



# KURDISH HUMAN RIGHTS PROJECT NEWSLINE

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## Syrian authorities launch crackdown against Kurds

**KHRP is urging the international community urgently to intervene in Syria, where human rights violations targeting Kurds have dramatically escalated since March 2004.**

Security forces continue to occupy Kurdish cities, turning schools into military bases, imposing a continued curfew and shooting chaotically into the streets. The forces have launched a crackdown against Kurds, leading to mass arrests of over 2000 people. Almost all of the people detained are being held incommunicado without charge and at unknown locations. KHRP has received reports of the torture and ill-treatment of several prisoners, including the killing of a Kurdish soldier and critical injuries sustained by four others in retaliation for their at-

tendance at the Kurdish new year celebration *Newroz* on 21 March 2004. According to information received by KHRP, Kurdish children are among those being held incommunicado. Approximately 600 of the detained have now been released.

KHRP has been informed that a special military unit has been established which is arresting Kurdish leaders. Kurds who have been killed are being buried in undisclosed areas and family members are being prohibited from holding burials in their family cemeteries. At least 24 Kurdish students were expelled from their universities and dormitories, including a number expelled from Damascus university on 18 March, reportedly for participating in peaceful protests. The situation remains tense, with

all Kurdish people, residences and businesses under attack from both Syrian authorities and nationalist Arabs.

The crackdown follows a wave of protests and riots of unprecedented scale which has swept across Syria, following outcry over the killings of Kurds by Syrian authorities and pro-Saddam supporters at a football stadium in Qamishlo, Northeast Syria, on 12 March 2004.

According to information received by KHRP, supporters of the *Fatuwwa* team from Dayr al-Sur, a renowned Ba'thist city, entered the football stadium armed with guns and bearing pro-Saddam and anti-Kurdish statements. Fighting broke out between the continued Arab supporters and

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### Director's Letter



Dear friends,

**Since the fall of Saddam Hussein, Iraq's neighbours Turkey, Iran and Syria have furthered their repressive policies against their Kurdish populations. Not content with vehemently opposing the legitimation of Kurdish rights embodied in the new Transitional Administrative Law, those countries' authorities are now cracking down against those who support the Kurds' achievements in Iraq. Accordingly, Syria, Turkey and Iran have witnessed a sweep of protests for enhanced Kurdish rights; often suppressed by authorities and leading to widespread arrests, detentions, torture and killings.**

**KHRP receives reports of human rights violations in the Kurdish regions on a daily basis. And still, every day, the governments in the Kurdish regions maintain or develop policies that further marginalise the Kurds, human rights defenders, NGOs and journalists.**

**Over recent months, KHRP has brought new cases to or advocated in national and international fora including the European Court of Human Rights, European Court of Justice, UN Working Group on Minorities, the**

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## Iraqi Kurdistan celebrates historic recognition



In an historic moment, the 25 members of the Iraq Governing Council signed the Transitional Administrative Law (TAL) into effect on 8 March 2004. The law is the clearest demonstration to date of the strong desire to build a free, stable and democratic society in Iraq, despite the chaos currently engulfing the country.

On 30 June 2004, the Coalition Provisional Authority's occupation will come to an end, and handover of sovereignty to the Interim Government will take effect. Consultations are currently taking place to determine the powers, role and mechanism the Interim Government will assume. The selection of representatives will take place at the end of May 2004.

The TAL sets out the principles and legal framework for the governance of Iraq during transition from the handover on 30 June until a new constitution has been adopted. The Interim Government is empowered to amend the law. The TAL enshrines the rights of all citizens of Iraq to freedom of religion, freedom of expression and a free and independent judiciary. Kurds have celebrated the TAL's designation of the Kurdish language as the second official language of Iraq. It is now to be used on Iraqi passports, currencies and stamps and other important official identifications. The Interim Government is to endeavour to resolve the property disputes in Kirkuk and neighbouring regions, derived

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*The recognition of Kurdish federalism in Iraq and designation of Kurdish as the second official language sparked supportive demonstrations in solidarity throughout the regions and diaspora*

**European Union, European Parliament and UK and US governments. KHRP has also obtained up-to-date information from the ground following fact-finding missions and trial observations, and has delivered training in the Kurdish regions in order to empower human rights defenders and organisations.**

**KHRP's activities to raise awareness of the Kurdish situation among the media and public at large have also continued unabated. Many continue to watch the Kurdish achievements in Iraqi Kurdistan with great interest. Certainly, these represent a milestone on the road towards a new era which could bring a culture of human rights to the Middle East. Most certainly, these achievements will have an enduring impact on the rights of Kurds in neighbouring countries.**

**Finally, this is the first issue of Newline to be published since the devastating earthquake that struck Bam in Iran in December 2003. We send our thoughts to colleagues in the region.**

**Kerim Yildiz**

**Executive Director**

**April 2004**

from the Ba'athist policy of Arabisation, by encouraging the return of Arabs to their places of origin and the return of displaced Kurds to the area.

Article 53 of the TAL is the most significant to Kurds, as it confirms the mandate of the Kurdish Regional Government as the official government of the territories in the governorates of Dohuk, Arbil, Sulaimaniya, Kirkuk, Diyala and Nenevah. The Article also guarantees the administrative, cultural and

political rights of all Turcomans, ChaldoAssyrians and other citizens in the regions. However, the TAL has failed to resolve the outstanding questions over the status of Kirkuk, the oil-rich city viewed by Kurds as their capital; a decision has been deferred until the establishment of an elected Iraqi government.

After the incorporation of the Interim Government and completion of elections for the National Assembly, intended to occur in late January 2005, Iraq will then enter the so-called second phase of its transition, during which the

Iraqi Transitional Government is to take power; the National Assembly is to complete its draft of a permanent constitution; and a referendum on the constitution and elections for permanent government are to take place. The permanent government is intended to assume office on 31 December 2005, according to the US Department of Defense.

Responsibility for the maintenance of law and order in Iraq will migrate from the Coalition forces and CPA to the Iraqis after the establishment of the Interim Government.

## Language reforms in Turkey fail EU standards

The Turkish Foreign Ministry has informed the Prime Minister that regulations setting limits on the duration, type and content of broadcasts in non-Turkish languages (i.e. Kurdish), which came into effect in January 2004, do not comply with the standards required for EU accession.

The notification came while the regulations were being drafted in December 2003.

Nonetheless, the regulations have come into force, stipulating that all broadcasts must receive the permission of the High Commission for Radio and Television (RTÜK). Such broadcasts must be aimed at an adult audience and content is to be limited to news, music and displays of culture. The regulations exclude broadcasts concerning politics and education, ensnaring Kurdish

language education.

The regulations also stipulate that non-Turkish language radio broadcasts must not exceed one hour per day, to be followed by a full Turkish translation. Television broadcasts are restricted to 45 minutes per day and must include Turkish translation or subtitling. The regulations do not explicitly refer to the Kurdish language.

## Sexual violence against DEHAP official

On 9 December 2003, the Provincial Head of pro-Kurdish political party DEHAP's women's branch, Afife Mintas, was reportedly kidnapped by plainclothed security force personnel and sexually tortured.

During the assault, she reportedly received threats of death

and rape and was subjected to physical and sexual torture. A gun was forced into her mouth. She was told, "You cannot fight the State, do not go to DEHAP again." The men explicitly reminded her of the abduction and sexual torture of Gülbahar Gündüz, an executive board

member of DEHAP, in June 2003, who had been told, "This time we are not killing you, but if you continue your work you will be dead."

KHRP urges Turkish authorities to hold a full, independent and impartial investigation into the allegations.

## Torture trial of police enters thirteenth year

KHRP is concerned that one of the longest torture trials in Turkish history, which has been continuing since 1991, may be prolonged before the statute of limitations runs out, thus preventing an effective domestic remedy. The last hearing in the trial occurred on 26 March 2004. The case concerns university

student Birtan Altinbaş, who died following torture in 1991. The trial has faced numerous setbacks which threaten to pervert the course of justice by taking the case beyond the statute of limitations.

One defendant, Süleyman Sinkil, a former policeman, has since retired and has not yet

received a warrant for his arrest. Three of his co-defendants have not attended three recent court hearings following the failure of authorities to locate them and notify them of the requirement to attend. Many defence lawyers, including most recently Ahmet Ozcicek, have withdrawn from the case. "You have the

right to ask for more time, but this right is being misused," the judge is reported to have told the defendants' new representative.

US Secretary of State Colin Powell has written to Turkey's Foreign Minister Abdullah Gul expressing concerns about the efficacy of the trial.

# KHRP report highlights sexual violence in Turkey to UK Parliament

A parliamentary question was tabled by KHRP Honorary President Lord Avebury following publication of the KHRP report 'Turkey's Shame: Sexual Violence without Redress – the Plight of Kurdish Women'.

In her written answer of 11 February 2004, Baroness Symons stated, "The [KHRP] report raises issue of serious concern. Prime Minister Erdogan has called for a zero tolerance approach to torture, and many of the instances of sexual abuse alleged in this report would probably fall into that category. I am sure they will be investigated with the same care which the Turkish Government have shown by their other measures to combat impunity. Those include the abolition of incommunicado detention, and reforms facilitating the prosecution of those charged with torture – which have led recently to a number of high profile cases."

Since 2001, the Turkish government has passed a series of reforms aimed at achieving the "stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities" as required for EU accession. Yet observers from the Council of Europe and European Commission; NGOs including KHRP, Amnesty International and the Human Rights Association of Turkey; and even Turkish Justice Minister Cemil Cicek have expressed deep-founded concerns about the failure of Turkish authorities to implement the reforms on the ground.

# NGO for internally displaced on trial

Two leading representatives of the NGO Göç-Der (Immigrants Association for Social Co-operation and Culture) faced trial on 19 January 2004 for, "inciting people to enmity and hatred because of class, racial, religious, confessional or regional differences," following their participation in a press conference.

The press conference highlighted the issue of forced displacement in Turkey. President Sefika Gürbüz was sentenced to ten months' imprisonment; a penalty which was later commuted to a TL 2.180 billion fine. Board member Mehmet Barut was acquitted.

