

■ **HRFT** ■  
**Human Rights Foundation of Turkey**

■ **1993** ■  
**Human Rights Report** ■

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## PREFACE

The traditional annual human rights report by the Human Rights Foundation of Turkey is being made public even with a delay. The report dealing with the human rights abuses observed in 1993<sup>(\*)</sup>, was prepared by the Documentation Center of the HRFT. With the aim of informing and warning the public and governmental authorities about human rights abuses, and enabling them to reach their own conclusion, we produced this report.

For this report, we assessed the news received from our own sources, newspapers and journals, and evaluated HRFT's daily reports and the information given by the Human Rights Association, its branches and human rights activists. While preparing the report, we were extremely careful about the correctness of information and the trustworthiness of the sources, and we tried to present the events objectively. Many news which were obtained from just a single source, but could not be confirmed or were not reliable, were not included in the report.

Since we are an independent organization defending human rights, the abuses originated from the structure of the regime, caused by anti-democratic provisions of the Constitution and laws, or committed by the political power or public officers, are given priority. Nevertheless, taking into consideration the dimension of the violence in Turkey, the activities and attacks carried out by certain armed groups, particularly by the PKK were assessed and included in the report.

The human rights abuses in 1993, were studied under 8 main titles, namely, "The Kurdish Problem", "Extra-judicial Executions", "Capital Punishment", "Murders by Unidentified Assailants", "Torture", "Freedom of Thought, Press and Belief", "Freedom of Organization" and "Other Subjects". These subjects were divided into subtitles, and many sample cases were given under each title. However, the examples do not cover all of the developments and abuses observed during the year, and even reflect a small portion of them. Therefore, one should take into account that there were many more human rights violations in 1993 than figures and examples show.

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(\*) **Turkey Human Rights Report-1993 is available for US \$ 10 or its TL equivalent from "TİHV Menekşe 2 Sok. No: 16/6 Kızılay - Ankara (06440)"**

The HRFT's Chairman Yavuz Önen's evaluation entitled "General Situation of the Human Rights Following 1993" and HRFT's General Secretary Mahmut Tali Öngören's article titled "Where is Mega Media Running Towards" were also included in the report. In his evaluation, Yavuz Önen touched on the approach of the Foundation towards certain important issues experienced in Turkey and in the world in 1993. On the other hand, Mahmut Tali Öngören evaluated the approach of the written, verbal and visual press towards the human rights, and negative events witnessed on this subject. A digest of the HRFT's activities in 1993 takes place at the end of the report.

The Documentation Center formed within the HRFT, started its studies as of March 1990 when the Foundation began functioning. The Center has been preparing the daily human rights reports (except on Sundays and Saturdays) since 2 April 1990. At the Documentation Center, newspapers and journals have been evaluated, press clippings have been classified and filed according to their subjects. In addition, a computer supported data-bank, and archives of documents and video cassettes have been formed. Through documents and information it has, the Documentation Center helps the persons and organizations interested in human rights, and supports the human rights struggle from this aspect.

Along with its daily works, the Documentation Center prepared various reports, made these reports public in Turkey and abroad, and contributed to the introduction activities of the Foundation during the 4-year period. Following are the prepared reports:

- 1990 Press Report (Totally in Turkish-Summary in English)
- Report - 1990 (Turkish-English)
- Torture Report - 1991 (Turkish-English)
- Turkey Human Rights Report - 1991 (Turkish-English)
- 100-Day Report - 1992 (Turkish-English)
- 6-month Report - 1992 (Turkish-English)
- Turkey Human Rights Report - 1992 (Turkish-English)
- 500-day Report - 1993 (Turkish-English)
- Following the Coalition Government - 1993 (Turkish-Summary in English)

The Human Rights Foundation of Turkey will continue to prepare such reports in the future. In order that such reports become more comprehensive, we ask interested individuals and institutions to forward their information and documents to us. We thank all of our friends who supported us and forwarded information and documents. We want to thank all human rights advocates with whom we have been struggling together. A special thanks goes to Mu-zaffer İlhan Erdost, a founding member who contributed to the formation of the cover of the report by giving one of his paintings, to Sue Hyde who was the proof-reader of the English version of the report and to the personnel of "MF-Tasarım, Tanıtım ve Yayıncılık" who under-took great efforts in printing the report.

We wish that 1994 will be milestone for a peaceful future during which concrete steps will be taken on human rights and freedoms. We hope that all rights, first of all, the right to life, will be respected, and that nobody will be killed. We also hope that 1994 will be the beginning of a future in peace.

**20 June 1994 / ANKARA**

## **GENERAL SITUATION OF HUMAN RIGHTS FOLLOWING 1993**

1993 happened to be a year in which international human rights problems were more gravely encountered. The wars and conflicts in most areas of the world did not cease. The deaths, disappearances, separation of families, migration, torture and famine, orphaned children, refugee camps which were caused by the wars, affected us deeply. For example: The human rights violations in different forms in Azerbaijan, Bosnia-Herzegovina, Kashmir reached dramatic dimensions. Disputes and conflicts brought on the violation of human rights to more rapid and grave extents. We observed these violations every day in the newspapers and on the TV screens. As was the case in the previous year, once again we observed that international control and mechanisms of intervention remained ineffectual and slow moving in comparison to the effectiveness and speed of the violations.

We also experienced an intensity of reactions to and the attacks on foreigners in the European Community countries in 1993. The enmity towards foreigners in Germany turned into organised attacks by Neo-Nazis. The arson attacks that caused 5 Turks to be burnt to death in Sollingen aroused great indignation in our country.

Famine in the world once again struck Sudan, Ethiopia and Somali in the year 1993. The relief organised with the intermediary of the United Nations did not reach their intended destinations yet. Expenditures on armaments continued in increasing proportions. However, besides this pessimistic tableau, the peace agreement in South Africa and a sigh of hope between Palestine-Israel were the developments that allowed us to breathe.

In 1993, a few reports were published concerning the human rights situation in Turkey. The Helsinki Watch published reports concerning torture applications and deaths in detention in Turkey. These reports voiced the disturbances felt by torture and suspicious deaths, and warned Turkey, USA and the other international bodies to put a stop to torture which is an inhuman application, in Turkey.

The report concerning the visit to Turkey of the inspection committee established in accordance with Article 20 of the UN's Agreement against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, was for the first time made public and published. The report maintains that torture in Turkey is applied continuously, deliberately and is widespread. The report also makes observations that torture cases are not traced by the government, that

torture cases do not decrease but rather there is an increase in the numbers of deaths while in detention, disappearances following detention, crippling as a result of torture and cases of torture and rape in detention. It also contains the view that the fact that investigations are just pretentious formalities, that trial periods are long and penalties are insignificant, has an encouraging effect on the torturers and also that the torturers have *de facto* immunities before the law.

It is a fact that the government is facing difficulties due to the local applications in controlling torture and because of insufficient laws which leaves open doors to torture. However, the government has also appointed a security director as Adana Governor against whom an official complaint had been made by a tortured person. Administrative promotions such as this and similar to this, serve to create an atmosphere that encourages torture. In 1993, for the purpose of deterring torture, the Central Council of the Turkish Medical Association published ethic rules and called upon doctors to stand against torture and human rights abuses.

Amnesty International published two important reports about Turkey. The first report refers to the transparent police stations promised by the coalition government and states that torture continues systematically in Turkey. The second report mentions the extra-judicial executions in general. In the 1993 annual report of the Foreign Ministry of the USA, Turkey occupied more space than Bosnia-Herzegovina. In the report, serious criticisms directed at Turkey take place due to human rights violations, extra-judicial executions and torture cases.

In addition to being occupied with all these problems, the UN organised conference on Human Rights in Vienna is a greatly welcomed event. After the meeting held in Tehran in 1968, the UN, for the first time, organised a Human Rights Conference in Vienna. The conference that lasted for two weeks, issued a final declaration. The representatives of the NGOs that could not participate in the official meetings discussed human rights problems in general and the problems in different areas of the world, in the meantime. We as the HRFT, attended a part of this conference. We participated in an open sitting on the subject of "Human Rights in Turkey", organised by the International Human Rights Federation.

In the official declaration of the Conference, the universal principles of human rights are once more confirmed, however this time it is clearly voiced that "the guilty states shall be opposed". The document emphasises the universality and the indivisibility of human rights. Subjects such as the re-definition of women's rights, children's rights and migrant workers' rights, and the right to education are within the contents of the declaration. The declaration condemns racism, discrimination, all forms of intolerance, ethnical annihilation, torture and terrorism. The right of countries to development are connected to equal economic relations. It is urged that the media be protected by International Law and the financial means of the UN's Human Rights Center be increased. It is also recommended that a Human Rights High Commission and an International Council of Justice be established. Despite the criticisms by the NGOs related to the organization, it must be said that the conference was a productive effort.

As was written in the program of the preceding government, Tansu Çiller Government also made promises on the subjects of democratization, economic stability and of the maintenance of a peaceful atmosphere. Çiller also displayed an attitude similar to that of the then Prime Minister Süleyman Demirel, who had said in Diyarbakır, "We shall recognise the Kurdish reality", although this is not to be found in any of the Government's written declarations. The news that the Kurdish problem could be ended using the Basque model and that broadcasting in Kurdish could be made, were attributed to Çiller. By quoting figures, Çiller also explained that with the expenditures of the war in the Southeast, the regional economy could be developed.

However, after the meeting she held with the Chief of the General Staff, she claimed not to have made statements as were written in the newspapers. Later on, Çiller's approach to the Kurdish Problem was established on recommendations of the National Security Board. All of the national, democratic, cultural demands of the Kurdish People were postponed until the final liquidation of the PKK. In the remaining months of the year 1993, searches for a peaceful political solution were put aside and the military solution program was employed.

