KHRP is saddened to report that despite drawing international censure and repeated negative press coverage, ‘honour’ killings continue to be perpetrated against Kurdish women in the regions and beyond. On 7 April 2007 17-year-old Yezidi girl Du’a Khalil Aswad was stoned to death in Mosul as men cheered and filmed her death on their mobile phones. Du’a was killed for saying she would convert to Islam so she could marry the Muslim boy she loved. The Kurdistan Regional Government has condemned her murder, yet video reports showed that police observed the stoning without attempting to intervene. In a case closer to home, in January 2006 a Kurdish woman from Iraq, Banaz Mahmood, was strangled to death near her London home by her father and uncle for daring to fall in love with a man of her own choosing. The murderers were convicted at the Old Bailey on 11 June 2007. There is concern, however, that the sentencing phase might give consideration to ‘cultural difference’ and therefore perpetuate the perceived legitimacy of such killings.
derlying discrimination and human rights abuses that women continue to suffer across the regions and beyond. This continuing problem was starkly highlighted in news reports in May of the brutal ‘honour’ murder of Du’a Khalil Aswad in Mosul, and the reprisal killings which followed.

The past few months have seen great political upheaval in Turkey, with the controversy surrounding the presidential elections and the upcoming parliamentary elections, along with continuing speculation about military incursions into Kurdistan, Iraq. The events have once again demonstrated the continuing undue influence of the Army in Turkish politics. KHRP has been closely monitoring these events and their possible implications not only for the Kurdish regions, but also for Turkish democracy and the EU accession process. In Syria the marginalisation of Kurds and the denial of their cultural and citizenship rights remains a burning issue. In both Syria and Iran persecution of human rights defenders continues unabated, the imprisonment of Iranian-American scholars Kian Tajbakhsh, Ali Shakeri and Haleh Esfandiari being just the most recent examples of this persistent abuse. In the Kurdish regions of Iran human rights violations by the Iranian armed forces have increased in recent months, with a spate of village evacuations and the burning of forests.

In the wake of the recent revival of the Ilisu dam project KHRP has been working closely with its partners in the Ilisu Dam Campaign to highlight the devastating human rights and environmental impact the dam would have on the surrounding area and on its inhabitants. Our efforts have already taken some effect, with one major funder reported this month to have pulled out. However much work is needed before there is a chance of finally putting a halt to the project.

We continue to work on our caseload at the European Court of Human Rights, including cases touching on extrajudicial killing, freedom of expression and torture. In May the Court found Turkey to be in procedural violation of Article 2 (failure to investigate) in a right to life case on which KHRP has been working over the past decade. Meanwhile our Legal Team, in response to a request from the Hakkari Bar Association, carried out its first ever training on European Court of Human Rights litigation in the province.

KHRP has also been extremely busy in the past months organising a key fact-finding mission focusing on the situation of the media in Turkey. The mission will be carried out in July in conjunction with four of our close affiliates. We have also organised a July observation mission for the individuals accused of planning and carrying out the murder of Armenian journalist Hrant Dink in Istanbul in January. This observation should shed light on the circumstances surrounding the murder, and help to highlight the threats faced by advocates of multiculturalism and reconciliation in Turkey.

With these new challenges and opportunities in the regions, there is much work for KHRP to do in the months ahead. None of this work would be possible without the continued backing of our funders and supporters. As we embark on our busy summer programme I extend to them our sincerest thanks.

Kerim Yildiz
Executive Director
July 2007

continued from page 1:

‘Honour’ Killings: a Continuing Threat to
Kurdish Women

ency of such murders in the Kurdish community. KHRP fully supports the “Justice for Banaz” Campaign, organised jointly by the Iranian and Kurdish Women’s Rights Organisation and International Campaign against Honour Killings, in its efforts to spread awareness about the continued practice of honour killing.

Unfortunately, these are but only two examples of what has been reported as a daily occurrence in Kurdistan alone, and which is happening even more frequently globally. KHRP’s April 2007 EU Parliamentary report on suicide amongst Kurdish women (see publications section) found further evidence that ‘honour killings’ continue to be perpetrated against Kurdish women in Turkey and Iraq, and also uncovered reports that families were encouraging or even forcing their female relatives to commit suicide to redeem ‘lost honour’. Though a lack of certain and reliable statistical data prevented this fact finding mission from definitively determining that such suicides were on the rise in these areas, the mission did determine that a variety of family pressures, including the threat of ‘honour killings’, contribute to depression and suicide among young Kurdish women. Other identified causes of depression include practices such as forced marriage, berdel (the exchange of brides between two families), beşik kertmesi (marriage arranged from infancy), polygamy, forced prostitution and domestic violence.

KHRP has called on the European Parliament and the Iraqi, Turkish and Kurdistan Regional governments to support the construction of women’s shelters and to train police to effectively deal with domestic violence, as well as take further steps to eradicate the practice of ‘honour’ killings within their borders. It has equally called on regional leaders to bring women’s rights discourse into all public fora; for government and political parties to discuss women’s rights in large, and not simply in terms of how to stop violence against women. KHRP and its partners, including the Kurdish Women’s Project, are considering holding a regional seminar in Kurdistan later this year to discuss how religious, community, NGO and government leaders can end violence against women while promoting women’s wider human rights in society.
The Ilisu Dam project has returned, this time supported by firms and Export Credit Agencies (ECAs) in Germany, Austria, and Switzerland. The project was rejected in 2002 by British companies after the Ilisu Dam Campaign brought to light the project’s failure to meet international standards in the areas of environmental protection, resettlement plans, and cultural preservation.

