



Kurdish Human Rights Project
Impact Report

2009

Kurdish Human Rights Project

KHRP

Established 1992

Kurdish Human Rights Project Impact Report

The Kurdish Human Rights Project (KHRP) is the only international human rights non-governmental organisation (NGO) that is committed to working consistently — and without any political affiliation or agenda — across the Kurdish regions of Turkey, Iran, Iraq, Syria, the Caucasus and elsewhere.

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HOW TO GIVE FEEDBACK ON THE IMPACT REPORT

This impact report covers the period from January to December 2009. An electronic version of this report is available on our website.

To obtain further print copies, or to make queries or comments about the content of this report contact the Resources and Communications Manager at publications@khrp.org or +44 (0)207 405 3835.

The cover and section page images were taken by Tom Carrigan in Kurdistan, Iraq, as were the theme-based images used on p34, p40, p42, p45, p49 and p50. The demonstration image on p37 was taken by DIHA, Tigris News Agency.

Contents

LETTER FROM THE DIRECTOR & CHAIRMAN

INTRODUCTION

- WHO WE ARE & WHERE WE WORK
- HOW WE WORK
- OUR IMPACT
- OUR ORIGINS
- KHRP TODAY

OUR METHODS: 2009 OVERVIEW

- HUMAN RIGHTS LITIGATION & ADVOCACY
- TRAINING & FELLOWSHIP
- FACT-FINDING & TRIAL OBSERVATION MISSIONS
- RESEARCH & PUBLICATIONS
- PUBLIC AWARENESS CAMPAIGNS & COMMUNICATION ACTIVITIES

THE KURDISH REGIONS IN 2009: DEVELOPMENTS & CONCERNS

- CAUCASUS
- IRAN
- IRAQ
- SYRIA
- TURKEY

REVIEW 2009: OUR IMPACT

- POLITICAL & JUDICIAL SYSTEMS
- TORTURE & ILL-TREATMENT
- FREEDOM OF EXPRESSION & ASSOCIATION
- CULTURAL & LINGUISTIC RIGHTS
- ENVIRONMENTAL JUSTICE
- GENDER EQUALITY
- RIGHT TO LIFE
- WAR & INSTABILITY

6	RESOURCES & PUBLICATIONS IN 2009	54
	ADVOCACY & TRAINING RESOURCES	55
8	FACT-FINDING & TRIAL OBSERVATION MISSIONS	55
9	RESEARCH, BOOKS & BRIEFING PAPERS	58
9	KHRP WEBSITE	59
9	NEWSLINE	60
9	IMPACT REPORT	60
10	PRESS RELEASES	60
	INFORMATION REQUESTS	60
12		
13	LOOKING AHEAD TO 2010	62
14		
15		
16	HOW WE WORK	66
17	BOARD, PATRONS & STAFF	67
	LEGAL TEAM	68
	FELLOWSHIP	69
	INTERNS & VOLUNTEERS	70
18		
19		
20	FINANCIAL SUPPORT	74
22		
24	THANK YOU	76
26	PARTNERS & AFFILIATES	77
	INDIVIDUALS	77
	ORGANISATIONS	78
30		
31		
34	HOW YOU CAN HELP	80
37		
40	APPENDIX	84
42	OUR HISTORY & ACHIEVEMENTS	85
45		
49		
50		

Letter from the Director & Chairman



Dear Friends,

As we review the achievements and challenges of 2009, one is struck by what the organisation has continued to accomplish year after year. Equally, one is reminded of the urgency and need for our work to persevere unabated if justice, equality and the rule of law are to prevail. Across the Kurdish regions in Turkey, Iraq, Iran, Syria and the Caucasus, we endeavour to help cultivate more open and inclusive communities in which everyone is recognised as worthy of human dignity in accordance with international human rights standards. And we recognise that to achieve an enduring human rights culture, we also need to contribute to building vibrant civil societies, capable of keeping the power and actions of state institutions in check.

Across the Kurdish regions, KHRP contributed to the evolving debate on possible solutions to the armed

conflict in Turkey, by creating the space for democratic debate on hot-button issues, and preparing organisations with the tools necessary to effectively engage with government. Through our work, we continued to encourage an integrated approach, pushing for all parties to the conflict to be included in any formal initiatives considered and fully addressing the political, civil, social, cultural and economic realms within it.

In 2009 alone, KHRP sought remedies for nearly 200 victims and survivors of human rights abuse in complaints before the European Court of Human Rights (ECtHR) and through urgent action appeals to various UN Special Rapporteurs. Favourable judgments from the ECtHR and proceedings in ongoing cases continued to call culpable state authorities to account. Meanwhile, our cross-border trainings addressed regional issues such as water management, human trafficking and women's rights, to the condition of internally displaced persons (IDPs), most recently exacerbated by Turkey's incursions – which continue with the acquiescence of the international community – into northern Iraq. Through our work we have shown that the mechanisms of a democratic society, such as a fair and incorruptible judiciary, can ameliorate injustice and work for and on behalf of everyone. On a practical level, by imparting an awareness of the expectations on governments, we have worked to arm women, minorities and other individuals with the day-to-day tools needed to bring about a more just society.

In Turkey, KHRP welcomes reforms introduced under the Government's self-termed 'Democratic Initia-

tive' and their increasing willingness to reach out to state actors in Kurdistan, Iraq. Yet other measures have disappointingly paved the way for the lives and livelihoods of Kurds and other minorities to come under continued attack, within and beyond their own borders. Not least, the Turkish Parliament's extension to its cross-border military action, the sustained imposition of security zones in parts of the Kurdish Southeast, and the Government's failure to act in confronting the staunch ethnic nationalist foundations of the Turkish Republic.

Our work has also underscored the extent to which Turkey's own citizens are subjected to torture and ill-treatment. Most disturbingly, this includes high numbers of children increasingly convicted and detained under anti-terror charges. We have also continued to shine a light on the systemic harassment faced by human rights defenders, as epitomised in the arbitrary arrest and detention of members of human rights groups and political parties who speak on Kurdish issues. Alongside, our missions and training workshops – including the observation of our first trial concerning spousal violence – we have brought commonly overlooked human rights abuses, such as forced marriage and honour killings, to the fore.

In the Caucasus, KHRP's litigation, human rights advocacy and capacity-building trainings, have built on successes of the preceding year. In 2009, KHRP welcomed a series of damning rulings from the ECtHR finding the Republic of Armenia guilty of inhuman and degrading treatment and for violations of rights to free assembly and fair trial after prominent opposi-

tion activists and politicians were arbitrarily detained on public order offences. These verdicts have made it abundantly clear that the systemic repression and harassment of the political opposition has become almost the modus operandi of the incumbent regime.

Throughout 2009, the extreme measures deployed by Iran and Syria to crack down on the fundamental rights and freedoms of its Kurdish inhabitants have too remained a cause for concern. The 'disappearance', arbitrary detention, torture and sentencing to death of Kurdish civilians, political activists and teachers, is commonplace in both states. In Iran particularly, 2009 saw an escalation of blunt authoritarian repression following the disputed presidential elections in June. Consequently, our numerous communications to various UN Working Groups and Special Rapporteurs have sought to encourage both countries to bring their legislation and praxis in-line with accepted human right norms.

Meanwhile, the long-term social, cultural and environmental damage brought on by Turkey and Iran's illegal and indiscriminate bombing of northern Iraq, is still unfolding three years after it began. Throughout 2009, not only did KHRP's fact-finding missions and published reports continue to document the devastating toll wrought on Iraqi civilian populations, but we also continued to mount potentially groundbreaking legal challenges concerning the principle of extra-territorial jurisdiction at the ECtHR.

Without further ado, we would like to extend our deepest gratitude to all who have been involved in our efforts over the past year. As always we owe much of our success to the collective expertise of our Patrons, Directors, Advisory Board, Legal Team, staff and local partners, and their heartfelt dedication to-

Across the Kurdish regions in Turkey, Iraq, Iran, Syria and the Caucasus, we endeavour to help cultivate more open and inclusive communities in which everyone is recognised as worthy of human dignity in accordance with international human rights standards. And we recognise that to achieve an enduring human rights culture, we also need to contribute to building vibrant civil societies, capable of keeping the power and actions of state institutions in check.

wards the fulfilment of KHRP's goals. Thanks also go out to our numerous interns and volunteers; as an integral part to the organisation, their contributions are vital to our daily operations. Finally, we extend our warmest thanks to those donors and funders — both old and new — who have made possible our achievements, and more so in these still difficult economic times. That we continue to enjoy such widespread support drives forward our ambitions to ensure that principles of universal human rights cease to become merely an imagined concept, but translate into a daily reality for people everywhere.

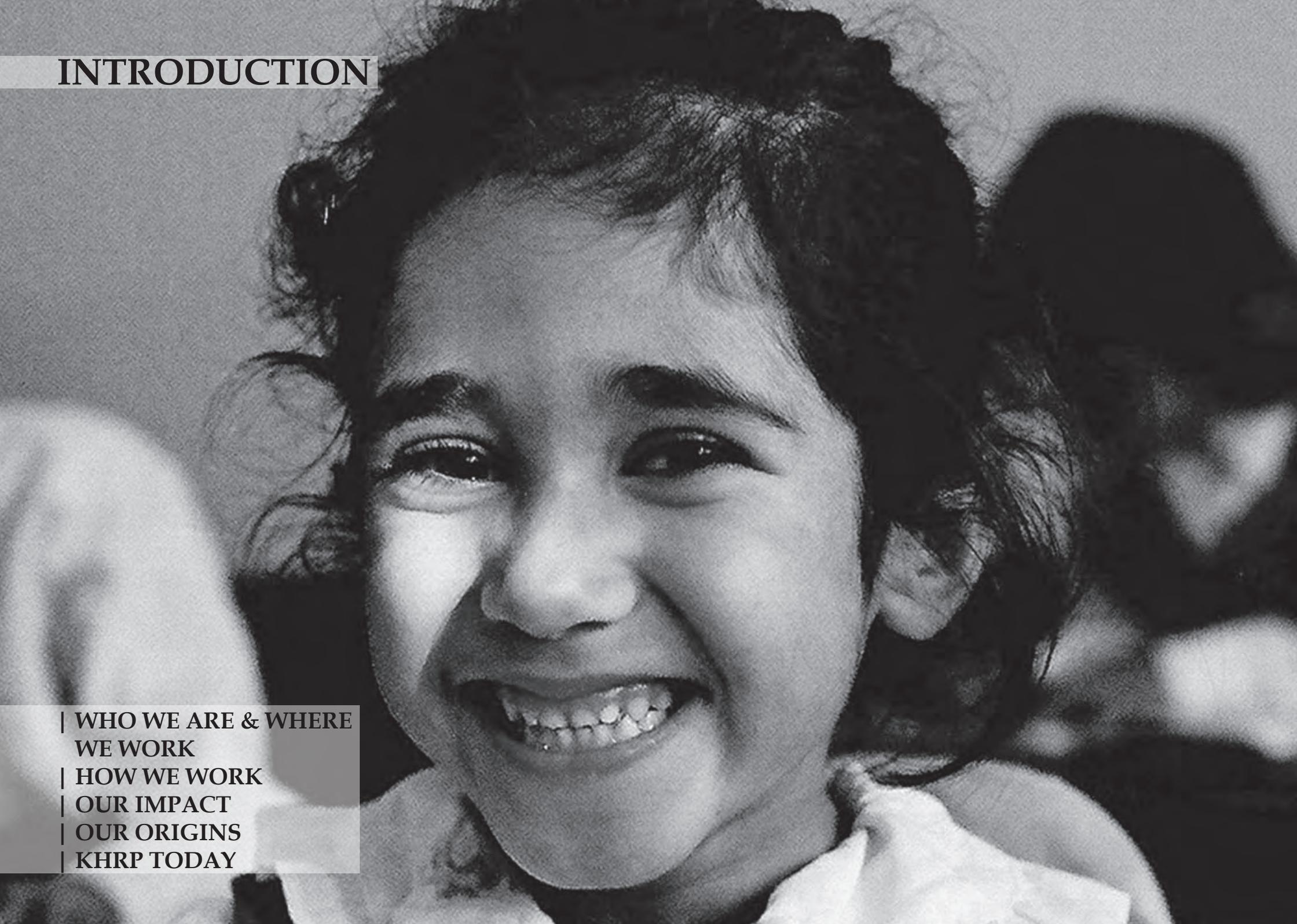


Kerim Yıldız
Chief Executive



Michael Ivers
Chairman

INTRODUCTION



- | WHO WE ARE & WHERE WE WORK
- | HOW WE WORK
- | OUR IMPACT
- | OUR ORIGINS
- | KHRP TODAY

| WHO WE ARE & WHERE WE WORK

The Kurdish Human Rights Project (KHRP) is the only international human rights non-governmental organisation (NGO) that is committed to working consistently – and without any political affiliation or agenda – across the Kurdish regions of Turkey, Iran, Iraq, Syria, the Caucasus and elsewhere.

We dedicate ourselves to the promotion and protection of the human rights of all persons living there, regardless of ethnicity, nationality, religion or gender. For this reason, KHRP's supporters and beneficiaries include both Kurds and non-Kurds alike.

| HOW WE WORK

- KHRP has been an important pioneer in the use of strategic litigation before the European Court of Human Rights (ECtHR) and other international institutions in order to expose, remedy and prevent human rights abuses across its project countries.
- We have cultivated strong links with diverse partner organisations in the Kurdish regions and elsewhere, which coupled with our central London headquarters, allows us to independently monitor and evaluate the true extent and nature of human rights abuses still taking place.
- The independent stance maintained by KHRP helps us to ensure a high level of public and institutional confidence in our work, facilitating an alternative way of engaging in debates on public policy and democratic development in the Kurdish regions.

'KHRP's efforts... have brought about unthinkable differences in our region. Thanks to its work sending regular delegations to monitor human rights violations and publishing their findings internationally, it has made huge advances in raising global awareness of the plight of the kurds in a way that was unimaginable when it first started out.'

*Leyla Zana, Kurdish politician
and Sakharov Prize laureate*

- Our work strives to empower and give voice to all those living in the Kurdish regions whose interests, experiences and perspectives continue to be marginalised and drowned out.

| OUR IMPACT

Over the last 17 years, KHRP has occupied a unique position in the international human rights field. Our work continues to be premised on the firm belief that human rights are of universal applicability, regardless of differences grounded in ethnicity, nationality, religion or gender. This conviction means that KHRP's work has always benefitted all who live in the Kurdish regions including those of Arab, Armenian, Persian and Turkish origin.

Furthermore, our efforts help to influence respect for human rights and international rule of law in the regions, as well as globally. Not only has our litigation programme served as a model that has been emulated by other human rights-based organisations, but our legal casework before the ECtHR has set precedents of multilateral significance on issues including the death penalty, disappearances and extra-judicial killings, torture, censorship, unfair trials and the right to fair and free elections. Perhaps most significantly, KHRP's casework at the ECtHR has ensured that rape, when used in times of conflict, is recognised as a form of torture across all member states of the Council of Europe.

| OUR ORIGINS

KHRP began as a pilot project in London in 1992. It sought to use international law to ameliorate the terrible human suffering endured by those living in the Kurdish regions whom – unbeknown to the international community – had their most basic human rights violated everyday, simply by virtue of their ethnic identity. KHRP offered effective legal assistance to countless people in need, including victims of internal displacement, torture, and arbitrary deten-

tion, to the family members of those extra-judicially killed and 'disappeared' by Turkish authorities.

Within years of its establishment, KHRP had succeeded in achieving the first ever legally binding judgments against Turkey. These not only called the Turkish government to account for its abysmal record on human rights, but set ground-breaking legal precedents in Europe. KHRP soon became a renowned human rights NGO, which helped to open the eyes and ears of the international community to the unpalatable and endemic human rights abuses directed at Kurds and other marginalised groups living in the Kurdish regions of Turkey and its neighbouring countries.

| KHRP TODAY

Core to KHRP's success, has been its ability to combine its expertise in international law with its strong grasp of the complex historical, cultural, geo-political and socio-economic factors at play across the Kurdish regions. This too underscores the need for KHRP to maintain its consistent and multi-disciplinary approach; one squarely rooted in political independence.

Therefore, while initially focused on litigation in the international courts, our methodology and praxis has expanded with the organisation's evolution. Today, KHRP's tactics incorporate litigation and human rights advocacy alongside capacity-building trainings, fact-finding missions and trial observations. Together these provide KHRP with an invaluable and nuanced understanding of the most pressing human rights issues and developments in the region, which we can then disseminate through serial and specific publications and our public awareness and

'KHRP is a crucial human rights resource to Kurdish people facing persecution and abuses in their own countries. For many years its cases in the European Court of Human Rights have given protection to oppressed Kurds. Sadly its services have never been more needed when oppression in Turkey and in Syria has escalated.'

*Louise Christian, KHRP Advisory Board
& Legal Team member*

communication strategies, to an international audience. More on our methodology and its application throughout the year can be found in 'Our Methods: 2009 Overview'.

KHRP maintains a comprehensive approach to human rights violations in the Kurdish regions. Thus, whilst relatively high-profile issues such as torture, extra-judicial killings, freedom of expression, and systemic gender-based, political and judicial discrim-

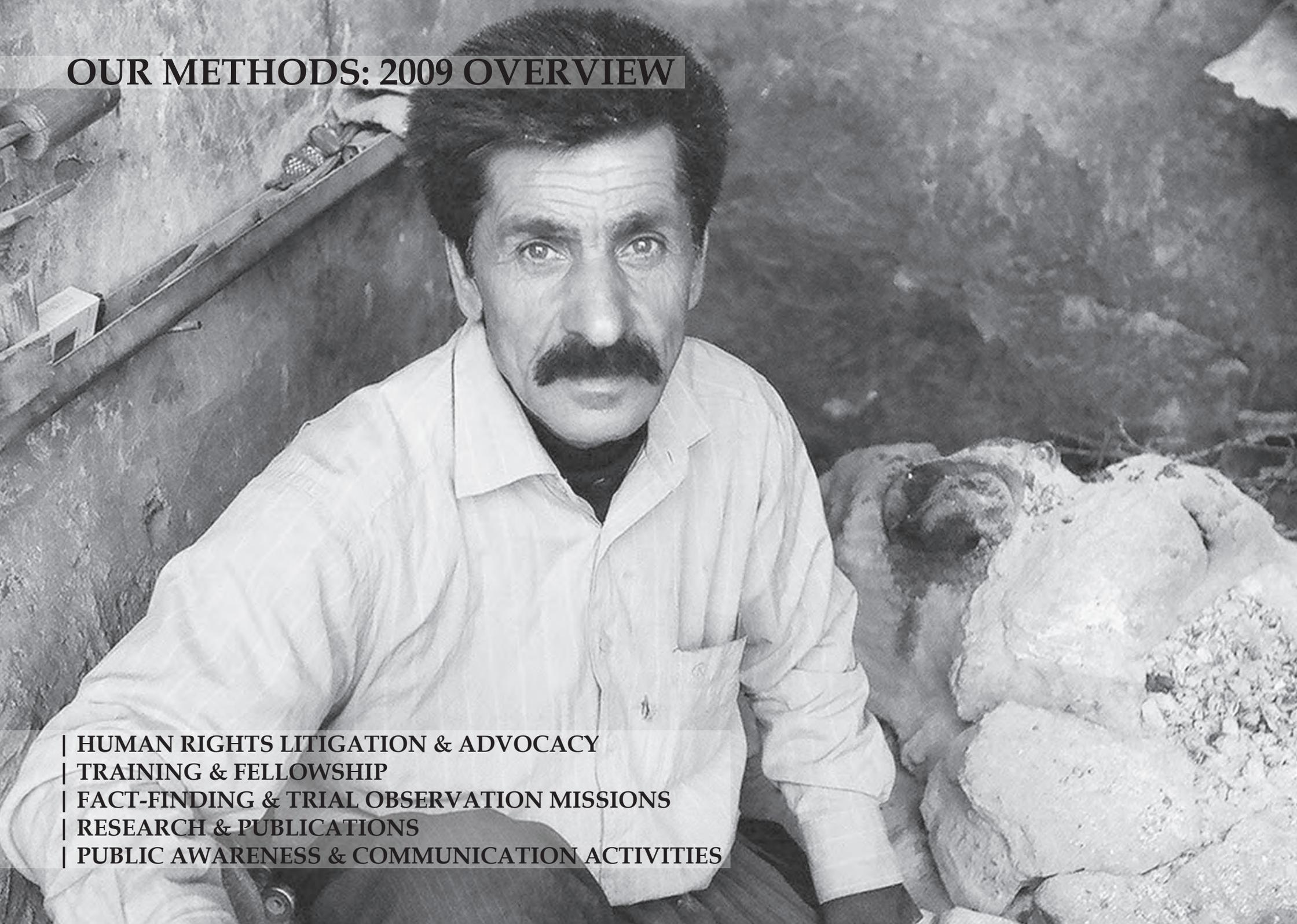
Vision: For a future based on justice, equality, & the rule of law.

Mission: To pioneer in upholding the human rights of all people in the Kurdish regions & beyond.

Goals/aims: KHRP will combine its extensive expertise of international human rights law with local knowledge to:

- Raise awareness of the human rights situation in the Kurdish regions of Iran, Iraq, Syria, Turkey & the Caucasus.
- Bring an end to the violation of the rights of everybody who lives in the Kurdish regions.
- Promote the protection of the rights of Kurdish people wherever they may live.
- Eradicate torture both in the Kurdish regions & across the globe.

ination are central to our work, we also pay heed to all other areas brought to our attention that fall under the remit of international human rights law. This has meant that areas which may typically attract less attention, such as abuses of environmental, cultural and educational rights, have also regularly been the subject of KHRP study and action. Furthermore, the persistent volatility of the Kurdish regions has meant that we have also examined the impact of violence, conflict and instability on human rights abuses in the area. A detailed assessment of our achievements in the above mentioned fields over the course of the year may be found in 'Review 2009: Our Impact'.



OUR METHODS: 2009 OVERVIEW

- | HUMAN RIGHTS LITIGATION & ADVOCACY**
- | TRAINING & FELLOWSHIP**
- | FACT-FINDING & TRIAL OBSERVATION MISSIONS**
- | RESEARCH & PUBLICATIONS**
- | PUBLIC AWARENESS & COMMUNICATION ACTIVITIES**

| HUMAN RIGHTS LITIGATION & ADVOCACY

When KHRP was launched back in 1992, it sought to use litigation in a strategic manner, one which was capable of not only delivering redress to the individual victims and their families living in the Kurdish regions, but also succeeded in advancing the protection of human rights and the rule of law internationally.

In the ongoing pursuit of justice, individuals in the regions and beyond have benefited from greater knowledge of their human rights under international law and have been empowered to come forward in reporting abuses and bringing culpable state actors to account. As our multidisciplinary approach has grown and evolved, strategic litigation before international courts remains a cornerstone of our work.

KHRP believes that through persistent use of multilateral human rights mechanisms and by forging new precedents in international law, we contribute to more open, democratic and inclusive societies in the Kurdish regions and elsewhere.



KHRP undertaking seminar on 'Protecting Against Torture and Ill-treatment', Erbil in December.

Litigation & advocacy snapshot

Over 300 potential applicants, lawyers & NGOs both advised & assisted by KHRP within the Kurdish regions & in London.

Nearly 200 victims & survivors of human rights abuse represented by us in new complaints before international courts & human rights mechanisms.

More than 150 individuals affected by human rights abuses continue to be represented KHRP's ongoing cases before the European Court.

76 villagers in Kurdistan, Iraq represented in our first ever cross-border cases against Turkey at the European Court.

6 applicants awarded justice & redress in new European Court judgments which upheld complaints of torture & ill-treatment to violations of the rights to freedom of assembly & to a fair trial.

4 major submissions made to highlight patterns of human rights abuses to international bodies, including the: UN Committee on the Elimination of Racial Discrimination (CERD); Universal Periodic Review (UPR) Working Group; Committee on the Elimination of Discrimination against Women & UN Commission on the Status of Women (CSW).



Kerim Yıldız with Tigran Ter-Yesayan of the Forum Law Center in Yerevan, July.



Mark Muller QC Honorary Secretary General with KHRP Board and Legal Team member Arild Humlen at 'Combating Terrorism and Legal Safeguards' conference in Oslo in May.

| TRAINING & FELLOWSHIP

KHRP is committed to working with partners on-the-ground to advance the protection and enforcement of human rights in the Kurdish regions.

Our regional training programme works in tandem with our casework and other research and public awareness activities. Together these serve to give local human rights activists, lawyers and civil servants the legal know-how and technical capacity to help survivors and the families of victims of abuse, to recognise and better access their human rights under international law. What's more, distribution of KHRP's English and local-language manuals on using UN Mechanisms and bringing cases to the ECtHR, further encourage the effective use of relevant international instruments in the fight against impunity in the regions and beyond.

Alongside, our International Fellowship Programme brings promising advocates from the Kurdish regions or of Kurdish origin, to our central London office. Through work at KHRP and with our skilled and voluntary Legal Team, the Programme not only promotes cultural understanding, but helps to forge links between human rights defenders within the regions and internationally, and facilitates an invaluable exchange of professional expertise.

Capacity-building snapshot

Over 200 human rights defenders in the Kurdish regions in Turkey, Iraq, & Armenia, given knowledge of human rights & international legal principles through capacity-building sessions.

11 training seminars held in total by KHRP in the Kurdish regions & wider Diaspora.