The most important event of 1993 concerning the Kurdish problem, was the unilateral declaration of cease-fire by the PKK leader. However, the government responded to this by continuing the operations in the region and killing off the PKK militants. Thus the cease-fire period lasted short. And the PKK executed by shooting 33 unarmed enlisted men. With this unacceptable action, the PKK declared that it opened a new page in the conflict. As a result of the uninterruptedly continuing clashes in 1993, **1854** civilians, soldiers, security officers, vil-lage guards and militants lost their lives. When added to this figure the ones who died as a result of extra-judicial executions, torture, attacks on civilians and settlement centers, assas-sinations and mine explosions, then the number of lives lost in 1993 was **3492**.

One of the most important developments of 1993 is the hardening of the official approach towards those Kurds who are not a part of the PKK. Every kind of democratic, political movement in Turkey was indexed to the PKK. The state and the government applied a country-wide suppression program. The Democracy Party was ascribed to the PKK's extension within the Parliament. The DEP was subjected to a salvo fire within the Parliament and in the media. The Kurdish members of the Parliament were denied the tribune of the National Assembly. During the year, over sixty members of the DEP, including the deputy Mehmet Sincar, were murdered by unidentified assailants. Party buildings were attacked. The HEP was closed by the Constitutional Court. As he had been the HEP Chairman at the time when the trial had been launched, the parliamentary membership of the SHP Deputy Fehmi Işıklar was withdrawn.

The newspaper Özgür Gündem was also declared the publication organ of the PKK and was similarly attacked. Its correspondents were exterminated through murders by unknown assailants. Newspaper distributors and vendors were also murdered. A number of trials were launched at SSCs, and closure and fine verdicts passed.

When the leaders of the trade unions, associations and occupational institutions rele-ased a declaration in Diyarbakır requesting a peaceful solution to the Kurdish problem, an ar-rest warrant was issued against them by the SSC. Again in Diyarbakır, 16 lawyers who took on political cases were detained and some of them were arrested. Democratic life in the Emer-gency State Region completely vanished.

The death penalties which had not been executed since 1984, came into the agenda once more and 34 death penalties were passed in 1993. As a result of the PKK's actions and at-tacks, the courts speeded up passing death sentences. This fast pace even reached the commis-sions of the National Assembly. However, because of the reactions of the public opinion the executions were postponed.

The CMUK could not prevent torture. However, it turned into a front for showing respect for human rights in the eye of public opinion in Turkey and the foreign countries. Un-der Article 31 of the CMUK, the politically accused (crimes under the jurisdiction of the SSCs or committed in the Emergency State Region) were not allowed the convenience of the shor-tened detention periods, and the right to interview with their lawyers or a colleague.

The "Law to Fight Terrorism" was applied in investigations and trials concerning the freedom of press, thought and belief, and of organization. The law formed a basis for the implementations that would destroy the freedom of press and thought. Journalists were killed (7 murders by unknown assailants), disappeared (2 journalists, 1 driver). Bomb attacks were carried out against press establishments. Those publishing about subjects other than the Kurdish problem, compulsory military service, army and religion were also prosecuted, or punished. Numerous confiscation and closure decisions were ordered for the publications. Exorbitant fines were given. The selling and the distribution of many publication organs were banned. The vendors and distributors were killed (11 murders, more than 50 attacks by unknown assailants). Out of a total of 2351 trials handled at İstanbul SSC during the year, 46% consisted of charges for crimes related to the press.

The most striking example of interfering with the freedom of thought was exhibited by the Chief of the General Staff. Two producers were arrested by the Military Court for producing a program about military service on the HBB television. A total of 78 journalists and writers were put in prison, 18 of whom in accordance with ratified verdicts. The number of journalists and writers convicted in press trials reached to 116. More than 400 newspapers and journals were confiscated.

During the last year, duress and violence in prisons also continued, especially after escape incidents, and hunger strike. The weak yielded to extortion and lived like slaves. Youths and children were raped. Health and nourishment problems continued.

In the year 1993, in prisons and in detention, a total of 29 suspicious deaths occurred, 19 of which were in the Emergency State Region. The disappearances in 1993 increased in great ratio compared to the previous years. The disappearance incidents which were 1 in 1990, 4 in 1991, 8 in 1992 reached 13 in 1993. The 11 villagers who disappeared in Kulp district of Diyarbakır are not included in this number.

The İHD also had its share of attacks in this atmosphere of general suppression, 6 İHD staff, 3 of whom were leaders and 3 members, were killed. In the Emergency State Region, the entire 14 branches of the İHD were rendered inoperative as a result of the *de facto* suppression of the security forces. The İHD was also rendered inoperative in the Black Sea Region through similar methods.

The police also made very rough interventions in mass actions of workers, civil servants and students. The protesters were beaten up and many people were tortured. Torture was generally systematic and widespread. 323 persons, on whom torture was inflicted, applied to the treatment centers of the HRFT. Safety of lives was under threat. The public opinion became used to extra-judicial executions and murders by unidentified assailants.

There was a tremendous reaction of the public opinion to one of the political murders by unknown assailants. Hundreds of thousands in Ankara participated in the protest meeting of the murder of author-journalist Uğur Mumcu. In many provinces of Turkey, this murder was condemned through likewise demonstrations and the assailants were demanded to be found.

The most prominent development experienced in the Emergency State Region during the year was the evacuation of villages. By the end of the year, nearly 900 villages and hamlets were entirely evacuated. Some of these settlement areas were destroyed, burned down by the security officers as a result of the use of panzers, heavy guns and fire opened from helicopters. Attacks made openly on Lice and other settlements proved to be the most striking examples of

such activities. Diyarbakır, Van and other provincial centers in the region received internal migration. There was demographic congestion. The population of Diyarbakır standing at 300,000 three years ago, reached to 1,5 million last year.

The most striking example of the attacks on villages and villagers was experienced in Ormaniçi village of Güçlükönak district in Şırnak. During the series of raids carried out in connection with the villagers' sheltering PKK militants, the most atrocious duress of recent years was applied upon the villagers. The torture that started by tying the men in the village to each other, laying them down on the snow in the village center and beating them up, continued for a month. The result is: 2 dead, 6 wounded, 3 crippled persons. The 3 persons whose legs had to be amputated were fitted with prosthesis by the HRFT in Ankara. In order to be able to say no to the Serbian atrocities in Bosnia we also have to, in our country, treat our own people justly and in a civilised manner, and show respect for human rights. If we hold the grounds of violations dearer than human values which are forbidden by international agreements even in war time conditions, we would then be legitimising both the Serbian atrocities and the shameful tortures applied to the villagers of Ormaniçi. We by abiding the measures in the international agreements, oppose and condemn savagery and all kinds of human rights abuses in Turkey just as well as in Bosnia-Herzegovina and in every other corner of the world.

The violence exhibited by the Islamic, fundamentalist flow in Sivas in 1993, laid down plainly for all eyes to see the extent of savagery that the intolerance of these fractions produce. A crowd of Sheriat defenders, in reaction to Aziz Nesin's intention to publish the Satanic Verses in the newspaper *Aydınlık*, attacked and burnt down the Madımak Hotel, in which were staying the poets, writers and folk poets who had come from different provinces in order to participate in the Pir Sultan Abdal cultural activities organised in Sivas. A group of people, including the Author Aziz Nesin, were saved or some of them managed to save themselves by escaping. However, the fire cost the lives of 37 persons and along with this mass murder, another horrifying event occurred. The government, for seven hours, did not intervene in the angry crowd. The security forces, the gendarmerie and the police, and their superiors the Governor, the Minister of Interior and the Prime Minister all remained silent spectators to the incident. In the fire of the Madımak Hotel, the citizens' faith in the state as well as the government, and their belief in justice also burned away into ashes.

1993 turned out to be a year in which it was clearly understood that the coalition government's promises to bring down inflation could not be realised and that the invoice for the privatisation programme would be shifted on the shoulders of the workers by dismissals from jobs. For this reason, democracy platforms were formed in many provinces of Turkey with the participation of the trade unions and confederations such as DİSK, Türk İş and HAK İŞ, and the democratic mass organisations. As important attempts of the social opposition, these platforms formed country-wide reactions throughout the year to the government's economic and democratic packages. Alongside the effective opposition of the İHD, these platforms manifested as an organised force of opposition for the first time after so many years.

Since the Parliamentary Human Rights Commission and the State Ministry responsible for human rights remained silent in the year of 1993, we could not be informed as to what they were occupying themselves with. In addition, we observed and experienced the fact that the Parliament, all through the year of 1993, did not concern themselves with things such as preventing the human rights abuses or making attempts towards democratisation. In short, both the Parliament and the Government preferred in the last year, to abide by the decisions of the

National Security Council on the subject of human rights and democratisation and to comply with the political, economic and legal requisites of these decisions.

When I began to write this commentary, my intention was to submit a general panorama. However, I noticed that the details and the factual events of this general view have taken up much more space than intended. There are already very detailed information on many fields in this book. I presumed that by bringing forward some of the striking events, I would be better able to tell you about the human rights situation in Turkey. While reading our report, I was ashamed, distressed, angered and horrified. However, the most astonishing thing was the extra-ordinary nonreaction of the public opinion of the Turkish people. Although among the thousands of events that took place and were left behind, not even a single one of them was seen to be shameful and important enough to make all humanity to stand up and shout. The Western world, too, apart from a few criticising reports, in the end, remained totally unresponsive.