The prosecution was brought under Article 312/2 of the Turkish Penal Code. Turkey's third package of legislative reforms, passed in March 2003, narrowed the law's scope. However, in the event, this amendment was used to *increase* the sentence that would otherwise have been faced by the NGO representative; serving to underline concerns that legal reforms in Turkey are not being implemented.

# Harassment of human rights defenders persists in Turkey

On 24 December 2003, lawyers who had represented Kurdish villagers and who were subsequently charged with "professional misconduct" pursuant to Article 240 of the Turkish Penal Code were acquitted following proceedings which were prolonged for almost 10 months. The trial involved the prosecution of the President of the Diyarbakir Bar Association, Sezgin Tanrikulu, and three other lawyers, Sabahattin Korkmaz, Burhan Deyar and Habibe Deyar. All faced charges after presenting petitions on behalf of villagers in Southeast Turkey whose homes were destroyed by security forces in 1994.

The proceedings were an example of the continuing harassment of human rights lawyers. Many factors indicate that the charges in this case were motivated by politics, to deny a remedy to those whose homes were destroyed by the security forces. The charges add to the record of criminal proceedings against lawyers and human rights defenders in Turkey, particularly under Article 240 of the Turkish Penal Code. It is in this context that the gendarmerie and prosecution failed to investigate the actual petitions presented by the defendants on behalf of Kurdish villagers. Instead, the lawyers themselves were charged on the basis of non-independent and partial investigations, which also lacked proper prosecutorial supervision and were conducted by the gendarmerie themselves. It transpired during the trial that the charges were based upon insufficient evidence.

Furthermore, the hearings fell short of international fair trial standards. In particular, the right to a fair and public hearing by an independent and impartial tribunal, which importantly includes the appearance of independence and impartiality, seemed to be undermined by the way that the investigations and proceedings were conducted. More specifically, the lack of prosecutorial evidence meant that the presumption of innocence was greatly undermined and the burden of proof shifted to the defence. Over 70 defence witnesses (Kurdish villagers) came to testify in support of the lawyers to state that they had not misconducted their profession, despite the fact that prosecution evidence had been extremely weak. In addition, the appearance of independence and impartiality was undermined by the Presiding Judge's conduct during proceedings.

The prosecution's own request that the defendants be acquitted was a final illustration of how the charges should never have arisen and merely acted as a form of harassment of lawyers.

*Nusrat Chagtai, Solicitor of England and Wales, observed the trial and wrote this article for KHRP.*



*Members of a KHRP fact-finding mission in March 2004 met with the defendants and other representatives of the Diyarbakir Bar Association including Sezgin Tanrikulu (centre)*

# Journalist sentenced for 'mocking Turkish parliament'

On 30 December 2003, journalist Sabri Ejder Ozic was sentenced in Adana to one year's imprisonment for "insulting and mocking parliament".

The sentence was based on the journalist's comments during a radio programme that, were the Turkish parliament to allow

Turkish land to be used by Coalition troops in the war in Iraq, it would implicate the Turkish parliament in that "illegitimate war". "If permission to send troops for terrorist acts is approved by parliament then this parliament would also be terrorist," he stated on 24 February 2003.

The journalist, an activist in the pro-Kurdish Ozgur Toplum party and former station director of Radio Dunya, was sentenced with 'insulting and mocking parliament' under Article 159 of the Turkish Criminal Code. The offence carries a minimum penalty of six months' imprisonment.

KHRP is concerned that pro-Kurdish journalists, authors and publishers are continuing to be prosecuted in Turkey, in spite of the 2002 and 2003 abolition of several notorious laws.

## Council of Europe demands access to Öcalan

The Council of Europe's Committee for the Prevention of Torture (CPT) has accused Turkey of failing to assure that its foremost prisoner, Abdullah Öcalan, receives regular visits from his family and lawyers. Öcalan has been an inmate at the Imrali prison island for four years. Following a successful challenge concerning his death penalty to

the European Court of Human Rights, he has been safeguarded from the risk of execution but remains imprisoned for life.

The panel visited Turkey at a time when Öcalan had been unable to receive visits for more than three months due, according to Turkish authorities, to bad weather. The CPT stated that a de facto suspension of

the right to visits for more than three months would be a serious matter vis-à-vis any prisoner, and is quite simply unacceptable vis-à-vis a prisoner who has been held in isolation for a very long period. It concluded that the reasons given by Turkish authorities for the denial of visits to Imrali were, "not indicative of a real determination to overcome

the difficulties faced by the relatives and lawyers of Abdullah Öcalan in gaining access to Imrali island."

The panel visited Turkey as part of a regular series of inspections that Turkey is obliged to accept as a condition of its membership in the Council of Europe.

## Concerns at Turkish election

Turkey's Prime Minister Tayyip Erdogan and the Islamist AKP party have won the latest round of elections, conducted on 28 March 2004, with 42% of the vote. The main opposition came from the pro-secular Republican People's Party (CHP) with 18% of the vote. AKP won the November 2002 elections with 34%, giving Turkey its first single party

government in 15 years.

Approximately 90,000 local officials were also elected on 28 March including mayors, city and provincial councillors, and village headmen in 81 provinces. AKP retained control of the capital city Ankara and the largest city, Istanbul. It also registered support in regions that have traditionally been dominated by

left-wing groups.

The pro-Kurdish alliance ticket, including the DEHAP party, retained seats in the regional capital of Diyarbakir and three other cities but lost mayoral seats in five Kurdish centres. Officials consider the results far below expectations and blame the losses on a failure to convey the party's message.

Supporters claim the victory is a 'ringing endorsement' of the AKP's aggressive economic reforms and campaign to accelerate Turkey's EU membership bid. Critics fear the show of support will give Erdogan confidence to challenge Turkey's secular laws or to take further power from the military.

Although the elections were reported to be largely fair, KHRP has been informed of several abuses in the Southeast.

In Diyarbakir, security forces beat citizens and journalists who expressed concerns while witnessing the theft of several bags of ballots during transit. Security forces told the people to disperse. Thirty police, both plain-

clothed and uniformed, later attacked the witnesses. Several were arrested and seventeen people were injured.

According to information received by KHRP, eight people, of different political parties, were also left dead in further acts of violence in the early hours of the election.

Election observers including Eurig Wyn MEP were prevented from entering polling stations by police in Diyarbakir. Later there were reports of the detention of up to 100 people who were not allowed to vote.

KHRP is concerned at the arrest of Süleyman Anik, the newly elected Mayor of Dargecit in the Mardin district on 30 March 2004 on charges of having links to an illegal organisation. Anik is a member of DEHAP and Social Democrat Coalition (SHP). The arrest followed a house search reportedly conducted by 200 gendarmes and 100 police officers.



The Turkish elections took place on 28 March 2004. Above: Osman Baydemir, a member of KHRP's legal team and former Vice President of the Human Rights Association (IHD), submits his vote. He was elected Mayor of Diyarbakir

# KHRP reports censored in Turkey

In December 2003, two KHRP books were censored in Turkey alongside books by author Irvine Welsh and music by rapper Eminem. The reports concerned Kurdish language rights in Turkey and the status of Turkey's 3 million Internally Displaced Persons (IDPs).

A legal team representing the reports' publishers in Turkey successfully challenged the failure of the police to obtain a written permit before preventing dissemination of the reports. The reports are now available in Turkey in addition to their reproduction on the KHRP website [www.khrp.org](http://www.khrp.org).

# Turkish repentance law concludes

Turkey's controversial 'Winning Back to Society' law, also cited as the 'Repentance' law, has come to an end.

The law was mainly directed at members of KADEK, although it included members of Islamist and ultra-nationalist groups. The law was valid for six months, until 6 February 2004, and specifically excluded leadership figures. The law provided that those who were involved in armed attacks, who surrender and submit information regarding their activities, were eligible for reduced sentences. Those who could demonstrate no involvement in armed attacks were eligible for a complete pardon.

The law largely failed to attract support, due to restrictions on the eligibility for pardon.

# Domestic courts prevent donation to human rights organisation

A domestic court has prevented one of the imprisoned former parliamentarians of the pro-Kurdish DEP Party from donating the compensation from a successful ECHR challenge to a human rights organisation.



Domestic courts have prevented imprisoned parliamentarian Hatip Dicle from making a donation to human rights organisation TOHAV

Hatip Dicle received the 328 billion TL compensation following a successful KHRP case to the ECtHR, which held that the Democracy Party's (DEP) right to freedom of association (Article 11, ECHR) had been violated. Due to his imprisonment, under Turkish law he cannot access the money in order to make a donation without applying to domestic courts. The Ankara No. 3 Family Court ruled in March 2004 that he would not be permitted to donate the money to the Foundation for Social and Legal Research (TOHAV), a partner organisation of KHRP.

# KHRP fact-finding mission in Turkey

From 11 to 19 March 2004, a KHRP fact-finding mission to Turkey assessed the current human and women's rights situation, including the efficacy of recent reforms aimed at improving human rights to meet EU accession standards. The delegation, including KHRP Legal Officer Anke Stock, barrister Peter Lowrie and women's rights expert Margaret Owen held meetings in Istanbul and Diyarbakir with representatives of political parties including the ruling AKP government, the pro-

Kurdish DEHAP party, and NGOs including the Human Rights Association and women's groups.

The fact-finding mission also visited a newly opened Kurdish language school in Batman on its second day of operation. KHRP hopes the school will be permitted to continue operation, potentially signalling a shift in Turkish authorities' attitude towards Kurdish language education.

The report of the fact-finding mission will be published shortly.