5 training sessions dedicated to protecting against torture & ill-treatment in the Kurdish regions.

3 training sessions on women's rights focusing on the protection of women's rights under CEDAW

& the shadow report system in Van, Turkey & London.

2 cross-border trainings in Diyarbakır, Turkey bring local lawyers, activists, & human rights defenders from Turkey, Iran, Iraq, & Syria together with members of our partner organisations to discuss strategies to promote the protection of human rights & women's rights.

2 seminars focused on protecting the Rights of the Child in Diyarbakır, Turkey & on practical approaches to monitoring the impacts of foreign investment on human rights in Erbil, Iraq.



KHRP with participants at 'Cross-border Training' in Diyarbakir, in October.



Participants discuss case studies of rights abuses during women's rights workshop, in Van, August.

| FACT-FINDING & TRIAL OBSERVATION MISSIONS

The capacity to independently monitor developments on-the-ground in the Kurdish regions is central to KHRP's litigation, advocacy, training, research, and public awareness work and helps us to keep daily human rights abuses on the radar of relevant actors regionally as well as internationally.

By dispatching experts to undertake regular fact-finding missions and observe domestic trial proceedings, KHRP can get an objective picture of the threats faced by those exercising their most basic human rights. Through the publication and dissemination of our findings, these missions help not only to inform our own work, but also that of other similar organisations and concerned parties. Moreover, KHRP's visible presence sends out a message of international solidarity. This serves to remind victims and survivors of injustice that they have not been forgotten, and is an important means through which to develop local partnerships in the ongoing struggle for human rights in the Kurdish regions.



KHRP mission members meet with IHD during fact-finding mission to Turkey, in May.

Field mission's snapshot



Outside the courtroom in Van in August, where Kerem Çakan stood trial for the murder of his wife. Mission members with relatives of the victim and women's rights representatives.

8 independent delegations were dispatched by KHRP to investigate pressing human rights issues in the Kurdish regions.

3 fact-finding missions to Turkey investigated the general human rights situation in the Kurdish region, children's rights, & the latest situation regarding the Ilisu Hydroelectric Dam construction project.

3 fact-finding missions to northern Iraq examined the impact of cross-border bom-



KHRP Legal Team Member, Mark Himsworth with TOHAV President Hakan Gündüz, during trial observation mission in March.

bardments by Turkish & Iranian armed forces within the Kurdistan Regional Governate.

2 domestic trial proceedings were observed in Turkey, in relation to 60 state officials charged in connection with torture & death in custody of political activist Engin Çeber & a trial against Kerem Çakan, who was accused of the murder - which bore the hallmarks of an 'honour killing' - of his young wife.

| RESEARCH & PUBLICATIONS

KHRP produces a variety of publications. These include serial newsletters, journals, concise briefing papers, publications based on the findings and recommendations of our trial observation and fact-finding missions, and more detailed research reports. These publications command high levels of public and institutional trust and confidence, offering alternative ways of engaging with public policy debates and the development of democracy in the Kurdish regions.

All of KHRP's publications are made available free of charge through our website, as a means of disseminating our work and spreading awareness of the human rights situation across the Kurdish regions, to the largest possible audience.

Publications are also available in print format and many have been translated into languages including Kurmanji, Sorani, Turkish, Farsi, French, Russian and Armenian. This included publicising the publication of Kurmanji language edition of the 'Kurds in Syria; the Forgotten People'.

KHRP endeavours to translate as many publications as possible given that a key issue in the Kurdish regions is the lack of mother tongue education and availability of articles or materials on human rights law in regional languages.

Research & publications snapshot

5 fact-finding & trial observation reports highlighted abuses within the Turkish prison system, the human rights situation in the Kurdish region of Turkey, the civilian & environmental impact of cross-border shelling in northern Iraq by Turkish & Iranian armed forces, the trial of a man accused of the murder of his young bride in a potential 'honour-killing', & the legal proceedings against 60 state officials charged in connection with the torture & death of a political activist whilst in custody.

4 concise briefing papers covered the Ilisu dam project in Turkey, parliamentary immunity & party closure ahead of Turkey's local elections, the environmental impact of the cross-

border shelling in northern Iraq, & human rights & the Kurds in Iran.

4 issues of KHRP's quarterly newsletter Newline reported on KHRP activities & news on developments from the Kurdish regions.

2 issues of our Legal Review (15 & 16), a unique biannual journal dedicated to human rights issues & strategic litigation of relevance to the Kurdish regions & beyond, were published & disseminated.

1 Annual Impact Report 2008 was circulated among KHRP's current & potential stakeholders, highlighting KHRP's activities & achievements from January to December 2008.



(From left) Nicholas Hildyard, of the Corner House and KHRP Board Secretary Raj Rai meet with villagers affected by Ilisu dam during fact-finding visit to Diyarbakır in October.



Kerim Yıldız and Dr Susan Breau at KHRP's London offices in June when they signed the contract for their new book on 'The Kurdish Conflict' to be published by Routledge.

| PUBLIC AWARENESS & COMMUNICATION ACTIVITIES

KHRP believes that greater public awareness of the daily reality of people living under tyranny in the Kurdish regions, would lead both directly and

indirectly, to more consistent and concerted international efforts to end state oppression in this part of the world. KHRP works tirelessly towards this goal. It has consistently maintained a reputation for producing quality, impartial analysis of human rights issues and prevalent types of human rights abuses. As a result, our opinion on human rights

and conflict in the Kurdish regions is regularly sought by a variety of actors, including policymakers, academics, journalists, media institutions and civil society organisations.

Public awareness snapshot

- Attracted worldwide press, broadcast & online media coverage, including on BBC Radio 4, The Guardian, Financial Times, Voice of America, Global Post, Humania TV, Radio Netherlands Worldwide, the Pittsburgh School of Law's 'The Jurist', the Netherlands Press Association, & France 24. Our inputs have also been used in media throughout the Kurdish regions including Turkish & Iraqi TV, Today's Zaman & Vakit (Turkey) & the Soma Digest (Iraq).
- Gave diverse presentations on KHRP's trial observation model to Turkish accession, the practice of Female Genital Mutilation, & regional security vis-à-vis the Ilisu Dam project, at high profile institutions including the European Parliament in Brussels, the Harriman Institute for Russian, Eurasian & East European Studies at Colombia University, the Centre for Applied Human Rights, York University, & at the School of Oriental & African Studies' (SOAS) Kurdish Studies & Students' Organisation.
- Briefed a cross-section of state, non-state & multilateral actors during meetings with representatives of the Kurdistan Regional Government, Iraqi, Turkish, US, UK, Irish, Swedish, Dutch, Danish, Belgian & Norwegian authorities, as well as



KHRP Development Officer, Pranjali Acharya speaking on FGM at SOAS event, alongside organiser Thomas Herzmark in May.



Kerim Yıldız speaks during the 5th EU-Turkey Civic Commission's International Conference on 'EU, Turkey and the Kurds', European Parliament, January (Photo by Julie Lillejord).

- members of USAID, UNAMI the UN, European Parliament, & the European Commission.
- Continued to develop KHRP's website which has over 1,200 registered members & received over 50,000 unique visitors.

- Compiled & released regular public statements covering among other topics, progress in our strategic litigation work, post-election repression in Iran, Turkey & Armenia's OSCE commitments, the treatment of women in detention in Syria, & condemnation of the continued restrictions on freedom of expression & assembly, as reflected in the December closure of the pro-Kurdish *Demokratik Toplum Partisi* (Democratic Society Party, DTP).
- Delivered speeches & participated in conferences, meetings & seminars with NGOs, think-tanks & other organisations from around the world. These included Chatham House, the Oak Foundation, the International Free Women's Foundation, the Haldane Society of Socialist Lawyers, Christian Peacemakers Teams, Protection International, Institute of War & Peace Reporting (IWPR), the School for a Culture of Peace, as well a number of private sector organisations, such as BP concerning the Baku-Tbilisi-Ceyhan pipeline project.
- Engaged in proceedings at numerous events in the UK & elsewhere, including conferences & seminars on women's rights, Kurdish refugees in the UK, & Yezidi culture, NGO launch events, book fairs, & Kurdish film festivals in both London & New York.

THE KURDISH REGIONS IN 2009: DEVELOPMENTS & CONCERNS



| CAUCASUS
| IRAN
| IRAQ
| SYRIA
| TURKEY

| CAUCASUS

Armenia

Estimated Kurdish population:

- 75,000 (1.8%)
- CAT – ratified, 1993
- ICERD – ratified, 1993
- ICCPR – ratified, 1993
- ICESCR – ratified, 1993
- CRC – ratified: 1993
- CEDAW – acceded 1993

Azerbaijan

Estimated Kurdish population:

- 200,000
- CAT – ratified, 1996
- ICERD – ratified, 1996
- ICCPR – ratified, 1992
- ICESCR – ratified, 1992
- CRC – ratified: 1992
- CEDAW – acceded 1995

Media freedom

In Armenia, KHRP persisted in addressing limits to free speech and freedom of association at the hands of the state.

In 2009, the Government introduced several amendments to legislation governing television and radio. These followed the landmark ruling at the European Court of Human Rights (ECtHR) in KHRP's case *Meltex vs. Armenia* in 2008. The judgment held that Armenia's National Television and Radio Commission (NTRC) had acted unlawfully when the owners of

the country's first independent television company A1+ had their broadcasting licence revoked in 2002, and were thereafter repeatedly denied new licences. Although the new amendments in 2009 are ostensibly related to the planned switchover to digital technology, in practice the changes block Meltex Ltd and others from obtaining broadcasting rights until July 2010 at the earliest.

Post-election repression

A series of positive judgments brought by KHRP on behalf of prominent opposition activists and politicians in Armenia, were delivered by the ECtHR throughout 2009. In order to prevent their attendance at rallies challenging the legitimacy of the re-elected Armenian President Kocharian, Sargis Amiryan, Zhora Sapeyan, Maksim Gasparyan, Zaven Karapetyan and Stepan Stepanyan, were among those arbitrarily detained on public order offences during the first and second round of the presidential elections in 2003. The decisions are among the first to be delivered against Armenia at the Court and echoed several damning rulings delivered in similar KHRP cases a year earlier. These have repeatedly found the Republic of Armenia guilty of inhuman and degrading treatment and for violations of opposition activist's rights to free assembly and fair trial.

The judgments are especially significant given the many related KHRP cases still underway on behalf of opposition activists arrested amidst the 2003, as well as the more recent 2008, presidential elections. As during the election of Kocharian, opposition supporters claimed the election of Serzh Sarkisian as President in March 2008, was rigged, sparking the worst political violence since independence in 1991. Ten protestors were killed, over 100 were injured and



Participants at the 'Enforcing Judgments of ECtHR' training in Yerevan, July.

numerous protestors were detained without charge and reported ill-treatment after clashes between protestors and state security forces led to a 20-day state of emergency.

Nagorno-Karabakh conflict

Internally displaced persons (IDPs) resulting from the ongoing dispute over Nagorno-Karabakh in Armenia and Azerbaijan, continued to live their lives in limbo. Unable to own property and live as citizens of either country, they were also more susceptible to daily threats of state intimidation. Over 2009, KHRP continued to work on several related and potentially ground-breaking village destruction and internal displacement cases against both countries. Significantly in December 2009, KHRP case, *Chiragov and others v Armenia*, was deemed to warrant special examination

Brief history of Nagorno-Karabakh

Historically, the conflict over Nagorno-Karabakh remains one of the longest-standing concerns from the perspective of human rights in the Caucasus. Some 220,000 Azeris, 3,500 Russians and 18,000 Kurds were displaced in fighting between Armenia and Azerbaijan over the disputed enclave, which was at its worst from early 1991, when both countries declared independence from the defunct Soviet Union, until a Russian-brokered ceasefire in 1994. With no peace treaty yet in place, they remain technically at war with one another and many of those who were displaced during the conflict remain so to this day. Although the presidents of Azerbaijan and Armenia met with their Russian counterpart in Moscow in November 2008, this was simply to pledge to intensify negotiations rather than to draft the terms of a final peace.



Construction work on the pipeline.

intimidated by police after visiting the village of Hajalli, in Samukh district. The delegates were investigating reported human rights abuses and social and environmental problems associated with the BP-led Baku-Tbilisi-Ceyhan (BTC) oil pipeline through Azerbaijan, Georgia and Turkey. For several hours they were arbitrarily detained and threatened by security forces, and had documents confiscated. Villagers also feared losing their jobs as a reprisal for speaking to KHRP's partner organisations.

As a founding member of the BCC, KHRP continued to raise awareness and challenge the detrimental impact of the pipeline. We also furthered our casework on behalf of villagers affected by displacement and obstructions to their cultural rights, as well as for campaign representatives routinely harassed and intimidated by Azerbaijani authorities because of their work.

of the European Convention and was subsequently referred to the ECtHR's Grand Chamber. The decision made in September 2010 will set a legal precedent with regards to which state has effective control of the disputed area and will have a direct impact for thousands of others displaced by the conflict.

Baku-Tbilisi-Ceyhan pipeline

In Azerbaijan, KHRP was concerned when last March, representatives of the Centre for Civic Initiatives (CCI) and Platform - KHRP partners in the Baku-Ceyhan Campaign (BCC) - were detained and

| IRAN

Estimated Kurdish population:

- 6.5 million
- CAT - unsigned
- ICERD - ratified, 1969
- ICCPR - ratified, 1975
- ICESCR - ratified, 1975
- CRC - ratified: 1994 (with reservations)
- CEDAW - unsigned

Post-election repression

Iran's already lamentable human rights record deteriorated further in 2009 and was once again characterised by arbitrary arrests, torture, unfair trials and liberal use of the death penalty. Human rights violations peaked during the state's violent response to protests against the re-election of President Mahmoud Ahmadinejad in June, in circumstances that a sizeable proportion of the electorate believed to be unfair and lacking transparency. Official sources admitted 37 deaths at the hands of security forces, but other human rights groups gave estimates of up to 200. Responses by the security forces and Basij militia forces to the largely peaceful street demonstrations included public beatings, and the alleged torture and rape of detainees. In the weeks following the election some 4,000 people, mostly peaceful protestors, were detained.

Death penalty

The use of the death penalty rose in response to the protests, with at least 388 cases recorded. Five juveniles were also executed in 2009. Death sentences were also carried out against adults for offences committed when they were minors, such as that of 23-

Execution of minors

Iranian law permits the death penalty for anyone who has reached puberty, which it defines as nine for girls and 15 for boys, making Iran one of only five countries to hand death sentences to minors, despite being a state party to the International Covenant on Civil and Political Rights (ICCPR) and the Convention on the Rights of the Child (CRC), both of which forbid such punishment.

year-old Kurd Mosleh Zamani. He was hanged on 17 December, having been arrested six years earlier for having sexual relations with his girlfriend outside of marriage.

Executions carried out in Iran were accompanied by systematic violations of the right to a fair trial, with torture frequently used to extract confessions. Prisoners were held incommunicado and denied access to any legal representation, often unaware of the charges levied against them. Among those executed in 2009 and on whose behalf KHRP had sent urgent action appeals to UN bodies, was Kurdish activist Ehsan Fattahian in Sanandaj prison, Kordestan province on 11 November. After his arrest in 2008, Fattahian was denied access to a lawyer and sentenced to 10 months imprisonment for membership of Marxist group 'Komolah'. During his attempt to appeal the verdict, the ruling was overturned and replaced with a death sentence for 'enmity against God'.

At the end of 2009, there were a recorded 12 Kurdish political activists on death row for alleged membership of outlawed Kurdish organisations. Among them were Fasih Yasamani and Farzad Kamangar, who despite KHRP's appeal to UN bodies, were re-

Human rights violations in 2009

- Turkey & Iran continued military action inside Kurdistan, Iraq, resulting in the killings and displacement of civilians. Bombs spread across orchards & farmlands destroyed property & livelihoods.
- Iran carried out a recorded 388 executions, including at least five juveniles, continuing the trend of recent years of increased application of the death penalty. Many of these executions were political in nature & were a response to the protests over & contested election in June.
- The European Court of Human Rights passed 356 judgments in cases involving Turkey in the course of the year, more than any other country. Of these, 347 found at least one violation of the European Convention on Human Rights.
- Writers, publishers, journalists & activists throughout the Kurdish regions continued to face harassment, intimidation & prosecution for exercising their right to free speech.
- Politicians challenging the secular, ethnically ex-

spectively executed, after alleged torture in custody, in January and May 2010.

Kurdish cultural identity

Kurds continued to be systematically targeted by state authorities, with the expression of their identity being perceived as a threat to the stability and unity of the state. Kurdish activism for social, cultural and political rights is generally treated as separatism, and political activity on the basis of Kurdish identity is banned. The situation of Kurds is further compli-

clusive nationalism associated with the political establishment continued to be targeted. The pro-Kurdish *Demokratik Toplum Partisi* (Democratic Society Party, DTP) party was closed in December & 37 members banned from politics for five years.

- Detainees throughout the region continued to face abuses including torture, ill-treatment & restrictions on their access to legal counsel.
- Provinces in south-east Turkey declared part of a 'high security zone' in 2007, continued to witness severe restrictions on freedom of expression & association, as well as reports of torture & ill-treatment.
- Restrictions on Kurds in Syria, Iran & Turkey expressing their cultural & linguistic identity continued. Some restrictions on the use of the Kurdish language in Turkey were eased.
- Individuals with Kurdish ancestry forcibly returned to Syria from other nations were subsequently detained & held incommunicado.

cated by the fact that most subscribe to Sunni Islam rather than the Shi'ism endorsed by the state.

Freedom of expression, assembly & association

Throughout 2009, Kurds were detained for exercising their rights to freedom of expression, assembly and association and stood accused of vaguely-worded crimes based on apparent national security concerns. On 12 November, dozens of Kurds were reportedly arrested in Sanandaj during protests at the execution of Ehsan Fattahian the previous day.

Journalists too found their work obstructed. On 19 July a second trial began against Kurdish journalist and founder of the Human Rights Organisation of Kurdistan (HROK), Mohammad Sadegh Kaboudvand. Kaboudvand had been arrested in 2007 and the following year was sentenced to 10 years in prison for 'acting against national security', and disseminating 'anti-government' propaganda.

Iranian authorities also continued their policy of holding ethnic groups including Kurds, accountable for crimes committed by individuals, and used clashes between armed groups and security forces as a pretext for mass arrests.

Cross-border bombardments

The Iranian armed forces continued bombardments of northern Iraq, ostensibly targeting armed militants. The attacks, which were carried out in conjunction with the Turkish military and with the tacit support of the US, had an appalling impact on the lives of civilians in both Iran and Iraq. That the international community expressed minimal condemnation was all the more worrying.

| IRAQ

Estimated Kurdish population: 6.5 million

- CAT - unsigned
- ICERD - ratified, 1970
- ICCPR - ratified, 1971
- ICESCR - ratified, 1971
- CRC - ratified 1994 (with reservations)
- CEDAW - acceded 1986

Security & political stability

The relative improvement in security and political stability in Iraq continued in 2009, with the lowest

'KHRP's work has been, and continues to be, extraordinary. It is a voice for those who have never had the right to be heard; a guardian for those who have been displaced and terrorised; and a cenotaph for the ghosts of those else forgotten. It has gone some way towards bringing to justice many who thought themselves unaccountable, and it continues this fight every day. It stands peerless in advancing the rights of the Kurdish people, including that right which I consider the foundation of any society – the freedom to express oneself without fear. I am proud to be a small part of this exceptional organisation.'

Louis Charalambous, KHRP Board & Legal Team member

annual death toll in the conflict since 2004. On 30 June, the US complied with an agreement with the Iraqi government to withdraw US forces from Iraqi cities and towns, and hand over responsibility for security to the Iraqi government. The following month, presidential and parliamentary elections were held in the Kurdistan Regional Governorate (KRG). European Union monitors reported that these were held

in a relatively competitive environment and carried out in a secure manner.

Cross-border bombardments

Despite some progress, civilians within an otherwise relatively peaceful KRG suffered a new surge of Turkish and Iranian-led bombardments, air strikes and ground incursions.

Both states see a common threat in an independent Kurdistan and have used shared intelligence to coordinate their attacks, which they insist are aimed at defeating armed opposition groups based in the area. Nonetheless, KHRP carried on receiving compelling evidence of the minimal regard given for the rights of civilian populations in contravention of the Geneva Conventions, to which both states are signatories, and in clear violation of Iraqi sovereignty. Sadly protection and assistance from the international community, the Iraqi government or the KRG for the subsequently high numbers of IDPs, remains lacking.

Furthermore, the displacement of civilians from farming communities in the border regions exacerbated strain on infrastructure within urban centres, already home to a large number of IDPs.

Conflict & 'disputed areas'

Conflict also persisted in contested areas of the country, such as Kirkuk and Mosul. In February, an explosion in a restaurant in Khanaqin, bordering the KRG in Diyala province, killed 15 people. In March, a suicide bombing at a Kurdish funeral in Jalawla, killed 27. A truck bomb which killed 70 people on 20 June, followed by a car bomb that killed 27 at a busy market 10 days later, marked the deadliest attacks in Kirkuk for over a year.

The undetermined status of Kirkuk and other 'disputed areas' also continued to leave parts of Iraq without effective local government, service provision and human rights protections. In June, the Kurdistan National Assembly passed a draft regional constitution. This lays claim to these areas while continuing to pressure the central government to hold a referendum – mandated by Iraq's 2005 constitution – which would determine the jurisdiction of these areas.

Effects of cross-border bombardments in 2009

Turkish and Iranian cross-border bombardments continued to kill and displace civilians, and destroy homes, farmland and property in northern Iraq.

On 10 March, one Iranian missile killed 18-month old Mohammed Ahmed in the Pshdar District of Suleimanya. After 18 Iranian policemen were reportedly killed during fighting in western Iran, Iran used helicopters and heavy shelling to fire from the Iranian border at the villages of Kani Saif, Jomarsi and Kara Sozi, in Panjwin, northern Iraq on 25 April. One village was reportedly bombed for 13 hours. Although there were no reported casualties, the residents fled and homes were damaged. In response, the Iraqi Foreign Ministry summoned the Iranian ambassador to Baghdad and submitted a letter of protest.

In late August Iran bombarded a dozen villages in the Qandil area for an entire week, causing villagers to flee with their flocks. In October, it shelled villages close to the towns of Sidcan and Zarawa, Erbil Province, near to the border. In December five villages, Kal-Daza, Jomursi, Borye, Siamio and Kani Sif, were reportedly shelled for a total of two hours,



KHRP in Sersenk district with Kurdish Muslim villagers and victims of Turkish bombardment.

wounding two and killing local livestock.

Meanwhile throughout the year Turkey continued its low level flights over villages in northern Iraq. An estimated 2,000 Turkish troops are permanently deployed there, and in October, the Turkish Parliament extended the Government's cross-border mandate for another year. Since launching their aerial bombardments in October 2007, KHRP has acted for over 70 applicants in cases against Turkey before the ECtHR.

Implementation of human rights norms

A widespread lack of awareness amongst the public about their human rights remains, as civil society, law enforcement and the judiciary also continue to lack understanding of the competing rules of law governing Iraq, specifically within the KRG.

KHRP missions have noted a range of serious ongoing human rights concerns, with respect to minor-

ity rights, widespread violence and discrimination against women, freedom of expression, and internal displacement.

Despite a real desire for the implementation of international human rights norms, the international community has invested shockingly little in support of training programmes, or the development of public administrative mechanisms, which would ensure

proper respect for rights and meaningful recourse for victims/ survivors of abuse.

Yet encouragingly, state and non-state actors in the KRG are tremendously eager for support in improving the protection of human rights. And through ongoing joint work and the provision of training, KHRP has persevered in helping them to develop and implement a clear and consistent human rights framework, but also to build further awareness and understanding of international norms

Mass graves

The continued discovery of mass graves provided further evidence of the large-scale killings of Kurds during Ba'ath Party rule. In May, a mass grave was unearthed in Diwaniyah province containing 100 bodies, believed to be those of Kurds killed before 1991. Days later the Ministry of Human Rights announced the discovery of a further three mass graves in Qadissiya district, west of Najaf, which contained an estimated 3,000 bodies, mostly from the Al-Anfal campaign, which saw the killing of 180,000 Kurds in 1988. In December, another mass grave at a former military detention camp in Tubzama, near Kirkuk, was made public. It contained dozens of bodies of Kurds, mostly of women and children, killed between 1988 and 1991.

Also in 2009, five Kurdish survivors of a mustard gas attack on ethnic Kurds in Iraq in 1988, and the Kurdish National Congress of North America, brought a case against the Iraqi government and three American chemical making companies. They claim that the sale of materials for producing chemical weapons to the Saddam Hussein regime, which were then used against Kurds, violated the Geneva Conventions.



KHRP leads 'Protecting Against Torture' seminar in Erbil, December.

| SYRIA

Estimated Kurdish population: 1.7 million

- CAT - ratified, 2004
- ICERD - ratified, 1969
- ICCPR - ratified, 1969
- ICESCR - ratified, 1969
- CRC - ratified 1993 (with reservations)
- CEDAW - acceded 2003

Freedom of expression, assembly & association

In 2009, the arrest and incommunicado detention of Kurds peacefully attempting to promote Kurdish

culture, was an ongoing concern. So too were the continued violations of the rights to free expression and association against political activists. Political activity outside of the Ba'ath Party remains illegal and the security forces continued to use their broad powers of arrest and detention against those expressing dissenting views.