We consider the equal application of human values and real democracy and human rights standards all over the world as the aim and the target of our existence. When stating the abuses of our own country, we are restricting the responsibilities to our own governments. However, we invite all the governments of the world and the international institutions to share the responsibility. We are saying that the coup carried out by Yeltsin by attacking an elected Parliament in Moscow with tanks should no longer be considered democratic and applauded. We want that the creation of war apparatus by advanced technology and developed economies be put to an end. We want the domination of war in the history of humanity be cease. We say the human and democratic values should not be burnt in the fires of the tanks, nuclear, biological and chemical weapons, wasted away on the Bosnia-Herzegovinian Mountains. And we address the administration of our own country as follows:

•Let us establish in our own country a government that is respectable of human rights and a real democracy without losing any more time. •Let torture come to an end, let there be no extra-judicial executions, disappearances. •Let the blood-shed in the Southeast stop, peaceful, political solutions to the Kurdish problem be brought to the agenda. •Let thought be excluded from being a crime. •Let an amnesty be declared as a step towards establishing a peaceful atmosphere in our country. •Starting from the constitution, let all the laws of the 1980 legal and political regime be adapted to the international standards that we ally ourselves with. In summary, **we want a democratic and respected Turkey within the family of world nations.**

**Yavuz Önen**  
**President of the HRFT**

## **WHERE IS MEGA MEDIA RUNNING TOWARDS?**

Mr. Peter Galliner, the former President General of the IPI, the International Press Institute centred in London, strongly criticised the Turkish press in his article published in the 9 October 1993 issue of the German newspaper "Die Zeit".

According to Galliner, who has visited Turkey many times and observed the Turkish press closely, the newspapers in Turkey are unable to comply with the duty that befalls them as regard to democracy; because they are too busy with grappling each other over the race for circulation increase.

Galliner who was the head of the most important press establishment in the world until June 1993, indicates in his article that democracy in Turkey is greatly under threat because of terrorism, and points out that the hopes attached to the Prime Minister, Tansu Çiller, were in vain.

In the article, after emphasising that following a ban imposed by the PKK no newspapers are keeping correspondents in Southeast and East Anatolia apart from Özgür Gündem, Galliner continues as follows:

"The Turkish press, which has courageously stood up to the arbitrary applications of the Turkish government and has protected democracy in the 1980s when the military was governing the country, is in an entirely weakened situation today. The press can no longer defend justice and the law with the same determination. Due to difficult economic conditions, three newspapers have closed down in İstanbul. As for the broad sheet newspapers, there remains only Sabah, Hürriyet, Milliyet. Each of them has a daily circulation between 700 thousand to 1 million. These newspapers are putting up a tough struggle to keep going, and the three are more occupied with attacking each other than advocating democracy.

In his article, also criticising in fact that there is no law governing private TV stations in Turkey (in 1993), Galliner continues as follows:

"Permission for private televisions has envenomed competition. Sabah, Hürriyet and Milliyet have their own private TV channels. All these companies are at the same time integrated with other firms and banks. Each of them are ruthlessly contesting with the others also in this field."

Galliner also commented that the three big newspapers' receipt of large sums of financial support from the government has led to a great distrust in public opinion.

How right or how wrong is Galliner in his proclaimed views about the Turkish press in 1993?

In the year 1993, during an international meeting organised by the European Community in Ankara, one Turkish journalist had stated that "Presently the press in Turkey is free and a journalist is able to express whatever s/he wants in writing." Is this really so? Does the press have its freedom? Can a journalist write whatever s/he wants?

In reality, while the "mass communication means" were defined as "the press, the electronic press, the verbal press, the written press" before the 12 September, all of a sudden they became "the media" after the 12 September and was changed to a great extent.

The word "media" has always existed in the world dictionary. But it was not being used in Turkey. "Media" means the "middle road, means (tools/organs), the circle" as it is with a plural meaning. In other words, if it is used to indicate "the mass communication means", it refers to the written and verbal press means such as "the radio-TV-newspapers-journals, etc." The word "medium" is singular and these means are referred to separately if the word "medium" is used. For example, if you wish to emphasise "solely the written press" or "the radio" or "the television" then you must employ the word "medium". In a language other than Turkish naturally... We were not using either of these two words until the 12 September Military Coup. After 12 September, there have been great changes in Turkey's written and verbal press (or in the newspapers and journals on the one hand and the radio and television broadcasting on the other) and the word "media" was introduced into daily use by, according to some, the former Prime Minister and President Turgut Özal.

What kind of transformations has taken place in the "media" after the 12 September? First of all monopolisation has started. The businessmen have either bought out the already existing newspapers or they started publishing newspapers and journals in connection with these papers.

This dangerous venture that became apparent in the written press after 12 September was not of course limited solely to the publication of newspapers and magazines side of the "written press". "Monopolisation" became apparent in the distribution side of the newspapers and magazines also. As the "monopolies" have published newspapers and magazines siding closely with business circles, they have also taken upon the distributions themselves of these newspapers which were near to the same circles. In the end, the publishing of "newspapers and magazines of ideas" died away. This was because the monopolies have started not distributing the written press organs of those who were publishing the "newspapers and magazines of ideas". In fact such devious methods were employed that the actual distribution of the organs producing newspapers and magazines of ideas were not totally hindered. Although these publications have been distributed, the "monopolies" who undertook the distribution have requested that these "newspapers of idea" but mostly the "magazines of idea" be put on places in the kiosks so that they would not be visible to the buyers, therefore would not attract attention of buyers. As a result of such manoeuvres we have witnessed, especially in the case of a magazine called "Science and Art", the publications containing "opinions-ideas" have become "invisible" and therefore unsellable.

The "monopolising distributors" have been conducting the distribution of these magazines in exchange for very high fees. For instance, magazines that were not sold over a certain amount had to pay higher fees for distribution and for the issues, unsold and thus returned. Those magazines unable to afford these high fees, closed one by one and vanished.

Meanwhile, since 12 September, different kinds of pressure, ban, detentions, arrests and penalties have been applied concerning "idea", and the public have been scared with the books shown on TV as a "criminal elements". At the same time, "popular culture" has been widely spread and all effort have been made to keep the public away from "idea". As a result, the pressure on one side and "monopolisation" on the other side have served to estrange the public from "idea" and those qualified as "magazine of idea" and still continuing publishing have lost considerable sales. Thus the "idea" that was so strong before 12 September was easily nullified after 12 September due to such reasons mentioned above.

Therefore the word "media" was deemed suitable for such an "idealess" press. There are other peculiarities playing a role in the appropriation of the word "media". But first it is necessary to dwell on another important modification.

Is the press that we call today "idealess", really "idealess"? Definitely not. We should not be misled on this point. The monopolising press of post 12 September certainly cannot be considered as idealess. Even before 12 September, most of the written press were in pursuit of a certain "idea". The private calculations of the capital, monopolisation, superiority of conservatism were among the goals of this written press, and the written press organs were generally trying to serve this "idea".

Even under the unfavourable conditions of that period, it was still managing to do this in an effective way. But following the conditions brought on by 12 September, it became necessary to make the public accept this "idea" in manners that would be more effective, more permanent and with a view to destroy the "idea" standing against the "idea of the capital". With this goal in mind, news styles, new formulas and renewed efforts were required. Thus all of these were put into use after 12 September. Therefore, the calculations of the capital based mainly on prohibitions and pressure were applied much more systematically, even more stealthily and much more effectively in the post 12 September period. During this period, a greater place was given to the "idea" within these practices. To the "idea" based on the capital, state policy, military drives and governments To the "idea" that could be made acceptable to a great majority if not to whole society... To the "idea" that may be a life philosophy or more correctly the motivation of life... To the "idea" that does not hear interests of the public, newspaper readers, radio-TV spectators and listeners.

At this stage one of the important meanings of the word "media" was trampled under foot. One of the meanings of the "media" is "middle way"... The "middle way" namely "not taking sides"... In the period after 12 September when mass communication means in Turkey started being called the "media" in an affected manner, first the written press clearly put aside its impartiality. Since the written press had to publish in accordance with the calculations of the capital as a result of monopolisation, this impartiality should not be surprising at all. Each news, each article, each story, each "promotion" is to be investigated, moulded up and announced, not with the public interest in mind as it is the most known rule of the press, but in the interest of the capital. This is unavoidable. The journalist who said in Ankara at the meeting organised by the EC "Presently the press in Turkey is free and we are able to express whatever we want", is quite right. Formerly, that is to say before 12 September, every subject could not be dealt with. Today

the written press can deal with nearly all subjects, but, solely, in direction with their own interest, more correctly in direction with that of grand capital.

This is the big difference between the pre and post 12 September era. Not all the subjects could be treated prior to 12 September. But there was still a certain degree of inclination by the written press, with the effort of trying to indicate every aspect of all the subjects, as far as the circumstances would allow. This was distributing for the ground capital. Because display of certain parts of every subject does not suit its interest. Today there is no longer such a fear or worry for the grand capital. All subjects may be exploited, but only in the style that the grand capital and, in some cases, the soldiers want. In any case, the present prohibitions and pressure are more effective, systematic and conscious than the pre 12 September period in prevention of display of every subject. The grand capital has this assurance from now on, that it did not have before 12 September.

Now, a more sophisticated "title" has been given to the written press, which is the "media". All that has been done seems to be more important and technical under this new "title". Even, the concept that means "not taking sides" contained in the word "media" is thereby lost.

With its new title, our written press appears to be more important and technical... Because approximately all the newspapers have switched to expensive and new technology. Those that could not switch were lost or the ones that could not afford large investments and have not acted like the press of the capital, have encountered difficulties while switching to new technology.

Then, an inclination and a race to be an "owner of a TV channel" became imminent. Every newspaper of the press backed by private calculations of the capital should have a television channel as well. This race continued to accelerate and suddenly private television channels (and of course radio channels as well) which do not have any law, the law of which could not be prepared for a long period and when prepared could not be put into force, came into existence.