Top: KHRP fact-finding mission members Margaret Owen and barrister Peter Lowrie visited a new Kurdish language school in Batman on its second day of operation

Below: Fact-finding mission member Margaret Owen visits a women's group in Diyarbakir to discuss sexual violence and other women's rights concerns

# KHRP delivers human rights training in Turkey



Above: KHRP Legal Officer Anke Stock and Peter Lowrie, barrister of 10-11 Gray's Inn Square, deliver human rights training in Diyarbakir, March 2004

On 13 and 14 March 2004, KHRP continued its human rights training programme by delivering two training seminars in Turkey in conjunction with the Human Rights Association (IHD) Diyarbakir branch, Diyarbakir Bar Association, Contemporary Lawyers' Association Diyarbakir branch and TOHAV.

The seminar provided training on the prohibition of discrimination (Article 14) under the European Convention on Human Rights and the use of UN human rights mechanisms. KHRP delivered training both in Istanbul and Diyarbakir.

# KHRP observes trials of human rights defenders in Turkey

On 17 March 2004, KHRP observed the trial of several human rights defenders, including executives in the Human Rights Association (IHD) and the president of the Diyarbakir Bar Association.

One trial concerned human rights defender Huseyin Cangir, the branch chair of Human Rights Association (IHD) in Mardin. Cangir has been prosecuted for the publication of posters advertising Human Rights Week (10 to 17 December) featuring the phrase 'Peace Will Win' (Asiti Bi Ser Keve) in Kurdish. The Van Criminal Court of Peace held that all the posters were to be confiscated. A case was subsequently lodged against both Cangir and the Chair of IHD Siirt branch, Vetha Aydin. The trial was observed by international women's rights lawyer Margaret Owen. The case has been adjourned.

KHRP also observed the trial of the Chair of the Diyarbakir branch of IHD, Selahattin Demirtas and the president of the Diyarbakir Bar Association M. Sezgin Tanrikulu. Tanrikulu has been prosecuted for a speech made concerning torture in Turkey and the practice of state officials of attending medical examinations where allegations of torture are investigated.

KHRP's trial observation mission report will be published shortly.

# New anti-corruption laws for Iraq

The Coalition Provisional Authority (CPA) announced the establishment of three independent agencies to protect the public interest on 24 March 2004: the Commission on Public Integrity to enforce anti-corruption laws; the Iraq Public Service Broadcaster to regulate publicly owned media; and the Iraqi Communications and Media Commission to ensure Iraq's airwaves are administered in the public interest. The Commission on Public Integrity is empowered to investigate cases dating back to 1968 when Saddam's Ba'athist party came to power.

Moreover, under new rules announced on 7 February 2004, senior Iraqi officials are required to disclose publicly comprehensive details of their finances each year. These details are to include information regarding financial assets held domestically and abroad. Political parties are required to disclose the sources of their funding and all government employees are to pledge to follow a code of conduct.

The Ministry of Justice will be one of the first areas to be investigated. This is likely to prove a test case for the Commission as two separate reports published by the UN and the American government found widespread corruption and incompetence to exist, whilst experts training the new police force have voiced their fears that it will be extremely vulnerable to bribery.

# US faces military crisis in Iraq

The US is experiencing its greatest military crisis in Iraq since the fall of Baghdad on 9 April 2003. This is a result of the apparent re-emergence of Sunni insurgents west of Baghdad; together with a split in the Shiite community and an internal struggle that has targeted the US.

The role of Sunni insurgents, which the US appeared to have defeated in October and November 2003, in triggering the 31 March 2004 attack against US civilian contractors in Al Fallujah is an open question. It is clear that the insurgents remain now in the Al Fallujah-Ar Ramadi corridor. As the siege of Al Fallujah continues, the potential grows for the insurgency to acquire sympathetic recruits. Nonetheless, with the believed present number of guerrillas operating, many believe that the operations cannot be sustained.

Simultaneously, a Shiite militia led by young cleric Moqtada al-Sadr has launched an offensive in Baghdad and in a number of cities in Iraq's south. It is unclear whether the rising represents a marginal movement or a fundamental shift in the Shiite community as a whole. Ali al-Sistani, the grand ayatollah of the Iraqi Shia, has made clear that he does not trust the American transitional plan and does not believe it protects Shiite interests or represents American promises. He is agitating for a different transition process that gives the Shia more power.

Below: Members of the KHRP trial observation mission outside the Diyarbakir Court of First Instance, March 2004



# Opportunities for justice: the capture of Saddam Hussein

The day of Saddam Hussein's capture, 13 December 2003, represented the happiest day in the lives of millions of Kurds throughout the regions and diaspora. A domestic statute has been passed which provides for the creation of a special tribunal to try him. Whilst many agreed that this would give legitimacy to the proceedings, there is grave doubt over the capacity of the current Iraqi judicial system to handle a case of such complexity.

KHRP stresses the need for impartiality in the operation of any tribunal. It must be fair and independent, respect the basic norms of procedural and substantive due process required under international law, and include the rights of the accused as enshrined in the defining documents of international human rights law.

KHRP is concerned by the tribunal's current structure and the authority's mandate to impose the death penalty, a penalty which has come to be regarded as unacceptable in a democratic society.

## AN INTERNATIONAL CRIMINAL TRIBUNAL

It is clear that an international criminal tribunal would enjoy greater legitimacy in the view of the world, and benefit from the considerable experience of previous tribunals.

Based on the experiences in Rwanda and the former Yugoslavia, the US has objected to the cost and long duration of international criminal tribunals. However, KHRP believes the price of promoting justice, accountability, the rule of law and Iraq's reintegration into the community of nations is almost certainly worth paying; particularly when compared with the cost of failing to do so successfully. KHRP believes there is an overwhelming moral imperative to bring perpetrators of genocide, war crimes and crimes against humanity to justice, irrespective of financial cost.

An international criminal tribunal would be mandated by Chapter VII of the UN Charter, which would require all UN member states to comply with its orders, including indictments and arrest orders.

## HYBRID COURT

An international criminal tribunal could embrace Iraqi participation by including Iraqi judges and prosecutors. One option is a Special Court, created by a treaty between the UN and the Iraqi government. The Court would be under joint jurisdiction of the UN and Iraq and would sit in Iraq. Based on the experience of the Special Court established in Sierra Leone in 2000, both local and international judicial and prosecutorial staff would be involved.

This model would allow Iraqi citizens to follow the trial more easily and local judicial officials to glean knowledge from internationals to rebuild the country's judicial system. It is also thought to be more efficient and less expensive than other models. Further, if the Hybrid Court was placed under Chapter VII of the UN Charter, it would have the same powers as an international criminal tribunal.

## THE WAY FORWARD

KHRP advocates that a hybrid tribunal is established under the auspices of the UN and in consultation with other organisations in this field.

Due to its experience in representing the victims of human rights abuses in the Kurdish regions to international mechanisms including the European Court of Human Rights and UN mechanisms, KHRP is well-positioned to advise on how best to meet the needs of the victims and establish a tribunal that will earn the highest legal regard. However, the Iraqi Governing Council drafted the Statute without consulting any outside parties or allowing for public comment. KHRP and other leading human rights organisations believe that a group of experts should have been created to suggest appropriate ways for the Tribunal to function particularly in relation to accountability mechanisms, evidence and selection of judges and prosecutors, and indeed it is not too late to assemble such a group.

# DISPATCHES



Top: KHRP Executive Director Kerim Yildiz participates in a panel discussion at the UK House of Lords, March 2004; Below: Ahmet Kahraman, Kurdish writer and journalist at KHRP's London office, March 2004

## KHRP AT UK HOUSE OF LORDS

On 3 March 2004, KHRP Executive Director Kerim Yildiz participated in a panel discussion at the UK House of Lords to mark the English-language publication of the seminal book 'International Colony Kurdistan' by Ismail Besikci. The author was imprisoned many times for his writings, leading him to become a figurehead of censorship in Turkey.

Other participants in the panel discussion included Lord Avebury, Vice-Chair of the All Party Parliamentary Human Rights Group and KHRP Honorary President, Ahmet Kahraman, a Kurdish writer and journalist and Gillian Cleverley of Amnesty International UK.

Ahmet Kahraman also visited KHRP to exchange information about the current situation in the Kurdish regions.

## HUNGER-STRIKING IRANIAN KURDS ADMITTED TO UK HOSPITAL

Two Iranian Kurds who sewed their mouths closed to protest against deportation from Britain have received hospital treatment following their fifteen-day hunger strikes.

Fariboz Gravindi and Mokhtar Haydari, and a companion, Feroz Haidari, went on hunger strike after the British government said they had no further right to appeal the decision to refuse them asylum. All three have said they face the risk of torture and possible death at the hands of Iranian security services.

# DISPATCHES

## KHRP MEETS WITH US GOVERNMENT

From 13 to 18 December 2003, KHRP Executive Director Kerim Yildiz and Chairman Mark Muller visited the US State Department in order to discuss developments in the Kurdish regions. Among other issues, the groups exchanged information concerning human rights in the Kurdish regions, the situation in Iraq and the Baku-Tblisi-Ceyhan oil pipeline.



Above: KHRP Executive Director Kerim Yildiz with Chairman Mark Muller at the US State Department, December 2003



Chairman Mark Muller with Roger van Zwanenberg, Managing Director of Pluto Press, and Kerim Yildiz at KHRP Christmas party, December 2003



KHRP Executive Director Kerim Yildiz, Jean Lambert MEP and KHRP Environmental and Human Rights Officer Suzanne Dowse at KHRP Christmas party, December 2003

## RAISING AWARENESS AT STUDENT EVENTS

On 6 March 2004, KHRP PR Officer Rochelle Harris delivered a lecture on the position of the Kurdish people in the Middle East at a conference of the Model United Nations at Kingswood School in Bath. At the conference, students from across the UK, Europe and elsewhere represented the views of UN member states as they debated issues of current global concern. The conference was attended by approximately 500 students.

On 24 February 2004 KHRP delivered a lecture to masters students of Transnational Communications and the Global Media at Goldsmiths College in London. KHRP Executive Director Kerim Yildiz focused on the human rights situation in the Kurdish regions and the role of human rights organisations including KHRP and Amnesty International.

If you would like to invite a KHRP guest speaker to your event, contact [khrp@khrp.demon.co.uk](mailto:khrp@khrp.demon.co.uk) or (020) 7287-2772.