In March, 26 Kurds were arbitrarily detained after participating in a silent protest in al-Jazeera. They had gathered to dispute Decree 49, which introduced new restrictions on the rights of Syrian Kurds to build, buy, rent and sell property. In June, Jakarkhon Sheikhon Ali, a senior member of the Kurdish Democratic Party, was detained; his whereabouts with-

held from his family. In December, Kurdish lawyer Mustafa Ismail, who had been writing for foreign websites and giving telephone interviews on Kurdish human rights issues, was too arrested and held incommunicado.

Political & judicial systems

The Supreme State Security Court (SSSC) and military and civilian courts, continued to use several loosely-defined articles in the Syrian Penal Code to sentence peaceful activists on national security grounds. In November, a Damascus court sentenced Sheikhu Mohammad, Sa'id 'Omar and Mustafa Jum'ah to three-year prison terms for 'weakening nationalist sentiment' and 'inciting sectarian or racial strife or provoking conflict', after they were found distributing a newspaper critical of Syria's discrimination against Kurds.

Security forces and courts also used articles in the Syrian Penal Code – outlawing membership of political or social organisations without government permission – to crack down on Kurdish political parties and leaders. In May, Meshaal Tammo, the spokesperson of an unauthorised political party, received a three-and-a-half year prison sentence for 'weakening national sentiment' and 'broadcasting false or exaggerated news. None of Tammo's defence witnesses were able to attend the trial.

KHRP was also increasingly concerned by the arbitrary detention of Kurds who were forcibly returned to Syria. In September, Khaled Kenjo was held incommunicado and charged with "spreading 'false' news abroad" under Article 287 of the Syrian Penal code after his failed appeal for political asylum in Germany. Similarly, Berzani Karro, forcibly returned from Cyprus to Syria in June, was arrested at Damas-

Non-citizenship & discrimination in Syrian Republic

Syria is an authoritarian single-party state, which officially identifies itself as an 'Arab Republic' and has failed to incorporate minority identities into its framework.

As a result, the Kurdish population – Syria's largest ethnic minority – has long been subject to discriminatory and repressive legislation. The census

in 1962 stripped 120,000 Syrian-born Kurds' citizenship, rendering them and their children, grandchildren and future generations officially stateless.

In addition, expressions of Kurdish identity such as during Newroz (the Kurdish New Year), are often prohibited, as remains the use of Kurdish children's names and Kurdish language in schools.

cus Airport, held incommunicado and reportedly tortured.

Death of Kurdish soldiers

Kurdish soldiers continued to die in mysterious circumstances while performing mandatory military service. This has been a long-running issue in Syria, with at least 36 Kurdish conscripts dying in unexplained circumstances in the last five years. Despite claims by authorities that the deaths were either suicides or accidents, many human rights activists and victims' families demanded investigations to determine whether or not they were deliberately killed.

Torture & ill-treatment

In July, the Syrian Arab Republic submitted its first periodic report on its implementation of the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) to the Committee against Torture. Contrary to its initial submissions, confessions extracted under torture in Syrian prisons remained commonplace in 2009.

That same month, Rojin Jumaa Rammo, a member of

a woman's organisation was arrested in Kobani. She was tortured in prison and subsequently admitted to Al-Kindi hospital under a different name. The following month, sisters Esmâ Murad Samî and Eyhan Murad Samî, were arrested in Al-Hasakah and were reportedly tortured and forced to collaborate with the security forces against fellow Kurds.

As has been repeatedly highlighted by KHRP's urgent action appeals to various UN bodies, Syrian Kurds are among those most at risk of torture and ill-treatment. Yet since Syrian legislation fails to criminalise the offence of torture and given the failure of authorities to properly enforce legislation to prevent or punish its use, allegations of torture and efforts of Syrian Kurds to seek redress where torture is known to have occurred, amount to little.

| TURKEY

Estimated Kurdish population: 20 million

- CAT - ratified, 1988
- ICERD - ratified, 2002
- ICCPR - ratified, 2003
- ICESCR - ratified, 2003
- CRC - ratified 1995 (with reservations)
- CEDAW - acceded 1985

Kurdish cultural identity

The human rights situation in Turkey was a mixed bag in 2009.

However, there were some limited signs of progress in relation to cultural and language rights. In November 2009, Interior Minister Beşir Atalay, proposed the restoration of around 12,000 Kurdish place names after towns and cities had been renamed under a 60-year 'Turkification' drive. Other proposals included a relaxation of restrictions: on Kurdish language classes and university teaching in Kurdish; on the use of Kurdish language in broadcasting and political campaigning; and on prisoners being able to use Kurdish to communicate with family members.

Freedom of expression, assembly & association

Despite proposed reforms, the continued application of broadly-worded or repressive articles of the Turkish Penal Code maintained severe restrictions on freedom of expression. Legitimate debate about minority issues continued to be quashed, as prosecutors used extremely wide provisions governing the offence of disseminating terrorist propaganda. In January, former editor-in-chief of the Kurdish newspaper *Azadiya Welat*, Vedat Kurşun, was arrested

Turkish constitution & discrimination

Discrimination against minorities on cultural, ethnic and linguistic grounds has persisted since the establishment of the Turkish Republic on ethnic nationalistic footing in 1923. The latest Turkish constitution, from 1982, gives an extremely narrow official definition of minorities and fails to recognise the country's estimated 20 million Kurds and other ethnic, cultural and religious minorities.

and tried for publishing articles and news items about the Kurdish question and armed opposition groups. In October, lawyer Eren Keskin, theatre actor Murat Batgi and writer Edip Polat, were each sentenced to one year prison terms for inciting hatred and hostility among the public and humiliation of the public, after making speeches that included the terms 'Kurds' and 'Kurdistan' at a Culture and Arts Festival in Diyarbakır in 2006.

In June, the penal code was amended to prohibit the longstanding practice of trying civilians in military courts. Nevertheless, patterns of arbitrary detention against human rights defenders (HRDs) throughout Turkey raised concerns over the rights to freedom of expression and association (see under 'Repression of Human Rights Defenders in Turkey').

Village guards

In Bulanık, Muş province, two people protesting the closure of the DTP were shot dead by a shopkeeper and reported village guard.

Contrary to government assurances, no action has

yet been taken end the village guard system – established in the 1980s to police towns and villages as a militia – now that major hostilities have ended. In May, 44 individuals, including seven children, were killed in Bilge village, Mardin province, after a group of village guards opened fire with state-supplied assault rifles and grenades at an engagement ceremony. Eight people were arrested in what state officials attributed to a feud between two families.

Torture & ill treatment

Torture and ill-treatment continued in Turkish prisons. Unless this results in death or grave injury, it is common for little, if any investigation, to investigate reports of torture. In March, KHRP delegates observed rare court proceedings against 60 defendants implicated in the death of Engin Çeber, a high-profile political activist who died from an alleged brain haemorrhage after being severely beaten in custody in October 2008. The case underlines KHRP's many longstanding concerns, including the impunity and lack of accountability of staff working in the prison system and the role of medical personnel in covering up abuses.

Turkish 'deep state'

Court proceedings launched in 2008 against alleged members of the underground ultranationalist 'Ergenekon', or 'deep state' network continued in 2009.

The network is alleged to consist of armed Turkish nationalists connected to the military who are suspected of extra-judicial killings, bombings, planned assassinations of public figures, and plots to overthrow the Government, in efforts to maintain their conception



KHRP Legal Team Member Mark Himsworth leads training session on 'Protecting against Torture and Ill-treatment', İstanbul in February.

of Turkey. Trial proceedings were launched against 86 suspected members in October 2008. New trials commenced in July and August 2009 against a further 108 individuals. So far retired military officers, businessmen, politicians, journalists, academics, lawyers and other public figures are among those to have been arrested and charged. In November the Justice Ministry confirmed allegations that telephones in the offices of 56 judges and prosecutors had been tapped.

Gender-based discrimination & violence

KHRP noted the Turkish state's systemic failure to uphold commitments to regional and international human rights law concerning gender-based discrimination and violence. In August the organisation sent a delegation to Van, to observe the trial of Kerem Çakan, who stood accused of the murder of his then-pregnant 17-year-old wife, Eylem Pesen. Despite

Repression of human rights defenders in Turkey

Administrative procedures for forming associations severely restrict the operation of organisations deemed problematic or undesirable by the state. As a result the legitimate activities of journalists, teachers, human rights activists, civil society representatives and opposition politicians, are seriously hampered.

As seen in operations purported to be targeting armed opposition groups following local elections at the end of March, and again towards the year-end, alleged membership of an illegal organisation has been a common pretext to harass, arbitrarily detain, and repeatedly prosecute HRDs.

Despite some limited reforms, the Turkish Penal Code, for example, prohibits vague 'insults against the Turkish nation'. In practice this has meant political satirists are often treated as criminals. Meanwhile, under the current Anti-Terror Law, it is an offence to praise a terrorist organisation, and the authorities consider the use of some relatively innocuous and seemingly neutral language to constitute a violation. Hence HRDs in Turkey can and have been prosecuted for referring to armed opposition groups as a 'rebels' or 'guerillas', rather than as 'terrorists'.

In December, more than 80 people in 11 provinces were detained in synchronised operations against the Kurdish Communities Union, Turkey Council (KCK/TM), several mayors of Kurdish provinces and towns, the Provincial Chairman of the *Demokratik Toplum Partisi* (Democratic Society Party, DTP), and Muharrem Erbey, Vice President of the country's oldest national human rights NGO, *İnsan Hakları Derneği* (The Human Rights Associa-



Sur Mayor Abdullah Demirbaş who was among those detained in December, during a visit to KHRP in 2006.

tion of Turkey, İHD). Searches of Mr Erbey's offices by Anti-Terror Units resulted in the confiscation of computers and files documenting around 21 years of human rights abuses, including current cases pending before the European Court.

This was preceded by the Constitutional Court's ruling, which that same month closed the DTP and barred 37 of its members from political participation for five years. The creation of a DTP group following elections in July 2007 was the first time that a pro-Kurdish party had secured Parliamentary representation for 14 years, albeit after running as independents.

Protests against the operations were met with a heavy-handed response, as seen in the police's fatal shooting of 23-year old university student Aydın Erdem during clashes with protestors in Diyarbakır.

bearing the hallmarks of an 'honour-killing', this aspect was neglected by the court, the police and the judiciary. The observations in this trial are indicative of the Turkish state's failure to ensure women's access to its protective and judicial powers against gender-based violence and honour killings, particularly in the Van region.

Armed conflict & cross-border military action

The armed conflict in the Kurdish regions persisted in 2009. The 'temporary high-security zones' imposed in the Turkish provinces of Şırnak, Hakkari and Siirt in June 2007, remained in place and continued to subject its populace to extraordinary security measures.

Military operations on the Turkish-Iraqi border also continued throughout the year. The operations which began in 2007, consist of heavy shelling, air strikes and ground incursions. KHRP's fact-finding missions and published reports have documented the devastating toll wrought on innocent Iraqi civilians. By causing civilian deaths, displacement and the destruction of villagers' livestock and property, Turkey has failed to adhere to the jus in bello principles of necessity, distinction and proportionality. And rather than bringing about a lasting resolution to armed conflict in the Kurdish regions, KHRP fears that sustained military action in civilian population centres is only likely to further inflame existing tensions.

Ilisu dam

KHRP continued to monitor developments regarding the controversial Ilisu Dam project. In July, after sustained awareness-raising from KHRP and its partners about the project's continued failure to meet international standards, European financing was of-

ficially withdrawn. Yet by the year-end, KHRP's concerns were reignited as it received new reports that Sinosure, a Chinese credit insurance provider, was considering stepping into the breach.

KHRP and its partners have long campaigned to draw attention to the fallout of the project, which would displace up to 55,000 people, flood heritage sites like the ancient city of Hasankeyf and impact on the region's environment. Planning for the provision of support and compensation to those who would be affected has been woefully inadequate, as relayed to KHRP during its meeting with affected villagers and their lawyers in October.



KHRP at European Court hearing room.

Turkey's damning human rights record

The European Court of Human Rights' (ECtHR) 2009 Annual Report served as a damning indictment of the country's still abysmal human rights record.

- Over the Court's 50-year history from 1959 to 2009, Turkey received the highest number of violation judgments against it; more than any of the other 46 signatory states to the European Convention on Human Rights (ECHR).
- The Court upheld at least one or more of the plaintiff's complaints against Turkey in 88 per cent of all 2,295 admissible cases brought against it between 1959 & 2009.
- In 2009 alone, Turkey again was the country to receive the most violation judgments against it, accounting for just over a fifth of the Court's 1,625 rulings.
- The Court also upheld at least one or more of the plaintiff's complaints against the Government in 96 per cent of all admissible cases brought against Turkey.
- The statistics revealed that out of the 341 judgments delivered against Turkey in 2009, the most common violations it was found guilty of perpetrating concerned rights to:
 - a fair trial: (65 per cent)
 - liberty & security: (26 per cent)
 - protection of property: (25 per cent)
 - prohibition of torture: (16 per cent).

REVIEW 2009: OUR IMPACT



| POLITICAL & JUDICIAL SYSTEMS
| TORTURE & ILL-TREATMENT
| FREEDOM OF EXPRESSION
| CULTURAL & LINGUISTIC RIGHTS
| ENVIRONMENTAL JUSTICE
| GENDER EQUALITY
| RIGHT TO LIFE
| WAR & INSTABILITY



Substantive respect for human rights must involve both institutional provisions and mechanisms to ensure that the rule of law prevails. Moreover, it is in the practical implementation of legislation that formally granted rights are either honoured or neglected. Throughout the Kurdish regions, it is often the case that a state's institutional framework permits or fails to recognise abuses, or that dereliction or misfeasance on the part of the judiciary and/or authorities is either directly responsible for a violation, or responsible for the failure to protect against or provide remedy for an abuse. During 2009, KHRP utilised strategic litigation, trial observations, field and desk-research, advocacy and public awareness to promote formal and substantive respect for human rights in the Kurdish regions and beyond.

Fair trial violations against Maksim Gasparyan

In June, the ECtHR ruled that Armenia had breached Maksim Gasparyan's right to a fair trial and his right to an appeal. Mr Gasparyan, a high profile opposition activist was arrested for 'disturbing public order' in 2004. He had been a highly vocal supporter of campaigns pressing the Government into a promised electoral referendum, and was serially arrested ahead of organised opposition rallies and was detained for their duration. No just cause was cited, nor any records of his detention kept. Within hours of his arrest on 20 May 2004, he was brought before a judge. Prior to and during his brief trial, Mr Gasparyan was denied a lawyer, and was not given any opportunity to put forward his own defence.

Complaints before the ECtHR

KHRP offered recourse to victims of abuses stemming from institutional or judicial misfeasance by representing their cases before the European Court of Human Rights (ECtHR). In addition to taking on new cases and working on those still pending at the Court, KHRP welcomed six positive ECtHR rulings.

Each of these reiterated verdicts delivered by the Court in KHRP's cases in 2008, underscoring the familiar patterns of arbitrary arrest and detention against members of the political opposition by the incumbent Armenian administration (see also under 'Torture and Ill-treatment', and 'Freedom of Expression and Association'). The experiences of Maksim Gasparyan, Zaven Karapetyan and Stepan Stepanyan disclose the unjust nature of judicial proceedings brought against politicians and opposition activists

in Armenia, and how the failure to grant them a clear and accessible right to appeal in their criminal cases, serves to obstruct access to justice. New cases were also submitted concerning events surrounding the 2008 presidential elections, when individuals became aware of voting irregularities.

Throughout the Kurdish regions as elsewhere in the world, the issue of reconciling respect for fundamental human rights with concerns related to 'national security', also provided cause for concern in 2009. In Turkey, the Anti-Terror Law continued to provide justification for arbitrary arrests, detentions and improper legal proceedings. In one new complaint lodged by KHRP, it argues that Turkey has breached an applicant's rights to liberty and security, to fair trial, freedom of expression, and to an effective remedy, and has done so because he is Kurdish.

Communications with the UN

2009 also bore witness to similar, and worse, abuses in both Syria and Iran in the name of national security. And throughout the year, KHRP continued to submit communications to various UN Special Rapporteurs and Working Groups regarding improper use of state authority, unfair trials and politically-motivated deviation from the independence of lawyers and the judiciary in Iran, Iraq and Syria.

In particular, the treatment of activists with pro-Kurdish political sympathies warranted cause for concern during 2009. In one such communication, sent to the UN High Commissioner for Human Rights, KHRP highlighted the situation of at least four Syrian Kurds held incommunicado since late 2008. Another regarded a Kurdish Iranian activist, held incommunicado for four months before being sentenced to death in a trial that lasted little longer than five minutes.

New cases challenge alleged political conspiracy & soldier's conviction under anti-terror laws

In October, KHRP filed a new case against Armenia on behalf of three proxies to the presidential candidate, Levon Ter-Petrossyan, during the 2008 elections.

After making official complaints of electoral violations, namely box stuffing and procedural wrongdoings, all three men were arrested. They were refused contact with lawyers or family members, detained in unsanitary and degrading conditions, and complained of subjection to both physical and psychological intimidation.

They were subsequently charged for hindering the smooth functioning of the election process and for causing disruption in a polling station. One of the applicants also had a criminal case instigated against him for attempting a coup d'état.

Meanwhile, in December, a complaint was submitted against Turkey, on behalf of an imprisoned soldier sentenced by a Military Court under Turkish Anti-Terror Laws. In spite of the applicant's history of psychological problems, the soldier was declared to be 'mentally competent' and on the basis of private journal notes made during his compulsory mil-



Potential applicants given legal advice by KHRP at Forum Law Centre, Yerevan, Armenia in July.

itary service, was convicted for 'making propaganda for an illegal organisation'. An appeal by the applicant's lawyer was dismissed. This had included the Chief Prosecutor at the Military Court's opinion that the judgment be overruled due to insufficient legal reasoning and the lawyer's belief that the conviction was unlawful without a full medical examination.

Despite a lack of solid evidence, he was convicted of membership of an armed opposition group, and was refused the right to legal representation.

Additionally in November, ahead of the UN Human Rights Council's 2010 Universal Periodic Review (UPR) of Armenia and Turkey, KHRP submitted stakeholder reports on both countries for consideration. The UPR process, which assesses each of the 192

UN member states under the auspices of the Human Rights Council, reviews material submitted by the state in question, relevant UN bodies, and a variety of other relevant stakeholders, including NGOs, Human Rights Defenders (HRDs), and civil society representatives. Amongst other recommendations highlighted by KHRP in its report on Armenia, was the need for institutional reform to ensure greater re-

spect for freedom from torture or ill-treatment, freedom and pluralism of speech, freedom of association and assembly, the right to a fair trial, and greater transparency and improvements in the conditions of detention.

Despite some limited reforms in recent years, Turkish legislation still contains a number of troublesome provisions which allow adequate scope for abuses to occur within domestic law. Whilst a general provision under Article 10 of the constitution guarantees entitlements to equality before the law and freedom from discrimination, these rights are often effectively neutered by contradictory legislation or dereliction on the part of the authorities and/or judiciary. Accordingly, KHRP's UPR submission on Turkey called for further reforms to bring Turkey's national legislation in line with its obligations under international law. Recommendations included urgent public awareness campaigns and training of officials towards the wider recognition and respect for the rights afforded to Turkish citizens under international mechanisms. It also called for robust measures to ensure the effective implementation of existing provisions, with the recommendation that civil society organisations be given greater freedom and capability to monitor both current practice and proposals for reform.

Fact-finding missions

During the year, KHRP fact-finding missions were dispatched to investigate abuses committed by the Turkish state both at home and abroad.

In May, a KHRP mission to the Kurdish region of Turkey exposed the startling culture of impunity for state officials accused of abuses. The delegation heard that those accused often escape formal charges, or are treated with extreme leniency when prosecuted, and

alarmingly that in event of a victim pressing charges, it was relatively common for the official to pursue a counter-claim. This has resulted in the widespread belief that pursuing redress is likely to be fruitless, whilst some agents of the state feel that they can act above the law without fear of prosecution.

The delegation also examined access to justice for women in Turkey. Despite some positive reforms, the mission was told that women in the Kurdish region not only face an array of barriers, but are regularly discouraged from filing complaints, often due to a lack of awareness of their rights. In addition, their complaints are not taken seriously and the protective measures afforded to them under Turkish and international laws are rarely applied.

The following month, a mission was despatched to investigate the civilian toll of Turkish and Iranian cross-border action in Kurdistan, Iraq. It identified that the situation of internally displaced persons (IDPs) is to a degree exacerbated by both domestic and international institutional ambiguities and found that an unclear division of labour between multilateral organisations, NGOs and domestic governments, has placed many Iraqi IDPs in an uncertain position. Officially, the Kurdistan Regional Government (KRG), via an ill-defined and complex web of various directorates and agencies, is responsible for the IDPs. International protocol dictates that responsibility for IDPs be given to the state in which they reside. However, the unspecific degree of autonomy that the KRG wields in its semi-sovereign status, complicates matters in this regard. It would seem that the lack of both clear and binding international and/or domestic provisions concerning responsibility for IDPs, has provided ample scope for both the KRG and central government to pass the buck when it comes to foot-ing the bill.



KHRP mission with the Chair of the Van Bar Association Ayhan Çabuk and members of the organisation's women's commission during visit to Turkey in August.

Partly as a result of such institutional inadequacies, the mission drew international attention to the fact that many IDPs in northern Iraq are suffering from what may be termed a 'benign neglect', as KRG officials are hesitant to invest in improving conditions in the IDP camps.

Trial observations

As mentioned later (under 'Gender Equality'), barriers to women accessing justice were also encountered in August, when a KHRP delegation travelled to Van in south-east Turkey to observe the trial of Kerem Çakan, a man accused of the murder of his pregnant wife, Eylem Pesen.

Although the murder bore all the apparent hallmarks of a so-called 'honour killing' – which carries a heavier sentence than murder – this was not reflected in

Çakan's prosecution, and it became evident to the mission that the police had neglected avenues of investigation which may have indicted the case as such.

Besides monitoring the trial, the mission undertook a wider investigation into the nature of gender-based crimes in the region. The widespread failures of local authorities to implement and enforce existing legislation in such incidences were identified as a recurring theme. The potential role of legislation, the police and the courts was considered by many to be of limited practical significance in an environment where it appeared that much of life was played out on the fringes of the state, with little active participation of social services in daily life. Not only was the Government regularly failing to provide women access to domestically afforded provisions and powers, but it was also failing to meet its international obligations to guard against discrimination against women (such as under the Convention on the Elimination of All Forms of Discrimination Against Women, CEDAW).

During 2009, KHRP was also present at a hearing in Diyarbakır in a trial against seven suspected JITEM members, including Kayseri Provincial Gendarmerie Battalion Commander Col. Cemal Temizöz and former Cizre Mayor Kamil Atak. They are accused of establishing an organisation with criminal intent that was responsible for the murder of 20 individuals in unsolved cases committed between 1993 and 1997 in Cizre, Şırnak. Their trial continues.

Research & publications

Findings of KHRP's field missions in May and June, as well as their conclusions and recommendations, were respectively published in KHRP's report, 'Human Rights in the Kurdish Region of Turkey: Three

Pressing Concerns' and 'The Civilian Toll of Cross-Border Bombardments' (more information on both reports is provided later).

Events & outreach

KHRP also delivered lectures to share strategies on the promotion and protection of human rights and on diverse aspects of the human rights situation in the Kurdish regions. This included making presentations on KHRP's trial observation model and on how to compile related reports based on advocacy and the rule of law, to students at the Centre for Applied Human Rights at York University.

| TORTURE & ILL-TREATMENT



The use and threat of torture and ill-treatment remain commonplace throughout the Kurdish regions, both within and outside of formal detention centres. Whilst most citizens are at risk of abuse, individuals such as HRDs, political and social activists, trade unionists, journalists and members of ethnic or religious minority groups are particularly vulnerable to such treatment. Throughout 2009, KHRP continued to highlight these issues and sought redress for victims of abuses and trained local HRDs and officials in seeking justice and promoting respect for international human rights standards.

Complaints before the ECtHR

KHRP continued to directly support victims of such abuses by bringing cases before the ECtHR.

One of the ways in which KHRP is successful is through its persistence in bringing the same types of violations repeatedly before the Court. This helps to compile an important historic record of patterns of violations but also increases pressure on the responsible government to take action. As already highlighted in the report, KHRP's cases on behalf of political activists in Armenia continued to bring to light not only recurring violations of the right to fair trial and freedom of association, but also the Republic's culpability in subjecting detainees to inhuman and degrading treatment.

KHRP's new case brought in 2009 on behalf of three proxies to the presidential candidate during the 2008 elections (see under 'Political and Judicial Systems'), argues that their cramped and unsanitary conditions of detention and their reported physical and psychological intimidation, is tantamount to inhuman and degrading treatment.

Inhuman & degrading treatment against Zaven Karapetyan

Zaven Karapetyan was arrested and detained by the Armenian police in March 2003 for '[disobeying] lawful orders and [using] foul languages'.

Following his arrest for alleged involvement in an unauthorised public demonstration, the applicant was forced to serve several days' administrative detention in a cell less than 9m² with seven other detainees, in clear contravention of international provisions. In October 2009, the ECtHR judged that the Republic of Armenia had subjected Mr Karapetyan to inhuman and degrading treatment, and that misfeasance during his arrest and sentencing had also violated his right to a fair trial.