Corner House, Berne Declaration, ECA-Watch, Forests and European Union Resource Network (FERN), and World Economy, Ecology & Development (WEED), along with KHRP and local activists in the Initiative to Keep Hasankeyf Alive are continuing the Ilisu Dam Campaign, highlighting the project’s continuing failure to meet international standards relating to environmental protection, resettlement, archaeological preservation, and negotiation with the affected communities of southern Turkey, northern Syria and Iraq. The issue of Ilisu is a human rights issue, not simply an environmental one.

The project has failed to involve either local communities or riparian nations in decision-making, in violation of international standards. Both Iraq and Syria have expressed reservations about the project, and have made it clear to Turkey and to the international community that the negotiations required by international law have not taken place. By approving funding before the required negotiations have been made, the ECAs themselves may be in violation of international law.

On 20 May 2007 a large demonstration was held at the city of Hasankeyf, protesting the proposed Ilisu and Cizre dams which would leave the 9000-year-old city submerged. Nearly 2,000 local Kurdish demonstrators marched from the village of Kesmeköprü II to Hasankeyf, carrying banners and playing instruments. Speakers highlighted the importance of resistance to protect Hasankeyf from what Mesut Aydin called “one of the biggest of [sic] culture destructions in the world.”

Another protest was held at the International Hydropower Association’s Global Dams Conference at the end of May. Inside, Diren Özkan addressed the conference on behalf of the Initiative to Keep Hasankeyf Alive. “Members of the International Hydropower Association, such as the Austrian company VA Tech (Andritz), pretend here in Antalya that they care about people and the environment,” said Özkan, “but in reality, they are building dams in Turkey that will destroy our cultural heritage and displace tens of thousands of people.”

In response to the flood of controversy surrounding the dam, one group has already pulled out of negotiations. On June 15, 2007 Zuercher Kantonalbank of Switzerland withdrew from the project. It was further reported on 19 June that Austria’s export credit agency, OeKB, is showing increased reluctance to commit fully to the project. KHRP and The Ilisu Dam Campaign have urged the remaining banks and ECAs to follow this example and withdraw their support for the dams.
focused particularly on questions of village destruction/evacuation and the ECtHR’s requirement of exhaustion of domestic remedies. Participants also discussed the excessive length of domestic and ECtHR proceedings; an especially acute problem given the pressure applicants face to accept inadequate compensation from the state for extra-judicial killings. Several participants expressed their frustration with the language requirements of the Court, adding that cases should be available on the Court’s website in Turkish. Participants also discussed specific cases, including that of one participant, a teacher, which is now pending before the Grand Chamber.

Given the good attendance and lively participation, the training was hailed as a big success, and made an important contribution to KHRP’s aim of transferring its skills and expertise to the Kurdish regions.

‘Chemical’ Ali Hassan al-Majid Sentenced to Death

On 24 June Ali Hassan al-Majid was convicted of genocide, war crimes and crimes against humanity for his part in the Anfal campaign in the late 1980s and sentenced to death by hanging. Known by many as ‘Chemical Ali’, al-Majid was formerly the Minister of Interior of Iraq and Secretary-General of the Northern Bureau of the Ba’ath Socialist Party with powers equivalent to those of the President over Northern Iraq. He is also a paternal cousin of Saddam Hussein. The Anfal campaign involved the use of both conventional and chemical weapons against the people of Kurdistan, Iraq between February and September 1988, killing up to 180,000 Kurdish civilians. Al-Majid was on trial alongside five other high-ranking former officials, two of whom were also sentenced to death. Of the remaining three, two were sentenced to life imprisonment, while one was acquitted for lack of evidence. Al-Majid’s conviction was automatically sent to appeal. If the appeal fails, he will be hanged within 30 days of that ruling.

KHRP is particularly concerned that this sentence has been passed. Despite the clear need for justice for the victims of Anfal, KHRP strongly opposes the death penalty in all circumstances as a violation of the right to life. As such the death penalty has no place in democratic society in the twenty-first century. Further, serious concerns have been raised by international observers as to the integrity and independence of the Iraqi High Tribunal and the fairness of the judicial process that led to al-Majid’s conviction. KHRP is concerned that the rights of the defence have not been upheld in all instances and therefore, that the judicial process leading to Ali Hassan al-Majid’s conviction fails to meet international standards for ensuring a fair trial. His conviction after a fundamentally unfair trial cannot constitute true justice for the victims of Anfal, while a sentence of death is wholly inconsistent with international human rights norms.
Dispatches

KHRP Bids Farewell To Two Valued Members Of Staff

In May and June KHRP bade farewell to Lucy Claridge, Legal Officer and Rebecca Sammut, Development and Outreach Assistant. KHRP would like to extend its warmest thanks to Lucy and Rebecca for all their indispensable work and wish them the best wishes for the future.

KHRP would also like to extend a warm welcome to some new members of our team: Catriona Vine, KHRP’s incoming Legal Officer and KHRP’s new International Fellow, Serpil Taşkan.

Feeney Centre for Research & Dialogue Soon to be Accessible to Outside World through New KHRP Website

KHRP’s resource centre is in the process of a major renovation. KHRP is working closely with Morten Thorsted (pictured) to fully systematise and catalogue the extensive collection of valuable resources KHRP has compiled over its 15 years of operations. Once completed, the catalogue of the new Feeney Centre for Research & Dialogue, named after KHRP’s late co-founder Michael Feeney, will be made accessible through the new KHRP website which is due for launch later this summer.