# Twin suicide bombings attack Iraqi Kurds



Above: KHRP Executive Director Kerim Yildiz with Sami Abdul Rahman, Deputy Prime Minister of the KDP in Iraqi Kurdistan. Mr. Rahman was the highest-ranking Kurdish official killed during the twin suicide blasts.

Seventy-six people, including five high-ranking officials, were killed and more than 240 injured following synchronised twin suicide bomb attacks at the PUK and KDP offices in Iraqi Kurdistan on 1 February 2004.

Those killed include prominent Kurdish politicians and local figures including the governor of Arbil, Akram Mintik; the KDP Deputy Prime Minister, Sami Abdul Rahman; the Minister of Council of Ministers Affairs, Shawkat Sheik Yazdin; and Agricultural Minister, Saad Abdullah. The other victims were party supporters and ordinary citizens.

Shortly before 11am, two men slipped past the normally tight security at the party buildings and detonated bombs. Hundreds of well-wishers had gathered at the party offices to celebrate the beginning of the four-day Muslim holiday, the Eid al-Adha, or the Feast of Sacrifice.

Following the attacks, leaders of the two primary Kurdish political parties issued statements implying a stronger Kurdish resolve towards gaining self-rule. KDP Chair Massoud Barzani and PUK leader Jalal Talabani pledged to fight terrorism and work together for a 'democratic, federal Iraq'.

Responsibility for the attacks has yet to be claimed, though Kurdish officials have stated their belief that it could have been the work of Ansar al-Islam, a militant organisation with links to al-Qaeda.

Terrorist attacks have taken place throughout Iraq since the downfall of Saddam Hussein; however Iraqi Kurdistan was known to be the most stable and secure region. The terrorist attacks are aimed at creating instability and provoking ethnic tensions, and are directly related to the construction of a new Iraq.

Since the capture of Saddam Hussein, terrorist attacks against those perceived to be collaborating with the occupying forces have increased. Terrorist attacks against the occupying forces faced an initial decrease but are now escalating.

KHRP condemns the terrorist attacks in the strongest possible terms and urges the international community to assist the Kurdish administration in pursuing open, swift and effective investigations.

## Compensation for Saddam's Victims

Relatives of those killed under Saddam Hussein's regime are to receive priority treatment for employment and benefit opportunities, it has been announced. Such benefits include pensions, and tickets and visas facilitating pilgrimage to Mecca so that the dead can be honoured. Many have welcomed this action as a means of acknowledging the dead; although it has been criticised for provoking resentment by those who do not qualify.

# Iranian crackdown against Kurdish protestors

Iranian forces have opened fire and seriously wounded protestors in a crackdown against Kurdish demonstrations for human rights which have occurred since March 2004.

Protests in support of greater Kurdish self-determination have piqued throughout the regions and diaspora since the signing of the new temporary Iraqi constitution, which recognised the maintenance of Iraqi Kurdistan as a federal unit.

According to the Democratic Party of Iranian Kurdistan (PDKI), approximately 50,000 protestors gathered in Mahabad with 10,000 in Mariwan, and smaller demonstrations occurring in Sanandaj, Bana and Sardasht.

A statue erected by the Iranian regime, commemorating an Iranian patriotic suicide bomber, was toppled by the protestors in Mariwan. Further information about the condition of protestors wounded by the Iranian forces has not been made public.

Iran has witnessed an increase in demonstrations and strikes in recent months. On 8 March 2004, demonstrations in support of International

Women's Day were also broken up by police forces and plainclothes agents. Reportedly hundreds of women were beaten with clubs and chains; and witnesses reported seeing men laying on the ground following beatings.

Demonstrations have also taken place in Bam in dissatisfaction with the authorities' failure to provide effective support to the thousands who remain homeless following the devastating earthquake of December 2003. Although the authorities reported no casualties, news reports allege that two people were wounded by bullets fired into the crowd by security forces. The provincial governor's office accuses the media of exaggerating the extent of international aid available; provoking unrest with residents who have failed to see improvements in their living conditions.

KHRP urges the Iranian authorities to establish an independent judicial enquiry into the clashes and reported human rights violations.

# Travel ban imposed on Syrian human rights activist

A travel ban has been imposed on Hassaim Maleh, lawyer and Chair of the Syrian Human Rights Association. The ban is understood to be in retaliation for a speech made by Maleh in the German Parliament in December 2003.

Malah believes that the travel ban was ordered by Syrian secret police who objected to the connection he made between human rights and the current situation in Syria during his speech. He was questioned by police on 10 February 2003 and had his passport taken at Damascus airport when he subsequently tried to leave the country for a private visit.

Mr Maleh is also one of 1500 intellectuals that signed a petition calling upon the Syrian President Basher al-Assad to implement political reform.

## DISPATCHES

### KHRP MEETS WITH EUROPEAN UNION AND EUROPEAN PARLIAMENT

On 17 March 2004, KHRP Executive Director Kerim Yildiz and Fundraising Officer Philippa Loates visited EU representatives in Brussels to exchange information regarding the human rights situation in the Kurdish regions and discuss possible future funding for the organisation. Interviews were held with representatives of EuropeAid's European Initiative for Democracy, Human Rights and Governance section. KHRP also met with MEPs including Kurdish MEP Feleknas Uca and several relatives of Kurdish victims of the recent violence in Syria to obtain up-to-date information about the crisis.



KHRP Fundraising Officer Philippa Loates with Executive Director Kerim Yildiz outside European Parliament in Brussels, following meeting with Feleknas Uca MEP, March 2004

### AMENDMENTS TO SYRIAN GUARDIANSHIP LAW FOR CHILDREN

A Syrian law, granting mothers a right of guardianship to sons until the age of eleven and daughters until the age of thirteen, was amended in late 2003. The new age limits are thirteen and fifteen respectively.

The amendments do not alter mothers' lack of guardianship rights over children were she to remarry, and makes no provision for the family's right to a home.

### KURDISH POLITICAL PRISONERS EXECUTED IN IRAN

Iranian authorities executed two members of the Kurdistan Democratic Party of Iran (PDKI) in December 2003. There had been international appeals against the executions. Over 300 members of PDKI alone have faced the death penalty or extra-judicial killing since Ayatollah Khomeini came to power in 1979.

Jalil Zewai had been imprisoned by the regime since 1994 and was executed on 4 December 2003. Ramin Sharifi was taken into custody on 8 July 2003 and was executed two days later 6 December 2003 without a formal trial.

KHRP believes that the death penalty is an unacceptable form of punishment; and is gravely concerned at the imposition of capital punishment without a formal trial.

# Demands for independent inquiry into allegations over BTC pipeline

KHRP and partner organisations are urging for an independent inquiry into BP's Baku-Ceyhan (BTC) pipeline, following allegations in the *Sunday Times* that the company concealed both potential fraud and likely environmental catastrophe from governments and banks which subsequently decided to fund the project.

A BP consultant report in

November 2002 warned that the company was "completely out on a limb" over its choice of joint coating for the Azeri and Georgian sectors of the pipeline, which the report noted was likely to result in widespread oil leakage, "astronomical" repair costs and "open-ended" legal liabilities.

BP's failure to disclose the risks from the faulty coating material,

if confirmed, could constitute a default under its loan agreements, potentially requiring major funders including the World Bank to suspend their loans.

KHRP and partner organisations the Cornerhouse, Friends of the Earth and PLATFORM have sent a detailed series of questions to all the banks and government agencies

currently supporting the BTC project to confirm if they were informed about the problems with coating and procurement before deciding to provide support. The coalition is urging for a fully independent inquiry to find out if the allegations are true and whether the project needs to be halted for the safety of local people and the environment.

## Barclays declines loan for BTC pipeline, RBS/ Natwest confirms support

The Royal Bank of Scotland (RBS) has been slammed for providing a loan to the controversial BTC oil pipeline, in spite of the bank's own environmental rules. Its role in the project was confirmed on 3 February 2004 with the signing of the pipeline financial package in Baku.

RBS, along with HSBC, Standard Chartered and Barclays Bank, have signed the Equator Principles, a set of undertakings aimed at preventing loans to environmentally and socially damaging projects. The other signatories include the HSBC, Standard Chartered and Barclays Bank.

Barclays Bank on 1 December 2003 decided not to provide a loan to the pipeline, commenting that, "All projects in which we participate are considered in

accordance with our established risk management policies and procedures including those addressing environmental and social issues, which are in line with the Equator Principles."

Environmental groups the Cornerhouse, PLATFORM and Friends of the Earth contend that that the project breaks the principles on numerous counts, including 30 direct breaches and a further 127 violations of five International Finance Corporation policies to which the Equator banks are committed.

## UK government agrees to back controversial Caspian oil pipeline

KHRP and partner organisations have reiterated the need for the UK Government's Export Credit Guarantees Department (ECGD) to adopt binding social and environmental standards, following its decision of 17 December 2003 to provide \$150 million in support for the controversial BTC pipeline.

The ECGD claims that the pipeline, "will serve to promote regional stability," and refers to, "the establishment of high quality operations to international standards," in spite of the NGOs' identification of 173 World Bank standards that would be violated by the project.

Such claims to promote regional stability have been undermined by, inter alia, the

widespread irregularities in the elections in Azerbaijan and Georgia, the 'rose revolution' which took place in Georgia and the major terrorist attacks which have taken place in Turkey. In addition, the ECGD's claim that the project will create "significant temporary work" occurred in the same week that workers building the pipeline in Georgia went on strike in protest at reportedly receiving less than 50 US cents per day.

KHRP believes that effective consultation with stakeholders must take place prior to the ECGD deciding whether or not to support such projects, especially where there exist grave concerns about the protection of human rights, the environment and culture.