Meanwhile, the Court's decision in KHRP's case on behalf of Zaven Karapetyan, referred to a previously successful KHRP complaint on behalf political activist, Lavrenti Kirakosyan. This in 2008 had found Armenia guilty for inhuman and degrading treatment. During the case proceedings on behalf of Mr Karapetyan, the Government had admitted that he had been kept in the same cell – smaller than the international legal standards for an individual person – with Mr Kirakosyan and six other inmates, which during Kirakosyan's case was deemed to have broken minimum standards set by the UN Committee against Torture. During the earlier case, the cell in question was also established to have been infested with pests, to have an unsanitary toilet, and to be without sleeping facilities and natural light.

Communications with the UN

In Iran in particular, the torture and ill-treatment of HRDs continued to be pervasive, especially in the aftermath of the disputed elections of June 2009. Such abuses in Iran, as well as similar violations in Syria, were the subject of letters sent by KHRP to various UN Working Groups and Special Rapporteurs on: Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance; the Promotion and Protection of the Right to Freedom of Opinion and Expression and; on Extrajudicial, Summary or Arbitrary Executions.

One of KHRP's urgent action appeals drew attention to the abduction and torture of five women by Syrian security forces in July and August 2009. KHRP maintains that two of the women were explicitly arrested and tortured on account of their open expression of Kurdish culture.

Another appeal brought to light concerns about the arrest and detention of a Kurdish teacher by the Iranian Intelligence Services (Itlahat), and according to local sources his subjection to the 'worst forms of torture'. The authorities refused to disclose the grounds for this arrest and pleas by the detainee's family to receive information on his condition were ignored.

As mentioned in the preceding section, KHRP also made submissions ahead of the UPR's of Armenia and Turkey in 2010. KHRP's submissions highlighted concerns over various abuses including those related to torture and ill-treatment, particularly in the case of Turkey.



Saniye Karakaş and Dr Edel Hughes lead training on 'Protecting against Torture and Ill-treatment in Şırnak, May.

Capacity-building seminars

Throughout 2009, a number of training sessions were conducted in İstanbul and Şırnak, Turkey, Yerevan, Armenia, and Sulemaniyah, Iraq to help strengthen the capacity of domestic civil society to respond effectively to reports of torture and ill-treatment. The workshops covered the provisions and mechanisms available to protect against such abuses, afforded by such instruments as the European Convention on Human Rights (ECHR), the International Covenant on Civil and Political Rights (ICCPR), and the Convention Against Torture (CAT) and Other Cruel, Inhuman or Degrading Treatment or Punishment.

As already outlined (under 'The Kurdish Regions in 2009: Developments and Concerns'), although the infrastructure, administration and legal system within Kurdistan, Iraq, are relatively stable, the re-



Training participants apply their knowledge in discussions of hypothetical case studies during the workshop.

gion suffers from an enormous need for the proper implementation of human rights norms, accountability and the rule of law amongst government officials and civil society organisations. Therefore, the seminar in Sulemaniyah, was directed at a mix of KRG officials, social workers and HRDs, the majority of whom remain unaware of the states obligations, or mechanisms through which to seek redress.

In addition, a cross-border training in Diyarbakır, hosted in association with *İnsan Hakları Derneği* (Human Rights Association of Turkey, İHD), brought together activists from Turkey, Iran, Iraq and Syria. It sought to promote cooperation between HRDs throughout the Kurdish regions, and contained specific sessions in which participants could identify cross-regional strategies to combat torture and ill-treatment.



KHRP Legal Team member Sam Blom-Cooper leads 'Rights of the Child' training in Diyarbakır, December.

Meanwhile, through field visits KHRP has learned that children in Turkey are generally not treated as a vulnerable group requiring special protection, and that the implementation of international norms concerning children is at best patchy and at worst non-existent. Turkey faces challenges concerning child protection, specifically relating to failings in the legal process, and issues relating to juvenile justice, and the torture and ill-treatment of children in detention. Therefore, a related training and litigation support programme was co-hosted with the Diyarbakır Bar Association in Turkey, focused on the rights of the child in international law.

During the day's proceedings, the local advocates present expressed a keen desire to use international human rights mechanisms, and were of the opinion that the ECtHR represented their best chance for a fair hearing and vindication of their positions against the Turkish state.

Torture & death of Engin Çeber

On 28 September 2008, 29-year old Engin Çeber was arrested alongside Cihan Gün, Özgür Karakaya and Aysu Baykal, during a press conference in support of Ferhat Gerçek (an 18-year-old man who was shot by a police officer and left paralysed in October 2007).

Engin Çeber and three others were allegedly tortured and ill-treated in detention. On 10 October 2008, Mr Çeber died as a result of the injuries he sustained during police custody. Domestic and international interest in the case soared after Turkish Justice Minister Mehmet Ali Şahin took the rare step of issuing a public apology to Çeber's family and legal proceedings were launched against 60 state officials implicated in his death.

Interestingly, at the conclusion of the day's hearing observed by KHRP, the judges overseeing the case announced that they would be withdrawing from the trial following accusations from lawyers representing the complainants that they had displayed a bias in favour of the defence.

Trial observations

In March, KHRP dispatched a mission to İstanbul to observe initial proceedings in the trial of 60 state officials charged in connection with the torture and death of political activist Engin Çeber in custody.

The trial of prison guards, police officers and gendarmes accused of responsibility has come to be widely seen as a test of Turkey's willingness to adhere to the human rights standards laid down as part

of its EU accession bid and to hold members of the security forces to account in cases of alleged abuse.

Despite the government's self-declared 'zero tolerance' policy on torture, cases like this clearly underline that there is still a very real need for such work in Turkey.

Research & publications

In June, a full account of proceedings in the mission's aforementioned trial observation was published in KHRP's report entitled, 'The Death of Engin Çeber: Prosecuting Torture and Ill-treatment within the Turkish Detention System'.

The report underlines the mission's findings that many similar allegations of abuses have been committed with no such investigations or prosecutions in response. The report also explores questions arising from the impunity of state officials, the role of medical personnel in relation to cases of torture and ill-treatment, and the extent to which such abuses in the Turkish detention system are covered-up.

KHRP also published the findings of a mission that visited Turkey in December 2008, to investigate allegedly widespread and systemic abuses within the Turkish detention system. Entitled 'Closed Ranks: Transparency and Accountability in Turkey's Prison System', the publication presents the mission's conclusions that the large number of refusals or cancellations of arranged meetings with state officials was indicative of the lack of transparency and accountability that lies at the core of the Turkish penal system, and which also encourages or facilitates the perpetration of abuses within.

Events & outreach

The increasing use of torture under the guise of security and counterterrorist concerns also formed the central subject of discussion for KHRP's annual Legal Team meeting in 2009. The Team contrasted the current definitions of torture with those that preceded the onset of the so-called 'War on Terror', and discussed the potential impact on future casework of increasingly narrow definitions.

| FREEDOM OF EXPRESSION & ASSOCIATION



The freedom to hold opinion, exchange information, assemble and debate, are fundamental to the constructive, deliberative conflict on which any

substantive democracy is premised. It is incumbent upon states to ensure that their actions and institutions do not interfere with these rights. Unfortunately, individuals throughout the Kurdish regions continue to experience substantial restrictions on both freedom of expression and association. These constraints are manifested in both institutional and informal forms, with both troublesome legislative provisions and improper conduct on the part of state authorities representing cause for concern. In 2009 KHRP continued to promote adherence to the fundamentals of freedom of expression and association through research, training, advocacy, public awareness and strategic litigation.

Complaints before the ECtHR

As in other spheres of work, strategic litigation remains a cornerstone of our work, and accordingly throughout 2009, KHRP continued to seek redress for abuses of freedom of expression by representing victims at the ECtHR.

For many, the harassment of pro-Kurdish and other minority and fringe parties and organisations, continues to constitute a significant barrier to meaningful participation in political life. Furthermore, recent developments have exposed a worrying trend in systemic constraints of freedom of association in Armenia. Here, KHRP's cases brought before the ECtHR have helped shed light on the routine use of harassment and strategic detentions to disrupt opposition political activities.

In January, KHRP welcomed three positive judgments regarding freedom of association, handed down in its cases against Armenia. All involved the detention of opposition activists immediately prior to the 2003 presidential elections. The rulings noted that

Violations of political opposition activist's rights to freedom of association

Tellingly similar to the detention of Maksim Gasparyan (see under Political and Judicial Systems), Mr Sargis Amiryan and Mr Zhora Sapeyan were detained without due process in February 2003 for their participation in public pro-opposition demonstrations that the authorities deemed to be in violation of the 'prescribed rules' for such events. In the 2009 rulings handed down in both cases brought by KHRP, the Court noted that the 'prescribed rules' were in fact based on outdated Soviet-era legislation, and that the new law on assemblies was not passed until April 2004. Subsequently, the Court ruled that the charges brought against both Mr Amiryan and Mr Sapeyan, as found in the case brought for Mr Gasparyan, were premised on nothing more than their participation in a peaceful demonstration and therefore represented violations of their rights to freedom of assembly and association.

in a significant number of cases, ambiguous charges such as 'minor hooliganism', are used against individuals based on little more than their participation in entirely peaceful demonstrations.

Meanwhile new cases taken on by KHRP underscore how violations of freedom of expression and of association continue in Turkey. In June, KHRP lodged a new complaint in respect of violations to a student's right to freedom of expression, as well as to his rights to a fair trial, to privacy, to education and to freedom from discrimination after his studies were cut-short due to his refusal to remove his beard. The following

New cases highlight violations of university student's rights to free expression & to freely associate

After ignoring repeated requests to shave his beard – and despite the tolerance of other bearded students and staff – a medical student was permanently excluded from university after being serially suspended.

Despite eventually being allowed to return to university some years later, the suspensions and investigations continued, effectively barring the applicant from continuing his studies. KHRP submits that the applicant was being singled out unfairly because he is Kurdish.

Meanwhile in another case, charges were brought against a student on the basis of his presence at a demonstration on his university campus, as well as his attendance at the funeral of a distant family relation, who was alleged to be a member of an armed opposition group. Among other violations pleaded in his case, KHRP submits that the student's arrest, detention, trial and sentencing represent a violation of his rights to freedom of expression and association. The applicant is now serving nearly eight years in prison, in what KHRP believes is a hugely disproportionate sentence for an unjust conviction.

month, a new case was filed on behalf of a student convicted for making propaganda for an illegal organisation under the Anti-Terror Law, and for committing crimes on behalf of an illegal organisation under the Turkish Penal Code.

Use of legislation to harass & criminalise HRDs

Article 301, 'denigration of the Turkish nation', is the most infamous. Yet KHRP's fact-finding mission in May reaffirmed that other more widely used articles in the Kurdish region continue to be used to criminalise HRDs for 'praising crime and criminals', 'inciting enmity or hatred among the population', 'provoking people to disobey the law', 'committing crime on behalf of an organisation without being a member of the organisation' and 'making propaganda on behalf of an illegal organisation and its objectives'. In a bid by the state authorities to silence unwanted criticism or activism, malicious prosecutions under such articles were said to be one of the most commonly used tools in restricting HRDs' freedom of expression and association.

Communications with the UN

KHRP's concerns over restrictions on freedom of expression and association in Armenia and Turkey were among the three key areas of concern highlighted to the UPR Working Group ahead of their respective reviews of both countries.

The organisation also continued its advocacy through a series of urgent action letters sent to various UN Special Rapporteurs and Working Groups, including the Rapporteur on Promotion and Protection of the Right to Freedom of Expression.

This included an appeal following the arrest, detention, torture and ill-treatment, and proposed execution of 14 individuals for allegedly sympathising with pro-Kurdish political groups in Iran. Appeals were also sent regarding the situation of a 27 year-old student activist Habibollah Latifi, who was subjected to

The mission also heard how, for instance, İHD, Diyarbakır branch had been prosecuted several times under the Turkish Civil Code for receiving foreign NGOs, media and political and student delegations without having first obtained the correct licences. It was also told about other provisions which provide scope for limiting the actions of not only NGOs, but of civil and political society organisations in general. Although recent revisions, such as in the creation of the Law on Associations, were said to have reduced the scope for interference, other restrictive or vague legislative provisions were said to be utilised for the same ends.

severe torture whilst in detention and remains at risk of execution in Iran, as well as the cases of politically active Kurds detained in Syria. The latter included the aforementioned Berzani Karro (under the section on Development and Concerns in Syria), who was arrested and held incommunicado on his return from a failed asylum application in Cyprus.

Fact-finding missions

Field research continued to inform KHRP's strategy in 2009. Following widespread detentions and investigations of pro-Kurdish politicians and activists after the local elections in March, a KHRP fact-finding mission was dispatched to Turkey in May. The delegation visited the provinces of Şırnak, Siirt, Mardin, Batman, and Diyarbakır in order to assess the overall human rights situation in the Kurdish region of Tur-

key. Based on its interviews with amongst others, local MPs, mayors, human rights activists, lawyers and journalists, the delegation observed how legislation is itself used by the Turkish government to harass HRDs and obstruct their work. As relayed during KHRP's subsequent meetings with, and through the publication and dissemination of the mission's findings to, opinion leaders and decision-makers in the regions and internationally, the mission was able to stress the still problematic and often somewhat ambiguous provisions within the Turkish Penal Code, as well as the application of legislation regulating the establishment and function of NGOs which allow the Government to repress the expression of non-violent views and prosecute HRDs for their declarations, statements and associations.

Research & publications

Besides publishing the findings of the aforementioned mission in 'Human Rights in the Kurdish Region of Turkey: Three Pressing Concerns', and providing regular updates in serial Newline and Legal Review periodicals, KHRP also continued its public awareness work in 2009 with the publication of two briefing papers.

In its paper entitled, 'Protecting Politicians or Protecting Democracy? Parliamentary Immunity and Party Closure in the Run-Up to Local Elections in Turkey', KHRP highlights the importance of parliamentary immunity in protecting the electorate by allowing the candidates they have selected to talk openly and to adopt policies without fear of prosecution, as is the practice in most democratic countries. Yet the systematic harassment and persecution of elected representatives by unelected state agents underscores the need for a thorough overhaul of mechanisms in



KHRP addressing European Parliament seminar on 'The Kurdish Human Rights Situation, a Lasting Peace and a Democratic Development' in April.

Turkey governing the banning of parties and prosecutions of MPs.

The second paper, 'Human Rights and the Kurds in Iran', provided a general overview of the current human rights situation of the Kurds and other minority groups in Iran. The ongoing use of arbitrary arrest, detention and torture and ill-treatment as a means of curbing freedom of expression and association, particularly in the wake of the disputed elections in June of 2009, was noted to be of particular cause for concern.

Events & outreach

Restrictions on freedom of expression and association in Turkey were also at the heart of a series of

events at which KHRP participated.

In January, KHRP Patron Sir Geoffrey Bindman travelled to Istanbul to deliver a Hrant Dink memorial lecture at the second annual conference marking the 2007 murder of the Turkish-Armenian editor, journalist and activist. In his speech, 'Freedom of Expression: A Universal Right', Sir Geoffrey used the opportunity to argue for far greater efforts on the part of the Government to ensure greater respect for free expression.

This was also stressed by KHRP during a speech in April entitled 'The Turkish Accession and the Need for Change'. The presentation was delivered at a seminar held at the European Parliament in Brussels on 'The Kurdish Human Rights Situation, a Lasting Peace and a Democratic Development'.

Similarly following the March elections, violations of civil and political rights, and cultural and minority rights, and the need for dialogue to resolve long-standing problems, were the focus of a talk delivered by KHRP at the Harriman Institute for Russian, Eurasian and East European Studies at Columbia University in May. Representatives from the Washington office of the KRG in Iraq, as well as a representative from the Turkish Embassy in New York were in attendance.

| CULTURAL & LINGUISTIC RIGHTS



Violations of – as well as a general lack of respect for – cultural and linguistic rights are commonplace throughout the Kurdish regions. Aside from constituting rights violations in and of themselves, restrictions on the use and exercise of language and/or cultural practices place further constraints on the ability of those affected to participate fully

Student's conviction for pro-Kurdish campaigns under scrutiny

In December, KHRP presented a new complaint to the ECtHR on behalf of a former university student who was sentenced to several years in prison in the absence of a lawyer. She was convicted under the Turkish Penal Code for 'membership of an illegal organisation', for her involvement in the youth commission of a then legal pro-Kurdish political party, and under the Anti-Terror Law, for her support of pro-Kurdish language campaigns.

The applicant's activities included awareness-raising, selling publications and issuing press releases, but much of her work sought to overturn Turkey's

ban on the use of the Kurdish language in public, including in schools.

The indictments relied on linking both the political party and the Kurdish language campaign to an armed opposition group. Such security-based justifications are continually used to restrict the use/promotion of Kurdish language and cultural rights. The ECtHR's findings in this case may be of particular significance to former members of the banned pro-Kurdish *Demokratik Toplum Partisi* (Democratic Society Party - DTP), given that the authorities may seek to affix similar links to the DTP as in this case.

in all spheres of public life. Cultural and linguistic rights remain deeply intertwined with the realisation of other basic rights such as freedom of speech or association, as well as the capability of an individual to live a rich and fulfilling life in general. Subsequently a number of international legal provisions exist, such as the International Covenant on Economic, Social and Cultural Rights (ICESCR), to help ensure respect for such rights. KHRP continued to work on promoting cultural and linguistic rights in 2009 through a combination of research, public awareness campaigning, advocacy and fact-finding missions.

Despite ongoing restrictions, 2009 has seen some positive developments in Turkey in the sphere of cultural and linguistic rights. In January, KHRP welcomed the launch of a new state-run Kurdish-language television station. The launch of the channel represents

a major step forward for those who have campaigned for greater respect for Kurdish cultural and language rights. Whilst these and other developments already briefly mentioned (see under Developments and Concerns section on Turkey), are most certainly welcome, oppressive regulations still govern the private operation of Kurdish-language broadcasting and the reforms have still failed to address discriminatory provisions in both the Turkish constitution and in wider legislation.

Mother tongue education for Kurdish children remains illegal in public and private schooling, even in districts where they comprise the majority. Furthermore, the narrow definition of 'a minority', along with provisions concerning the national anthem, official language, and indivisible nature of the Turkish state persist in effectively excluding minority groups from all spheres of public life and in contributing to their socio-economic disadvantage relative to their Turkish counterparts.

Complaints before the ECtHR

As restrictions persist, pro-Kurdish language campaigns continue to be popular throughout the Kurdish regions. However, these remain overshadowed by questionable arrests and prosecutions of the activists involved. Subsequently, KHRP continued to utilise its experienced Legal Team to assist in claims before the ECtHR against such treatment, including on behalf of a student who KHRP asserts has had her rights to fair trial and to freedom of expression, assembly and from discrimination, violated by Turkey.

The case is an excellent example of KHRP's ongoing strategic approach to protecting cultural rights in the region. As a signatory to the ECHR and as a member of the Council of Europe (CoE), Turkey is obliged to respect the cultural rights of Kurds and other minorities. The findings of this case would undoubtedly have serious implications for the Turkish constitution and bi-laws regulating freedom of expression in Turkey.

Communications with the UN

In January, KHRP sent an urgent appeal to a number of UN special rapporteurs concerning the arrest and detention of Dr Darweesh Ghaleb, a prominent Kurdish cultural activist. Dr Ghaleb, founder of the Committee for Learning the Kurdish Language and member of Kurdish PEN, was seized from his home in Qamishli, Syria on 13 January. Further raids followed on 15 January in which all of Dr Ghaleb's books, writings and transcripts were confiscated.

Meanwhile, following on from submissions made in late 2008, in 2009 KHRP continued to present a number of communications to the UN Committee on the Elimination of Racial Discrimination (CERD).



KHRP Legal Team Member, Margaret Owen, KHRP Honorary Secretary General Mark Muller QC and Robert Olson at the Garden Court seminar on 'Language Rights and Kurdish Question', April.

The CERD is responsible for ensuring State Parties' compliance with the International Convention on the Elimination of All Forms of Racial Discrimination, and KHRP's submissions in early 2009 were made in conjunction with Turkey's third periodic report on its compliance with the Convention at the Committee's 74th meeting in February.

KHRP's communications emphasised that while Turkey's penal and constitutional frameworks contain some provisions against discrimination on racial or ethnic grounds, the implementation of such legislation remains inconsistent and largely insufficient. The Turkish state continues to define itself according to the principles of Turkish ethnic nationalism. And Kurds, essentially denied legal recognition within the narrow definitions of what constitutes a 'minority', effectively face a crisis of citizenship.

Fact-finding missions

In 2009, KHRP's fact-finding missions observed the consequences of restrictions on the use of Kurdish language in Turkey. Constraints on mother tongue language in education were seen to be particularly detrimental as they fostered significant, long-term barriers in access to employment and state services and protective/judicial powers.

In May, KHRP's delegation to the Kurdish region of Turkey assessed the major concerns in the overall human rights situation. As noted above, the mission noted serious shortcomings in women's access to justice. It was observed that Kurdish women are far more likely to drop-out of schooling as a result of restrictions on Kurdish language education, and are therefore less likely to learn adequate Turkish. Subsequently, a language barrier between Kurdish women and the Turkish-speaking police or other social services was seen to be a major factor in their inability to access state protective or judicial powers, particularly in the context of the patriarchal norms of many Kurdish communities.

On the issue of children's rights in Turkey, in October, a KHRP fact-finding mission was sent to Diyarbakir to follow-up earlier investigations and desk-based research on the topic. Amongst other issues encountered, the delegation found that Kurdish children are placed at an immediate disadvantage by their lack of access to mother tongue education. Organisations in Diyarbakir that had previously promoted the use of Kurdish in education blamed the cessation of these activities on harassment by the authorities. Furthermore it was suggested to the mission that as well as denying a Kurdish language education, public schools in the Kurdish regions actively promote Turkish nationalism and cultural assimilation.

Events & outreach

In April, Mark Muller QC, and advisor, Margaret Owen, spoke at a seminar on minority language rights in Turkey. The event, held at Garden Court Chambers in London, was entitled 'The Language Question: Influence on the Kurdish Question in Turkey, 2007-2009', and was held under the aegis of the Bar Human Rights Committee of England and Wales (BHRC) and the Peace in Kurdistan Campaign. Attended by academics, campaigners and human rights advocates and defenders, the event focused on how the ongoing restrictions on the public use of Kurdish language affects the social, economic and political status of the country's Kurds.

| ENVIRONMENTAL JUSTICE



'KHRP deserves praise for its willingness to investigate the links between human rights, the environment and economic factors. What's more, its effective strategies for tackling injustice give people a variety of ways to come to an understanding of the of the impact of abuse of human rights and the importance of ensuring that the road to economic development does not come at a human or environmental cost.'

Jean Lambert, MEP & KHRP Advisor on Environmental Rights

Environmental degradation as a result of human action can impact, both directly and indirectly, upon the regional human rights situation. Large-scale infrastructure projects are particularly prone to infringe the rights of those living in the immediate area and, in some cases, much further afield. The potential for mass displacement, destruction of livelihoods, communities and cultural heritage are all issues which face large numbers throughout the Kurdish regions as a result of planned and ongoing projects. Such problems are often exacerbated by a lack of appropriate prior consultation and/or participation of those likely to be affected, as well as insufficient measures taken with regards to compensation and resettlement. Furthermore, recent developments have also highlighted the potential for armed conflict to result in serious, lasting environmental damage. For many years, KHRP has been a

prominent campaigner in reminding governments and public and private organisations of their legal obligations in the context of such potential human rights abuses. We continued this work throughout 2009, sending out fact-finding missions, continuing our active involvement in campaigns, maintaining international solidarity, and increasing public awareness.

Complaints before the ECtHR

In January, KHRP filed a complaint to the ECtHR on behalf of 45 individuals from a town in northern Iraq. Amongst the claims, KHRP argues that Turkish cross-border bombardments caused substantial damage to fields and orchards on which the applicants depend for their livelihoods (see under 'War and Instability' for further information).



Seminar on 'Impacts of Foreign Investment on Human Rights', Erbil, Iraq, December.

KHRP also continued its casework on behalf of villagers affected by displacement and obstructions to their cultural rights vis-à-vis the Baku-Tbilisi-Ceyhan (BTC) oil pipeline in the Caucasus and the Ilisu Dam project in south-east Turkey, as well as for campaign representatives routinely harassed and intimidated by the state authorities because of their work.

As already highlighted (see Developments & Concerns), KHRP was alarmed to learn that representatives of partners in the Baku-Ceyhan Campaign (BCC) were detained and intimidated by police during a research mission to Azerbaijan in March. The mission was investigating BP's obligations and commitments to local residents affected by the BTC pipeline. It was part of the BCC's ongoing campaign, which has investigated allegations of human rights violations committed by both state authorities and members of the consortium of energy.

Capacity-building seminars

In December, KHRP together with international partners The Corner House and Platform, and local partner NGOs, the Civil Development Organisation

Environmental fallout of conflict

Research has indicated that the environmental fallout of Turkish and Iranian cross-border shelling in northern Iraq, includes reduced biodiversity and severe degradation of agricultural land. Whilst sizeable tracts of agricultural lands were damaged directly in the raids, larger areas have been left unsuitable for cultivation due to the presence of unexploded munitions or severe neglect fostered by the displacement of their former occupants. Considering the predominance of agricultural livelihoods among the local Kurdish population, the long-term effects of such bombardments are particularly worrying. In June 2009, the Planning Director of the KRG's Agriculture Ministry said that more than 125 hectares (300 acres) of forest in the province of Dohuk, Iraq had been burnt that month as a result of Turkish bombardments.