We all know the result. There is a "media" in existence that does not abide by any rules, pays no tax on its huge income, forms a public opinion solely for its own purpose, pushes the public towards over-consumption and "contaminates the people" by its broadcasting policy aiming at solely making profits. We have a "media" that is controlled by none of the democratic powers and in which none of the certain yard sticks, professional ethics and ideals can be implanted.

The word "media" has also been used in the West for a long period. But this word became such a "title" given to the mass communication means in Turkey after 12 September that those who introduced it in Turkey are now using the word "media" in order to describe a privileged "written and verbal press". However, the ones who are against it use the word "media" to describe a disgusting, filthy and exclusively profiteering "written and verbal press".

The present media has no scruples about using sex, football, competitions with easy questions and liberal rewards, high society news, bloody events and violence in order to make more profit as well as assaulting and swearing at persons... In fact, for the members of this "media" there is nothing wrong with assaulting and swearing at each other when necessary. But this such a "media" which embraces each other following those assaults and swearing.

A malicious and rude "media"... Gives no right of defence to those it assaults. News stories on the screens at nights and on the pages every day are exaggerated, distorted, lacking and insufficient... The aim is "disinformation". Without giving the facts, acts as it enlightens the

people... To form a one-sided public opinion by preventing people from thinking... This is not to say; "This is the subject and it has such kinds of aspects. Other aspects are as follows... I let you think of whole the subject and draw a conclusion by your self" ... The real reasons for inflation are non-existent... Facts of the Southeast and substance of problems are non-existent... People's right of information is lacking... Consequently, the condition of the "media" consists of a humanity crime, but there is nobody caring.

A few real journalists who are caring these facts, have to struggle against pressure or are in prison or are killed and their murders cannot be apprehended. Their newspapers, reviews, radios, televisions are not established or survive with difficulty, if it is true to term it as "survival".

However, the state supports this "media". Through its financial contributions... It is widely known that the government issued incentive certificates amounting to TL 2.6 trillion within its first 500 days, after the press and broadcasting services were included in "the sectors having special importance". Everyone also knows that the press which applied for "completely new investment or expansion investment", was granted many facilities such as "tax and custom exemption by 100 per cent" along with credits in the form of donations or with very low-interest payments by means of the Development Bank.

Apart from the television stations, during the first 500 days, the amount of 68 incentive certificates issued by the government to the press until April 1993 totals TL 2,600,503 million. (Cumhuriyet, 20 May 1993)

How much was given to whom?

- "Sabah" : TL 699 billion 263 million
- "Hürriyet": TL 425 billion 520 million
- "Milliyet" : TL 334 billion 683 million
- "Türkiye" : TL 229 billion 646 million
- "Feza Yayıncılık (Zaman newspaper): TL 49 billion 551 million
- "The Cedit Group" (The Islamists gathered around the journal "Türkiye Günlüğü" (Turkey's Diary) who are known to be close to Turgut Özal): TL 55 billion 119 million

Now, let everyone put down his/her pen and reflect: Is this press free or not? Would this press want "the real freedom of press" or not?

Let us shortly delve into this "media's" approach to the subject of "human rights":

The mass communication means which are generally defined by the word "media" in Turkey, have a form of behaviour and approach which is totally against human rights.

We can base the media's being against the human rights on the following examples: The newspapers and the TV channels, with a few exceptions, rarely give coverage to subjects concerning human rights and do not announce the human rights violations. The newspapers and the television stations owned by the state and the private sector, again apart from one or two, make a point of not giving coverage to the human rights organisations as "news". There is more beside this. The press in particular is keen on manufacturing unreal news and comments against the Human Rights Association. However, when the Human Rights Association, in order not to have the lies go upheeded, sends answers, explanations and corrections to the same journals or newspapers, none of them are printed.

In addition, the human rights organisations in Turkey are generally not considered as news by the media. But, when the same organisations visit an official of the state or the govern-

ment in order to "warn" them, they are given coverage or seen on the television screens. In such cases, the content of the "news" is not the "warning" made to the state's official by the human rights organisation, but the "answer" given to that warning by that state's official. In this case, it is the "state" and its "officials" that appear foremost before the public opinion.

The media is more than ready to announce internally the foreign-oriented publications or broadcast material which happen to praise Turkey... For example, if a foreign writer praises Turkey on any subject, then this appears on the cover page or broadcast as the main news. Whereas, if the human rights violations in Turkey are made news by the foreign press, the media in Turkey does not turn a hair. It would still be tolerable if these were all... For instance, when Amnesty International or Human Rights Watch (Helsinki) mention in their reports both the human rights abuses in Turkey and the ill treatment against the Thracian Turks in Greece, let us review how these reports are made "news" by the TRT (Turkish Radio Television Institution). The bulletin of TRT relates at length the portion of the report about the Thrace and overtly raises Amnesty International. . But not a word of the same report's section listing and condemning the human rights violations in Turkey is mentioned by the TRT.

The problem is, all these examples are not sufficient to prove that the media in Turkey is against human rights. In accordance with the private calculations of capital, the media in Turkey that is trying for monopolisation, is chasing aims that result in cultural degeneration by pushing the public towards over-consumption. As mentioned above, the media we are faced with is one that is trying to conduct its self styled function by exploiting the female body, perverted sex, extreme interest in and the love of football, the superficial contests with easy-to-answer questions but high amounts of cash rewards, high society news or the bloody events in the private lives of the poor people who are not in a position to protect themselves against this media. It is a media that is full of disgraces, nonsensecalities, vulgarities and disgusting; a media that is supposedly engaging one another and exhibiting the disgraces of one another while still flinging at others and slandering each other and increasing circulation by exhibiting the skeletons in someone's cupboard or arriving at success on the way of being "the most watched TV channel".

For this "media" it is no longer good to be called just "the media". Now there is a "mega media". This is a "mega media" in which the ultra mighty businessmen crave for the ownership of newspapers or televisions where the newspaper owners are after TV ownership and the TV owners are after owning a newspaper and where in the papers and televisions only the subjects that the owners allow are given coverage to, where only the subjects they want are exaggerated, where the public opinion is formed one-sided on every subject, the media that aimed for the monopolisation of the economy with the 24 January decisions prior to 12 September and during the military period after 12 September the same media made it a point to bring forward a solism in expression of idea and presently when there is supposed to be a back stepping to civilianism, still the soldiers call them over and give them orders which are then dutifully executed by the "mega media".

The military influence upon the "mega media" has surfaced to be visible in the year 1993. On the day of 12 July 1993 at a briefing given to the press, information was given to the news correspondents called there on the subject of suppressing the Kurdish problem. (As per usual, the *Aydınlık* and *Özgür Gündem* newspapers were not invited to this briefing.)

We should not consider this strange and have to accept that it is helpful and also necessary for the military to give information to the press. But in such briefings if it is noticed that the

"mega media" especially becomes an extremely affective and one-sided instrument of the fight in the Southeast, one naturally becomes suspicious.

If in such situations the newspapers, radio, television stations do set the agent, and re-direct their news accordingly, then the feeling that the state has a finger in it becomes more obvious. In other words, "the free press" confronts us as the "state's press".

Even the President Süleyman Demirel who could not no longer stand this situation could not refrain from saying on 31 March 1994, that "the media wants to govern the state".

In connection with the local elections on 27 March 1994, which was of great importance, the media had employed improper contrivances and later on, following the religious Welfare Party taking offices after winning an important victory at these elections, the private unlawful television stations called Interstar and TGRT incited the public with their broadcasts over the incidents in Bosnia-Herzegovina and the fundamentalist fraction followers as a result took to the streets in Ankara and İstanbul, and these masses of people occupied the gardens of the US Embassy and the United Nation Representation building and protested the incident. Furthermore, after obtaining the approval of the Governor of Ankara, the UN flag was burnt in its garden. Upon this incident and with the urging of the Chief of General Staff Doğan Güreş, the draft law concerning the private radio and television stations which had been on the National Assembly and only half of which had been debated, was urgently reviewed and ratified by the National Assembly and put into force.

When the economic crisis in Turkey accelerated, the mega media also had its share of difficulties, especially the big newspapers which spend huge amounts of money on "promotions", and dreams of huge circulation increases by some newspapers were not realised. On top of this, following the announcement of the economic recovery program the price of printing paper was increased by 95 per cent. With the fluctuation of the Dollar and the race give away free gifts among the newspapers the mega media was dealt an even harder blow.

So the mega media one again had no other option but to apply to the state and request long-term low interest credit. In the meantime, quite a number of employees of the press were dismissed from their jobs (Approximately 2000 newspaper employees). The government could not be indifferent to the problems of the media. Several taxes on the sales of newspaper, magazines and books were reduced. The most important reduction was made on the tax of printing paper which had the inflated price. It was also claimed that credits were extended to the newspapers, Sabah, Hürriyet and Milliyet.

The economic standing of the private televisions was not so good. Although their income from advertisements far exceeded that of the state's television stations, these private television stations were not paying any income tax. But since they were established, one after the other and in great number, long before the private radio-TV law came into effect (September 1991), the slice of the advertising cake each one had was not so sufficient. After the continual rise in inflation they also fell into hardship and as a first remedy they dismissed many of their employees and refrained from making new and expensive productions and thus started to re-broadcast their old programs. These television stations were also in debt to the banks they were doing business with and were trying to have their debt payments postponed.

Thus, having arrived at such a cross-roads, the mega media, especially with its big newspapers have sided with the government. With the announcements they published, they called on the public to participate in the economic recovery program as explained by the

government. In continuation, they started various publishings in order to drive the public away from Turgut Özal's policy to buy and sell Dollars and Deutsch Marks, and presently to convert on the Turkish Liras.

The mega media at first called on the public to be economical rather than discouraging the economic recovery precautions taken by the government. After this news releases were made claiming that "counterfeit dollars" were in circulation. The news was widely spread that "Those who were thinking of buying and selling dollars would stand to lose.