CPT visits İmralı

A delegation of the Council of Europe Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) carried out a three-day visit to Turkey in May. During the visit the delegation visited İmralı Closed Prison, where it examined the treatment of the sole inmate, Abdullah Öcalan.

The CPT visit comes after allegations that Öcalan has been exposed to systematic poisoning while incarcerated. In March, Öcalan’s lawyers produced the results of laboratory tests on his hair, which detected high levels of toxic metal. The Turkish Justice Ministry has denied the allegations, producing data from similar tests carried out in response which allegedly show no evidence of poisoning.

Aspects of the prisoner’s situation considered by the delegation included his conditions of detention, the application in practice of his right to receive visits from his relatives and lawyers, and his state of health.

Bomb Blast in Ankara Leaves Eight Dead

Eight people have been killed and nearly 100 injured in the worst attack in seven years in Turkey’s capital, Ankara. The explosion took place 22 May 2007 in a busy area outside a shopping centre in Ulus, the oldest quarter of Ankara. There has been no claim of responsibility and according to Prime Minister Erdoğan, intense investigation is taking place to find the attackers. No arrests have yet taken place. Speculation as to who was responsible continues, with many fingers pointing at the PKK.

The Turkish police confirmed the attack was carried out by a suicide bomber, Güven Akkuş. According to the police, Akkuş was a member of a small radical group, Turkish Revolutionary Communist Union (TIKB). TIKB, however, denies any involvement in the bombing and claims that Akkuş, despite having past connections, has not been associated with the organisation for years. TIKB claims that the police and military are inciting hatred towards the Kurdish people by publicly speculating and making unconfirmed suspect claims.

At the same time, it has been claimed that the explosive used in the attack, A4, has previously been associated with the attacks carried out by the PKK. The Democratic Confederation of Kurdistan (KKK), of which the PKK is a member, strongly denies any involvement. In the press statement issued on 22nd of May, the KKK stated that the organisation is strongly against such actions and delivered its condolences to the victims’ families.

The explosion took place at the time when Turkey is preparing for early legislative elections, called by the government to halt the recent political crisis surrounding the AKP’s presidential nominations. DTP and three socialist parties (EMEP, ODP and SDP) made a joint press release condemning the attack and claiming that the attack is provocative action aimed at influencing the election results. The Diyarbakır Bar Association, Mayor of Diyarbakır Osman Baydemir, IHD and Mazlum-Der also condemned the attack.

ABOVE: Left to right - Rebecca Sammut and Lucy Claridge with Kerim Yıldız and Mustafa Gündoğdu in the grounds of Ashford Castle, County Mayo

ABOVE: Left to right - Rebecca Sammut and Lucy Claridge with Kerim Yıldız and Mustafa Gündoğdu in the grounds of Ashford Castle, County Mayo

ABOVE: Morten Thorsted, Resource Development Contractor

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Spreading The Word

18 April:
KHRP Executive Director Kerim Yildiz and KHRP staff member Anna Irvin travelled to the US to hold discussions with various groups, including the Brookings Institute, the Ashoka Foundation and International Center for Transitional Justice, updating them on KHRP’s latest work. They also took the opportunity to meet with Professor Noam Chomsky at MIT. The focus of the meeting was to provide Prof. Chomsky, a long-time patron of KHRP, with an update as to the organisation’s activities, as well as to discuss ways he might continue to show his support for the organisation.

UN Special Rapporteur on Freedom of Expression visits Azerbaijan

On the 27th of April the United Nations Special Rapporteur on the right to freedom of opinion and expression Ambeyi Ligabo visited Azerbaijan. During the mission, the Special Rapporteur met with senior State and Government officials, representatives of the media, trade unions and members of civil society organisations. His report will be presented to the United Nations Human Rights Council later this year. The Special Rapporteur said in a statement regarding his visit to Azerbaijan that ‘while the Government and State institutions have expressed a willingness to conduct a more open dialogue with media representatives and international organizations, the media environment is marked by various deficiencies’. Among such deficiencies the Rapporteur listed were the severity of defamation offences, the number of judgements against media professionals, and that journalists have been victims of violence and persecution by law enforcement officials. Leading human rights organisations are increasingly worried about freedom of expression in Azerbaijan. According to Human Rights Watch five journalists have been jailed since August 2006. The authorities have also closed down the joint offices of two opposition newspapers in 2007, claiming that the closure was due to problems with maintenance and fire safety. In October 2006, Kurdish journalist Elif Pelit was extradited to Turkey despite possessing refugee status in Germany and being at risk of torture. She has since been detained in Turkey on charges of PKK membership.

8 May:
Kerim Yildiz and KHRP Chairman Mark Muller visited Iraq to assess the human rights situation and check in on the activities of KHRP and its partners in the region.

19 May:
Kerim Yildiz travelled to Brussels to brief members of the European Parliament and Commission on the latest issues of concern in Turkey’s EU accession process.