(CDO) and the Kurdistan Youth Empowerment Organisation (KYEO), conducted a training on 'Practical Approaches to Monitoring the Impacts of Foreign Investment on Human Rights, Public Interest and the Environment'. The seminar held in Erbil, Kurdistan, Iraq educated individuals from the public and private sector, on how best to ensure that foreign direct investment is in the best interests of the local population, and does not have a negative impact on the environment or human rights situation.

Attendees included KRG representatives as well as individuals from local NGOs and HRDs. The workshop served to ensure respect for the environment and human rights norms when courting potentially disruptive but much-needed foreign investment and is part of KHRP's ongoing work on investment and human rights. In October, KHRP's cross-border



KHRP meet with displaced villagers during fact-finding mission in Kurdish region of Turkey in May.

training in Diyarbakır, Turkey, too held sessions on this topic.

Fact-finding missions

Armed conflict, as UN Resolution 56/4 clearly states, causes environmental degradation and damage to ecosystems and natural resources 'long beyond the period of conflict, and often extends beyond the limits of national territories and the present generation.' Conflict within the Kurdish regions is not limited to 'unconventional warfare' or paramilitary activity, with cross-border operations in northern Iraq by Turkish and Iranian armed forces a persistent issue. In July, KHRP sent a fact-finding mission to northern Iraq, to investigate the effects of the bombardments first-hand.

As identified in this and earlier KHRP missions, an intensification of attacks by both states have taken place since mid-2007, and has resulted in widespread displacement, loss of life, and environmental destruction.

Southeast Anatolia Project

KHRP, as a member of the international Ilisu Dam Campaign, has long-worked to draw attention to some of the most pernicious effects of Turkey's Guneydogu Anadolu Projesi (Southeast Anatolia Project, GAP). Plans for the finished project include a network of some 22 dams (nine of which are already complete) and 19 power plants at a cost of around US\$32 billion. The project spans a total of nine Turkish provinces in the Euphrates and Tigris basins, with a stated purpose of increasing Turkish national energy independence and providing irrigation and energy to aid the socio-economic development of the country's relatively impoverished south-east.

A staggering 55,000 people, mostly Kurds are threatened with displacement by the Ilisu Dam construction. It will also flood the ancient town of Hasankeyf and destroy unexplored archaeological sites, devastate the environment upstream and downstream and with it the Tigris River's richly diverse ecosystems. It



The ancient city of Hasankeyf, which would be submerged by the Ilisu Dam.

The environmental impact of the bombardments is especially detrimental as agriculture has historically been central to Kurdistan, Iraq's economy and villagers and KRG security officials reported that Turkish military bases in the area co-ordinate the planning of airstrikes, so that bombardments occur during planting and harvest times. The sector is already under great strain due to the deliberate policy to liquidate the agricultural resources of Iraq's Kurds during the Ba'ath regime.

Meanwhile, following the July withdrawal of German, Swiss, and Austrian export credit insurers from the Ilisu dam project, in October, with the help of the

local campaign group, 'Initiative to Keep Hasankeyf Alive', KHRP visited a number of nearby villages in south-east Turkey.

Despite issues surrounding the dam's funding, it was clear from villagers and their lawyers that the Government was still pushing on with land expropriation and evictions for the project. Those living in Ilisu village nearest to the dam site had already received expropriation notices, and over 500 were challenging the terms of their compensation through the courts. Despite offers from the state to provide alternative housing, it appeared that those evicted will still be

also has the potential to exacerbate regional conflict by severely reducing water flow to the downstream states of Iraq and Syria.

In July, KHRP's regional and international partnerships and awareness campaigns across Europe proved successful, when Austrian, German and Swiss export credit for the project was officially withdrawn, following the failure of the Turkish government to meet World Bank standards on cultural and environmental preservation.

Nonetheless the Government has remained adamant that it will complete the project. Not only have two Turkish banks signalled interest in picking up from where European funders left off, but after Turkey and China signed energy agreements in 2009, rumours also persist that the construction could go forward with its support, particularly since China is not bound by the requirements of OECD governments.

expected to pay for them, with the asking prices inadequately covered by the compensation on offer.

Research & publications

Towards the year-end, KHRP published briefing papers entitled, 'The Ilisu Dam Project: An Update' and 'The Environmental Impact of Turkey and Iran's Cross-Border Incursions into Kurdistan, Iraq'.

The first paper presented the findings of the field mission that travelled to south-east Turkey in October. Though the official suspension of European funding for the dam was a significant triumph for KHRP and

its coalition partners, the paper draws attention to the possibility of support from Chinese state credit export insurers, Sinosure and the importance for campaigning and awareness-raising to persist in exposing the project's failure to meet international standards.

The second paper documents how significant stretches of agricultural land have been destroyed in the border region of Kurdistan, Iraq as a result of Turkish and Iranian cross-border bombardments. It points to the testimonies of villagers that missiles and bombs have landed indiscriminately on their lands, including farmlands, orchards and property, having a devastating impact on their predominantly agricultural livelihoods.

Events & outreach

In February, KHRP joined the Corner House and Platform at a mediation meeting with BP at BERR, the UK National Contact Point (NCP) for the Organisation for Economic Co-operation and Development's (OECD) office. It was called after the two sides were unable to reach an agreement regarding the distribution of a BP report on the pipeline's progress to the NGOs' partner organisations in Turkey. The mediation succeeded in reaching an agreement that the report's contents would be made available to KHRP's partner, İHD. The session was important in securing the rights of campaign partners to verify information provided by BP in response to the damming findings of the BCC's own reports, which were themselves verified by the UK NCP.

The following month, KHRP travelled to İstanbul to deliver a speech at the Alternative Water Forum entitled, 'The Impact of Large-Scale Dam Construction on Regional Security in the Kurdish Regions of Turkey'. The event was organised alongside the 5th



The banner which led to the deportation of two members of the International Rivers Network from Turkey in March.

World Water Forum in order to give voice to civil society groups and NGOs. The speech stressed the state's possible security motivations for building the dam, given its potential to exacerbate the security situation downstream in Iraq and Syria. The lack of tolerance and limited space for constructive debate on the dam was illustrated when two International Rivers Network activists were deported by the Turkish authorities for simply unfurling a banner reading 'No Risky Dams' outside the World Water Forum.

In 2009, KHRP also joined the steering committee for the organisation of the 3rd International Meeting of Dam Affected Peoples, representing Europe and the Middle East. The meeting, co-ordinated by the International Rivers Network, is due to take place in Mexico in 2010. Other steering committee members include Movimento dos Atingidos por Barragens, Brazil; Otros Mundos, Mexico; Culture and Environment Preservation Association, Cambodia; River Research Centre, India; Initiative to Save Hasankeyf,

Turkey; Africa Rivers Network and the Young Volunteers for the Environment, Togo.

| GENDER EQUALITY



Women throughout the Kurdish regions face discrimination both as a result of their status as women, and as part of a minority group. This manifests itself in a variety of abuses, from gender-based violence to judicial negligence. Rather than providing recourse for victims of abuses, the content and implementation of legislative provisions are themselves often responsible for perpetuating such violations. Aside from being particularly vulnerable to the effects of conflict, displacement and socio-economic underdevelopment, women in the Kurdish regions face particular problems in securing police protection and judicial redress. In 2009, KHRP's efforts directed at improving gender equality throughout

the Kurdish regions included research, trial observation and fact-finding, training and public awareness.

Communications with the UN

Against a background of continuing gender-based abuses in the Kurdish regions, KHRP persevered with its use of targeted advocacy in addressing women's rights.

Throughout July and August, KHRP submitted a number of communications to the Pre-Sessional Working Group for the Committee on the Elimination of Discrimination against Women. In July 2010, the Committee will meet for its 46th session to review the situation for women in Turkey, and in the build-up to the assessment, NGOs and other relevant parties are encouraged to submit their concerns and observations. Accordingly, KHRP's submissions highlighted the marginalisation of Kurdish women in political participation, education, employment, healthcare and access to justice in Turkey, particularly in the context of ongoing restrictions on Kurdish language education. Furthermore, its communications also drew attention to the prevalence of gender-based violence, as well as the increasing occurrence of so-called 'honour suicides'. It is the belief of KHRP that the rise in these cases is a direct result of recent legislative changes increasing the maximum sentence for those convicted of an 'honour killing'.

On the topic of women's rights more generally, KHRP is pleased to report that Turkey's CEDAW report this year reflected many of the suggestions raised in KHRP-led trainings on drafting CEDAW shadow reports.



KHRP 'Protection of Women's Rights under CEDAW and the Shadow Report System' training in Van, in August.

Other activities in 2009 included KHRP's submission on the status of women in Turkey to the UN Economic and Social Council Commission on the Status of Women and an urgent action appeal to various Special Rapporteurs at the UN concerning the arbitrary arrest, detention and torture of five Kurdish women in Syria.

Capacity-building seminars

KHRP continued to conduct training sessions in 2009, both in the Kurdish regions and the UK, focused specifically on women's rights.

In August, ahead of the UN's 2010 review of the Turkish government's observance of their obligations under the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), KHRP

co-hosted a training seminar in Van, south-east Turkey, with local partner *Van Kadın Derneği* (the Van Women's Association, VAKAD). The workshop focused on the provisions afforded by CEDAW and strengthened the capacity of local women's rights activists to use the procedures available to NGOs to prepare and submit their own parallel shadow reports, for consideration by the CEDAW Committee.

In October a cross-border roundtable event was organised in Diyarbakır. Held in conjunction with local partner İHD, the event brought together participants from Turkey, Iran, Iraq and Syria. Attendees were encouraged to share their experiences and concerns, with the aim of fostering cooperation and solidarity across borders between those working to protect women's rights. The development of joint strategies between different individuals and organisations is especially important in the context of abuses suffered predominantly by women, such as human trafficking.

As part of KHRP's ongoing commitment to share its expertise of international human rights instruments with those outside of the Kurdish regions, in November it led a workshop on 'Women's Rights and International Instruments and Conventions on Women's Rights'. The workshops in London were part of a one-day capacity building seminar organised by international human rights organisation, Liberation, aimed at raising awareness and strengthening women's knowledge of and access to their fundamental rights. Participants were provided with some strategic examples from KHRP's own cases, both successful and unsuccessful, and discussed whether and which of these conventions are effective and reliable, and what could be done to render them more so.



Catriona Vine with Rubina Greenwood after leading women's rights workshop during Liberation Seminar in London, November.

Fact-finding missions

As already highlighted, KHRP's fact-finding mission to south-east Turkey in May, revealed that women had little or no access to justice; harassment and repression of those expressing dissenting opinions remains endemic and state officials are rarely prosecuted where abuse is alleged.

The mission learned that women who are victims of crime, including widespread domestic violence, continue to face an array of obstacles that hinder their abilities to make use of the legal remedies theo-

The trial of Kerem Çakan

The victim Eylem Pesen had been taken out of school and forced to marry her maternal uncle's son. On 17 May 2009, Kerem Çakan allegedly murdered his then-pregnant 17-year-old wife, in a killing which bore the apparent hallmarks of a so-called 'honour killing'.

Çakan stood accused of repeatedly stabbing and running over Pesen, following his suspicion that she was involved in a sexual relationship with his elder brother. Subsequent admissions by Çakan revealed however, that Pesen had reported twice being raped by the brother.

Whilst Çakan was accused of the killing, the court had failed to consider the murder as an 'honour-killing' (which has a punitive impact on sentencing) and both the police and judiciary neglected further avenues of investigation that may have indicted the case as such. The trial continues.

retically available to them (see also under 'Cultural and Linguistic Rights').

Trial observations

As mentioned, the continuing practice of honour killings, and more recently, honour suicides, remains of grave concern. In order to gain a deeper insight into the legal proceedings following such cases, in August KHRP travelled to Van, Turkey, to monitor the court proceedings against a man accused of murdering his wife. The trial represented the first opportunity afforded to an international delegation to observe a

case involving spousal violence, and besides monitoring the proceedings, mission members attempted to update KHRP's wider picture of gender-based violence through interviews with the prosecutor, the defendant's lawyer, relatives of the victim and local NGOs and human rights-based organisations.

In addition to issues such as forced marriage, honour killings and violence against women, this case helped bring more attention to gender issues and women's access to justice in Turkey including language barriers in dealings with the justice system, a lack of awareness among women of their rights, severe failings in the provision of legal aid and medical examinations, and the routine failure of officials to take complaints by women seriously and to implement protective measures that are available under existing legislation.

Research & publications

In all of its work, KHRP uses its regular periodicals and publications to highlight human rights issues of particular concern. The findings of the May and August missions were also released as KHRP publications.

In addition to presenting the findings of the aforementioned trial observation mission in KHRP's publication, 'The Trial of Kerem Çakan: The Turkish Judiciary and Honour Killings', the report also investigates wider root-causes of gender-related discrimination and violence in the countries' south-east. Specifically the report stresses the need to address shortcomings in state health, education and social service provision, and asserts the importance of improving the social, political and economic environment in the region.

KHRP & Spring Project's Halabja playground fundraisers & Kurdish cultural events

KHRP and Spring Projects co-hosted a fundraising event in June in support of the Halabja Community Play Project in Kurdistan, Iraq. The event in London showcased creativity from the Kurdish regions and included a programme of contemporary short films made in and by directors from the region. In attendance were some of the artists, filmmakers, donors and project participants.

The event also profiled *Kurds: Through the Photographer's Lens*, a collection of photographs, poetry and writing commissioned by the Delfina Foundation to celebrate 15 years of work by KHRP. There was an exhibition of photographs from the book and copies were on sale throughout the evening.

Another fundraising event for the KHRP-supported project was held in November, when Spring Projects hosted the London Kurdish Film Festival's (LKFF) closing event in its honour.

The playground scheme is led by photographer Tom Carrigan, a long-time friend of KHRP to raise funds to construct a playground designed by local children in Halabja, which remains impoverished and neglected more than 20 years after chemical attacks killed over 5,000 civilians there in March 1988.



Mark Muller QC, Rachel Bernu, Michael Leatheren of the Big Lottery Fund, and Kerim Yildız at fundraising event for KHRP-supported Halabja Community Play Project in June.



KHRP Development and Outreach Officer, Anna Irvin addresses LKFF closing event in aid of KHRP-supported Halabja Play project, in November.



Images from 'Kurds Through the Photographer's Lens' celebrating 15 years of KHRP on display during fundraising event for KHRP-supported Halabja Community Play Project in June.



Attendees at Film Festival closing event at Spring's Ten SP bar.

Events & outreach

Throughout the year, KHRP together with UK supporter Spring Projects and the Delfina Foundation continued to support the Halabja Community Play Project. Steps undertaken in 2009 included sinking a well on the land, planting trees and landscaping the site, and building adaptable, bespoke play equipment. At present the project is able to run play-sessions twice weekly and, thanks to its UK-based support team, is carrying out considerable expansion in 2010, including the construction of a children's centre and the training of new local staff. These actions are all aimed to improve the day-to-day lives of women and children and communicate KHRP's broad interest in the quality of life for women and children in the region.

Also in London, KHRP gave a speech on 'The Practice of Female Genital Mutilation (FGM) in the Kurdish Regions' at an event organised by the Kurdish Studies and Students Organisation (KSSO) at the University of London's School of Oriental and African Studies (SOAS). The speech preceded the screening of a documentary exploring the causes and effects of FGM in rural Kurdistan. KHRP's research has found that the practice of FGM in the Kurdish regions is most prevalent in Kurdistan, Iraq. The speech placed the practice of FGM in a context defined by gender-based discrimination grounded in patriarchal social structures, regional underdevelopment, limited access to political representation, inadequate legal remedies and the impact of conflict.

In addition, KHRP attended a public meeting organised with the Chair of the UK Independent Police Complaints Commission (IPCC). The meeting was organised by the Iranian and Kurdish Woman's Rights Organisation (IKWRO), with KHRP's sup-

port, as part of an ongoing campaign seeking justice in relation to the 'honour killing' of Banaz Mahmud in South London in 2007.

| RIGHT TO LIFE



In an environment defined by persistent political repression and both overt and insidious conflict, the threat to the lives of people throughout the Kurdish regions remains. Open, covert and non-conventional military operations, extra-judicial killings and excessive use of force by both state and non-state actors remain a constant threat. Not only have domestic protective and judicial systems failed to provide adequate protection or redress for such abuses, but at times, through the continued use of the death penalty and actions of authorities, they have actively contributed to violations. In 2009 KHRP continued to tackle such abuses through such measures as research, advocacy and strategic litigation.

Complaints before the ECtHR

Extra-judicial killings have remained alarmingly ever-present in the Kurdish regions, particularly during periods of heightened conflict and instability. Both state and non-state actors have been implicated in such events, with preventative or judicial state action generally left wanting in the case of the latter. Moreover, the excessive use of force by agents of the state, more often than not in the context of military operations or public unrest, remains an unwelcome threat for many throughout the Kurdish regions.

Though no longer as common as at the height of the armed conflict in Turkey in the mid-1990s, violations of the right to life through extra-judicial killing or excessive use of force are still very much in evidence today.

In 2009, KHRP continued its use of strategic litigation in seeking redress for right to life violations at the ECtHR. This included representing a total of 47 applicants from northern Iraq against the Turkish state in two separate cases of cross-border assaults involving a violation of their right to life (see under 'War and Instability' for further details).

KHRP also commenced work on important new cases, including on a complaint it took over on behalf of a man killed when trying to cross the Iraq-Turkey border. KHRP believes that there is sufficient evidence in this case to indicate that military personnel acted recklessly, resulting in the applicant's death, and as such constitutes a clear violation of the deceased's right to life.

Communications with the UN

In January, KHRP submitted an urgent action appeal to the Special Rapporteur on Extrajudicial, Summary,

or Arbitrary Executions, and Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia, and Related Intolerance regarding the deaths of four Kurdish conscripts in the Syrian armed forces.

The deaths of the four individuals under ambiguous circumstances were deemed 'suicide' by the Syrian authorities. However KHRP believes that reports from local civil society organisations indicate that the conscripts were targeted due to their pro-Kurdish political allegiances and activities. Such mysterious 'suicides' of Kurdish conscripts is not uncommon in Syria, and investigations into the circumstances are generally unsatisfactory.

KHRP also continued to use public awareness and advocacy directed towards the ongoing, and in some cases increasingly alarming, use of the death penalty in the states of the Kurdish regions. KHRP firmly believes that the use of the death penalty has no place in any substantively democratic society. Nevertheless, in 2009 thousands of people remained on death row in Iran, Iraq and Syria, with events in Iran in particular representing serious cause for concern.

Activists in Iran face constant harassment by the authorities, particularly in the wake of the unrest and subsequent repression that followed the disputed presidential elections in June 2009. As well as facing arbitrary arrest and detention and torture and ill-treatment, they are at particular risk of being sentenced to death on dubious grounds in questionable trials. KHRP believes that activists of Kurdish origin are at a particular risk of such treatment.

Fact-finding missions

Aside from extra-judicial killings and the excessive use of force, right to life violations in the Kurdish re-

Urgent action called for death row prisoners

Throughout the year, KHRP submitted a series of urgent action appeals to various UN Working Groups and Special Rapporteurs requesting intervention in cases in both Iran and Syria where there was reasonable cause to suspect the risk of execution.

One such communication detailed the events surrounding the execution of Mr Ehsan Fattamian, and KHRP's subsequent fears concerning the fate 12 other Kurdish activists believed to be held on death row.

Mr Fattamian, a Kurdish activist, was detained sometime between April and August 2009. Following a trial in which he was denied access to a lawyer, he was sentenced to 10 years imprisonment. However, on appealing, his original sentence was overturned and he was instead sentenced to death for 'enmity against God', for alleged membership of an armed opposition group. KHRP is aware that two other Kurdish activists, Habibollah Latifi and Sherko Moarefi, are currently on death row in Sanandaj prison, whilst a further 10 individuals are believed to be awaiting execution.

gions frequently result from military operations.

KHRP's fact-finding mission to Kurdistan, Iraq, in July illustrated the severe threat to life posed by Turkish cross-border military incursions and bombardments. The findings of the delegation depict, at best, a callous disregard for the lives of ordinary civilians in many areas of northern Iraq, and at worst, the intentional and systemic targeting of the Kurdish civilian population of these areas.

Trial Observations

Both the trials observed by KHRP in 2009 raise issues surrounding the right to life; one of a political activist beaten and tortured to death in custody (see under 'Torture and Ill-treatment for more information) and the other a young wife murdered by her husband (see under 'political and Judicial Systems' and Gender Equality').

| WAR & INSTABILITY



The history of the Kurdish regions is one beset by conflict and instability. Though the intensity of the armed conflict has dissipated somewhat since the campaigns of the 1980s and 1990s, the operations of the Turkish and Iranian armed forces – both internally and in northern Iraq – continue to result in abuses of human rights. The mountainous terrain of the Turkish, Syrian, Iraqi and Iranian borders

has frustrated Turkish attempts to secure a conclusive military solution to the conflict, whilst cross-border incursions and bombardments in northern Iraq remain a key component of both Turkish and Iranian strategies aimed at undermining Kurdish autonomy in the region, as well as the stated objective of combating armed opposition groups. Whilst such operations regularly entail abuses in themselves, the systemic denial of political, economic, cultural and other rights, fosters the resentment and disenfranchisement, which in turn stokes the fires of further conflict. KHRP continued its holistic approach towards the cycle of war and instability in 2009 by addressing both the root-causes of conflict and the abuses stemming from it.

Since the 1990s, the Turkish military has used a dated 'hot pursuit' agreement as grounds to conduct cross-border operations against armed groups in northern Iraq. A 5,000-strong contingent of Turkish troops is maintained near the border, whilst many thousands more are garrisoned in bases on Iraqi soil.

The 2008 Turkish operation in northern Iraq, code-named 'Operation Sun', involved routine shelling and airstrikes as well as an incursion by anywhere between several hundred and 10,000 ground troops. These actions, though purportedly precision attacks on the bases of armed opposition groups, have had a considerable impact upon non-combatants and have also contributed to environmental degradation. Not only do the operations cause immediate death, injury and the destruction of property, but they have entailed long-lasting damage to social and economic infrastructure, severely disrupting livelihoods, transport and communications.

Complaints before the ECtHR

KHRP maintained a particular focus in 2009, on the impact of cross-border operations on the people and ecosystem of northern Iraq, with a third of KHRP's new cases before the ECtHR brought on behalf of villagers afflicted by the attacks.

In the course of the year, KHRP filed applications on behalf of 47 applicants who were injured, lost property or family members, or otherwise suffered as a direct result of Turkish military operations in Kurdistan, Iraq.

The strategic significance of KHRP's cross-border cases at the ECtHR cannot be overstated. These cases address the large-scale devastation caused by Turkey's bombardments over the last 30 months and seek to challenge the jurisdiction of the Court with the aim of establishing both medium and long-term change and security for the larger community, and for the region as a whole. Positive judgments in these cases would be ground-breaking and would influence the way all CoE member states understand their legal obligations when operating outside the CoE.

Work also continued as usual on KHRP's other cross-border cases in northern Iraq, with further evidence submitted to the ECtHR.

Fact-finding missions

Though the immediate effects of armed conflict are well-documented, often the long-term damage cannot be predicted and is not seriously considered. In July 2009, KHRP sent a fact-finding mission to Kurdistan, Iraq, with the aim of documenting both the civilian and environmental impact of the bombardments.



KHRP Chief Executive Kerim Yildiz (left) in Sersenk district with Chaldean Christian victims of Turkish shelling.

KHRP's delegation found evidence of a wide range of human rights abuses as a consequence of Turkish and Iranian military action in northern Iraq, some of which also constituted violations of the Geneva Conventions.

Though the KRG has enjoyed relatively positive political stability and economic development since the fall of the Ba'athist regime, this is in danger of being undermined by the surrounding insecurity in disputed areas. Indeed, the large numbers of those displaced from rural communities have put further strains on infrastructure within urban centres, where many live in crowded, unclean and unsafe lodging. Many more reside in crowded 'temporary' transit camps which receive grossly inadequate support from the central Iraqi or regional Kurdish authorities.

The overwhelming support for the operations within the Turkish parliament was demonstrated in October 2009, when 452 MPs voted in favour of (and just 23

New cases filed on behalf of Iraqi villagers against Turkey

The vast devastation brought by the unchecked actions of a CoE member state is highlighted in KHRP's second cross-border case to be filed at the ECtHR, in which KHRP is representing 45 applicants from a single village in northern Iraq affected by Turkish aerial bombardments.

The attacks resulted in injuries and the destruction and damage of property (including village medical facilities), agricultural land and livestock. One girl's lower leg had to be amputated, whilst other children have shown signs of acute emotional distress. Not only have the raids resulted in lasting infrastructural damage, but agricultural lands around the town, which many villagers depend upon for their livelihoods, now contain unexploded munitions. KHRP argues that the indiscriminate nature of the bombardments amounts to inhuman and degrading treatment and has among other violations, breached the applicants' rights to life, to privacy, and to the peaceful enjoyment of possessions.

against) extending the Government's cross-border mandate for another year. KHRP believes this bullish determination to continue with the attacks is indicative of the Turkish state's wider strategy of undermining Kurdish autonomy throughout the entirety of the Kurdish regions. In this context, the apparent cooperation and coordination between the Iranian and Turkish authorities in their operations appears to reflect their mutual suspicions of what they perceive to be the wider 'threat' of Kurdish self-assertion and political and economic autonomy.