**European Commission taken to Court over Baku-Ceyhan pipeline, page 15**

**New case lodged for expropriated villagers, page 14**

## EBRD urged not to support South Caucasus pipeline (SCP)

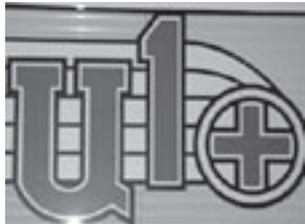
KHRP and partner organisations PLATFORM, Friends of the Earth and the Cornerhouse have urged the European Bank for Reconstruction and Development (EBRD) not to provide support for BP's South Caucasus Gas Pipeline (SCP), a parallel project to the BTC pipeline until effective Environmental Impact Assessments have been undertaken. The SCP follows the path of the BTC project

through Azerbaijan and Georgia and ends at Erzurum in central Turkey.

The Executive Directors of the EBRD have voted on whether to grant up to £150 million to the SCP. In a letter to the EBRD Directors, the groups pointed out that an Environmental Impact Assessment (EIA) of the Turkish section of the pipeline has not yet been completed, while the EIAs for Azerbaijan and Georgia are almost two years old.

## Dissent sweeps Armenia

A groundswell of protests is sweeping across Armenia's capital city Yerevan. On 2 April 2004, in spite of state warnings, a march and rally took place to mark the second anniversary of the closure of A1+ television station. KHRP is assisting the station in taking a case to the European Court of Human Rights seeking redress for multiple breaches of the ECHR. As the majority of television stations besides A1+ were and continue to be state-owned, the closure was widely seen in Armenia as a violation of freedom of expression.



The protests are expected to increase over coming weeks, in the run up to a 'confidence referendum' which will gauge the level of public confidence in the election of the president. The referendum has been recommended by the Constitutional Court, following its decision that the widely criticised presidential elections of 2003 were valid but lack public confidence.

## KHRP remembers Halabja and Anfal victims

On 14 March 2004, KHRP attended an event to commemorate the sixteenth anniversary of Halabja and the Anfal campaigns. The meeting encompassed presentations by distinguished and expert speakers including Ms. Helen Bamber, founder of the Medical Foundation for the Care of Victims of Torture, Mr. Gwynne Roberts, journalist and documentary producer/director, Professor Dlawer Ala'Aldeen of the Queen's Medical Centre at Nottingham University, and survivors of the chemical attack on Halabja. The event was organised by the Committee for Remembrance of Halabja and Anfal and supported by the Kurdish Studies Forum at the School of Oriental and African Studies, London.

## KHRP ATTENDS INTERNATIONAL DAMS CONFERENCE, THAILAND

From 28 November to 3 December 2003, KHRP was invited to attend the 'Rivers for Life' meeting in Thailand, the second international meeting of dam-affected people and associated groups. KHRP raised concerns about the human rights and cultural impact of the GAP scheme of dams in Turkey, including the Ilisu, Yusufeli and Munzur dams, and the heightened risk of regional tensions presented by the dams. The meeting enabled KHRP to share its experience and to develop strategies for increasing the participation of civil society in dam planning and construction.



Above: KHRP Executive Director Kerim Yildiz with Nicholas Hildyard of The Corner House at the International Dams Conference, Thailand, December 2003; Below: KHRP and others undertake fieldwork. They later visited local Thai villages impacted by the infamous Rasi Salai and Pak Mun dams by boat, accompanied by Narmada valley activists from India

# Grand Chamber judgment raises concern over future 'disappearance' cases

A judge of the European Court of Human Rights has distanced himself from a troubling Grand Chamber judgment concerning the 'disappearance' of a Kurdish farmer in Southeast Turkey in 1994 (*Acar v. Turkey*). The case has raised issues closely allied to the upcoming ECHR reform in May 2004.

Mehmet Selim Acar had been working in a field when two armed men, claiming to be police officers, abducted him. He has since 'disappeared'. KHRP took a case to the European Court on behalf of the victim's brother, Tahsin Acar, complaining of the unlawfulness and excessive length of his brother's detention, of the ill-treatment and torture to which his brother had been subjected in detention, and of the failure to provide his brother with medical care in detention. The application invoked Articles 2, 3, 5, 6, 8, 13, 14, 18, 34 and 38 of the ECHR.

On 8 April 2004, the European Court held that the Turkish Government had neglected to conduct any adequate and effective investigation into the disappearance in 'procedural' violation of the right to life (Article 2 ECHR). The European Court also found that the respondent State had failed to comply with Article 38 ECHR, which binds States to cooperate fully with the Court in any investigation aimed at establishing the facts.

However, the statements of two eyewitnesses that contested the applicant's account led the Court to conclude that it had not been established 'beyond reasonable doubt' that the Turkish Government's responsibility had been engaged in the abduction and disappearance, in 'substantive' violation of the right to life (Article 2 ECHR).

Earlier ECHR decisions have

emphasised that the burden of proof may be regarded as resting on the authorities to provide a satisfactory and convincing explanation where the events in issue lie wholly, or in large part, within the exclusive knowledge of the authorities (see KHRP case of *Ipek v. Turkey* (25760/94)).

Judge Bonello, who voted 'with marked reluctance' for not finding a substantive violation of Article 2, criticised the judgment for failing to confront the concerns underlying the problem from a 'wholly different perspective':

"... The Court was faced with a situation, acknowledged and stigmatized, in which the State [...] made nugatory or impossible the availability of potentially relevant evidence. [...] It is for me [...] incontestable that the Court has visited the miscarriages of the Government, not on the perpetrator of those failings, but on the victim of those failings... I feel I must distance myself from moral deficit such as this.

"... In my view the Court ought to have declared, boldly and defiantly, that, when a State defaults in its duties to investigate and to hand over what evidence it has under its control, the burden of proof shifts. It is then for the Government to disprove the applicant's allegations. Failure to draw these inferences will only embolden rogue states in their efforts to rig sham investigations, and encourage the suppression of incriminating evidence."

The European Court did not hold a fact-finding hearing in the case, in which the applicant and government witnesses could have been cross-examined in

order to establish the facts.

The decision is made all the more inequitable by the Court's earlier decision to 'strike out' the case; a decision that was reversed by a landmark Grand Chamber ruling on 6 May 2003.

Determined to resolve its backlog of cases and spiralling costs, the European Court decided on 9 April 2002 to 'strike out' the case considering that continued examination was 'no longer justified'. This followed the applicant's refusal of an offer of friendly settlement from the Turkish Government, which he considered was not sufficient to resolve his case. The strike out decision occurred in the context of discussions to reform the ECHR to limit the number of cases requiring judicial examination; raising concerns among leading human rights organisations that the reforms would curtail the rights of individuals to receive binding judgments on whether their rights under the ECHR have been violated (see *Human rights groups express concerns as ECHR reform is finalised*, page 14).

On 8 July 2002, KHRP requested that the case be referred to the Grand Chamber, which is mandated to consider cases where they raise a serious question affecting the interpretation or application of the ECHR, or a serious issue of general importance. At a Grand Chamber hearing in January 2003, KHRP's legal team including Keir Starmer QC argued that it is not appropriate to strike out or dispose of an application on the basis of a declaration from the respondent government that does not admit the breach of the fundamental human rights alleged in the application.

In its unprecedented ruling on 6 May 2003, the Grand Chamber confirmed that it should be very

slow to strike out cases where an allegation of disappearance is made and that an examination of the case on the merits should now take place.

While that examination of 8 April 2004 did find the Turkish Government in violation of the ECHR, its limited scope has disappointed the applicant, his legal team and the Italian judge of the European Court, who commented,

"... The failure by the Court to find a 'substantive' violation of Article 2 had dismal consequences for the applicant: no material damages could be, or were, awarded... The Government which, in the course of the proceedings, had spontaneously offered the applicant £70,000 in compensation, can now get away with a hand-out of 10,000 euros, the fair market price, it seems, for the life of a man who never was."

KHRP overall welcomes the Grand Chamber judgment which holds the Turkish Government responsible for violating Mehmet Selim Acar's right to life and vindicates concerns that the 'strike out' procedure had been used inappropriately to dispose of an application that was manifestly well-founded. Nevertheless, the failure to find a substantive violation of Article 2 threatens to undermine one of the cornerstones of the ECHR system, namely the right of individuals to obtain redress for violations of their human rights. It is crucial to the future effectiveness of the European Court system that the concerns of KHRP and other human rights organisations are addressed during the adoption of reforms and in the consideration of future 'disappearance' cases.

# KHRP victory in Kurdish 'disappearance' case

A Kurdish woman whose husband was 'disappeared' in Turkey has won her case at the European Court of Human Rights, in the third successive KHRP case concerning disappearances to be decided by the Court since January (*Nuray Sen v. Turkey*).

On 28 March 2004, the Court held that Turkey had violated the European Convention on Human Rights (ECHR) for its failure to investigate the killing of Mehmet Sen, a mayoral candidate and leading member of the pro-Kurdish DEP party. His wife, Nuray Sen, was the director of the Mesopotamia Cultural Centre in Istanbul, which collates and exhibits the culture and art of the people in Mesopotamia, mainly Kurds.

Mehmet Sen was abducted on 26 March 1994 by two plain-clothed policemen. The next day his body was found abandoned. The deceased had been tortured and shot in the head.

KHRP took a case to the Court on behalf of the deceased and on behalf of his wife, Nuray Sen, and his daughter.

In its judgment, the Court acknowledged that a significant number of prominent Kurdish figures had been killed by unknown perpetrators at the material time. However, in the absence of sufficient corroborating evidence, the Court could not conclude beyond all reasonable doubt that



Above: KHRP applicant Nuray Sen

Sen had been deliberately killed by state officials or by persons acting under their instruction.

Nonetheless, the Turkish Government was found to have violated the right to life for its failure to carry out an adequate and effective investigation into the circumstances surrounding the death (Article 2, ECHR).

The Court found an additional violation of the right to an effective remedy (Article 13).

A further KHRP case concerning the detention of Nuray Sen for eleven days before being brought before a judge was decided by the Court on 17 June 2003. The Court held that the Turkish Government could not justify the period of detention in question and that there had been a violation of Article 5.

# Leyla Zana to challenge imprisonment verdict at European Court of Human Rights

KHRP is to assist Leyla Zana and three other imprisoned former Democracy Party (DEP) parliamentarians in taking cases to the European Court of Human Rights (ECtHR), following the decision of Turkish courts on 21 April 2004 to confirm their fifteen year prison sentences.