UN Human Rights Council Election Results Announced

On May 17, 2007 elections were held to replace fourteen of the founding members of the UN Human Rights Council. The elections were to fill member seats expiring this year, and candidates included both returning Member States and new members from the region. In accordance with the procedural rules for elections laid out by General Assembly Resolution 60/251, new members were elected directly and individually by secret ballot by the majority of the members of the General Assembly. Outgoing African States Algeria, Morocco, and Tunisia were replaced by Madagascar, Angola and Egypt, while South Africa’s term was renewed. In the Asian region, India, Indonesia and the Philippines successfully renewed their membership terms, while Bahrain was replaced by Qatar. In Western Europe the Netherlands was re-elected, and, after an initial tie, Italy topped Denmark in a second round of voting to win the second membership seat. Outgoing member Slovenia was re-elected and, after two rounds of voting, joined by Bosnia and Herzegovina to occupy the two Eastern European membership seats. The Latin American and Caribbean States greeted new members Nicaragua and Bolivia as Argentina and Ecuador’s membership terms expired.
Human Rights Defender Saeed Saeedi
Sentenced In Iran

Prominent Iranian human rights defender Saeed Saeedi has been sentenced to between two and five years in prison by the Sanadaj Revolutionary Court. Saeedi, who runs a weekly Iranian newspaper alongside his work with the human rights group and KHRP affiliate the Xorhelat Institute, has been charged with spreading propaganda against Iranian internal security. The move comes after he spent three months in prison in 2005 for illegally crossing Iran’s borders. This second sentencing suggests a systematic persecution of Saeedi similar to that experienced by many human rights workers in Iran.

Eu Foreign Policy Representative Meets
Massoud Barzani Of The Krg

Javier Solana, European Union High Representative for Common Foreign and Security Policy, has met with Massoud Barzani, President of the Kurdistan Regional Government (KRG) and leader of the Kurdistan Democratic Party. The two met on the 8th May, following the International Ministerial Conference on Iraq held in Sharm-el-Sheikh, designed to promote discussion of events in Iraq and the Middle East. Discussions were held on the latest developments in the Kurdish regions and more widely on progress in Iraq. Solana and Barzani also discussed the future challenges faced by the KRG and the possible assistance that the EU could provide.

It was further reported on 19 June that Turkish state prosecutors have opened an investigation into Barzani, who they suspect of supporting Kurdish armed groups. This probe coincides with a much publicised build-up of Turkish troops and tanks on the border with Kurdistan, Iraq. Barzani once had good ties with Ankara, but these have deteriorated sharply in recent months after he used harsh language to criticize Turkey’s approach to Iraq’s Kurds.

Deadline Extended for
IDP Compensation

The deadline for claims filed under the Law on Compensation for Damage Arising from Terror and Combating Terror (Law 5233) was extended by the Turkish government for one more year on 23 May 2007. The law covers damages that arose between 19 July 1987 and 30 November 2002. According to figures from the government, 61,436 applications from 12 provinces have been concluded so far and the government has paid 267,488 New Turkish Liras. A further 116,000 New Turkish Liras are waiting to be paid. Many applications were refused by the government for lack of evidence, which can only be obtained from security forces. The deadline was extended due to problems with the compensation system, such as delays, heavy burdens of proof, and a general lack of awareness about the law among the internally displaced people it is designed to help. However, since compensation awards are frequently delayed, minimised or denied, a deadline extension alone does not address the inadequacies of this fundamentally flawed compensation law. As KHRP reported in its 2006 The Status of Internally Displaced Kurds: Return and Compensation Rights – An Update (see publications section), ‘Law 5233 is a paper reform which fails to meet the applicable international standards’.

Appeal Court Overturns
Jail Terms Imposed
on Officers Accused of
Şemdinli Bombing

The Appeal Court has overturned the conviction of Ali Kaya and Özcan İldeniz, two members of the Turkish security services convicted for the Şemdinli bombing of 2005. The officers, along with a former PKK activist turned informant, were apprehended at the scene of the bookshop bombing in which one man died, and were later sentenced to almost 40 years each in prison. However, in May of this year an Appeal Court judge overturned the decision, stating that the initial trial and the investigation which preceded it had been flawed. The quashing of the convictions has been accompanied by the disbarring of the lawyer attempting to prosecute the officers. This move has prompted questions over the ability and willingness of the Turkish justice system to try its own impartially, although the Supreme Court has subsequently decided to re-open the case. This decision followed protests against attempts to have the officers re-tried by a more secretive military court. KHRP is preparing a mission to the region to observe the planned retrial this summer.

Details of the first Şemdinli bombing trial, which the KHRP observed, can be found in the KHRP report Promoting Conflict – The Şemdinli Bombing (see publications section).
Failure to Respect Linguistic and Cultural Rights Demonstrated by Demirbaş Dismissal

Abdullah Demirbaş (pictured), the Kurdish mayor of the Sur municipality in Diyarbakır was removed from his office by a decision of the State Council on 14 June 2007 because the municipality provides services in languages other than Turkish.

The ruling against the mayor and municipal council stemmed from a complaint lodged by the Interior Ministry. The board of judges voted unanimously in favour of dismissing Demirbaş and the local council on the basis that multi-lingual service provision was not within municipal jurisdiction. The Diyarbakır chief prosecutor further demanded that Demirbaş and Diyarbakır metropolitan mayor Osman Baydemir both be sentenced to a prison term of three and a half years. Twenty-one other defendants in the court case are also facing jail terms of three and a half years each. These prosecutions are currently pending.

Mayor Demirbaş is a well respected advocate of cultural and linguistic rights and has done much for the protection and promotion of the cultural and language heritage of his municipality. His dismissal, and the halting of this initiative in Diyarbakır - an initiative which explicitly states that Turkish continues to be the official language of the municipality – illustrates the central government’s continuing repression of cultural rights, and its refusal to grant true democracy, where all of its citizens can be active participants.

In the same week, Alatüsin Erdoğan (pictured), a high-ranking member of Turkey’s Democratic Society Party (DTP) was arrested and sent to prison for allegedly insulting the Turkish State and Army in a speech on the Kurdish question made to the UK House of Commons on June 14, 2007.

