out their work amid the increased tensions and security measures.

In the course of wide-ranging interviews, mission members noted a general consensus that the situation in these regions had deteriorated over the last two years, although it had not reached the same levels of oppression and human rights violations seen in the 1990s. The human rights most affected by the conflict were freedom of expression, thought and association, though torture, ill-treatment and extra-judicial killings were also occurring. The mission concluded that a true resolution of the conflict would require recognition of the multicultural make-up of Turkey and respect for the rights of all citizens.


This manual is intended to inform practitioners and interested individuals on the practical usage of the Strasbourg mechanisms. Written by Yıldız and Lucy Claridge, it provides commentaries on the practice and procedure of the European Court, in addition to key texts such as the European Convention, the Court’s application form and details of available legal aid. The second edition, now available in Armenian, includes updated sections on admissibility rules, just satisfaction claims and enforcing judgments, together with information regarding the changes introduced by Protocol 14.

Publications due for release
in the coming months

Report on the Situation of Kurdish Children in Turkey

This new publication is based on extensive desk research and a fact-finding mission to three areas of Turkey – Diyarbakır, Cizre and İstanbul – in June 2008, during which mission members conducted interviews with relevant actors including human rights defenders, activists and lawyers. The report tackles a range of issues affecting the human rights of children throughout the country, with a particular focus on problems facing Kurdish children. The areas explored include housing, health and nutrition, education, child labour, discrimination, juvenile justice, conflict and domestic violence. The research highlighted the lack of any strategic plan on the part of the Turkish government to improve protection of children’s rights. The authors relate the current situation to Turkey’s obligations under international human rights agreements and offer recommendations to the Turkish authorities and the European Union for addressing key problems.


Fact-Finding Mission Report
This recent report will be translated and published in Sorani for the benefit of readers in Kurdistan, Iraq. For more details about the content of the report, see the entry for the English-language version.


This publication provides Sorani-language readers with an overview of the different UN mechanisms through which it is possible to seek redress for human rights violations, including treaty bodies set up to monitor the implementation of international human rights agreements, and charter bodies such as the special rapporteurs. It includes practical instructions for submitting complaints to these mechanisms, along with sample complaint forms and up-to-date key texts. Taking Human Rights Complaints to UN Mechanisms: A Manual is also available in English, Turkish and Russian.

Trade Union Rights in Turkey

Briefing Paper
This briefing paper assesses what changes have taken place in Turkey with regard to the situation of trade union rights in recent years, in the context of the country’s moves towards accession to the European Union. KHRP’s research suggests that reform on this front has been inadequate and that Turkey is yet to arrive at a point where trade unions are recognised as valuable social partners within the democratic system. On one hand, several pieces of domestic legislation continue to impede upon the safeguarding of trade unions. On the other hand, the Turkish authorities continue in practice to interfere with the rights to associate freely, to bargain collectively and to go on strike. Such interference includes instigating disciplinary action, launching malicious prosecutions and levying fines against union leaders and individual members. Recent KHRP research has found that the situation of labour rights is particularly problematic in south-eastern Turkey.
**Calendar Of Events**

**September**
- KHRP training in Yerevan, Armenia: “Implementing the decision in Meltex Ltd and Mesrop Movsesyan v. Armenia” (8 September)
- KHRP roundtable in Kurdistan, Iraq: “Strategies and Tactics to Combat Violence Against Women” (12 September)
- KHRP annual cross-border training in Kurdistan, Iraq, focused on implementing the rule of law and capacity-building for NGOs (13 to 14 September)
- KHRP Executive Director Kerim Yldiz to attend World Congress of International PEN in Bogota, Colombia on behalf of Kurdish PEN (17 to 22 September)
- KHRP to make submissions to the OSCE Human Dimension Implementation meeting (29 September to 10 October)

**October/November**
- KHRP training sessions in Kurdistan, Iraq: “Applying the principles of fundamental human rights in attracting investment: a training for civil servants”; and “What to look for in investment agreements: a training for civil society leaders”
- KHRP to host the second in a series of trainings for Kurdish women’s groups in London. The session will focus on how to use UN human rights mechanisms (1 October)
- Symposium to be held by the Keep Hasankeyf Alive Initiative in Batman, Turkey, focusing on the social, legal and ecological implications of the Ilisu Dam (3 October)
- KHRP Executive Director Kerim Yldiz to attend European Court of Human Rights Seminar in Strasbourg, France: “The European Protection of Freedom of Expression: Reflections on Some Recent Restrictive Trends” (10 October)
- Meeting between representatives of NGOs, International Bar Associations and European Court of Human Rights judges and staff in Strasbourg, France (13 October)
- Document 6, Glasgow International Human Rights Documentary Film Festival, Scotland (www.docfilmfest.org.uk) (15 to 19 October)
- KHRP training in Oslo, Norway: “Developments in European Charter on Human Rights Jurisprudence in Immigration Matters: Applying Articles 3 and 8” (17 October)

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### Project Information

**The Organisation**

The KHRP is a non-political, independent human rights organisation, founded in December 1992 and based in London. Its founding members include human rights lawyers, barristers, academics and doctors. The Project is registered as a company limited by guarantee (company number 2922108) and is also a registered charity (charity number 1037236).

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

**Aims**

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

**Methods**

- Monitoring legislation, including emergency legislation, and its application.
- Conducting investigations and producing reports on the human rights situation of the Kurds in Turkey, Iran, Iraq, Syria and elsewhere by sending trial observers and fact-finding missions.
- Using reports to promote awareness of the plight of the Kurds on the part of the committees established under human rights treaties to monitor the compliance of states.
- Using the reports to promote awareness of the plight of the Kurds on the part of the European Parliament, the Parliamentary Assembly of the Council of Europe, the national parliamentary bodies and inter-governmental organisations including the United Nations.
- Liaising with other independent human rights organisations working in the same field, and co-operating with lawyers, journalists and others concerned with human rights.
- Offering assistance to indigenous human rights groups and lawyers in the form of advice, training and seminars in international human rights mechanisms.
- Assisting individuals in the bringing of human rights cases before the European Court of Human Rights.

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**Kurdish Human Rights Project**

Celebrating 15 Years 1992-2007

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