The Ankara State Security Court sentenced the pro-Kurdish parliamentarians to fifteen years' imprisonment for membership of an armed rebel group, confirming a 1994 sentence passed on them.

The pro-Kurdish parliamentarians, Leyla Zana, Hatip Dicle, Orhan Dogan and Selim Sadak, had received a domestic retrial following an earlier ECtHR decision that they had not received a fair trial. In February 2003, a 'Harmonisation' law was passed aimed at bringing Turkey in line with EU accession standards. The law granted a right to defendants to have a retrial where the ECtHR has ruled that their original trial was unfair, in violation of the ECHR.

KHRP has assisted the parliamentarians in taking their cases

to the ECtHR, which ruled in July 2001 that the DEP parliamentarians had not received a fair trial; and in June 2002, that the dissolution of the DEP party itself had violated the right to fair and free elections. The Ankara State Security Court consented to retry the former parliamentarians in February 2003.

KHRP believes the court's decision has brought Turkey's efforts to meet EU accession standards into disrepute. This ought to have been an opportunity for Turkey to demonstrate its commitment to international human rights law; instead the case has only highlighted how far Turkey is from meeting those standards. Sadly, the widespread failure of Turkish authorities to implement reforms on the ground also made this decision inevitable. KHRP strongly condemns this verdict and urge the Council of Europe's Committee of Ministers to consider the case urgently, in light of the continued and unjust imprisonment of these Kurdish politicians.

# KHRP urges Turkey to accede to International Criminal Court

KHRP and its partner organisations have made a concerted call on Turkey to accede to the statute of the International Criminal Court.

Turkey is the only member of the Council of Europe not to have ratified the Rome Statute, which provides for the establishment of a permanent court to bring per-

petrators of war crimes, genocide and crimes against humanity to justice. The future of the ICC and its effectiveness depends on widespread ratification of the statute.

In January 2004 KHRP requested supporters to sign onto a petition urging Turkey's accession to the statute. The petition

was co-ordinated by Amnesty International and presented to the Turkish authorities by AI Secretary General Irene Khan on 6 February 2004.

KHRP is a member of the Coalition for an International Criminal Court, the network of NGOs advocating for an effective, just and independent ICC. The

European Co-ordinator for the network, Irune Aguirrezaba, met with the Turkish Parliamentary Human Rights Committee in January 2004 to urge its support. The Committee undertook to assess the issue.

# New case lodged for expropriated villagers

On 22 December 2003, KHRP lodged applications with the ECtHR on behalf of 36\* Kurdish and non-Kurdish villagers concerning the expropriation of their land by the Turkish Government in order to build an oil pipeline (the Baku-Tblisi-Ceyhan pipeline) through the area (\*now 38 villagers: *Yaziki and 37 Others v. Turkey*).

The applicants complain that their right of access to the court has been violated under Article 6 of the ECHR. Further, they submit that their right to respect for private and family life (Article 8) has been violated by the state's failure to inform its citizens about the potential dangers the pipeline would bring to the lives

of people living next to it and to the environment. Several of the applicants were paid less than market value, thereby violating their right to property under Article 1 of Protocol No. 1 to the ECHR. The applicants further complain of a violation of their right to an effective remedy (Article 13). The applicants claim that

all the violations mentioned are a result of their Kurdish social origin, language, religion and ethnic status contrary to the prohibition of discrimination (Article 14 in conjunction with 6, 8, 13 and Article 1 of Protocol No. 1).



KHRP and the Cornerhouse visited Turkey in January 2004 to obtain witness statements from expropriated villagers. Above: KHRP, the Cornerhouse and Ferhat Kaya meet villagers in Ortagecit



Villagers in Haşköy gave statements to KHRP lawyers

## Human rights groups express concerns as ECHR reform is finalised

KHRP and other NGOs have prepared an updated joint response to the upcoming reform of the European Convention on Human Rights (ECHR), due to be finalised in May 2004.

The Joint Response updates the recommendations that were submitted to the Council of Europe Committee of Ministers (CoM) in March 2003 (see *Joint Response to Proposals to Ensure the Future Effectiveness of the European Court of Human Rights*, which was signed by 74 NGOs and civil society representatives in most of the 45 Council of Europe member states – see (2003) 3 KHRP Legal Review).

On 8 April 2004 the CDDH adopted its Final Report on the reform proposals. The Parliamentary Assembly of the Council of Europe will adopt its opinion on the reform proposals during its plenary session in April. From 12 to 13 May 2004, the CoM is scheduled to debate and adopt the new Protocol No.14, which will amend the ECHR.

Aware of the Court's current backlog, KHRP nonetheless remains seriously concerned by the proposal to add new admissibility criteria that would curtail the right of individuals to receive binding judgments on whether their rights under the ECHR have been violated. This proposal does not address the two main sources of the current challenges facing the Court: namely more efficient and effective screening of the applications received by the Court to weed out the more than 90% of applications that are inadmissible under current

criteria and the expeditious rendering of judgments, in particular on manifestly well-founded cases concerning violations of the ECHR about which the case-law is clear. KHRP believes that the new admissibility criteria will make the process more time-consuming and complex, requiring greater scrutiny of the case at admissibility stage and, at least for the first few years, the consideration of the interpretation of such criteria by the Chamber and Grand Chamber of the Court. If accepted, the new admissibility criteria will undermine one of the cornerstones of the ECHR system, namely the right of individuals to obtain redress for alleged violations of their rights under the Convention.

However, KHRP and the joint response group welcome some proposals, *inter alia*, to empower committees of three judges to rule in an expedited procedure on admissibility and merits of "manifestly well-founded cases", including cases which raise repetitive issues about which there is well-established case-law. KHRP also welcomes the aim to prevent violations of the Convention at national level and to improve domestic remedies.

*The Updated Joint Response to Proposals to Ensure the Future Effectiveness of the European Court of Human Rights is available on [www.khrp.org](http://www.khrp.org)*

# KHRP submission on UK Human Rights Annual Report

On 9 February 2004, KHRP was invited to make a submission on the Foreign and Commonwealth Office's (FCO) Annual Report on Human Rights 2003 to the UK Foreign Affairs Committee.

KHRP shares many of the human rights concerns included in the FCO annual human rights report. However, KHRP has highlighted areas of concern that were omitted from the report.

The submission noted that the FCO had failed to refer to the extensive human rights violations against Kurds throughout the regions. It also noted the failure of the report to dedicate an in-depth analysis of human rights violations in Turkey, especially in the light of the forthcoming December 2004 decision of whether or not Turkey should be granted EU accession.

The submission highlighted the failure of Turkish authorities to implement its legal reforms, described by the FCO as "impressive". The impact of this on the prevention of torture was particularly noted. It also considered issues including the mandate of an Iraqi war crimes tribunal to impose the death penalty.

Regarding minorities in Iran, the memorandum highlights that

Iranian Kurds, who are majority Sunni, are not protected by the constitution. Moreover, it highlights that Kurds are subjected to discrimination not only because of their religion but more generally because of their ethnicity.

The FCO report accepts that the European Court of Human Rights is, "the only one to offer such a comprehensive protection of human rights and... [deals] with inter-state petitions and a vast number of individual applications." Accordingly, KHRP felt that insufficient attention was provided to the preparation of a draft amending protocol to the ECHR, which will be passed in May 2004.

KHRP's memorandum also highlights the failure of the FCO report to give due weight to environmental issues and their impact on human rights.

On 29 January 2004, KHRP also attended a lecture concerning the role of human rights in British foreign policy delivered by Jon Benjamin, the head of the FCO's Human Rights Policy Department.

*KHRP's submission to the Foreign Affairs Committee is available on request or at [www.khrp.org](http://www.khrp.org)*

## European Commission taken to Court over Baku-Ceyhan pipeline

In January 2004, KHRP, the Cornerhouse and another applied to the Court of First Instance of the European Court of Justice in Luxembourg to take the European Commission to court over BP's controversial Baku-Tbilisi-Ceyhan (BTC) oil pipeline (*Korkmaz & Cornerhouse & KHRP v. European Commission T-2/04*).

KHRP and the Cornerhouse had previously complained to the European Commission that legal agreements underpinning the BTC project break Turkey's obligations under its EU Accession Partnership. Under the agreements, Turkey exempts the pipeline consortium from all Turkish laws that might affect the project. Turkey would be obliged to compensate the consortium if new laws were introduced that affected the "economic equilibrium" or profitability of the project. Such

agreements amount to a clear potential breach of what would be Turkey's EU law obligations, namely accepting the supremacy of Community Law, in addition to constituting a breach of the EU's own guidelines for funding. As the EU has made Turkey's accession, and pre-accession funding, conditional upon Turkey moving towards the European acquis and the legal structure underpinning the pipeline agreements would be illegal in the EU, it is submitted that Turkey is moving in the opposite direction to the acquis, triggering the Commission's duty to act.

KHRP and the Cornerhouse, and a landowner directly and adversely affected by the project, now submit that the Commission's report of November 2003 fell short of that duty to act.

## KHRP case declared admissible

On 18 March 2004 the European Court declared admissible a KHRP case concerning the conviction of nine HADEP members or supporters for writing a declaration concerning the treatment of Kurds in Turkey. The men were convicted under Article 3 of the Turkish Constitution and Article 312(2) of the Turkish Penal Code. (*Varli and others v. Turkey*)

The applicants complained under Article 6 that the judges at their trial were neither independ-

ent nor impartial and that they had left the courtroom when one of the applicants began his defence. Under Article 10 they complained that their right to freedom of expression had been violated.

Complaints under Articles 9, 11, 13, 14, Article 3 of Protocol No. 1 were declared inadmissible. This decision finalises an earlier Court decision made on 17 October 2002.

## Admissibility decision in Armenian case

A KHRP application concerning the assault, arrest and detention of a man following his attendance at a public meeting has been declared inadmissible *rationae temporis*.