On this of this, coverage was given to news and commentaries in support of the idea that the public should deposit Turkish Liras with the banks and not dollars. Yet again the three representatives of the mega media namely the Sabah, Hürriyet and Milliyet newspapers started a campaign entitled "Come on Turkey, we shall win this war", supporting the performance of Tansu Çiller, especially the economic recovery program and calling on the public to self sacrifice.

But the "media" with newspapers and television as its most effective means of mass communication should not be so much on the side of the state. Not to be "on the side of the state" does not necessarily mean to "be against the state" at all. The "free media" solely serves the public. It should be totally neutral between the state and the forces (if any) against the state. This does not mean that it remain "totally uncaring" if there is anti-state activity, because it is seen that states do apply anti-democratic policies in most cases when dealing with the activities that lead to attitude and behaviour against them.

If a nation's "democracy" or its "democratisation" is the subject, then its the "free" media must make public the state's attempts to suppress the initiatives against it by anti-democratic means while announcing, interpreting and investigating the activities against the state. If the media that is allegedly free to take side with the state during such an activity, receives directions from any of the state's organs and is dominated by it, then the media obviously will lose its freedom. This is the moral side to it and the principle that the media should have.

Even in the United States of America during the Vietnam War, the media tried to protect its freedom. There may be some people who would argue that no attitudes and behaviour were observed that could destroy the state of the US during the Vietnam War. However in that period some of the American newspapers and television stations in the US could not refrain from questioning the state's incorrectness and cruelty and claimed that a massacre was being committed in Vietnam. Perhaps, this war was exhibited in the most explanatory form by this media in the USA and caused revival of anti-war views in some of the people.

The same application was encountered in Britain during the Falkland Islands War with Argentina. In fact the BBC, which is the State radio and television, broadcast and commented on the war news by displaying totally impartial journalism. So much so that the BBC when broadcasting war news employed expressions such "Today, clashes broke out between the British and Argentinean armed forces", as if the BBC was not a British broadcasting organ.

Such attitudes are qualified as "treasonous acts" in our country. In fact both in the USA during the Vietnam War and in the UK during the Falkland Islands War, there were those who made accusations of "high treason", too. But in those countries no official organs had enough power to call the media in and affect them in any way. In the parliaments of both countries this situation was debated, the debates and counter accusations were broadcast for public opinion by the same media. As a result, nothing was changed, because the media abided by the requisites of

this moral structure. It is a good example that when the government in the UK wishing to reflect the war news from the government's point of view, realised that the media was not going to change its attitude during the Falkland Islands War, it considered installing a powerful radio transmitter somewhere in Argentina to broadcast from there.

If in any given country the media prefers to broadcast solely by siding with the state, in such situations it cannot then prevent itself from being in the position of "war-brawling". When this is the case, the facts are exaggerated and it becomes unavoidable to present the incidents as imaginary and the imaginary comes real. The slaughtering is not made public or the other side is shown to be responsible for the slaughtering made by the state, or the media becomes unable to stop itself from uttering cries of joy from the killings (no matter how wrong it is) among the opposition, and it reaches the point where it can make the public believe how virtuous the blood shedding is. The media should never become a provoker of war or a publisher offering killing as a solution. Otherwise, the media becomes a "guilty" partner. The media should refrain from being the supporter of a war even if it is claimed to be the most right one.

In case of a very important situation, for example, in a country where there is an armed conflict with a group which is proven to be a terrorist organisation, the media still goes against this organisation, pretending not to see the slaughter and the torture carried out by the state's security officers, then not only will the means of mass communication seem to be opposing the sources of terror but at the same time it cannot extricate itself from taking an attitude and behaviour against certain masses of the public. Certain examples of this situation was seen in the British press in their attitude towards Irish people.

If the media reaches the point where it takes up a subject based on the government's briefings, directives and directions, it will never be able to extricate itself from this position again. From there on, the media becomes a prisoner of certain fears, even a flag waving mentality and dependency.

Orders then are easily issued to the press, radio and television stations in such a situation, like "We shall take this correspondent, that writer to the war zone."... Such an order means at the same time "That correspondent, that writer shall write whatever we want".

Now, it is impossible to criticise the state, but act as if criticising. The media control on the state is done away with. The media turns into a cheer-leader, starts judging and becomes sycophantic. It then can not be clearly understood by whom the slaughtering are done and conclusions are reached that declare that only the other side is committing the crimes.

However, does not the other side commit crimes and abuse human rights? As there can be no discriminations about human rights and as the media is not supposed to take sides and the if incidents caused by the other side are "news-worthy", means of mass communications have to announce this news as well. Whether these incidents are within the concept of "human rights" or not.

However the mega media in Turkey continuously oppress the protectors of human rights. As the PKK is the "other side" in the example of Turkey, the newspapers in particular do this by saying that the PKK is raiding villages and cities, killing children who do not engage in the conflicts, blockading roads and killing soldiers, so where are the human rights protectors?

So are we supposed to respond by saying "Yes, but as the mega media you keep blaming it all on the other side. You are not taking up the issue of the human rights abuses that the state is committing in the Southeast especially, you are always acting like a lackey?"

This is how we shall respond and try to uncover the situation that the mega media is in today, but we can not rest with doing that alone. We can not refrain from exhibiting and condemning without discriminating against whoever is abusing human rights.

Regretfully, the state is unable to establish order in the Southeast with an understanding and application of democracy. Therefore, the human rights protectors are unable to perform their duties and they are rendered totally incapable of working as was seen in the Southeast in 1993. The human rights organisations can not function and in such situations where it is not clearly understood which side is doing what, rather than accusing any one side about it, there is nothing else left to do but to exhibit the event where human rights are abused, as much as the circumstances will allow. However the mega media under command is knowingly continuing to condemn the human rights organisations and its protectors. Whereas, although few in number, it has been seen that during such incidents after the government blaming the other side as responsible, it was later on clarified that in fact the responsible side was the one which was to blame.

The mega media continued to represent one-sided public opinion in 1993 as in previous years. It has degraded the name of "media" in the following ways: By newspapers giving away encyclopaedias, during the promotion of which dragged through the mud the free encyclopaedias of other newspapers; involving their foreign correspondents in the same promotion and encouraged them to speak ill of the protectors of human rights; attempting to clean encyclopaedias of their defamity by giving away such things as toothbrushes to their readers; shamelessly displaying innumerable pages of photographs of foreign topless holiday-makers in the summer; giving newspaper columns to writers who claim to know the answer to all problems; by broadcasting superficial quiz shows on TV; by attempting to attract viewers with scanty-clad young girls on every channel; by showing endless American programs dubbed into Turkish; and by turning the malpractice in Turkey into amusing stories.

The newspaper publishing houses were established with new technology costing billions of TL, the radios and the television studios set up with equipment smuggled into the country. When the illegally broadcasting radios were quietened by the temporary bill suddenly passed by the government, the mega media was in uproar about the "freedom of the press" being out from their hands and even relayed the matter to international organisations abroad. However when the human rights protectors abroad talk about the problems in Turkey, the same media circles can not refrain from declaring such persons as "traitors".

In addition, it is worth commenting on the law governing the radio and television stations which are claimed to have brought polyphony to Turkey, but were founded by illegal manoeuvres.

This draft bill that was passed with only half of its articles debated in the National Assembly in 1993 and then taken out of the agenda (ratified in 1994) really consists of articles that are not democratic. Even the owners of the private radio and television stations have advocated that this law is anti-democratic, but their opposition to this law carries undertones of a different goal. The law contains certain conditions and restrictions for the establishment of private radio and TV stations. They oppose it because it contains restrictions on frequency distribution, partnership and several other subjects as foreseen by the "European Overseas TV Broadcasting Agreement" to which Turkey is a signatory. Subjects included are the shortening of the duration of broadcasting commercials per day, not accepting commercials during the news hour, prohibition of broadcasting pornographic films etc.

Even if they do not openly admit it, the private radio and television stations have opposed the law for these reasons alone. Whereas the same law grants the right to establish radio and TV stations in Turkey solely to the State and to commercial companies, the income of which are to be taken from advertisements only, the law prohibits in particular the founding of a radio and TV station by associations, foundations, trade unions, universities, cultural organizations, municipalities, in short, by all sorts of establishments that aim to broadcast without accepting commercials.

In other words, the law does not recognise that radio and TV broadcasting is a public service. As a result, broadcasting for the sake of the public is relinquished. What is more, it is not foreseen in this law that the commercial radio and television income of which is solely from advertisements and also happens to be doing a public service.

Another anti-democratic side of the law is that for both the governmental and the commercial broadcasting, the rules are laid down by the National Assembly and the election of members to the high commission that rules the administration of all the radio and TV stations in Turkey is to be made by the parties in power and in opposition to the National Assembly.

Another point is the fact that the right is granted to the Prime Minister or a minister assigned by the PM to stop a broadcasting in cases when it is absolutely necessary for national security or where it is highly possible that public order would seriously suffer.

The commercial radios and TVs which do not consider anti-democratic restrictions, but continue to confuse public communications systems by broadcasting on whatever frequency they want and do not pay taxes on their unlawful gains, are making a big noise in opposition to the new law so that their gains shall not be prevented.

Now what is it exactly that emerges as a result of all the above mentioned? It is "disinformation". Thus, it is this "disinformation" that comprises the basis of the mega media in Turkey forming an abuse of human rights in its entirety.

What exactly is disinformation?