General’s Warnings Could Jeopardise Stability in Kurdish Regions of Iraq and Risk Setback in Accession Negotiations

In February 2007, during a visit to Washington, the Chief-of-Staff of the Turkish military, General Yaşar Büyükanıt underlined the resolve of the Turkish military to protect Turkey’s territorial integrity, unitary system and secular structure, targeting his tough remarks at separatist Kurds in the country, Kurdish leaders in Iraq, and those who ‘seek to change the regime’. More recently, Büyükanıt has said that Turkish troops are ready to attack what he referred to as ‘Kurdish terrorist camps in northern Iraq’. In response to Büyükanıt’s statements Turkish Prime Minister Recep Tayyip Erdoğan has taken a strong public stance against a military incursion into northern Iraq. Officials from Kurdistan, Iraq, have referred to Büyükanıt’s comments as ‘a dangerous escalation’ that they take ‘very seriously’. There are an estimated 150,000 Turkish soldiers on or near the Turkish-Iraqi border.

Büyükanıt’s statements carry a veiled message, not only to the PKK, and the leaders of Kurdistan, Iraq, whom the Turkish military have long accused of attempting to create an independent Kurdish state neighbouring Turkey, but also to the government of Prime Minister Erdoğan and the AKP, whom the military has often blamed for seeking to undermine Turkey’s secular regime. The Turkish military and the Prime Minister have long been engaged in political struggle relating to questions of constitutional reforms and EU accession. Recently, debates on preserving Turkey’s secular character have been inflamed by the government’s nomination of Foreign Minister Abdullah Gül for the presidency (see article overleaf).

The recent statements from general Büyükanıt confirm the significant political influence which the Turkish military, despite recent democratic reform, continues to exercise within in Turkish society. Sections of the military have long been instigators of campaigns designed to facilitate a setback of accession negotiations between Turkey and the EU, and the recent campaign for military intervention in Northern Iraq is yet another example of this tactic. By advocating a military intervention in Northern Iraq against Kurdish separatists the military is trying to rally public opinion in support for such a campaign. This could prove to be highly problematic in relation to the EU accession process, as a Turkish military intervention in Northern Iraq would be deeply unpopular with the EU and could jeopardise the stability of the region. Further, a setback of accession negotiations would be likely to bypass the fragile reforms already enacted in Turkey.
Though Turkish President Ahmet Necdet Sezer’s seven year term officially came to an end on 16 May 2007, he currently remains in office due to failed presidential elections that some commentators have named a crisis in Turkish democracy. As the Islamic-rooted Justice and Development (AK) Party controls the Turkish Grand National Assembly, Prime Minister Recep Tayyip Erdoğan was able to put forward Abdullah Gül as an AK candidate for the position of President with near certainty that he would be elected. Since the Presidency has traditionally been viewed as a bastion of secularism in Turkey the possibility of an AK President has greatly alarmed opposition parties and many in the Turkish electorate. Because they did not support Gül’s candidature yet knew they could not get a majority vote for any other, the opposition parties boycotted the Presidential election in parliament. This move prevented the two-thirds quorum required by the Constitutional Court to successfully elect a President.

After failing to reach quorum twice, Gül withdrew his candidacy on 7 May. Blocked by the Constitutional Court’s quorum requirement, the Turkish Parliament put together and passed a Constitutional amendment that changed the country’s electoral process, allowing the Turkish people to directly elect their President, who will serve for a renewable five year term. The amendment was initially passed on 10 May, but was subsequently vetoed by President Sezer, who called the amendment a threat to democracy. On 31 May, however, a majority of 370 MPs overrode the veto with a second affirmative vote. President Sezer cannot veto the amendment a second time, but has called for a referendum on the issue. Anticipating that the President may try to drag this process out, Parliament passed a bill to speed up the plebiscite, reducing from 120 days to 45 the period in which the plebiscite must be held. The amendment might fail even before the referendum, however, as Sezer has said that he will ask the Constitutional Court to cancel the vote because of alleged procedural flaws. Namely, one of the articles of the amendment purportedly lacked sufficient support in an interim vote to allow Parliament to proceed with it.

Many of the tensions revealed by the turmoil surrounding the Presidential and upcoming Parliamentary elections relate to the changing demographics of Turkish society. Over the past few decades, Turkish agricultural and village life has declined, bringing more rural people to live in the cities. This influx of new people has brought different views to the political scene as well, creating support for parties with a different agenda from the strict nationalist/secular regime backed by the current President, the judiciary and the Army. The AK party is emblematic of this movement, and though under Erdoğan the party has begun to embrace some of the progressive reforms needed in order for Turkey to join the EU, many in Turkey remain concerned that should the AK Party totally dominate the government, it will push for a more conservative domestic agenda. These worries have been fed by Erdoğan’s continued reluctance to articulate a domestic agenda, and by the Turkish armed forces, which have actively voiced their opposition to Gül. Both the EU and the US have warned Turkey, however, that the army must not overshadow a presidential election by popular vote. It remains to be seen how well the democratic process will be protected should this amendment take effect.

Crackdown on Human Rights Defenders in Iran Continues

The recent arrests of Haleh Esfandiar, Kian Tajbakhsh, and Ali Shakeri on charges of spying for the US are but the most recent example of Iran’s failure to live up to its international human rights obligations. There has been a wave of arrests of human rights defenders and dissidents in Iran over the past six months. Hundreds of teachers, feminists, union leaders, journalists, and students have been rounded up in a nation-wide crackdown.