The applicant, Petros Makeyan, was arrested and detained for ten days. The applicant complained of violations of his right to be free of torture and inhu-

man and degrading treatment, right to liberty and security, right to a fair trial, rights to freedom of thought, conscience, religion, expression, of assembly and of association, right to be free of discrimination and right to the protection of property (Articles 3, 5, 6, 9, 10, 11, 14 and Article 1 of Protocol No.1 of the ECHR).

# KHRP presentation to UN Working Group on Minorities

From 1 to 5 March 2004, KHRP Executive Director Kerim Yildiz and Legal Officer Anke Stock travelled to Switzerland to attend and to make a formal oral presentation at the tenth session of the UN Working Group on Minorities.

The session took place at the Palais des Nations in Geneva and was attended by representatives of minority groups, NGOs and member states from around the world. Participating in the conference is one of the best ways to set out the concerns of minority groups to be included in the report of the Working Group, which is submitted to the Sub-Commission and made available as a background document to the UN Commission on Human Rights.

In its presentation, KHRP stressed that the promotion of mutual understanding among the Kurdish minority and the Government would hugely benefit from the full implementation of participatory rights which are mainly enshrined in basic civil, political, social and cultural rights. The situation facing Turkish and Kurdish people is now critical. During the 15 years of armed conflict, 30,000 lives have been lost. The security of all peoples in Turkey lies in acknowledging the Kurds as a distinct people who must be politically recognised as such. The KHRP believes that the UN Working Group on Minorities provides a platform for the discussion of possible solutions regarding the Kurdish issues.

KHRP also observed that, in 2003, the European Court of Human Rights found Turkey in at least one violation of the European Convention in 76 cases, most of which are cases brought by Kurds. Turkey does not abide by its international obligations, it has not yet ratified the Optional Protocols to the International Convention on Civil and Political Rights (ICCPR) or the International Convention on Economic, Social and Cultural Rights (ICESCR) and it does not fulfil its reporting obligations under other UN treaties. Turkey also has not ratified the Framework Convention on the Protection of National

Minorities nor Protocol No. 12 to the European Convention on Human Rights which regulates the general prohibition of discrimination by the public authorities.

Accordingly, KHRP made several recommendations: equal political representation for Kurds, in particular the right to freedom of association, should be guaranteed; the personal safety, freedom of expression and fair trial rights of Kurdish politicians, Kurdish human rights defenders and any other Kurdish

individual should be ensured; the fundamental role of the media in protecting and promoting democracy should be recognised; and social and cultural rights, in particular linguistic rights, should be guaranteed.

Generally, to ensure the implementation of these main participatory rights, KHRP urged the UN Working Group on Minorities to set up special mechanisms such as a special representative or rapporteur on minorities, with a specific mandate to carry out

monitoring, fact-finding and preventive diplomacy, and to recommend possible solutions for the prevention of conflicts. In particular, he or she would monitor the implementation of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

The presentation is available on request and from KHRP's website ([www.khrp.org](http://www.khrp.org))



Above: KHRP Executive Director Kerim Yildiz and Legal Officer Anke Stock making a presentation at the UN Working Group on Minorities, 2004; Below: (l-r) Anke Stock and KHRP legal intern Saniye Karakaş, a human rights and criminal lawyer in Diyarbakir, Turkey with Kerim Yildiz at the UN Working Group on Minorities meeting 2004 in Geneva



# Wife of Kurdish 'disappearance' obtains justice

**Turkey did not investigate disappearance of a Kurdish man, rules European Court of Human Rights**

On 15 January 2004, the European Court of Human Rights (ECtHR) held that Turkey had violated the European Convention on Human Rights (ECHR) for its failure to investigate the killing of a Kurdish man, Ali Tekdag.

Ali Tekdag was shopping on 13 November 1994. He told his wife that he had to attend to something and asked her not to wait for him. He returned shortly afterwards, pretending not to recognise her, told her not to come near him and went into a nearby street. He was being followed by armed men carrying walkie-talkies. Shots were fired and plain-clothed policemen subsequently arrived on the scene and took him away. His wife has heard no news of him since that day and presumes him to be dead.

KHRP submitted the case to the Court on behalf of Mr. Tekdag's wife, Hatice Tekdag. As the Turkish Government and the applicant did not agree on the facts surrounding the death, three delegates from the Court took evidence at hearings held in Ankara in October 2000.

In its judgment of 15 January

2003, the Court considered all the circumstances of the death and considered that the applicant's statements about her husband's disappearance were consistent. However, in the absence of sufficient corroborating evidence, the Court could not conclude beyond all reasonable doubt that Ali Tekdag had been arrested by plain-clothed policemen, detained and killed by agents of the State or person acting on their behalf.

Nonetheless, the Turkish Government was found to have violated the right to life for its failure to carry out an adequate and effective investigation into the circumstances surrounding the death (Article 2, ECHR).

The Court found additional violations of the right to an effective remedy (Article 13) and the obligation to provide all necessary facilities to the Court in its task of establishing the facts (Article 38).

KHRP will continue to monitor the Turkish Government's implementation of this and other judgments.

# Turkish Government responsible for 'disappearances' and village destruction, rules European Court

In one of its strongest judgments for many years, the European Court of Human Rights (ECtHR) on 17 February 2004 unanimously found that two men must be presumed dead following their unacknowledged detention by Turkish state security forces, in violation of the European Convention on Human Rights (ECHR). The Court also ruled that soldiers had destroyed villagers' homes, belongings and livestock, in addition to further ECHR violations (*Ipek v. Turkey*).

The case was brought by KHRP on behalf of the applicant, Abdurrezak Ipek, concerning the disappearance of his two sons, as well as the destruction of his family home and property by security forces. The incidents had occurred in the course of an operation conducted in his hamlet of Dahlezeri, near Lice, on 18 May 1994. He also maintained that no effective investigation was carried out concerning either his sons' disappearance or the destruction of his property.

The Court held unanimously that Turkey had multiply violated

the right to life, prohibition of torture and ill-treatment, right to liberty and security, right to an effective remedy and right to respect for the protection of property under the ECHR (Articles 2, 3, 5, 13 and 38(1)(a) of the ECHR and Article 1 of Protocol No. 1).

The application was declared admissible on the 14 May 2002. Because the facts of the case were in dispute between the parties, KHRP requested a fact-finding hearing to resolve the facts of the case. The Court complied and appointed three delegates to take evidence from witnesses at hearings conducted in Ankara between 18 and 20 November 2002.

The case represents one of the strongest condemnations yet of the actions of the Turkish state security forces and the Government's responsibility for disappearances, torture and village destruction. KHRP will continue to monitor the case to ensure the Government now accepts its obligation to execute the judgment.

*continued from page 1*

the unarmed Kurdish spectators. Reportedly, Syrian security personnel who were present and internal security police, summoned by the Mayor of Qamishlo, joined the Fatuwwa supporters in attacking the Kurds. Approximately twenty Kurds, including three children, were killed in the stadium and more than 150 injured.

The riots spread across the Kurdish cities of Amude, Derik, Hasaka and Ras al-Ain in northeast Syria. Kurdish and political party and democracy leaders called for uprisings. Many government buildings and statues were attacked and burned, including the Ba'th Party headquarters in Qamishlo and a statue of the late President Hafiz al-Asad. A number of Kurdish civilians were reportedly killed in clashes with government forces. The estimates of the number killed reached fifty by that night. The Governor of al-Hasaka province ordered tanks and helicopters into the city; a curfew was imposed; and all telephone and communication lines were interrupted.

A crowd of almost 10,000 carried the bodies of ten of the deceased through Qamishli streets on 13 March 2004. A further five of the assembled Kurds were shot dead and many more injured. By nightfall, the numbers of Kurds reportedly killed included six in Dayr al-Zur, three in Damascus and one in Derik in northeast Syria, where a further eighty were injured. The number of people reportedly killed since the outbreak of violence is now numbered in the dozens or even over one hundred.

Mass demonstrations continued across Syria, leading to

escalating death tolls and violence. More killings occurred in Afrin and in Aleppo, with tanks having occupied Qamishli. Reportedly, Kurdish houses and businesses were attacked by Arabs across the Kurdish areas, affecting all the Kurds in Syria.

The events in Syria have sparked demonstrations throughout the Kurdish regions, including Iran and Turkey, and in the diaspora. Kurds from Turkey have attempted to enter Syria to provide support, but have been prevented by a deployment of Turkish troops and military. Reportedly the tanks have entered Syria. Sixty demonstrators were arrested in Belgium for staging a protest at the Syrian embassy.

With the war in Iraq and the federalism agreement of March 2004 which secured Kurdish linguistic, cultural and political rights within a federal Iraq, the Kurds of Syria have come under increasing attacks from both the regime and as a result of escalating anti-Kurdish sentiment among Syria's majority Arab population. Kurds represent approximately 12 per cent of the Syrian population, numbering between one and two million, and have been subjected to oppression by the Ba'th regime in Syria for more than forty years.

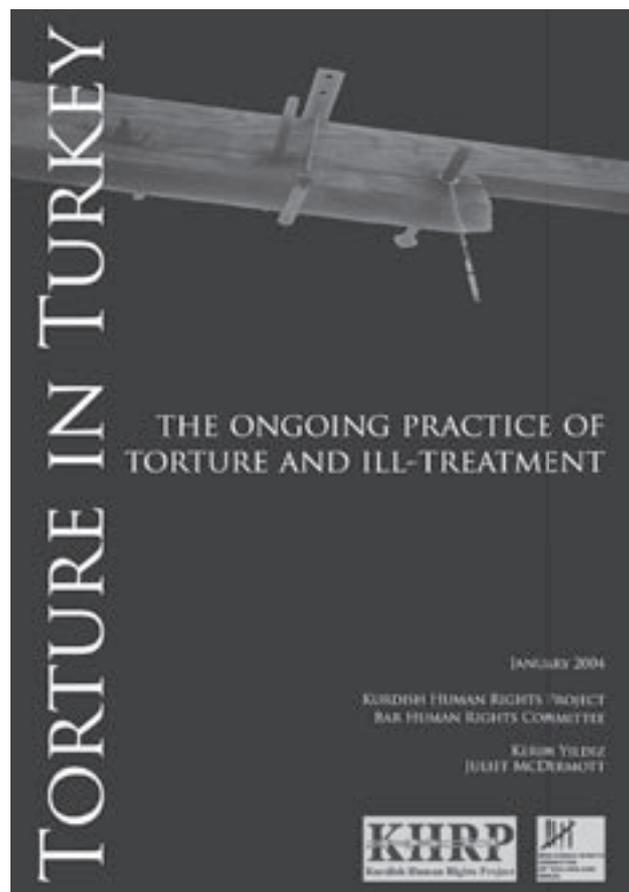
KHRP urges the Syrian authorities to establish an independent judicial enquiry into the clashes and reported human rights violations. Only an adequately resourced public, independent and impartial judicial enquiry could hope to uncover the root causes of the recent escalation in violence. KHRP also urges the authorities to allow international human rights organisations access to investigate the reports on the ground.