The application of "monophony" under the guise of "polyphony". To submit subjects in the newspapers and on radio and TVs solely from a single point of view approved by only the military, the state and the capital, to hide the realities when necessary; to distort subjects and relay them in part only; to give out untrue news; to conduct commentaries suitable to the gains of those who are "in high places"; to exaggerate certain subjects such as by using unrealistic methods to belittle those with modern views, to take away the people's money by overconsumption and instead of giving the public the opportunity to exercise their right to choose by making them stop and think, have them accept, by force, what is "good" for them. By force because they do not have democratic inclinations such as making the public give it a thought and direct them towards making their own decisions. There is no freedom to discuss the problems of the country...

While these events are happening, the people of mass communications who wish to give the public "the right to receive news" and who are trying hard to realise it do not, to start with, have the economic ability to obtain the written or the visual mass media or if they obtain it, they are then killed off or arrested, imprisoned and their mass communication means are then either closed down or are banned and confiscated. Moreover, the distribution of mass communication means belonging to them are hindered and even the distributors themselves are killed off. And as we have seen in the private radio-TV law that was passed on in 1994 by the urging of the Chief of

General Staff, the right to establish a television station (the most power-ful form of mass communication) or radio station is not given place.

As a result, the general and the private status of the media of today and the hindrances put in the way of the people in mass communications who are not included in the "mega media" category are curbing the public's "right to receive news". This is also a "crime of huma-nity", just as torture is. Therefore, also in the field of the media" there is also an openly dis-played attitude against democracy and human rights in Turkey.

**Mahmut Tali Öngören**  
**Secretary General of the HRFT**

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# TURKEY HUMAN RIGHTS REPORT

# 1993



## SAMPLE CASES FROM HUMAN RIGHTS ABUSES

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## INTRODUCTION

Turkey remained a black balance-sheet from the view of human rights in 1993. As is seen when the report is read in detail, human rights and freedoms, firstly the right to life, were abused during the one-year period. Extra-judicial executions, murders by unknown assailants continued intensively. Torture was continued to be systematically applied in the police stations and particularly in the political police centers.

Claims on torture cases were not taken into consideration. The Kurdish problem was not solved and even it became more complex. Instead of finding a peaceful and political solution for the Kurdish problem, the government preferred to increase the military measures which have been applied for years. The initiative on the subject was given to the National Security Council and General Staff Office. Attacks by the illegal organizations such as the PKK, Revolutionary Left and TIKKO intensified. Armed and bomb attacks were carried out against defenseless and unarmed civilians, mass transportation vehicles and facilities available to tourists. Dimension of the violence increased compared to the previous years. A total of **3492** people lost their lives as a result of clashes, extra-legal executions, torture cases, armed attacks and assassinations, and because of murders by unidentified assailants.

Books, journals and newspapers were confiscated and destroyed. Persons who wrote and spoke were silenced and imprisoned. Journalists were killed, and assailants of the attacks were not revealed, including that of those in the previous years. The public was informed unilaterally and the facts were turned inside out. Pressure and attacks against political parties, trade unions and democratic mass organizations continued to increase day by day. Works and activities of these organizations were prevented and banned, their members and leaders were frequently detained and arrested. Many demonstrations, meetings and concerts were not permitted. Demonstrators were beaten and shot with guns by the police. Political parties were closed. Attempts were made in order to lift the immunities of certain deputies. The attacks against the political parties went as far as killing a deputy. Expectations concerning the working life were frustrated. Amendments to be made related to workers' rights and syndical freedoms on the laws that had been put into force by the 12 September regime, were not brought into the agenda. Dismissals continued. Civil servants' trade unions did not have a legal status.

Promises on "democratization" and "respectful administration to the human rights" were not kept. Some of the rights and freedoms indicated in the international human rights documents were deemed as "luxury". The Tansu Çiller government failed in defending and applying human

rights as the previous governments did. During the year, not the human rights but who violate them were protected. The human rights advocates became targets, and were shown as extensions, supporters or members of armed organizations.

Turkey lived through busy days along with the subjects concerning the human rights, witnessed important developments, and economically came to a negative point. She was faced with boring situations on the foreign policy area. In politics, the most important developments appeared following the sudden death of President Turgut Özal.

Turgut Özal, the 8th President of the Turkish Republic died in the morning of 17 April because of a heart attack. Turgut Özal was laid to rest in İstanbul on 22 April following the funeral ceremonies organized for him in Ankara and İstanbul. The then Prime Minister and Chairman of the True Path Party Süleyman Demirel put forward his candidacy for the Presidency which became vacant after the death of Turgut Özal. Süleyman Demirel was elected President with 244 votes at the National Assembly on 16 May. Erdal İnönü, the then Chairman of the Social Democratic Populist Party, acted as Prime Minister in the capacity of Deputy Prime Minister for a period of time. In the congress held on 13 June Tansu Çiller was elected to the Chairmanship of the True Path Party which was vacant since Süleyman Demirel was elected President. Tansu Çiller was later entitled to form the government and became the first female Prime Minister of Turkey.

The second DYP-SHP coalition government formed under the leadership of Tansu Çiller, was disclosed on 25 June. The government obtained the vote of confidence with 247 favor votes against 184 opposition votes on 5 July. 20 of the Ministries were given to the DYP and 12 to the SHP. Some of the ministers were as follows: "Prime Minister Tansu Çiller (DYP), Deputy Prime Minister Erdal İnönü (SHP), Minister of Justice Seyfi Oktay (SHP), Minister of Interior Mehmet Gazioglu (DYP), Minister of Foreign Affairs Hikmet Çetin (SHP), Minister of Defence Nevzat Ayaz (DYP), Minister of Environment Rıza Akçalı (DYP), Minister of Education Nahit Menteşe (DYP), Minister of Labour Mehmet Moğoltay (SHP), Minister of State (responsible for human rights) Mehmet Kahraman (SHP), Minister of State (responsible for woman and family) Türkan Akyol (SHP), Minister of State (government spokesman) Yıldırım Aktuna (DYP)". Some of the ministers were replaced within a short time. Instead of Erdal İnönü who left the Chairmanship of the SHP, Murat Karayalçın became the Deputy Prime Minister. The Minister of Interior was removed from the cabinet. Nahit Menteşe was assigned to the post of Mehmet Gazioglu, and Minister Nevzat Ayaz was appointed as the Minister of Education in lieu of Nahit Menteşe and Mehmet Gölhan was designated to the Ministry of Defence.

The following promises concerning democratization and human rights, took place in the protocol signed between two parties on the stage of forming the 2nd DYP-SHP coalition government:

- Union rights, firstly rights of collective bargaining and strike, will be brought in line with ILO standards.
- Politics ban on trade unions and professional institutions will be lifted.
- Political parties will be enabled to develop their programs and ideas in an atmosphere of entire freedom.
- Obstacles before the freedom of press and thought will be lifted.
- Amendments on the emergency legislation, martial law and state of war regulations will be compatible with the principles of law state.

- Universities will have scientific and administrative autonomy.
- Temporary articles in the Constitution will be lifted.
- All of the anti-democratic laws such as Press Law, Law on Associations, Law on Meetings and Demonstrations, Law to Fight Terrorism, Law on Police Duties and Competences, will be rearranged.
- Emergency state legislation will be abolished following legal amendments which will not cause any authority gap.
- The village guard system will be revised and eliminated in succession.
- Social security system will be generalized and made healthy from financial aspects.

Another change on the politics was experienced by the Social Democratic Populist Party. Making a press meeting on 6 June, the SHP Chairman Erdal İnönü disclosed that he would not be candidate for the chairmanship in the congress to be held in September. Erdal İnönü did not change his mind in spite of all insistence. Ankara Metropolitan Mayor Murat Karayalçın was elected the Chairman of the SHP, at the end of the congress held in Ankara on 11 September. Murat Karayalçın, subsequently, became Deputy Prime Minister. Results of the congress did not cause any changes on the ministers from the SHP.

In the meantime, the Democracy Party was founded by a group of people including 18 Kurdish deputies, when it was revealed that the People's Labour Party would be closed. Yaşar Kaya, the owner of the newspaper Özgür Gündem, undertook the Chairmanship of the Democracy Party until December 1993. Yaşar Kaya was kept under arrest for 3 months because of a speech he had delivered in the KDP's congress held in Erbil. In consequence of the DEP's congress held in Ankara on 12 December, Diyarbakır Deputy Hatip Dicle became the Chairman of the DEP. Meanwhile, the Constitutional Court decided closure of the HEP on 14 July. With the closure decision, Fehmi Işıklar, the Deputy Chairman of the National Assembly who was among the 4 persons causing the closure of the party because of their activities and speeches, was overthrown from membership of the Assembly.

Other significant events observed in Turkey in 1993 are generally as follows:

US' war planes which took off from Adana İncirlik Base on 18 January bombed certain military targets in the Northern Iraq and shot down two Iraqi war planes. The attack was carried out without knowledge and permission of Turkey. Condemning the US' attack on Iraq, the Human Rights Association's Secretary General Hüsni Öndül said: "We deem the attack as an intimidation against all peoples. The attack is a violation of the Universal Declaration of Human Rights, United Nations Agreement and states law".

The air pollution which has been increasing in İstanbul for the last 3-4 years, reached to dangerous dimensions in January. Therefore, İstanbul Governorate gave "red alert" and warned the children and the persons suffering from inhalation problems not to go out at the morning and evening hours. In addition, various measures were taken such as decreasing the number of vehicles in traffic.

The National Assembly decided in its session held on 20 January that Cengiz Altınkaya and Safa Giray who had served as Ministers of Public Works when the Motherland Party had been in power, should be tried by the Council of State on charges of "causing TL 10,5 trillion loss on the state budget and disobeying the laws in the motorway tenders". Prosecution of Cengiz Altınkaya and Safa Giray started on 10 March. The trial was not concluded by the end of year.

Journalist Uğur Mumcu lost his life as a result of a bomb plot on 24 January in Ankara. Murder of Uğur Mumcu caused great indignation and mass demonstrations in Turkey. Uğur Mumcu was laid to rest on 27 January in Ankara with a funeral ceremony in which thousands of people participated.