KHRP's visits villagers fleeing cross-border attacks

In July, KHRP visited residents of the Zharawa transit camp, located in the Pshdar district of the Suleimaniya governorate. Approximately 820 individuals, including 270 children, from 11 villages in the Pshdar district, fled bombardments from Iranian and Turkish forces. Mr Khidr Ali, a spokesperson for the camp, told KHRP that each family has lost up to an estimated 30,000 USD from the loss of their animals, farming land and crops, and the destruction of their homes. In previous years, KHRP has also sent delegations to villages in the Dohuk and Suleimanya governorates.

Meanwhile, though the intensity of the domestic armed conflict in Turkey may have calmed to a degree in recent years, especially when contrasted to the escalation in the cross-border campaign, it remains a defining factor in abuses and the causes of them, throughout the Kurdish region of Turkey.

KHRP continued to undertake research and raise awareness as to the far-reaching consequences to the ongoing violence within Turkish borders. In May, a KHRP fact-finding mission dispatched to the Kurdish region of Turkey found that locals continue to face harassment by Turkish security forces, and that malicious prosecutions based on dubious notions of support for armed groups remain commonplace. Indeed, KHRP has found that the nature of a large number of prosecutions throughout the country under the Turkish Anti-Terror Law are highly questionable, and that security-based concerns in general often represent nothing more than thinly veiled jus-



KHRP at 5th EUTCC Conference at European Parliament in January.

tifications for the persecution of minority groups or political opposition.

As well as the abuses that result directly from the conflict and the security concerns of the state (such as restrictions on freedom of expression and association, torture and ill-treatment, and extrajudicial killings), KHRP has noted a range of in-direct consequences that continue to facilitate abuses and perpetuate the socio-economic disadvantage of the Kurds in Turkey. Displacement in particular has far reaching consequences, with for example, the children of the displaced being far more likely to suffer abuses or fall into drug addiction or criminal activity.

Research & publications

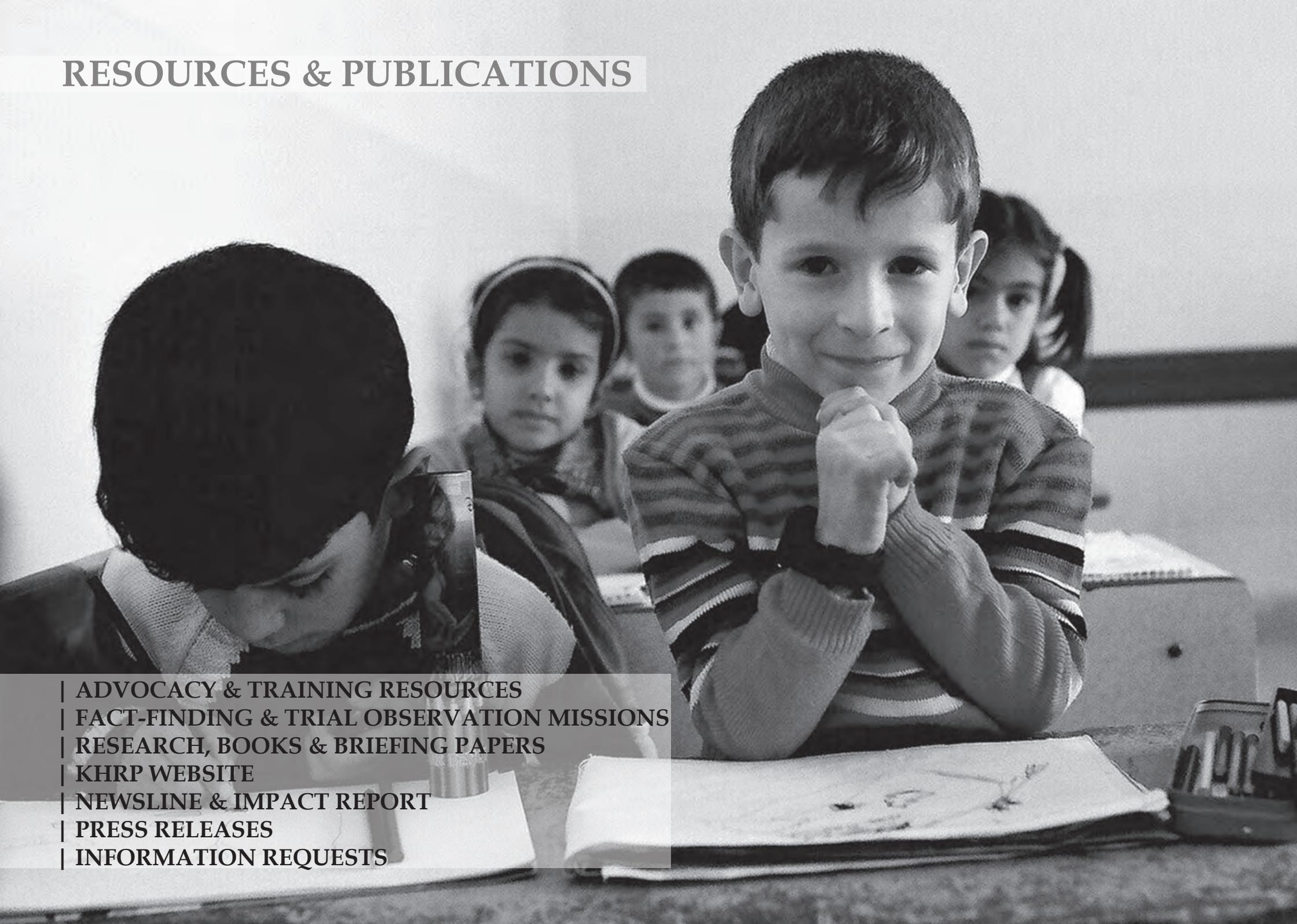
In August, a publication entitled 'The Civilian Toll of Cross-Border Bombardments' detailed KHRP's July field mission findings and highlighted a range of detrimental impacts on the communities under study.

Issues encountered included loss of life, loss of livelihood and property, the destruction of traditional village modes of life and the traumatising of the affected communities, especially children.

Events & Outreach

In January 2009 KHRP, as a founding member of the EU Turkey Civic Commission (EUTCC) took part in the Fifth Annual Conference of the EU, Turkey and the Kurds at the European Parliament in Brussels. At the event, KHRP's then Board Chair, Mark Muller QC, took the opportunity to call for the EU and wider international community to pressure Turkey to posit dialogue as the core component to its attempts to resolve the conflict. The conference was also used by KHRP Legal Team member, Dr Susan Breau, to outline the international legal framework surrounding the cross-border operations in northern Iraq.

RESOURCES & PUBLICATIONS

- 
- | **ADVOCACY & TRAINING RESOURCES**
 - | **FACT-FINDING & TRIAL OBSERVATION MISSIONS**
 - | **RESEARCH, BOOKS & BRIEFING PAPERS**
 - | **KHRP WEBSITE**
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| ADVOCACY & TRAINING RESOURCES



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KHRP's biannual Legal Review is the only legal journal dedicated to coverage of significant political and legislative developments relevant to the Kurdish regions of Turkey, Iran, Iraq, Syria and the Caucasus.

These two editions cover the period from January to December 2009 and feature news articles and updates pertinent to the Kurdish regions, as well as summaries and analysis of the most significant judgments from the European Court of Human Rights (ECtHR), European Court of Justice (ECJ), International Court of Justice (ICJ), UN and UK

Courts. The journals also provide information and updates on cases that have not yet reached a judicial decision, keeping abreast of the latest allegations of human rights violations to be submitted to international courts.

The journal is essential reading for anyone interested in monitoring legal developments in Turkey, Iran, Iraq, Syria and the Caucasus, as well as those interested in rights-based approaches to the empowerment of minorities and the general application of international human rights mechanisms in practice.

| FACT-FINDING & TRIAL OBSERVATION MISSIONS



The Death of Engin Çeber: Prosecuting Torture and Ill-Treatment Within the Turkish Detention System
Trial Observation Report
June 2009
ISBN 978-1-905592-24-1

This report focuses on the trial of 60 Turkish officials tried in connection with the high-profile death of a political activist in Turkey in October 2008, allegedly as a result of severe beatings he sustained in custody. It is based on the findings of a KHRP mission that travelled to Turkey to observe part of the court proceedings in March 2009. It explores the background to the case, the trial process itself and a number of issues that arise from it, including

questions about the impunity of Turkish officials, the role of medical staff in relation to alleged torture and ill-treatment, and the extent to which such abuses within the Turkish detention system are successfully covered up.

The official response following Engin Çeber's death was exceptional, including a public apology from the Justice Minister and subsequent criminal proceedings against an unprecedented number of officials. However, the mission found that there is cause for very considerable doubt over whether this marks or even predicts a fundamental shift in state policy towards the treatment of detainees. In reality, given the seemingly clear-cut circumstances of Mr Çeber's death and the level of media attention, it appears more likely that the authorities were left with little choice but to make an example of his case. In fact, the mission heard of many other allegations of similar abuses in Turkey receiving no such response, with countless instances of torture and ill-treatment in custody never being seriously investigated or punished.



**Closed Ranks: Transparency and Accountability in Turkey's Prison System
Fact-Finding Mission Report**

April 2009

ISBN 978-1-905592-23-4

This report is based on the findings of a mission dispatched to Turkey by KHRP in December 2008 following reports by media and regional partners of increased violations of prisoners' rights. The mission travelled to İstanbul, Ankara, Mardin and Diyarbakır, interviewing former prisoners, prisoners' families, NGOs, human rights advocates and lawyers.

Concerns highlighted by the mission include routine ill-treatment, arbitrary punishments without adequate recourse to appeal, arbitrary restrictions on visiting and language rights, overcrowding and the high proportion of inmates in the system who are still awaiting trial. Underlying these problems is a lack of proper accountability and independent oversight within the prison system.

The report places these findings in the context of Turkey's international human rights obligations and offers concrete recommendations for improving protection of prisoners' rights.



**Human Rights in the Kurdish Region of Turkey: Three Pressing Concerns
Fact-Finding Mission Report**

August 2009

ISBN 978-1-905592-25-8

This report is based on the findings of a mission dispatched to Turkey by KHRP in May 2009 following reports of widespread detentions and investigations of pro-Kurdish politicians and activists in the aftermath of the March 2009 local elections. The mission travelled to the provinces of Şırnak, Siirt, Mardin, Batman and Diyarbakır, collecting information regarding impunity of state officials, women's access to justice and restrictions on the work of human rights defenders (HRDs).

Concerns highlighted include the persistence of a culture of impunity among state officials responsible for human rights violations, widespread practice of violence against women, lack of mechanisms for protection and redress for victims of violence, harassing of HRDs. Underlying those issues is the lack of implementation of the many legal instruments for the protection of human rights.

The fact-finding mission report places these findings in the context of Turkey's international human rights obligations and offers concrete recommendations for addressing those concerns.



The Civilian Toll of Cross-Border Operations in Iraq
Fact-Finding Mission Report
August 2009
ISBN 978-1-905592-26-5

For the past 26 months Turkey and Iran have been engaging in extensive cross-border military operations in northern Iraq, ostensibly with the purpose of fighting the Kurdistan Workers' Party (PKK) and the Free Life Party of Kurdistan (PJAK), Kurdish separatist groups seen as threats to their national security. Mounting evidence indicates that far from being isolated cases of belligerence, these two states often work in concert with each other, harmonising their attacks. Despite persistent claims from both governments that these cam-

paigns are only directed at the PKK and PJAK, a claim sustained by the media which largely portrays the air strikes and offences as being directed solely at military targets, multiple KHRP missions to northern Iraq have provided compelling evidence of the significant harm caused to the civilian population by Turkey and Iran's ongoing operations.

This report builds on KHRP's report of July 2008, 'A Fact-Finding Mission in Kurdistan, Iraq: Gaps in the Human Rights Infrastructure'. Drawing on the statements of affected individuals, those providing humanitarian assistance to the affected and the observations of the mission members themselves, this new report details the ways in which these ongoing cross-border operations have detrimentally affected the lives of the inhabitants of the region. The operations have led to loss of life and debilitating injury, loss of livelihood and property, the destruction of traditional village modes of life and the traumatising of the affected communities, especially children.



The Trial of Kerem Çakan: The Turkish Judiciary and Honour Killings
Trial Observation Report
November 2009
ISBN 978-1-905592-27-2

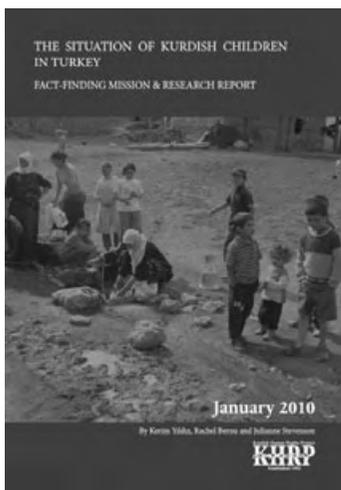
This report presents the findings of a KHRP delegation that travelled to Van, south-east Turkey in August 2009. The delegation was despatched to observe the trial of a man accused of killing his pregnant 17-year-old wife, Eylem Pesen. The defendant Kerem Çakan allegedly stabbed her to death, before running her over with his car. The apparent motive was the defendant's suspicion that she was involved in a sexual relationship with his brother, although Çakan subsequently stated that she had reported having been twice raped by

his older brother. The mission observed how the court after hearing Çakan's evidence, failed to further investigate the case as a possible honour crime.

Violence against women is pervasive in Turkey. The report's findings point not only to Turkey's ongoing breaches of regional and international human rights law, but also to the failure of the authorities to protect women from honour killings and to facilitate their access to justice, particularly in the Van region. While this case may have set a precedent for future prosecutions for honour killings, the author highlights that significant changes are needed to address the poor response of investigating police forces and the general lack of faith women in Turkey have in the judicial system.

Besides monitoring trial proceedings in this case, mission members also interviewed the prosecutor, the defendant's lawyer, relatives of the victim and local HRDs.

| RESEARCH



The Situation of Kurdish Children in Turkey: Fact-finding Mission and Research Report

Based on in-depth desk research and fact-finding missions which met with state officials, people working with children at risk, teachers, lawyers and families, this report seeks to provide a comprehensive account of the hardship faced by Kurdish children in Turkey.

Investigations revealed that Kurdish children face considerable barriers and disadvantages relative to their Turkish counterparts. Although rightfully, much international attention has focused on the disproportionate use of anti-terror laws against Kurdish children, this report aims to shed a light on the array of problems all Kurdish children face

and assist both the people of Turkey and their government in better complying with international obligations concerning children's rights. Crucially, the report found that the lack of official use of Kurdish, especially in regards to mother tongue education, is a repeated and consistent barrier for far too many Kurdish children.

| BOOKS

KURDS THROUGH THE PHOTOGRAPHER'S LENS



Kurds: Through the Photographer's Lens ISBN 978-1-904563-86-0

A unique collection of photographs, poetry and writing commissioned by the Delfina Foundation to mark 15 years of the Kurdish Human Rights Project, this book represents an initiative to present a vivid visual history of the life and times of the Kurds over the past decade and a half. It brings together the work of some of the most prominent photojournalists and photographers who have

worked across the Kurdish regions in that period – including Susan Meiselas, Jan Grarup, Ed Kashi, and Patrick Robert – with the writings of Noam Chomsky, Harold Pinter, Jon Snow and poet Choman Hardi.

| BRIEFING PAPERS

Protecting Politicians or Protecting Democracy? Parliamentary Immunity and Party Closure in Turkey (Updated Version) March 2009

This paper explores the ways in which the mechanisms available in Turkey for lifting the immunity of MPs and shutting down political parties facilitate the targeting of democratically elected politicians by unelected officials whose conception of what is best for the country is grounded in a narrow, secular and ethnically-exclusive form of nationalism.

This briefing paper is an updated version of a paper originally published by KHRP in July 2008, just prior to the final decision of the Constitutional Court on moves to shut down the ruling *Adalet ve Kalkınma Partisi* (Justice and Development Party, AKP). It features a detailed exploration of that case and ongoing parallel proceedings against the pro-Kurdish *Demokratik Toplum Partisi* (Democratic Society Party, DTP). It also includes analysis of the concept of parliamentary immunity and its application in different parts of the world, the historical context of the cases against the DTP and AKP, and the implications of these cases for democracy and human rights in Turkey.

The updated version of the paper covers moves against MPs and political parties that were ongoing in the months leading up to the March 2009 elections.

Human Rights and the Kurds in Iran August 2009

While human rights violations are a part of everyday life for Iranians from all backgrounds, Kurds and other minorities are particularly vulnerable. With the Iranian authorities inclined to treat much minority activism – whether social, cultural or political – as linked to a separatist threat, individuals from these commu-

nities are frequently arbitrarily arrested and held incommunicado, often accused of vaguely-worded crimes relating to national security. This briefing paper gives an overview of the modern history of the Kurds in Iran, and the international and domestic legal framework in relation to the human rights situation that they and other Iranians face today. It goes on to explore patterns of human rights violations according to four key themes: discrimination on grounds of gender and ethnicity; arbitrary detention; torture and ill-treatment; and corporal and capital punishment. In the wake of the brutal crackdown that followed the disputed presidential elections in Iran in June this year, the evidence presented here underscores the need for the international community to ensure that human rights concerns are kept squarely at the forefront of diplomatic engagement with Tehran.

The Environmental Impact of Turkey and Iran's Cross-Border Incursions into Kurdistan, Iraq December 2009

Turkey and Iran have conducted cross-border military operations into Kurdistan, Iraq for more than two decades, including the use of ground troops, surveillance planes cross-border shelling, and airstrikes. These operations are ostensibly part of the states' military campaigns against Kurdish separatist groups that have launched attacks from the Qandil mountain area, the border region of Iran, Turkey and Iraq. However, as this briefing paper examines, these operations have had a severe impact on civilians, property, and the environment. An intensification of attacks by both states has taken place since mid-2007, and has resulted in widespread displacement, loss of life, and environmental destruction.

The Ilisu Dam Project: An Update December 2009

Few infrastructure development projects have caused as much international controversy in recent years as the proposed Ilisu hydroelectric dam project in the Kurdish region of south-east Turkey. If it were built, the dam would displace between 50,000-78,000 people, mainly Kurds; flood the ancient town of Hasankeyf and hundreds of other unexplored archaeological sites; severely impact the environment upstream and downstream of the dam; and significantly reduce the flow of water to the downstream states of Iraq and Syria, with the potential for

exacerbating conflict in the region.

Although funding was suspended in December 2008, after Turkey failed to implement the agreed conditions, Turkey remains adamant that it will complete the project. As this briefing paper highlights, construction work on the dam has continued intermittently and villagers in the immediate area of the dam site have had their land expropriated. Turkey also announced that it is approaching China's export credit agency, Sinosure, for funding, although as at the beginning of December 2009, the Chinese Embassy in Ankara denied any Chinese company is involved in the project.

| KHRP WEBSITE



The KHRP website constitutes one of the most valuable and reliable online sources of up-to-date information on continuing developments and the history of the human rights situation in the Kurdish regions. The site is updated regularly with information about KHRP's activities and statements concerning relevant developments in the Kurdish regions and beyond. It also features a comprehensive archive of all past articles and features, as well as a download library where all KHRP publications are available free of charge. The website is also home to the KHRP shop, offering print copies of our own and other related publications, as well as a number of books written by our Chief

Executive, Kerim Yildiz. KHRP is also currently developing the Feeney Centre for Research and Dialogue which, once completed, will allow users to search and access our extensive collection of research materials online.

| NEWSLINE



KHRP's quarterly publication Newsline, includes updates on developments in relation to the human rights situation in the Kurdish regions as well as news about the organisation's activities, including litigation, advocacy, training sessions, fact-finding missions, research and publications.

rights in the Kurdish regions, with a particular focus on political and judicial systems, torture and ill-treatment, freedom of expression and association, cultural and linguistic rights, environmental justice, gender equality, the right to life, and war and instability.

| PRESS RELEASES

Press releases are an important part of our public awareness activities, providing regular updates and KHRP comment to policy and decision-makers, journalists, academics and civil society organisations.

Our press releases are available to those with e-mail access. To subscribe, send an e-mail to pacharya@khrp.org with 'subscribe' in the subject line.

| IMPACT REPORT



In addition to providing an overview of the human rights situation in the Kurdish regions of Turkey, Iran, Iraq, Syria and the Caucasus, KHRP's annual Impact Report

details the organisation's activities throughout the year, including its human rights litigation and advocacy, training and fellowship programmes, fact-finding missions and trial observations, research and publications, and public awareness campaigns and communication strategies.

The report also reviews the impact of KHRP's work in 2008 in promoting greater protection of human

| INFORMATION REQUESTS

KHRP has an extensive resources library on human rights in the Kurdish regions, with thousands of articles, books, reports and documents 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, HRDs, 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 10 days.

LOOKING AHEAD



- | RIGHTS OF KURDISH PEOPLE
- | RECOGNITION OF DISCRIMINATION AGAINST KURDS
- | CROSS-BORDER BOMBARDMENTS
- | CULTIVATING A STRONG HUMAN RIGHTS CULTURE
- | BUILDING KHRP'S REPUTATION INTERNATIONALLY
- | SERVING AS A MODEL NGO

Despite great advancements, KHRP's concern for those living within a series of overlapping conflicts across the Kurdish regions is as high as ever. This underscores the urgency and relevance of our work in this part of the world.

Looking ahead, across the regions, we will continue our work on freedom of expression, the media and association, women's rights, and environmental rights as well as the challenges individuals who have been displaced by conflicts face in returning and receiving redress. Ill-treatment and torture, with special attention to children, will remain a core part of our advocacy. In addition, these are our priorities for the coming years.

| RIGHTS OF KURDISH PEOPLE

Through a range of low and high profile events; by partnering with relevant existing campaigns locally and internationally, and most notably through our advocacy before the ECtHR and UN, we will persevere in raising awareness of the human rights situation in the Kurdish regions, as well as promoting and protecting the rights of Kurdish people wherever they may live.

| RECOGNITION OF DISCRIMINATION AGAINST KURDS

Overall, KHRP's cases will seek to encourage the Court to publicly recognise that the continued discrimination faced by Kurds and other minorities living in the Kurdish region, underpins the high incidence of poverty, human rights abuse and conflict in south-east Turkey.

'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

| TACKLING CROSS-BORDER BOMBARDMENTS

KHRP will pursue its casework and consider new cases in relation to the ongoing cross-border bombardments from Turkey and Iran into northern Iraq before the ECtHR. This will push the Court to consider its own jurisdiction and bring the cross regional issues and the double standards Kurds face in dealing with actors in Europe and the US, to the fore internationally. KHRP has learned that these types of cases push the governments involved whether directly or indirectly, to take greater care so as to avoid the destruction of property, the environment and avoid civilian injury and death when carrying out these operations.



Mission members meeting with the Chair of the Siirt branch of İHD, Vetha Aydın, and displaced women during KHRP mission to assess the human rights situation in Turkey in May.



Partners and others at KHRP cross-border seminar in October.



KHRP and delegates at cross-border women's rights roundtable October.

| CULTIVATING A STRONG HUMAN RIGHTS CULTURE

KHRP will build on its strong partnerships across the Kurdish regions and will continue to provide both state and non-state actors with practical knowledge and skills to help cultivate a human rights culture. In particular, through cross-border initiatives, KHRP will help to share the experience of using international legal mechanisms in influencing rule of law and democratisation in the region.