Mehrnoushe Solouki is an independent filmmaker with dual citizenship (France and Iran). She was arrested in Tehran on 19 February, detained in unacceptable conditions at Teheran’s Evin prison for a month, and then released on 20 March. The authorities confiscated her video camera, her computer and her video cassettes. The government of Iran accuses her of “endangering national security” and is preventing her from leaving Iran. Iranian-American journalist Parnaz Azima also remains barred from leaving Iran. Those imprisoned risk suffering violations of their physical integrity in addition to deprivation of their liberty and restriction of their freedom of movement. There have been international calls for the immediate release of eight Amir Kabir University students who were arrested between 3 May and 6 June by agents from the Ministry of Information and who remain in solitary confinement in section 209 of Evin Prison. Several student activists have previously reported being beaten by their interrogators inside Iran’s security prisons. The eight students have been denied any access to their families or lawyers since their detention.

The persecution of persons involved in the Campaign for Equality, which campaigns for law reforms that would put an end to legal discrimination of women, continued in June. The Campaign’s website reports that the 62-year-old activist Ehteram Shadfar and her 50-year-old neighbour, who does not wish to be identified, were taken away on June 10th by an official and a soldier who did not possess the required arrest warrant. The two were released the next day but the incident, and the refusal of the authorities to permit a gathering of women celebrating the anniversary of a demonstration for equal rights that was held on 12 June last year, demonstrates the continuing intolerance towards women’s rights defenders in Iran.
Following the political turmoil surrounding his failure to secure the presidency for Abdullah Gül, Turkish Prime Minister Recep Tayyip Erdoğan has called for early elections in July, months ahead of schedule, to help resolve the crisis. Erdoğan has called on Minister Recep Tayyip Lah Gül, Turkish Prime Minister for Abdulah's cabinet, to help reunite the country’s fractured opposition ahead of the July 22 parliamentary polls. The decision by the nominally centre-left but nationalist-minded CHP and the tiny Democratic Left Party (DSP) is the latest sign of consolidation among Turkey’s fractured opposition ahead of the July 22 parliamentary polls. Under the deal, the DSP will preserve its separate identity but its candidates will be put on the CHP party list to improve their chances of winning seats.

Centre-right parties True Path and Motherland also announced they were merging to form the New Democrat Party. The country’s largest pro-Kurdish party, the Democratic Society Party (DTP), which campaigns for Kurdish cultural and political rights, is trying to circumvent a rule that parties must gain a minimum of 10 percent of votes before they can enter parliament by fielding independent candidates. In a bid to surmount this barrier, the DTP says it may field independent candidates in 45 of Turkey’s 81 provinces who would then regroup as a party after winning seats.

The DTP won 6.22 percent of the votes in the previous elections in 2002, failing to win a single seat because it did not represent at least 10 percent of the national vote, as specified by Turkey’s constitution. Independents, on the other hand, are only required to win 10 percent of the vote in the province from which they are running. The move aims to offer DTP candidates standing as independents in urban districts with a significant Kurdish population as well as in Turkey’s south-eastern regions, the traditional Kurdish heartland, a better chance of being elected.

Mainstream Turkish parties are keen to prevent DTP supporters from entering parliament, accusing them of links with outlawed Kurdish armed groups operating in south-east Turkey. The DTP says it rejects violence and backs only peaceful change.

Though the AK Party is expected to emerge again as the largest party after the July election, it remains unclear whether it will be able to govern alone or whether it will need to form a coalition with one or more smaller parties. The Organisation for Security and Co-operation in Europe (OSCE) sent an Election Observation Mission to Turkey on 25 June to monitor election preparations. It will remain in Turkey right up to polling day on 22 July.

**CALL FOR NEW BOARD MEMBERS**

KHRP are currently looking to increase their Board, and are looking in particular for people with experience in finance, communications, fundraising and medicine. For more information about KHRP’s activities or on how to become a Board member, please contact Anna Irvin at airvin@khrp.org
**UPDATE ON LITIGATION AND ADVOCACY**

**KHRP Conducts Annual Legal Team Strategy Meeting**

On 7 June KHRP held its annual Legal Team meeting. Attending the meeting were members of KHRP’s legal team, as well as KHRP staff and interns. The panel comprised KHRP Chairman Mark Muller, QC, Executive Director Kerim Yildiz, Deputy Director Rachel Bernu and Legal Officer Lucy Claridge. The meeting was an opportunity to review KHRP’s key achievements in 2006, including developments in litigation and advocacy and human rights trainings in London, Turkey and Armenia. KHRP’s prospective future work was discussed, with a focus on future training in Iraq, KHRP’s refugee/diaspora strategy and challenging anti-terror legislation. Plans for KHRP’s 15 year anniversary were also discussed. Following the panel’s presentation, there was a question and answer session, and legal team members were invited become involved in KHRP’s working committees.

**Judgment Reached in Case of Uzun v. Turkey**

The European Court of Human Rights this May reached a judgment in the KHRP-assisted case of Uzun v. Turkey. The case concerned the killing of the applicant’s mother, Pakize Uzun, by a mortar bomb in Yayladere district. The court found a procedural violation of Article 2 in relation to the failure to adequately investigate the death. However, the Court did not hold Turkey responsible for the actual killing, despite finding it difficult to comprehend how a mortar bomb could have passed through local surveillance points or why the artillery at a nearby military base would have been out of action, as the government claimed, considering the local security situation. This was a disappointing conclusion, as the court continues to require a disproportionately high level of proof from applicants who are unable to obtain information from local authorities. The applicant also claimed violations of Articles 6, 8, 13, and 14, and Article 1 Protocol 1, but the Court did not consider it necessary to consider the complaints on these Articles.
This is the only existing legal journal covering significant legislative and policy developments in the Kurdish regions of Turkey, Iraq, Iran, Syria and elsewhere. Published biannually, this edition covers the period from December 2006 to May 2007, including summaries and analysis of the most significant decisions of the ECtHR.