Adnan Kahveci, İstanbul Deputy from the Motherland Party and one of the former ministers, his wife Füsün Kahveci and his daughter Aslıhan Kahveci died as a result of a traffic accident in the vicinity of Gerece on 5 February. In the accident, younger son of Adnan Kahveci was wounded.

The plane which took off on 17 February in order to take Gendarmerie General Commander Full General Eşref Bitlis from Ankara to Diyarbakır, fell on the ground near Varlık quarter of Ankara. In the incident, Eşref Bitlis, military officers Fahri Işık, Yaşar Erian and Tuğrul Sezginler, and noncommissioned officer Emin Öner died. A common opinion that the plane fell down because of a sabotage, came up. Upon death of Eşref Bitlis, Full General Aydın İlater was appointed to the Gendarmerie General Command.

On the day of 18 February, it was determined that the radioactivity rate in Muğla exceeded the danger limits 2-3 times. Therefore, radiation alert was given in Muğla and some of its districts.

Journalist-writer Emil Galip Sandalcı, one of the founding members of the Human Rights Association (İHD) and the Human Rights Foundation of Turkey and former President of İHD İstanbul Branch, died on the morning of 10 March in İstanbul. Emil Galip Sandalcı, born in 1922 in İstanbul, had struggled for democracy and human rights throughout his life. He had been detained and arrested following 12 March and 12 September military coups. He was laid to rest on 12 March in İstanbul.

The PKK leader Abdullah Öcalan held a press conference on 17 March in Bekaa Valley and declared a "unilateral and temporary cease-fire" between the dates of 20 March and 15 April 1993. The cease-fire which was indefinitely extended later ended de facto when the PKK militants, who barricaded the Bingöl-Elazığ road murdered 37 persons, including 33 enlisted men.

When methane gas which had accumulated in a garbage heap in Ümraniye quarter of İstanbul exploded on 28 April, 39 persons who were in 13 houses under the debris, died. Corpses of 32 of 39 persons could be taken out of the debris. In a report prepared in consequence of inspections conducted concerning the explosion, it was pointed out that negligence of İstanbul Metropolitan Mayor Nurettin Sözen and Ümraniye Mayor Şinasi Öktem had caused the incident. In the report, the two mayors were demanded to be sentenced to imprisonment terms ranging from 3 months to 3 years.

May Day Worker's Festive was celebrated in many places, mainly in İstanbul. Meetings were organized by Türk İş and DİSK in Şişli Abide-i Hürriyet Square, İstanbul and in Pendik, İstanbul respectively. Ten thousands of people attended the meetings. Demands by trade unions to organize meetings in Taksim Square in İstanbul were rejected by İstanbul Governorate.

Taner Akçam who had lived in Germany for 16 years as a political refugee, returned to Turkey. Taner Akçam who landed on İstanbul Atatürk Airport on 20 May was kept in detention for 15 minutes and then released. Taner Akçam who was one of the leaders of the "Devrimci Yol" (Revolutionary Path), organization had escaped from Ankara Central Closed Prison in 1977.

A building where the Turkish people lived in Solingen town in Germany was set fire to by Neo-Nazis on the night of 29 May. In the event, 5 Turkish persons, 3 of whom were children, died. The massacre in Solingen provoked great reactions both in Germany and Turkey. Protest demonstrations attended by many people were made. Neo-Nazis who set fire were apprehended later.

A 17-year old youth accused of having raped and then killed a 5-year old girl in Boyabat district of Sinop, was attempted to be lynched by a group of people who attacked on the justice building on 16 June. The youth escaped the event severely wounded. In the meantime, buildings and vehicles belonging to the state were destroyed by the demonstrators. 28 persons alleged to have incited people during the events, were detained. 14 of the detainees were arrested.

Four separate places serving for tourists in Antalya were bombed by unknown persons on the night of 27 June. As a result of explosion of the bombs, 28 persons (12 of whom foreigners) were wounded, 3 of whom severely. 2 of the severely wounded persons were children. The bombs were supposedly thrown by PKK militants. The PKK stated one month before the bombings that they would carry out attacks against the places available to tourists in Turkey. Three separate hotels in Bayındır, Dokuma and Büyük Hal quarters of Antalya were bombed on the night of 17 July by the persons supposed to be PKK militants. As a result of the bomb attacks, a worker named Alpaslan Şahin died and 2 children were wounded.

Hotel Madımak where writers and artists who went to Sivas in order to participate in Pir Sultan Abdal Festival, were staying was set fire to by Sheriat followers on 2 July who demonstrated following the Friday prayer. 37 of the people confined in the hotel which was completely burnt, burnt and suffocated to death.

The PKK militants who raided Başbağlar village of Kemaliye, Erzincan on the night of 5 July, killed 30 persons by shooting or burning. During the attack, 3 persons were wounded and 57 houses were burnt down.

About 3 thousands of people demonstrated on the night of 22 July in protest of ill-treatment by some of the noncommissioned officers in charge of the gendarmerie station in Geyve, Sakarya. The demonstration was reportedly started upon the beating of two youths waiting to phone in front of the PTT building by noncommissioned officer İbrahim Uludağ. The demonstrators attempted to raid town hall building and gendarmerie station during the demonstration. The attempt was prevented by Geyve District Governor Celal Dinler and Mayor Mehmet Kır. Noncommissioned officers İbrahim Uludağ, Hüseyin Muhriboğlu, Uğur Bekar and Atakan Güneş against whom there were complaints, were removed from Geyve.

On Ankara-Nevşehir road, two passenger buses bumped together on 24 July at the entrance of Kızılağıl village of Hacıbektaş district of Nevşehir. In the accident a total of 49 people died and 33 people, 25 of whom severely, were injured.

İstanbul Water and Sewerage Administrator Ergun Göknel divorced from Nurdan Erbuğ by paying 8-billion TL subsistence, and this divorce revealed a scandal which occupied the public opinion for a long period of time. Ergun Göknel, allegedly paid the subsistence by receiving a bribe, was detained on 16 August. Later on, his new wife, two of his sons and some of his friends were included in investigation. Names of İstanbul Metropolitan Mayor Nurettin Sözen and Minister of Labour Mehmet Moğoltay were involved in the event. The trials launched against Ergun Göknel who was arrested on 19 August and against his friends, were among the most interesting subjects in 1993 and occupied the public by the end of the year.

Mesut Yılmaz, who was the only candidate, was re-elected the Chairman of the Motherland Party in the congress held in Ankara on 28 August.

DEP Mardin Deputy Mehmet Sincar and one of the leaders of DEP Batman Provincial Organization Metin Özdemir were killed in an armed attack on 4 September in Batman. Funeral ceremony planned to be organized for Mehmet Sincar in Ankara was not permitted.

In the incidents which took place in Lice district of Diyarbakır on 22 and 23 October, at least 30 persons, including Diyarbakır Gendarmerie Regional Commander Brigadier Bahtiyar Aydın, died and about 100 persons were wounded. During the incidents, 401 houses and 242 shops were burnt down or destroyed, municipality building and many vehicles were damaged. It was not exactly determined by whom Bahtiyar Aydın was killed.

Representatives of 24 political parties, trade unions and associations gathered in Ankara at the beginning of November and launched an initiation under the name of "Democracy and Peace Platform". The platform aimed at revival of subjects such as "an end to the war in the Emergency State Region", "determination of an attitude towards the worrisome events" and "activating peace and democracy in the country". The platform carried out various activities in order to form a public opinion about the subjects in question. Studies of the Platform also continued in 1994.

The newspaper Özgür Gündem and its personnel were faced with an intensive attack campaign all over Turkey in December. As a result of the operations started in Diyarbakır on the night of 9 December, all offices of the newspaper, firstly its headquarters in İstanbul, were raided and many of its personnel were detained and interrogated under torture. The newspaper could not be published for 3 days due to the pressure.

1993 prize of the International Human Rights League was awarded to Aziz Nesin because of his efforts for human rights and democracy. Aziz Nesin took his prize on 10 December during a ceremony held in the World Cultures House in Berlin.

Certain articles of the Martial Law numbered 1402 were amended on 27 December and duties of court martials were decided to be ended following abolition of martial law. With this amendment, duty of court martials which started to function following 12 September military coup were ended. Trials heard by those courts were transferred to the related courts.

## **THE KURDISH PROBLEM**

The most vital issue of Turkey in 1993 was the Kurdish problem. This problem became more complex as a result of new events and developments. The political power preferred to intensify military methods used for years, instead of finding a democratic and peaceful solution. The number of military officers, police officers and special team members was doubled and thus reached a figure of 300,000. The National Security Council and the General Staff Office was entrusted with determining and applying a policy on the Kurdish issue especially in the second half of the year. One can say that violence became the prominent characteristic of the Kurdish problem.

The voices of those who wanted or suggested a peaceful solution to the Kurdish problem could not be heard among those who defended and applied methods of pressure. Ideas and attempts which were different from official ideology were subjected to heavy sanctions. Therefore, journalists and writers were arrested, sentenced, political parties were closed, pressure on democratic organizations intensified. Lifting the immunity of pro-Kurdish deputies was put on the agenda.

State of emergency provisions which had been in operation since July of 1987 in south-eastern Turkey were not lifted, and those such provisions were in fact seen to be fortified. The period for the state of emergency provisions (covering the provinces of Bitlis, Tunceli, Şırnak, Mardin, Van, Hakkari, Diyarbakır, Batman, Bingöl and Siirt) was extended three times in 1993. Promises given by the coalition government were not kept and the situation in the region became more tense. Provisions of the "Provinces Law" which was prepared to be replaced with the state of emergency provisions were too heavy to cause to long for the emergency state provisions. The village guard system, promised to be lifted was not revised, and the village guards were even made more effective by means of new organization schemes. In addition to the village guard system, tribes were entangled and certain regions were left under the control of Kurdish tribes that supported the state.