# New and Upcoming KHRP Reports

## Torture in Turkey: the ongoing practice of torture and ill- treatment

The passage of legal reforms aimed at improving human rights standards to meet EU accession requirements has failed to prevent the widespread and systematic deployment of torture and ill-treatment in Turkey. This book assesses the achievements and failures of Turkish authorities in preventing the torture and ill-treatment of individuals in detention and police custody. The perpetrators are usually law enforcement officials, gendarmerie and security forces. Torture methods used include rape, beatings, food deprivation, continual blindfolding, spraying with pressurised cold water and various methods of psychological torture and abuse. There has also been a marked increase in more sophisticated methods that do not leave visible marks on the body, including electric shocks, Palestinian hangings and falaka (beating on the soles of the feet). The issue is likely to be of critical importance in December 2004, when Turkey's EU accession bid is due to be reconsidered. The book is written and edited by KHRP Executive Director Kerim Yildiz and researcher Juliet McDermott. It includes a comprehensive assessment of the status of torture in Turkey, including that used against women and children. It also contains recommendations to the Turkish government, EU and UN Commission on Human Rights of further constitutional amendments which could bring Turkey into compliance with international human rights standards.

ISBN 1 900175 70 3  
£8.00 (+ P&P)



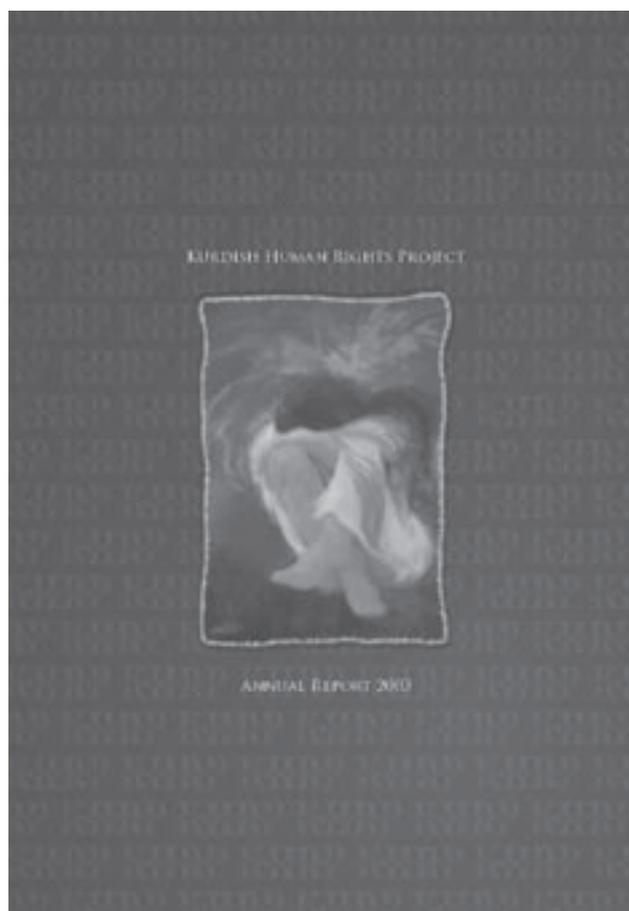
## KHRP Annual Report 2003

The Annual Report 2003 offers a comprehensive overview of the organisation's work in 2003. It includes detailed updates on each of KHRP's project areas, including litigation and advocacy, fact-finding and trial observation missions, research and publications, environmental and human rights and public awareness initiatives. In 2003, KHRP additionally implemented two supplementary projects focusing on the Kurds in Iraq, prior to and in the aftermath of the US-led war, and a feasibility study to identify further ways in which KHRP could contribute towards alleviation of the difficulties faced by the Kurdish community. The Annual Report 2003 should be viewed as the primary resource for those interested in reviewing or assessing KHRP's diverse project work over the year.

Free or available online at [www.khrp.org](http://www.khrp.org)

## FORTHCOMING REPORTS:

- The Kurds in Syria
- Kurdish language and cultural rights
- Fact-finding mission report
- Trial observation report
- KHRP Legal Review 5
- Kurdish Women's Charter
- Kurdish cultural and linguistic rights under international law (Turkish language)
- The Kurds of Iraq



# Taking human rights complaints to UN mechanisms – a manual (Russian language)

Intended to enhance capacity within the regions, KHRP prepares materials including manuals to provide practical guidance to indigenous lawyers, NGOs and human rights defenders. This manual provides a guide to taking human rights complaints to UN mechanisms. It includes an overview of the three categories of UN human rights bodies: the UN High Commissioner for Human Rights, those established by the UN Charter (Charter-based bodies) and those established by provisions in specific legal instruments (treaty-based bodies). In addition, the Manual includes 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 manual was written and edited by KHRP Executive Director Kerim Yildiz and Legal Officer Anke Stock and published in conjunction with the Bar Human Rights Committee of England and Wales. Its Russian publication is in conjunction with the Forum.

Available only in the Caucasus or [www.khrp.org](http://www.khrp.org)



# Turkey's shame: sexual violence without redress – the plight of Kurdish women

This trial observation report details how women, often of Kurdish origin, in Turkey face a continuing risk of sexual violence by state actors. In November 2003, a KHRP mission to Mardin observed the trials of 410 Turkish paramilitary soldiers and police officers for the repeated rapes of Kurdish women. The first trial concerned the case of a Kurdish woman who was sexually tortured during three detentions by paramilitary police. The second concerned the sexual torture and rape of another Kurdish woman by five members of the Anti-Terror branch of the Mardin police. During the trials, one legal representative drew the court's attention to the ECtHR precedent in the KHRP case of *Aydin v. Turkey* which established that rape constitutes a form of torture contrary to the ECHR. The mission met with Gulbahar Gündüz, an executive member of Turkey's largest pro-Kurdish political party, DEHAP, who was abducted and subjected to sexual torture by plainclothes police officers in June 2003 in Istanbul. Other meetings were held with a case prosecutor, the mayor of Diyarbakir, the Diyarbakir Bar Association and representatives of trade unions, human rights organisations and political parties. The report makes recommendations to the Turkish government and the international community about protecting women from sexual violence and ensuring that state actors may not act with impunity.

ISBN 1 900175 69 X or available online at [www.khrp.org](http://www.khrp.org)  
£5.00 (+ P&P)



## IN MEMORIAM



Above: Mustafa Karadaghi, the President and Founder of Kurdish Human Rights Watch, receives the Human Rights Day 2000 award

**MUSTAFA KARADAGHI**  
1920-2004

Mustafa Karadaghi, the President and Founder of Kurdish Human Rights Watch (KHRW) and a great advocate for Kurdish human rights, passed away on 8 April 2004

Mustafa Karadaghi was born in 1920 in the village of Karadaghi. A diplomat, freedom fighter, human rights activist and writer, he first went to the US in the 1950s as an undergraduate student. He received a Masters in Political Science from the University of California at Berkeley. He later lived in the US as a political refugee, following his work as a freedom fighter in Iraq from 1963 to 1970 and his appointment to the Iraqi diplomatic service with posts in Prague, Czechoslovakia, Eastern Europe, Africa and Indonesia.

He founded KHRW in order to defend and promote the human rights of Kurdish people. He monitored the rights of all Kurds in refugee camps in Turkey, Pakistan, Cyprus, Greece, Ukraine, Iran and Iraq.

His body has been returned to Karadaghi for burial. KHRP sends its deepest condolences to his wife, Galawez Karadaghi, two children and grandson at this difficult time.



## Project Information

### THE ORGANISATION

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

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

The KHRP is committed to the protection of the human rights of all persons within the Kurdish regions of Turkey, Iran, Iraq, Syria and the Caucasus, 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 the Caucasus.
- 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 the Caucasus 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 Commission of Human Rights.

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## Calendar of Events

|                   |  |
|-------------------|--|
| 3-21 May          | UN Committee Against Torture, 32nd Session, Geneva   |
| 12 to 14 May 2004 | OSCE Human Dimension Seminar on 'Democratic Institutions and Democratic Governance'                              |
| 24-28 May         | UN Commission on Human Rights, Working Group on Enforced or Involuntary Disappearances, 72nd Session, Geneva     |
| 24-28 May         | UN Commission on Human Rights, Working Group on Arbitrary Detention, Geneva                                      |
| 5 June            | World Environment Day  |
| 7-11 June         | UNICEF, Executive Board, Annual Session, New York  |
| 8-11 June         | Voluntary Fund for Technical Cooperation in the Field of Human Rights, Board of Trustees, Geneva                 |
| 11 June           | Third Kurdish Film Festival commences, London  |
| 11-24 June        | Human Rights Watch International Film Festival, New York   |
| 21-25 June        | UN Meeting of persons chairing Human Rights Treaty Bodies, Geneva  |
| 12-30 July        | Human Rights Committee, 81st session, Geneva   |
| 26 July-13 August | Commission on Human Rights, Sub-Commission on the Promotion and Protection of Human Rights, 56th Session, Geneva |