Uniquely, this journal covers new cases that have not yet reached any judicial decision, but nonetheless provide invaluable updates of the most recent allegations of human rights violations to be submitted to international courts and mechanisms.

This edition features news and updates on all of the Kurdish regions, as well as newly communicated cases and admissibility decisions and judgments of the ECtHR and the UN. The journal is essential reading for anyone interested in monitoring legal developments in Turkey, Iraq, Iran, Syria, Armenia and Azerbaijan.

Available for free download at www.khrp.org or for £8.00 + £2.00 (p+p) from publications@khrp.org or +44 (0) 207 3835 – ISSN 1748-0639

NEW, UPCOMING AND TOPICAL KHRP PUBLICATIONS

Taking Human Rights Complaints to UN Mechanisms: A Manual (Russian and Turkish Language Editions)

&

Taking Cases to the European Court of Human Rights: A Manual (Turkish Language Edition)

These manuals, written by KHRP Executive Director Kerim Yildiz and Legal Officer Lucy Claridge have now been published in Turkish. The UN manual has also been translated into Russian and is in production. The UN manual provides an overview of the different mechanisms and guides to their use, and includes updated versions of key texts, such as texts of the reservations and declarations entered into by member states in the Kurdish regions, model complaint forms and guidelines for the submission of complaints. The European Court manual provides commentaries on the practice and procedure of the Court, in addition to key texts such as the European Convention, the Court’s application form and details of legal aid available from the Court. It also includes updated sections on admissibility rules, just satisfaction claims and enforcing judgments, together with information regarding the changes to be introduced by Protocol 14.

Available for free download at www.khrp.org (The Russian translation of the UN Manual is forthcoming)


Impact Report 2006 presents a unique insight into the KHRP’s impact in Turkey, Iraq, Iran, Syria and the Caucasus over 2006. Its impact has been achieved through a combination of litigation, advocacy, training, trial observations, fact-finding, research and public awareness initiatives. The report should be viewed as a primary resource for those interested in the human rights situation in the Kurdish regions throughout last year.

Available for free download at www.khrp.org. Hard copies available on request.
Publishers on Trial: Freedom of Expression in Turkey in the Context of EU Accession

This report was published in May 2007 following a trial observation mission to Istanbul, Turkey to observe the trial of publisher Songül Özkan who faces charges of ‘openly inciting people to hatred’ by publishing the book Kürt İsyanları (Kurdish Uprisings), written by Kurdish journalist and author Ahmet Kahraman. Written by KHRP mission members Rajesh Kumar Rai and Morten Thorstved, the report provides background information regarding the situation surrounding freedom of expression in Turkey generally and of the trial in particular. It also examines the trial in the context of recurring attacks on freedom of expression in Turkey with respect to the EU accession process. The report incorporates recommendations for Turkey, the EU and the Organization for Security and Co-operation in Europe.

Available for free download at www.khrp.org or for £10.00 from publications@khrp.org or +44 (0) 207 3835 – ISBN 978-1-905592-07-4

Refusing Refuge: Investigating the Treatment of Refugees in Turkey

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

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

Publication available for free download at www.khrp.org or for 10 GBP from publications@khrp.org or +44 (0) 207 405 3835 - ISBN 978 1 905592 06 7

Promoting Conflict – The Şemdinli Bombing, 2006

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

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

Publication available for free download at www.khrp.org or for 10 GBP from publications@khrp.org or +44 (0) 207 405 3835- ISBN 1905592019
The Status of Internally Displaced Kurds: Return and Compensation Rights – An Update

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

Publication available for free download at www.khrp.org or for 10 GBP from publications@khrp.org or +44 (0) 207 405 3835 – ISBN 1 905592 05 1

The Internally Displaced in Turkey: Ongoing Issues of Responsibility, Redress and Resettlement

This latest report provides both a historical background and contemporary analysis of the ongoing question of Turkey’s estimated 3 million internally displaced citizens, most of whom are Kurdish. Based on KHRP research in the regions over the past two years, the report also draws on the work of the United Nations, academics and other NGOs in painting a picture of the pressing problems that IDPs continue to face, and the international obligations yet to be fulfilled by Turkey on the issues of redress and resettlement.

The report will be made available online shortly

European Parliament Project: The Increase in Kurdish Women Committing Suicide, Final Report

Having combined the observations of its January fact-finding mission to the Kurdish regions with several months of desk research, KHRP submitted its full commissioned report on suicide amongst women in the Kurdish regions of Iraq and Turkey to the European Parliament in April. The 120 page report gives a snapshot of the situation of women in the Kurdish regions, and discusses the possible reasons for the comparatively high female suicide rate there, linking this to issues of conflict, widowhood, education, health and patriarchal society.

The report will be made available on the KHRP and European Parliament websites pending translation into French.

Human Rights and Development in Kurdistan, Iraq – An Update

In January KHRP completed a fact-finding mission to Kurdistan, Iraq, visiting Sulemanya, Dohuk and Arbil in the Kurdish Regional Government, as well as Kirkuk. The mission met with government, intergovernmental and NGO representatives, seeking to establish an understanding of the human rights situation in a region that has seen so much change over the past four years.