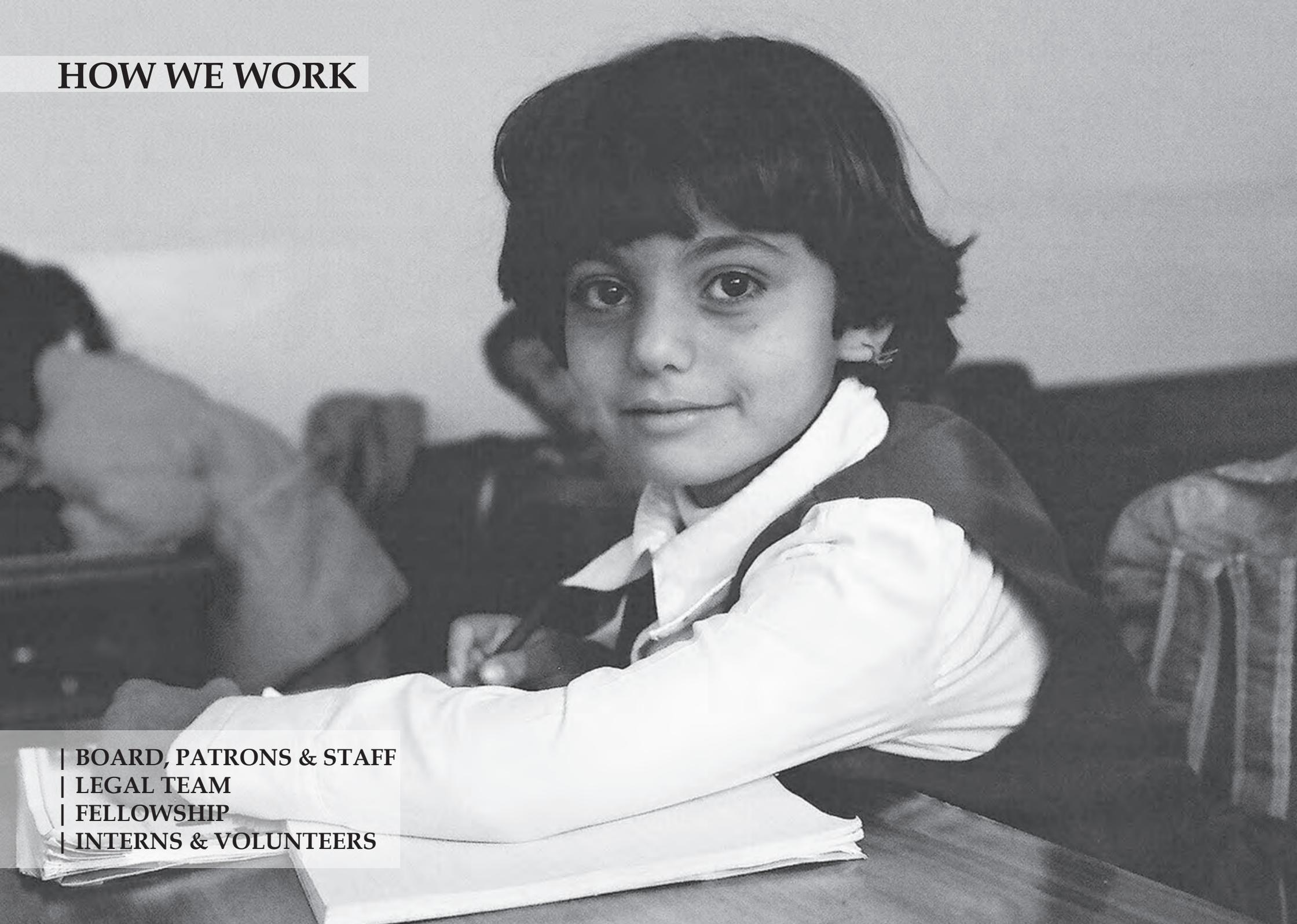
| BUILDING KHRP'S REPUTATION INTERNATIONALLY

We will continue to build KHRP's reputation in the US, as well as Europe. We will build our Feeney Centre; have an active online database of our exclusive collection of legal cases; and carry out more cross-border events in the Kurdish regions.

| SERVING AS A MODEL NGO

Through all its activities, KHRP will continue to work to make its model of how to be an effective NGO, available to a wider audience, both in the Kurdish regions, the UK and internationally.

HOW WE WORK



| BOARD, PATRONS & STAFF
| LEGAL TEAM
| FELLOWSHIP
| INTERNS & VOLUNTEERS

As a registered charity, KHRP is subject to the legal and regulatory framework that covers all such organisations in England and Wales.

To ensure that KHRP continues to maintain an apolitical stance, as well as a degree of responsiveness and accountability beyond the Kurdish regions, KHRP management is intended to represent the broader international human rights community. The Board of Directors, responsible for KHRP's overall direction, meets on a quarterly basis and is reported to by both the Chief Executive and Managing Director on a regular basis. KHRP also maintains regular consultation with its International Board of Patrons, Advisory Group and pro-bono Legal Team to ensure that management corresponds with its human rights and equal opportunities ethos.

To ensure full accountability, we regularly publish information about our methodologies and procedures and invite feedback. For information about our trial observation, fact-finding and training methodologies, guidelines on in-house terminologies and definitions or for feedback on any aspect of our work, contact us at +44 (0) 207 405 3835 or e-mail khrp@khrp.org.

| BOARD, PATRONS & STAFF

Honorary President

Lord Avebury

Board of Directors:

Former Chair & current Honorary Secretary General - Mark Muller QC (Barrister)

Former Secretary & current Board Chair - Michael Ivers (Barrister)

Treasurer - Rajesh Kumar Rai (Ecologist)

Ed Grieves (Barrister)

‘As a long-time Legal Team member of the KHRP, I have seen real changes in the Kurdish regions when on fact-finding missions and training programmes. As a barrister and a member of KHRP’s Board of Directors, it is exciting and rewarding to be part of something that contributes so positively in the Kurdish regions and beyond.’

Nicholas Stewart QC, KHRP Board & Legal Team Member

Julian Ozanne (Journalist)
Tertia Bailey (Development Consultant)
Gareth Peirce (Solicitor)
Louis Charalambous (Solicitor)
Arild Humlen, (Lawyer)
Nicholas Stewart QC (Barrister)
Remziye Tanrikulu, (Lawyer)

Legal Consultant

Tim Otty QC

Board of Patrons

Prof. Haci Akman
Prof. Kader Asmal
Sir Geoffrey Bindman
George Black
Hans Branscheidt
Noam Chomsky
Julie Christie
Judge Andrew Collender QC
Nazmi Gür
Paul Hoffman
Bridget Hughes

Bianca Jagger
Baroness Helena Kennedy QC
Bruce Kent
Lord Kirkhill
Michael Mansfield QC
Ian Macdonald QC
Harold Pinter
Lord Nicholas Rea
Jon Rud
Per Stadig
Prof. Willem Van Genugten
Şanar Yurdatapan
Leo Zwaak

Advisory Board

William Archer (Writer)
Meral Danış Beştaş (Lawyer)
Mesut Beştaş (Lawyer)
Ayhan Bilgen (HR Defender)
Bill Bowring (Professor)
Peter Carter QC
Louise Christian (Solicitor)
Jane Connors (Lecturer)

KHRP welcome to new board members



Louis Charalambous



Arild Humlen



Nicholas Stewart QC



Remziye Tanrikulu

In 2009, KHRP was pleased to welcome Michael Ivers as its new Chair and several new members, Arild Humlen, Nicholas Stewart QC and Remziye Tanrikulu, to our Board.

We would also like to pay our gratitude to Mark Muller for Chairing KHRP's Board of Directors for 12 years. We are pleased that he has accepted a new position as Honorary Secretary General and are looking forward to his continued contribution to KHRP for many years to come.

Julie Flint (Journalist)
 Michael Gunter (Professor)
 Malcolm Harper (formerly UNA)
 Gillian Higgins (Barrister)
 Stuart Kerr (Barrister)
 Laurence Lustgarten (Professor)
 David McDowall (Writer)
 Chris Milroy MD (Forensic Pathologist)
 Jacqueline Muirhead (Human Resources)
 Caroline Nolan (Solicitor)
 Tim Otty QC
 Colin Wells (Barrister)

Advisor on Environmental Rights

Jean Lambert MEP

Staff

Anna Irvin, Development & Outreach Officer
 Bea Yates, Administrator
 Catriona Vine, Legal Director
 Janna Mancini, Assistant to the Chief Executive
 Jori Knight-Jones, Administrator
 Kenneth Appiah-Kyeremeh, Finance Officer
 Kerim Yıldız, Chief Executive
 Maia Phutkaradze, Finance Officer
 Michael Farquhar Resources & Communications Co-ordinator
 Mustafa Gündoğdu, Turkey & Iraq Desk Officer
 Pranjali Acharya Development Officer (until October), and thereafter, Resources & Communications Manager
 Rachel Bernu, Managing Director
 Ruby Chorbaijan, Fundraising Contractor
 Saadiya Chaudary, Acting Legal Officer (Maternity Cover)
 Saniye Karakaş, Legal Associate



Chief Executive Kerim Yıldız (centre) addresses staff at KHRP strategy meeting in November.

VOLUNTARY

The work of KHRP's voluntary Legal Team is integral to many of the successes our organisation has enjoyed, and subsequently KHRP would like to extend our warmest thanks to all members of the team for their contributions to KHRP's work, and to the wider cause of human rights in general. In this section KHRP would like to take the chance to list those who worked for our Legal Team in 2009, as well as the volunteer staff who contributed their valuable time.

| KHRP LEGAL TEAM

KHRP's Legal Team lies at the core of much of our work, notably in the spheres of litigation, advocacy and training. Members regularly represented KHRP in various roles by attending court proceedings, conducting regional training sessions, giving speeches and presentations at various events, offering legal advice, participating in strategy working groups and drafting casework.



Attendees at KHRP's Annual Legal Team Meeting at 1 Pump Court Chambers in London in June.

Legal Team Members in 2009

Ajanta Kaza
 Alice Faure-Walker
 Andrea Hopkins
 Arild Humlen
 Ben Emmerson QC
 Bill McGivern
 Brenda Campbell
 Caroline Nolan
 Chris Jacobs
 Chris Williams
 Colin Wells
 David Anderson QC
 Declan O'Callaghan
 Diana Ellis QC
 Dr Susan Breau
 Edward Grieves
 Eric Metcalfe
 Fiona Darroch
 Fiona McKay
 Gareth Peirce
 Gillian Higgins
 Gita Parihar
 Hugo Norton-Taylor
 Jan Doerfel

Jessica Simor
 Jo Cooper
 Joanna Evans
 Joanna Wood
 Jon Rud
 Karlijn van der Voort
 Keir Starmer QC
 Knut Rognlien
 Louis Charalambous
 Louise Christian
 Lucy Claridge
 Mark Himsworth
 Mark Muller QC
 Mary Hughes
 Matthew Happold
 Michael Birnbaum QC
 Michael Ivers
 Miriam Benitez-Carrion
 Nicholas Stewart QC
 Nigel Wray
 Nina Jorgensen
 Ola Maeland
 Øvind Østberg
 Parosha Chandran
 Paul Richmond
 Paul Troop
 Peter Lowrie
 Philip Leach
 Professor Bill Bowring
 Rajesh Kumar Rai
 Robert Harvey
 Sajjad Nabi
 Sandra Conway
 Sir Geoffrey Bindman
 Stuart Kerr
 Sydney Kentridge QC
 Tim Eicke
 Tim Otty Q.C
 William Robinson

'The fellowship gave me a rare insight into the actual workings of international human rights mechanisms and proved to be an invaluable opportunity to advance my legal knowledge and skill-set in a professional capacity.'

Jiyan Rojin, KHRP International Fellow

International fellow

Jiyan Rojin began four months of work at KHRP's London office in late 2009, as part of its International Fellowship Programme. Rojin qualified as a lawyer before completing an LLM in Brussels, and is now taking the Common Professional Examination (Law Conversion Course) at the London Metropolitan University.

After presenting the findings of research she undertook during the Programme, Rojin was presented with a certificate from KHRP Managing Director, Rachel Bernu and Legal Director, Catriona Vine to mark the completion of her Fellowship.

The Programme offers selected advocates who have a demonstrated com-



KHRP Managing Director, Rachel Bernu (left), and KHRP Legal Director, Catriona Vine (right), present Fellow Jiyan Rojin with her Certificate of Completion.

mitment to working in the Kurdish regions, an excellent opportunity to gain experience of international legal processes

| INTERNATIONAL FELLOW



Jiyan Rojin
Junior Fellow

As the daughter of a Kurdish father from Syria and a Kurdish mother from Turkey, I was raised in a highly multicultural environment and developed a high degree of political awareness at a young age. I went onto study Law in Berlin and in Brussels, with an international and multilingual focus, and naturally jumped at the chance to be considered for KHRP's four-month International Fellowship Programme in London.

As a junior Fellow, I helped to research and contribute to KHRP's manual on 'Taking Human Rights Complaints to the OSCE, European Parliament and Council of Europe'. I also had the opportunity to assist with casework, write an article for KHRP's 'Legal Review', to give a talk about the 'Kurds in Syria', and to visit the European Parliament in Brussels.

The fellowship gave me a rare insight into the actual workings of international human rights mechanisms and proved to be an invaluable opportunity to advance my legal knowledge and skill-set in a professional capacity. I was also able to develop on a more personal level and very much enjoyed

having the chance to work with people who share similar beliefs and values.

I would like to thank KHRP for giving me this opportunity and would like to give special thanks to KHRP's staff – especially Legal Director, Catriona Vine and Legal Associate, Saniye Karakaş – for their support, interest and sincerity. I am committed to continuing to work with KHRP on human rights issues in this part of the world and look forward to transferring what I have learnt during my Fellowship when I start my Legal Practice Course in London in September 2010 and as I embark on a career as an international human rights lawyer.

| INTERNS & VOLUNTEERS

Interns and volunteers have become a vital part of all aspects of KHRP's work, and at any given time there may be between six and 10 interns at work in our London office. Over the years, KHRP has welcomed participants from the Kurdish regions and all over the world. In 2009 we played host to volunteers from Cameroon, Canada, China, France, Israel, Italy, Japan, the Netherlands, Norway, Sweden, Switzerland, Turkey, the UK and the US. Internships at KHRP further not only our own work, but also the professional development of the volunteers in question, many of whom go on to work in the non-profit and/or legal sectors.

In 2009 we recruited nearly 50 interns and volunteers.

Interns in 2009

Adam Minns (UK)
Aditi Surie Von Czechowski (US)
Ahava Grey-Read (UK)
Akiko Saikawa (Japan)
Alex MacCaskgill (UK)
Andrea R. Shinbach (US)
Annie MacDonald (UK)
Bijan Hoshi (UK)
Carolyn Slauson (Canada)
Cerid Lugar (US)
Chris Loxton (UK)
David Trueman (UK)
Di Lu (China)
Duygu Şendağ (Turkey)
Gaetano Serra (Italy)
Giuditta Fontana (Italy)
Ibrahim Malazada (Kurdistan, Iraq)
Ibrahim Sadiq (Netherlands)
Jenny Congrave (UK)
Joanna Dwek (Swiss)
Jonathan Tossell (UK)
Jori Knight-Jones (Norway)
Julian Molina (UK)
Kadir Aziz (Turkey)
Kawa Shana (Netherlands)
Kristin Nolan (US)
Lara Innessi (Italy)
Lina Amir (UK)
Louise Hau (Canada)
Mary-Ann Mangano (US)
Matthew Malone (UK)
Melissa Stock (UK)
Narin Demircioğlu (Sweden)

Noga Kogman (Israel)
Nsangou Yenkong (Cameroon)
Orsane Broisin (France)
Özkan Koyuncu (UK)
Ramya Nagesh (UK)
Randi Frisby (US)
Rob Fischer (UK)
Ruby Chorbajian (US)
Saja Shaheen (UK)
Sema Bölek (UK)
Şükran Kavak (Sweden)
Tara Sadooghi (US)
Tracy Tong (US)

Volunteers in 2009

Çiğdem Sarisaltik (Turkey)
Kate McComiskey (UK)
Natalie Bikoro (Gabon)
Schirin Foroutan (Austria)
Xanna Ward-Dixon (UK)

Read about what KHRP's interns and volunteers have said about their time with the organisation.



Ramya Nagesh
Legal Intern from the UK

I got a great insight into human rights law and Kurdish human rights issues, and benefitted from gaining practical knowledge about the available European mechanisms to help enforce international standards. My days were always engaging and often diverse as I worked on research for cases put before the ECtHR, to writing training packs for lawyers in Iraq and Turkey. I was also given the opportunity to attend the EUTCC in Brussels. KHRP's staff members and interns were all friendly and approachable, and I found the organisation had a down-to-earth, enjoyable atmosphere. I also valued the chance to meet and work with people from all sorts of backgrounds. Overall, my internship gave me a positive and extremely useful introduction to human rights, and helped to make it clear for me that this would be the practice area that I wished to follow.



Kadir Acis
Research Intern from Turkey

As a research intern at KHRP, my tasks involved carry out research, drafting briefing papers, translating various documents from Turkish into English, and transcribing speeches for the annual publication of the EUTCC Report on the EU, Turkey and the Kurds. KHRP's team are very friendly and I thoroughly enjoyed the experience and made good friends during my seven month internship. My time with the organisation also proved to be a good opportunity to see how an NGO operates and I believe the experience will be one that is very useful to my future career. I very much value KHRP's work and it was an honour to be able to contribute to their cause.



Giuditta Fontana
Resources & Communications Intern from Italy

As a recent graduate in Mediterranean Studies with an interest in minority issues, my Resources and Communications Internship at KHRP was a great opportunity to come into contact with the world of human rights. While certain mundane tasks were obviously required, the great part of my work was extremely interesting, ranging from undertaking research and editing position papers, to drafting press releases and newsletter articles. My experience, like that of any other intern at KHRP, was made special by the people I was working with. In our basement office, buried under papers and popping gummy bears, the people sitting next to me (and their working documents) taught me the intricacies of legal cases, and the frameworks for human rights protection better than any professor may have hoped to!



Di Lu
Research Intern from China

One of the major publications I helped with was Kurdish Cultural and Language Rights. My chapter was based on case studies of different countries which have successfully promoted and protected minority languages and cultural rights. What impressed me most at KHRP was the inspiring working environment and the cultural diversity of the workforce. In addition to being mutually committed to promoting and protecting the rights of the Kurdish peoples and others, we were able to establish some really strong bonds and friendships through all kinds of social events. Working for KHRP, I also attended various seminars, fundraising events and careers fairs to represent and promote the organisation. The level of trust that KHRP put into me heightened my sense of involvement with the organisation, and more importantly, motivated me to become more responsible.



Kristin Nolan
Development Intern from the US

As a Development Intern at KHRP, I gained a valuable insight into the fundraising tools available to an international charity. I learned how to research potential funding opportunities (by for example investigating other organisations supporting human rights work in the region), and got experience of how to write grant proposals to new and existing funders. In addition, I assisted with reporting back on previous funds, and supported the management and administration of KHRP's Friends of KHRP membership scheme and individual donor programme. Since leaving KHRP, I have found that all of the skills I gained through the internship have been transferrable and useful to later job opportunities; opportunities that have been made possible through the experience that KHRP provided.



Nsangou Yenkong
Legal Intern from Cameroon

As a legal intern at KHRP, my main task was to research the human rights situation of Kurds living in the South Caucasus. This helped to enhance my knowledge of the plight of Kurds and the various international legal obligations that governments within the Caucasus need to abide by. KHRP is noted for its multicultural diversity and during my internship I was able to establish good working relationships with fellow interns and colleagues alike. I am currently working on a proposed European-funded project on the Constitutional Protection and Judicial Enforceability of Human Rights Law in Cameroon. The experience gained from my earlier internship at KHRP has not only proved instructive in my present position, but I believe will continue to be advantageous to any future research projects that I work on.



Akiko Saikawa
Research Intern from Japan

My six month experience as a research intern at KHRP in 2009 was hugely rewarding and valuable. Members of KHRP's staff encourage each intern to take responsibility for their own challenging projects, and I was given the opportunity to work on the cultural and linguistic rights of Kurds in Turkey, Iran, Iraq and Syria, and to carry out research on trade union rights in Turkey. I learnt a lot, not only about the projects that I was working on, but also about how a charity organisation functions, and I found every experience during my time there to be worthwhile. Furthermore, I met lots of lovely, amazing and motivated interns and staff at KHRP. Their positive influence brought home the fact that I, as with most of them, would like to work for a human rights NGO in the future. I cannot be more appreciative of my internship experience at KHRP.



Joanna Dwek
Resources & Communications Intern from Switzerland

Working with such a dedicated team in reinforcing the understanding and establishment of human rights in the relevant Kurdish regions, was both enriching and inspiring. My role consisted of drafting press releases and articles for KHRP's quarterly newsletter. I learnt the importance of a thorough communications strategy in disseminating key messages and sourcing international support in helping to realise the organisation's goals. I was also able to observe how KHRP's work with international lawyers, human rights experts, and European institutions, contributes to its unprecedented levels of success before the ECtHR. KHRP has set a solid grounding for the significant changes that can be accomplished across the regions where basic human rights are still violated every day, and I am proud to have been part of the team.



Carolyn Slauson Ali
Legal Intern from the US

I gained a tremendous understanding of the case law of the ECtHR. My first project involved indexing 105 legal judgments handed down in complaints successfully brought by KHRP to the ECtHR, for the organisation's online Resource Centre. In going through so many cases, I gained a sense of the trends and patterns of litigation being brought by KHRP on behalf of people living in the Kurdish regions. I also appreciated the opportunity to contribute to the work of the Legal Team. Perhaps the most rewarding experience was to be among such amazing interns from around the world and to interact with a staff and Board committed to protecting and improving the rights of the people they serve. I am tremendously grateful for the opportunity afforded to interns at KHRP and hope that there will be future opportunities to be engaged in their important work.



Kawa Shana
Research Intern from the Netherlands

During my internship at KHRP in 2009, my duties consisted of carrying out research, translation, and assisting with day-to-day office administration tasks. I also had the opportunity to write news press releases and draft letters to various international organisations, which helped me to improve my writing skills. My three months at KHRP was an extremely valuable experience in enhancing my academic and career prospects. The friendly and international environment made KHRP a great place to work, where I had the pleasure of meeting some wonderful people. I highly recommend KHRP to anyone interested in undertaking an internship or taking up a voluntarily position in the field of human rights.



Jennifer Congrave
Development Intern from the UK

I spent three months at KHRP as a Development Intern. I learnt a great deal during my time there by being exposed to the practices of a human rights NGO. I was involved in researching potential new donors and in completing donor application forms. As my first experience of working for an NGO it was an enlightening few months. The staff members under whom I worked were very helpful and friendly, and I was given a variety of tasks to do. It was also highly enjoyable to work alongside a team of interns with similar interests all of whom were from different academic and work backgrounds. I would recommend the experience to anyone interested in the field of human rights, as KHRP does an outstanding job of furthering the cause of the Kurdish regions and its peoples.



Orsane Broisin
Legal Intern from France

I mainly contributed to KHRP's Legal Review, working on compiling news, legal developments and translating and summarising legal cases from French to English, which was very interesting. I also drafted a paper for a seminar on women's rights, and a brief strategy paper to look at how other campaigns had succeeded in halting controversial dam-building and what, if any, tactics could be used by KHRP in relation to the Ilisu Dam Project in Turkey. The experience broadened my knowledge of minority rights' issues in the Middle-East, the power dynamics at play in the Kurdish issue, and the impact of ECtHR judgments in the region. Above all, I was glad to see the impact of KHRP's strategy and the invaluable work they carry out in their effort to promote human rights in the region. It is not easy to leave KHRP, and yes, most of us would like to stay longer.

FINANCIAL SUPPORT



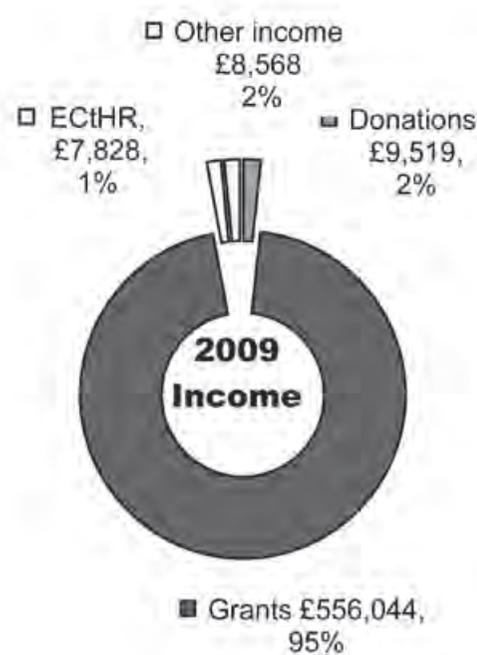
To maintain our independence, the Kurdish Human Rights Project does not accept any money from any organisations or institutions, governmental or non-governmental, in the Kurdish regions - or anyone with ties to them. Our funding derives from charitable grant-making foundations and non-statutory sources.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

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

Sigrid Rausing Trust

Our funders in 2009 included:

- The Big Lottery Fund (UK)
- Irish Aid (Ireland)
- The Sigrid Rausing Trust (UK)
- The Corner House (UK)
- Dutch Ministry of Foreign Affairs (Netherlands)
- UN Voluntary Fund for Victims of Torture (Switzerland)
- Bishop’s Subcommission for Misereor (Germany)
- The Allan and Nesta Ferguson Charitable Trust (UK)
- Stichting Cizira Botan (Netherlands)
- Law Society Charity (UK)
- Matrix Chambers (UK)
- Garden Court Chambers (UK)
- RAFTO Foundation (Norway)



THANK YOU



| PARTNERS & AFFILIATES
| INDIVIDUALS
| ORGANISATIONS

| OUR PARTNERS & AFFILIATES

KHRP continues to combine strategic networking and alliance-building, in order to be able to respond to regional and local concerns through regular consultation and by sharing our extensive expertise in human rights monitoring and international mechanisms, collaborative work, non-regional trainings and networking with partner organisations and relevant human rights defenders (HRDs), civil society organisations (CSOs), and governmental and intergovernmental bodies at the local, regional and international level. KHRP continues to receive requests for trainings and seminars from groups and individuals regionally, nationally and internationally.

We extend our heartfelt thanks to all of our partners and affiliates whose help and cooperation is essential to our work.

In 2009 KHRP worked in partnership with:

Armenia

Armenian Bar Association; Forum Law Centre.

Azerbaijan

Azerbaijan National Committee of the Helsinki Citizen's Association (HCA); Center for Civic Initiatives.

Iran & Syria

KHRP continues to work with individuals and institutions in Iran and Syria but cannot disclose their names due to security concerns.

Iraq

Civil Development Organisation (CDO); Harikar; Kurdish Youth Empowerment Organisation, Union of Kurdistan Writers, Dohuk; University of Kurdistan, Hewler ; Halwest Group.

Turkey

Ankara, Batman, Diyarbakir, Şırnak and Van Bar Associations; Çağdaş Gazeteciler Derneği (Contemporary Journalists Association); SELİS Kadın Danışmanlık Merkezi (Women's Consultation Centre), Contemporary Lawyers Association; Diyar Göç-Der (Association for Internally Displaced People); Mardin, Şırnak, and Van branches and the Tunceli representative office of İnsan Hakları Derneği (Human Rights Association, İHD); Toplum ve Hukuk Araştırmaları Vakfı (The Foundation for Society and Legal Studies, TOHAV); Van Kadın Derneği (Van Women's Association, VAKAD).

Non-Regional Partners

Advocates for International Development (A4ID); Bar Human Rights Committee of England and Wales (BHRC); Centre for Civic Initiatives (CCI); The Corner House; EU-Turkey Civic Commission (EUTCC); Platform; Rafto Foundation for Human Rights and Centre for Applied Human Rights, York University.

Work with organisations in an unofficial capacity

Keep Hasankeyf Initiative, Human Rights Centre in Azerbaijan; Initiative for Freedom of Expression, Turkey; Human Rights Watch; Kurdish Women's Project; Kurdish Pen; Liberation; İnsan Hakları ve Mazlumlar İçin Dayanışma Derneği (Organisation

of Human Rights and Solidarity for the Oppressed People in Turkey, Mazlum-Der), Ankara; Women's Rights Organisation Against Discrimination (AK-DER), Turkey.

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| INDIVIDUALS

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| ORGANISATIONS

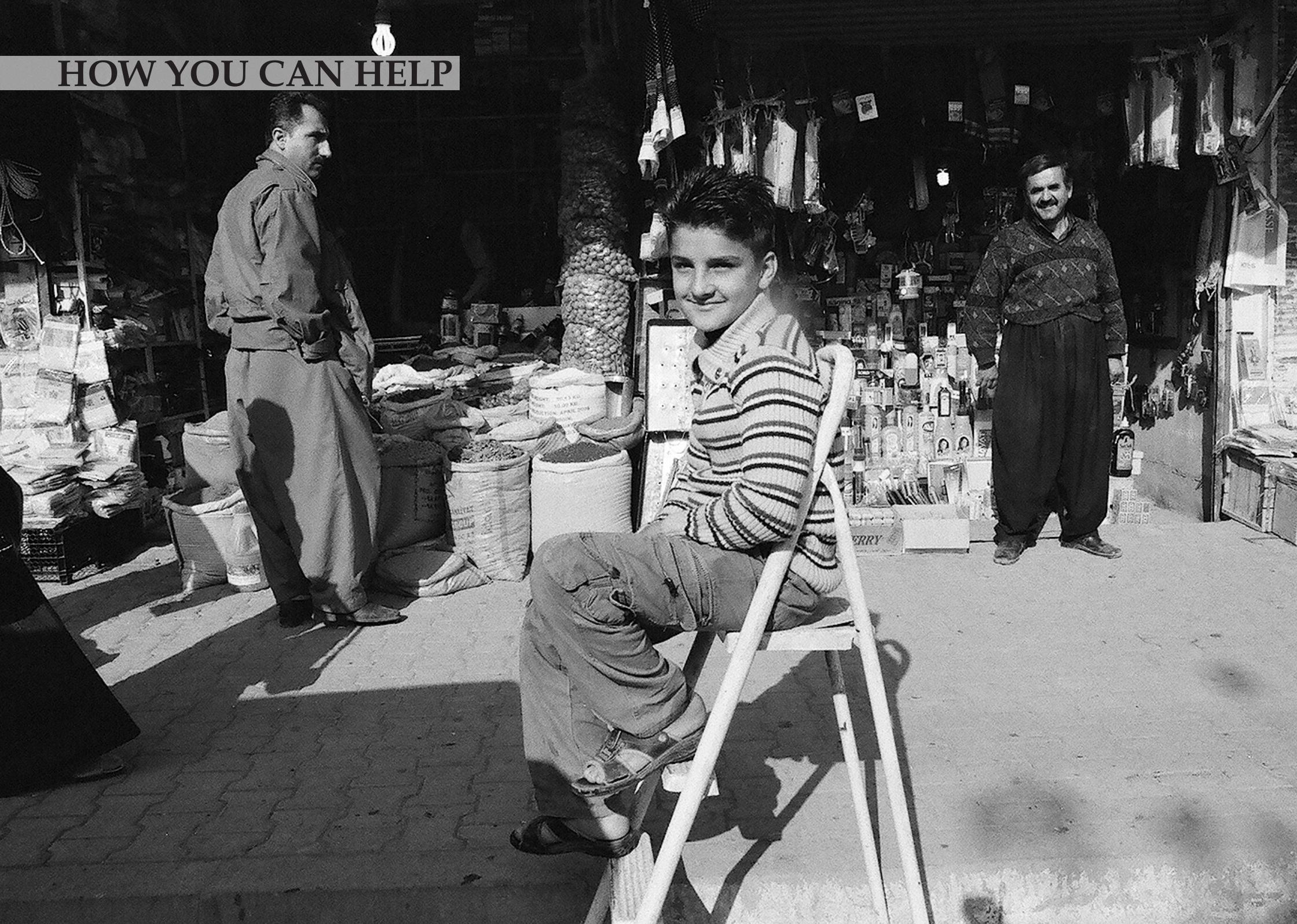
1 Pump Court; 25 Bedford Row; 36 Bedford Row; Adalet ve Kalkınma Partisi, (Justice & Development

Party, AKP) Şırnak, Siirt, & Hakkari; Advocates for International Development (A4ID); Alto Office; Altodigital UK Ltd; American Embassy, Ankara; Ankara Bar Association; AppiChar Ltd; Aradina village; Asrın Law Office; ATC Solutions Daisy Group PLC Business; Avesta Publishing House; Azadiya Welat; Bar Human Rights Committee of England & Wales (BHRC); Başak Kültür ve Sanat Vakfı (Başak Culture & Art Foundation, BKS); Batman Bar Association; Belgian Embassy, Ankara; British Embassy Office, Erbil; British Embassy, Ankara; British Foreign & Commonwealth Office (FCO); Çağdaş Avukatlar Derneği (Contemporary Lawyers' Association, ÇHD); Çağdaş Gazeteciler Derneği (Contemporary Journalists Association); Çağdaş Şırnak Haber Gazetesi; Centre for Applied Human Rights, York University; Centre for Civic Initiatives (CCI); Chantrey Vellacott DFK; Chatham House; Children Under the Same Roof Association (ÇAÇA) Diyarbakır; Christian Peacemakers Team (CPT); Civil Development Organization; Columbia University; Danish Embassy, Ankara; Dark Side Photographic; Day-Mer Turkish & Kurdish Community Centre, London; Delegation of the European Commission to Turkey; Demokratik Toplum Partisi (Democratic Society Party, DTP), Diyarbakır & Van; Department of Foreign Affairs, Ireland; Dicle News Agency; DİKASUM; Diyarbakır Bar Association; Diyarbakır Bar Association Prison Commission; Diyarbakır Metropolitan Municipality Social Services Directorate; Dutch Embassy, Ankara; Dutch Ministry of Foreign Affairs; Eğitim-Sen, Diyarbakır & Siirt; EPİDEM; Es Travel; EU-Turkey Civic Commission (EUTCC); Fatma Altun (Union of Road & Building Workers, YOL-İŞ), Siirt; FED-BİR, Federation of Kurdish Associations in Great Britain; Forum Law Center; Garden Court Chambers; Gelişen Şırnak Haber Gazetesi; Diyar Göç-Der (Association for Internally Displaced People), Diyarbakır; Good

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HOW YOU CAN HELP



Our supporters not only help protect the lives of over 30 million people in the Kurdish regions; they also support the advancement of human rights on a global level. We will continue to fight injustice for as long as injustice continues – but we cannot do it without you.

Your support will go a long way. It could help us to champion the rights of torture survivors before the European Court of Human Rights, empower local women of their rights under international law, or to despatch urgent fact-finding and trial observations missions to monitor and be able to draw attention to what is happening on-the-ground.

| ONE-OFF & REGULAR DONATIONS

Make a quick and easy one-off donation today. You can now use KHRP's online shop at www.khrp.org to make a quick donation to provide immediate relief to victims of human rights abuse. Alternatively call us to make a credit card payment over the phone or post us a cheque with the completed form below. As little as £10 – the cost per page to translate vital training material into a local language – can make a real difference.

- Give regularly and become a Friend of KHRP. With regular support, we can plan with confidence for the future and are better able to challenge the long-term and underlying causes of discrimination. You can also opt to receive our quarterly newsletter updates. Details about how to give are provided below.

| BE TAX-EFFECTIVE

- Gift-aid your donations. If you are a current UK tax payer, whether you are making a one-off donation or giving regularly, please remember to use gift-aid to increase the value of every £1 of your donation at no extra cost to yourself.
- Give through your payroll: By deducting donations before tax, payroll giving is another tax efficient way of giving - costing employees less to give more and ensuring that in this uncertain economic climate, every pound donated to KHRP can stretch that little bit further.
- Leave a legacy. 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 advance 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.
- Donate shares. Donations through shares are exempt from Capital Gains Tax and you may also be able to reduce your taxable income by the value of the donations. For shares to qualify they must be dealt on a recognised stock exchange, must be UK Authorised Unit Trust Units and be UK Open-ended investment company shares. Transfer of shares to KHRP can be arranged through your stockbroker or alternatively through the Charities Aid Foundation (www.cafonline.org).

| CORPORATE SUPPORT

- We welcome support from companies who want to see a future based on hope, tolerance and social justice. Many companies choose to help a cause by nominating a particular charity for its support over the year.
- UK-based companies can also help by establishing a Payroll Giving scheme that includes KHRP as one of its preferred charities. They can even choose to match staff donations as a goodwill gesture. We are happy to come to your workplace to talk about our charity, and how you can help.

| SPREAD THE WORD

- Recommend charitable trusts and foundations. We rely on grant-making bodies to help us obtain redress for victims and survivors of human rights abuse and are always looking for potential donors. You can help us by suggesting a source of funds that we could apply to, recommending relevant contacts for us to talk to or by nominating us for funds from institutions that do not accept unsolicited requests for support.
- Raise awareness. We firmly believe that if people knew the extent of the human rights abuses in the Kurdish regions, they could be stopped. We would be happy to come and speak at schools, universities or other institutions, and would like to hear of any that we could attend. Please contact us if you are interested in sharing to your press or media contacts or would like to disseminate flyers about our work at your event.

| GENERATE EASY INCOME

- Use <http://www.buy.at/khrp> or <http://www.easyfundraising.org.uk/> whether you are thinking of booking a cheap getaway from Expedia or Lastminute.com, wanting to switch energy suppliers, mobile phones or your broadband provider, or are simply looking for Electronics, Books, Music, and DVDs from Amazon. Up to 15% of the proceeds from each purchase are donated to KHRP (as long as you adjust your internet security settings to 'medium' to enable cookies).
- Set <http://pages.whitebox.org.uk/?dir=/KHRP> as your homepage. KHRP has launched its own internet search page, powered by Yahoo!. To start raising funds for KHRP select 'set as homepage' and 'get browser search box'. It really is that simple. All you have to do is carry on searching as normal, but as you do, you will be raising 4p for every search you make. This has already helped to generate almost £200 for KHRP in the space of six months. Start searching today and spread the word to your friends, family, colleagues - the more searching, the more money we can together raise for KHRP!
- Sell items on eBay for Charity. Whether you are an eBay fanatic or novice, 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.

| OTHER WAYS OF GIVING

- Volunteer your time. This commitment may be more valuable to us than a financial donation (see

How your money could help

£10 could cover the cost per page to translate KHRP reports and training manuals from English into a local language such as Sorani or Kurmanji.

£15 could help us to fax 10 urgent appeals to UN bodies calling for them to act on behalf of activists 'disappeared', killed or arbitrarily detained in Iran and Syria.

£25 could pay for a visa to send an independent expert from the UK to northern Iraq to investigate the reported increase in cases of suicide among Kurdish women.

£50 could help us to fly a lawyer from Istanbul to Diyarbakır to compile witness statements and other crucial evidence in support of an applicant alleging torture by Turkish officials before the European Court.

£100 could enable us to hire a venue for a one-day capacity-building training for civil society representatives in Armenia on demo-

Our Structure: Pro Bono: Interns and Volunteers). Contact us for more information about volunteering opportunities at KHRP.

Give an in-kind donation. Moving offices? Updating your IT systems? Got a skill? KHRP is always grateful for any services, or equipment that is needed and can be donated. This can help save the need to throw away or recycle items whilst being extremely useful to a good cause at little cost to your business.

cratic principles and ways of making NGOs more effective and credible.

£150 could cover the daily cost of an interpreter to accompany lawyers during field visits, helping to give a voice to survivors of police brutality, rape and other human rights abuses.

£200 could help us to fly an independent expert from the UK to Turkey to monitor the fairness of domestic trial proceedings against children, academics, publishers and others who face persecution for exercising their right to freedom of expression.

£250 could help us to co-ordinate a five-day fact-finding visit to document the forced displacement of villagers as a result of hydroelectric dam-building and other development projects in Azerbaijan and south-east Turkey. To donate immediately, visit our website (www.khrp.org); alternatively, fill in the form below, indicating how you would like to show your support.

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APPENDIX



| OUR HISTORY
& ACHIEVEMENTS

Our history & achievements

1992

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”

Osman Ergin, Lawyer

1993

Fact-finding missions investigate human rights abuses by Iran, Iraq and Turkish authorities including alleged use of napalm.

KHRP observes trials of first Kurdish/Turkish-language newspaper *Özgür Gündem* 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

RIGHT (top to bottom) KHRP applicant Nuriye Akman, whose 22-year old son was fatally shot by Turkish security forces. KHRP applicant Unsal Öztürk reviewing his case file with Executive Director Kerim Yıldız.

1994

KHRP hosts truly historic international conference on conflict in south-east Turkey, aiming to give a democratic platform to both Turkish and Kurdish human rights and civil society groups.

KHRP begins provision of advice and formal training to lawyers and human rights defenders from Turkey and the Kurdish regions as part of its aim of empowering people locally through the transfer of knowledge and skills.

Turkey tops the league of countries with the most human rights allegations against it at the ECtHR; a direct result of KHRP’s continuing 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

1995

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.





Cases on torture, IDPs and freedom of expression continue to be 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

1996

Strasbourg mechanisms give first binding consideration to Kurdish cases. All KHRP cases declared admissible.

The first KHRP-assisted cases to be brought to the ECtHR - *Akdivar v. Turkey* and *Aksoy v. Turkey* - reach successful judgements. In the *Akdivar* case, concerning the destruction of Kurdish homes by security forces, Turkish authorities are forced to allow Kurdish to be used in a courtroom for the first time when witnesses give oral testimony. The case establishes the destruction was deliberate. The *Aksoy* case becomes a landmark in prohibition of torture.

KHRP founder and Director Kerim Yıldız receives Lawyers Committee for Human Rights (USA) 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.

LEFT (top to bottom) Sukran Aydın 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. 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.

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, 2002

1997

KHRP case *Aydın 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. This judgment classifies rape by or with the acquiescence 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.

“I would like to thank all KHRP staff members for their very good and impressive legal challenge at ECHR in my case over a decade. KHRP’s work has been one of the good examples of the real legal challenge in international human rights mechanisms on behalf of the applicants.”

Kurdish human rights defender Yavuz Binbay

1998

Five years of work culminates with ECtHR judgments upholding Turkish state’s responsibility for burning villages, inhumane & 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 ten human rights defenders (see for example, *The Kurds of Azerbaijan and Armenia* by Julie Flint, KHRP, 1998).

"KHRP has pioneered the use of international human rights mechanisms in the fight for the human right of the Kurdish and Turkish people. By sharing their knowledge and practical experience with us through training programmes, we become more empowered in our own fight against human rights violations perpetrated within the Turkish state."

Human Rights NGO, Turkey

1999

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 organisations 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, Commissioner at the Independence Police Complaints Commission



Campaigners protest outside Balfour Beatty at its Annual General Meeting, in protest at the Ilisu dam project, 2001.

2000

KHRP sets a precedent in Turkish legal history by questioning the applicant directly in Kurdish rather than using a translator during an ECtHR fact-finding hearing in Ankara.

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 *Özgür Gündem v. Turkey* for the first time places a positive obligation on states to protect free expression. The case establishes that Turkey had violated rights of the Kurdish-language newspaper.

'KHRP's efforts over the past 15 years have brought about unthinkable differences in our region. Thanks to its work sending regular delegations to monitor human rights violations and publishing their findings internationally, it has made huge advances in raising global awareness of the plight of the Kurds in a way that was unimaginable when it first started out.'

Leyla Zana, Kurdish politician and Sakharov Prize laureate 2001

2001

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 organisations.

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

"In my opinion, for a view on the KHRP, one should ask the ancient cities it has saved from submersion, the villagers it has represented whose houses had been burnt & destroyed, prisoners of conscience & those who had been tortured, for they know the KHRP better."

Can Dündar, Turkish journalist & author

2002

Noam Chomsky, Harold Pinter, Michael Mansfield QC, Baroness Helena Kennedy QC & 2000 other supporters attend KHRP Tenth Anniversary celebration at St Paul's Cathedral, London.

KHRP Executive Director nominated for Redwood Award for Best Environmental Campaign of the year for his work on the Ilisu Dam Campaign.

Major funding is withdrawn from controversial Yusufeli dam project 24-hours before launch of an Ilisu dam-inspired campaign by KHRP and partner organisations.

KHRP Legal Director nominated for Liberty/ Justice/ Law Society Young Human Rights Lawyer of Year award.



KHRP lodges first cases against Armenia, a new signatory to the European Convention on Human Rights and Fundamental Freedoms.

By 2002, KHRP has represented in over 90 per cent of all fact-finding hearings in ECtHR's history.

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

"KHRP's work in bringing cases to the European Court of Human Rights, seeking justice for the victims of human rights violations has been ground-breaking... Amnesty International salutes the work of this organisation over the last ten years in defending human rights."

Kate Allen, Director Amnesty International UK

2003

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 ECtHR's planned reforms.

ECtHR accepts KHRP's arguments & delivers strongest statements yet in condemning recourse to the death penalty in *Öcalan 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 Yıldız publishes *"The Kurds: Culture and Linguistic Rights"* (KHRP, London).

LEFT (top to bottom) Nobel Laureate and member of KHRP's Board of Patrons, Harold Pinter, opened the organisation's 10th Anniversary Lecture at St. Paul's Cathedral, 2002). Executive Director Kerim Yıldız with the applicant in the landmark *Tahsin Acar v. Turkey* case, outside the European Court of Human Rights; Strasbourg.. Professor Noam Chomsky delivers the keynote speech to 2000 assembled supporters at KHRP's 10th Anniversary Lecture, St Paul's Cathedral, London, 2002.

"KHRP has set a standard of excellence in human rights advocacy for a region of the world where citizens have been and continue to be victims of state violence."

Professor Amir Hassanpour, University of Toronto

2004

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 directly contributed to the release of Leyla Zana and other Kurdish former MPs in Turkey 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

2005

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 willing to reconsider its approach in Kurdish discrimination cases.

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 Accession 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 [Sigrid Rausing] 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

2006

Successful judgments reached in five KHRP cases, including that of exiled Turkish journalist Koray Düzgören, while new ECtHR litigation continues.

KHRP conducts two trial observations in Turkey which go to the heart of issues of freedom of expression and ongoing state involvement in acts of violence against Kurds in Turkey. It also identifies grave shortcomings in Turkey's policies towards refugees and the internally displaced during two fact-finding missions.

RIGHT (top to bottom) 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.. KHRP observed the trial to ensure adherence to international standards, 2005. Internally displaced children in Diyarbakır, Turkey, 2005.

KHRP conducts and hosts its first London-based cross-border training. The training brings together human rights defenders and NGOs from across the regions in the first-ever opportunity for all KHRP's partners—dispersed as they are across the regions and the globe—to meet face to face.

KHRP publishes two comprehensive training manuals for human rights defenders on taking cases to the ECtHR and taking complaints to UN mechanisms. Translation work is begun for Turkish, Russian, Armenian and Kurdish versions.

Executive Director Kerim Yildiz's book *The Kurds in Turkey: EU Accession and Human Rights* is translated into Finnish and published as *Turkki, Kurdit ja EU* by LIKE press.

"At KHRP I have learned a lot about the mechanisms enforcing international law, the role of the international community in global conflicts, human rights, the dynamics of Middle Eastern politics... Observing a country go through stages of reform has been particularly interesting, especially how this period... is hopefully working towards such ideals as transparency, accountability, and the development of mutual trust."

Christina Wilson, KHRP intern.

2007

The first two advocates from the Kurdish regions travel to London to work with KHRP's Legal Team as part of our new International Fellowship programme.

The European Parliament commissions KHRP to prepare a report entitled *The Increase in Kurdish Women Committing Suicide*, based on extensive desk research and fact-finding missions.

KHRP launches its new and expanded website and on-line shop.





A major renovation gets underway of KHRP's resource centre, the Feeney Centre for Research and Dialogue, which will eventually allow the organisation's extensive collection of 15 years' worth of research materials to be searched and accessed online.

KHRP conducts a workshop on the application of its trial observation model for Zimbabwe Lawyers for Human Rights Regional Training in Lusaka, Zambia.

The ECtHR finds a violation of the right to life in the KHRP-assisted case of *Uzun v. Turkey*, due to the Turkish authorities' failure to investigate the killing of the applicant's mother by a mortar bomb fired into the Kurdish village of Hasköy in 1994.

2008

KHRP pushes the boundaries of the ECtHR and sets another legal precedent across the Council of Europe (CoE). The landmark decision in *Meltex (2) v Armenia* upholds violations of the right to free expression on behalf of Armenia's first independent television company and is hailed by the CoE's Secretary General, as 'a lesson to all governments inclined to arbitrary interpretations of Article 10'.

KHRP's UN advocacy contributes to mounting international pressure which helps to overturn the death sentence against Kurdish journalist Adnan Hassanpour in Iran.

KHRP provides the only international presence at the domestic trial of a Kurdish children's choir charged under the anti-terror law for singing a Kurdish song at a world music festival in the U.S, which leads to their acquittal.

LEFT (top to bottom) KHRP intern Zeina Talbouni with Atta Muhamed & Sartep Ali of Civil Development Organisation at the Cross-Border Training, November 2006. KHRP trial observation delegation with members of children's choir brought to trial in 2008. KHRP Legal Team Member, Mark Himsworth meeting with Ali Tekin in 2009, after his son Engin Çeber was beaten to death in custody.

KHRP lodges new legal complaints before the ECtHR on behalf of 70 villagers affected by Turkey's indiscriminate bombardments in Kurdistan, Iraq. As well as championing individual justice, these test cases seek broader legislative and policy change concerning the principle of extraterritorial jurisdiction in Turkey, across the CoE and internationally.

2009

KHRP Chief Executive, Kerim Yildiz, is nominated for the Robert F. Kennedy Human Rights Award by the Washington-based Robert F. Kennedy Center for Justice and Human Rights.

KHRP and its partners' increased pressure against the German, Austrian and Swiss governments, results in their official abandonment of finance for the Ilisu dam construction in south-east Turkey and underscores the positive influence that civil society organisations can exert in the face of repression and violence.

KHRP is the first international NGO to send a delegation to observe a trial involving spousal violence, where a husband is accused of murdering his pregnant wife in a suspected 'honour killing'.

KHRP observes the trial of 60 state officials held complicit in the brutal death and torture of a political activist in custody, in a trial widely seen as a test of Turkey's willingness to adhere to human rights standards as part of its EU accession bid and to bring its security forces to account when abuse is alleged.



'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 ground-breaking. 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

'As a Kurd who is victimised by the state I feel more confident when I realise that there is an institution that knows our reality and defends our rights. Knowing that KHRP exists I feel that a heavy burden has been taken off our shoulders by the candid, honest and realistic approach of the organisation and its staff. You give confidence to Kurdish people and make them feel that they are not alone. Ours was a 14 year marathon to seek justice and you never left us alone. I would like to thank you all at KHRP on behalf of my family. What good fortune that we have KHRP, what good fortune that we have people like you as friends. I wish you success for your future works.'

Kamil Uzun (applicant in KHRP case Kamil Uzun v Turkey whose mother was killed by a mortar fired by the Turkish army in the 1990s)

'In addition to securing redress for individual victims, KHRP's strategic litigation has broken new ground in Strasbourg and set precedents that advance the cause of human rights throughout Europe.'

Michael Mansfield QC, KHRP Patron

'KHRP has attacked the bland denials of human rights abuse made by the Turkish government with righteous vigour and determination, and has played a wondrous role in extending human rights to the most vulnerable and dispossessed people across Turkey and the Kurdish region.'

Mark Thomas, comedian, presenter, political activist and writer

'My family is scattered. My family has been killed. My mother is on the run, with no money, no assets, no house, no home. My brothers are not there and I miss them really badly. So what's going to happen to me? I am a complainant of the tyranny done to us. I request the Kurdish Human Rights Project to take my case to all international courts and institutions. I authorise them to act in my name. They talk human rights. I am a human. Where are my rights?'

A Kurdish Applicant before the ECtHR

'In my opinion, for a view on the KHRP one should ask the ancient cities it has saved from submersion, the villagers it has represented whose houses had been burnt and destroyed, prisoners of conscience and those who had been tortured, for they know the KHRP better.'

Can Dundar, journalist