The mission’s particular focuses were the treatment of minorities, investigative and pre-detention practices, corruption, as well as the extent of access to basic rights such as the right to housing and the right to life. The mission was chiefly concerned to observe that there was a lack of consistency in the enforcement of rights, a lack of public awareness of these rights and that women’s human rights are, as a result, the most regularly violated.

The report will be available online at www.khrp.org shortly
Effective Criminal Accountability? Extra-Judicial Killings on Trial, 2006

On 21 November 2004 Ahmet Kaymaz, 31, and his son Uğur, 12, were killed by undercover police officers some 40 to 50 metres from their home in Kızıltepe, south-east Turkey. Proceedings were opened against four police officers on 27 December 2004, accusing them of using excessive force. This report comprises the findings of a joint trial observation mission by KHRP and the Bar Human Rights Committee of England and Wales of the third hearing in the trial which took place in Eskişehir on 24 October 2005. The mission concluded with grave concerns over the lack of effective criminal accountability for extra-judicial killings in south-east Turkey.

Publication available for free download at www.khrp.org or for 10 GBP from publications@khrp.org or +44 (0) 207 405 3835 - ISBN 1900175959

“Thirteen Bullets”: Extra-judicial Killings in Southeast Turkey, 2005

Kurdish Human Rights Project sent a fact finding mission to the Kurdish region of Turkey in December 2004 to investigate the killings of Ahmet and Uğur Kaymaz by plainclothes policemen in November 2004. Witnesses express grave doubts over the two official explanations put forward for the killings: firstly that Ahmet and Uğur were shot in a clash and secondly that they did not listen to calls to stop. In a separate instance of extra-judicial killing, the report investigates the shooting of 19 year old shepherd Fevzi Can at close range by the military. There is no evidence to support the military’s assertion that Can was a live stock smuggler, and concerns are raised that the Public Prosecutor has not conducted a satisfactory investigation of the incident.

Publication available for free download at www.khrp.org or for 10 GBP from publications@khrp.org or +44 (0) 207 405 3835 – ISBN 1900175827


This new edition of The Kurds in Iraq brings the book fully up-to-date in the light of recent events in Iraq, and the civil war that threatens to engulf the region. Yildiz explores the impact of occupation and escalating violence. There is an entirely new chapter on Kirkuk, which continues to be of major strategic interest to the various powers in the region. There is also a new chapter on insurgency and sectarianism that examines the motivations behind the insurgency, and tactics that are used, and outlines possible ways to deal with it.

The book is a unique account of the problems that all political groups face in bringing stability to the country, as well as exploring Kurdish links and international relations in the broader sense. It should be required reading for policy-makers and anyone interested in the current position of Kurds in Iraq.

Publication available for 25 GBP from publications@khrp.org or +44 (0) 207 405 3835 - Hardback ISBN 978 0 7453 2663 4

The Kurds in Iran - The Past, Present and Future by Kerim Yildiz and Tanyel B. Taysi

This book offers a historical overview of Iran's development since the First World War through to the revolution of 1979, the war with Iraq, and the emergent state policy towards its Kurdish population. It provides a thorough critique of Iran's human rights record, especially for minorities and women. Yildiz and Taysi address Iran's relationship with its neighbours and the West, the implications of Ahmadinejad's rise to power and the impact of the Islamic state on human rights. They analyse Iran's prospects for the future and how the resolution of the Kurdish issue in Iran affects the future of the region as a whole as well as Iran's international policy and relations.

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KHRP to give lecture on its fifteen years of experience

KHRP will conduct a July fact-finding mission on the situation

KHRP to address Conservative Party Human Rights Committee

On June 26th the Combating “Honour” Based Violence

Calendar of Events

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Kurdish Human Rights Project

Established 1992

Project Information

The KHRP is a non-political, independent human rights organisation, founded in December 1992 and based in London. Its founding members include human rights lawyers, barristers, academics and doctors. The Project is registered as a company limited by guarantee (company number 2922108) and is also a registered charity (charity number 1037236). The KHRP is committed to the protection of the human rights of all persons within the Kurdish regions of Turkey, Iran, Iraq, Syria and elsewhere, irrespective of race, religion, sex, political persuasion or other belief or opinion.

Aims

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

Methods

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

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Calendar of Events

Summer 2007:

• On June 26th the Combating “Honour” Based Violence Forum will hold a memorial service for Kurdish woman Banaz Mahmod, who was murdered by members of her family in London in January 2006. Venue: Morden Assembly Hall, Turdo Drive, Morden, Surrey SM4 4PJ

• KHRP Executive Director Kerim Yildiz to address Norwegian Bar Association with speech entitled Legal Training in Areas of Armed Conflict and the Human Rights Situation in the Regions.

• KHRP to address Conservative Party Human Rights Committee conference on human rights situation in Iran on 3 July.

• KHRP to observe July opening of trial of alleged murderer of Armenian Journalist Hrant Dink, who was gunned down in Istanbul in January. A further observation of the retrial of soldiers accused of Şemdinli bombing is also planned for later in the month.

• KHRP will conduct a July fact-finding mission on the situation of media in Turkey, focusing particularly on the situation of Kurdish media in the region. The mission will be conducted in cooperation with the Bar Human Rights Committee of England and Wales, Index on Censorship, Article 19, and University of Limerick (UL), Ireland

• KHRP to give lecture on its fifteen years of experience conducting trial observations for a training entitled “Strengthening the Administration of Justice in the SADC Region through Effective Trial Observation” in Lusaka, Zambia. The training is being organized by SADC Lawyers Association (SADCLA), in conjunction with Zimbabwe Lawyers for Human Rights (ZLHR).