The dimension of the violence in the Emergency State Region grew bigger day by day; pressure and inhuman treatment increased; hundreds of villages were evacuated and burnt down; towns, districts and even provinces witnessed incidents of extreme violence. Thousands of people left the settlements they have been living in for long years and emigrated to other places; most of the migrants had to live in unhealthy conditions; extra-legal executions, murders by unknown assailants, and torture cases intensified; many air and ground operations were

conducted against PKK camps and units within or outside its national borders. The quantity of bombs used during the air attacks against the PKK targets was several times higher than the quantity used during the Cyprus operation.

However, the PKK staging a guerilla war in the region, continued its attacks to an even more intensive degree. The PKK's violence came to a point where it hindered press organs, partially stopped education and prevented activities of political parties in the region. Furthermore, the PKK increased its attacks against civilians, defenseless groups and foreign tourists. Gendarmerie stations were subjected to hourlong PKK attacks; clashes which arose between the security officers and PKK militants sometimes lasted for days. Each day corpses of young soldiers who died during the clashes, raids or traps, were sent to cities in western parts of Turkey. Funerals for those martyrs enhanced the reactions against the Kurdish people. Those reactions were provoked by some circles (by some of the TV establishments, newspapers and political parties). In some settlements, people attacked or attempted to attack Kurdish people.

The Kurdish problem caused great damage to the Turkish economy. As a result of the violence, Turkey had to take on a financial burden amounting to trillions of TL; economic balance was completely disrupted. The bill of this economic bottleneck was brought before workers, civil servants and people of small income. In brief, the Kurdish problem was jammed in a triangle of violence, pressure and death, and became almost unsolvable. The gap between the Turkish and Kurdish people widened.

Following are the sub-sections covering information about the developments as to the Kurdish problem, inhuman treatment in the Emergency State Region, attacks by the PKK and similar events<sup>(\*)</sup>:

### **a) Cease-fire**

Turkey which left the year 1992 with a negative balance sheet from the view of human rights violations, particularly of the Kurdish problem, started to experience busy times on the Kurdish problem as of the first months of 1993. The first days of the year witnessed the news concerning a wide-scale military operation to be carried out in the Emergency State Region and North Iraq and by a feeling of uneasiness about the Newroz Feast because of the bloody events in 1992. The worrisome picture in the Emergency State Region was replaced with hopeful expectations by the middle of March.

The existing tension decreased suddenly when the PKK leader Abdullah Öcalan declared a unilateral cease-fire for the period between 20 March and 15 April. Holding a press conference on 17 March in Bekaa Valley, Abdullah Öcalan stated that he wanted to turn the PKK into a political party and said: "We have declared a unilateral cease-fire. As far as no attacks are carried out against us, we will not open fire. Attacks to be carried out during this period will never originate from us. This cease-fire is a response to not only the demands of the Turkish and Kurdish public opinions but also that of the international community. Let us stop the war and come together". Abdullah Öcalan attended the meeting in his suit instead of his military uniform.

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<sup>(\*)</sup> This section was prepared after evaluation of the developments on the Kurdish problem and the events which either occurred in the Emergency State Region or in the places neighbouring the regi-on. On the other hand, the events which took place all over Turkey have been evaluated as a whole in order not to cause a rupture on the subjects such as clashes, armed and bomb attacks, assassinations. Additionally, murders by unidentified assailants have been placed under a separate section.

The declaration of the cease-fire was the first serious step towards a solution to the Kurdish problem.

The unexpected cease-fire declaration by the PKK did not receive a positive response from the state authorities. Replying to questions about the PKK's press conference, the then Interior Minister İsmet Sezgin said: "We, as the Turkish government, will not act in the wake of the bandits. We will not come together, either. They should deliver themselves to the Turkish justice which will take the best decision for them". He added that Abdullah Öcalan would be detained as soon as he came to Turkey. On the other hand, the then Prime Minister Süleyman Demirel avoided answering the questions regarding the statements of the PKK leader.

Following the statement by the PKK, the Newroz Feast which was awaited with some trepidation, passed almost incident-free for a few skirmishes in some settlements. Thus, the atmosphere in the region calmed down. The bilateral cease-fire was welcome by an important part of community and assessed as a step towards a peaceful stage all over the country. The public started to discuss issues such as "amnesty" and "abolition of the Emergency State Legislation". In addition, the wide-scale military operation planned to be carried out under the name of "Spring Operation" was suspended. Prime Minister Süleyman Demirel and Deputy Prime Minister Erdal İnönü went to the Emergency State Region. Süleyman Demirel even said that they might abolish the Emergency State Legislation if the cease-fire continued by June. However, he stated that it was not possible to announce an amnesty.

The PKK leader Abdullah Öcalan who held a press conference in Bekaa on 16 April, disclosed that the cease-fire had been indefinitely extended. Pointing out that they would reply in case the Turkish Army conducted an extermination operation against them, Abdullah Öcalan demanded the following in the press statement: "The operations and pressure on the people and guerillas should be immediately stopped, an amnesty should be declared, our cultural freedom and our right to broadcast in Kurdish by radio-TV should be given; village guard system and Emergency Legislation should be lifted. Turkish authorities should take necessary precautions against unsolved murders and should recognize the political rights of the Kurdish organizations". The HEP Chairman Ahmet Türk, some of the HEP deputies, leader of the Patriotic Union of Kurdistan (PUK) Jelal Talabani and the Kurdistan Socialist Party (PSK) leader Kemal Burkay were also present in the press conference. Ankara SSC Prosecution Office launched an investigation against Ahmet Türk on the grounds that he had attended the press conference.

After the cease-fire was declared, various protocols were signed among the Kurdish groups having activities in Turkey. The first of the protocols was signed between the PKK leader Abdullah Öcalan and the PSK leader Kemal Burkay. In the protocol it was said: "The existing atmosphere of fear caused by the policy of the Turkish government should be ended and the Kurdish problem should be solved by peaceful means. If the Turkish government actually wants peace, democracy and equality, it must act urgently". The protocol also covered the following demands: "Consideration of the step taken by the PKK through the cease-fire; abolition of the Emergency State Legislation; amendment on the Constitution; amnesty; ensuring freedom of thought, press and organizations; an end to pressure on Kurdish language, history and culture; education in Kurdish; and radio and TV broadcasting in Kurdish".

Abdullah Öcalan and Ethem Barzani, the leader of the Kurdish Revolutionary Party with Hizbollah tendency, who met during the same period decided to sign a protocol between the two organizations. In the protocol it was said: "Our common demand is to stop the clashes between

the PKK and Hizbollah within a short period and to struggle commonly against the Turkish Republic. Patriotism forces us to be in solidarity against the enemy. A practical application of what we said will be carried out". Following the protocol, the clashes which began in the last months of 1991 between the PKK and one wing of the Hizbollah (Menzil) ended. The number of unsolved murders in the Emergency State Region decreased on a large scale, although for a short time.

However, this positive atmosphere was replaced by various events which took place in the region. While the attacks of the PKK against the security officers almost stopped, operations (during which a total of 91 PKK and 3 TIKKO militants died), village raids, torture and inhuman treatment by security officers continued. In addition, operations of the security officers against civilians did not decrease, but increased. For example; Kelekçi village of Dicle district of Diyarbakır was evacuated and burnt down by the security officers in April. Upon the event, 1000 villagers had to migrate to Diyarbakır. On the same days, people living in Köprü-başı, Kurşunlu and Değirmen villages of Dicle were given one week to evacuate their villages.

Provocative and harsh speeches and statements made by various state authorities, particularly by the then Interior Minister İsmet Sezgin, affected the cease-fire period negatively. The only positive witnessed act was a change in one of the articles of the "Repentance Law". Meanwhile, the "Intellectual Initiative Delegation on the Kurdish Problem" which went to the Emergency State Region in order to conduct an investigation, was attacked in Tepecik village of Bismil on 23 April. The delegation including the Siirt Deputy, Zübeyir Aydar and the İHD Secretary General Hüsnü Öndül, and Tarık Ziya Ekinci, Hüsnü Okçuoğlu, Gencay Gürsoy and Coşkun Özdemir were attacked by village guards Şemsettin Güneş and İzzettin Çelebi at the entrance of the village, despite the fact the delegation had permission from the Bismil District Governorate and Security Directorate. The village guards who first opened fire on the car carrying the delegation, then harassed Zübeyir Aydar and Tarık Ziya Ekinci by making them get out of the car. The village guards who also insulted the delegation members, did not let the members of the delegation enter the village.

In the meantime, Diyarbakır SSC issued an arrest warrant in absentia for the PKK leader Abdullah Öcalan and then a file prepared on Abdullah Öcalan was sent to Interpol. The arrest warrant was issued under Article 125 of the Turkish Penal Code on the grounds that Abdullah Öcalan was trying to separate Turkey.

The İHD Diyarbakır Branch Chairman, Sedat Aslantaş, who evaluated the events during the cease-fire period in the Emergency State Region, disclosed that 44 villages or hamlets had been evacuated, many villages had been raided and villagers had been beaten, 6 persons had been killed and that about 3.000 people had been detained and subjected to torture. Pointing out that operations and village raids were continuing, although the government had promised that they would lift the emergency state legislation and village guard system, Sedat Aslantaş said: "This is obviously a hypocritical policy. The state claims that the PKK is not genuine, but the part which is not genuine is the state. The state utilizes the cease-fire period to conduct their own operations with greater ease".

The killing of 13 PKK militants by members of the security forces on 19 May in the vicinity of Kulup, Diyarbakır was one of the events which brought an end to the cease-fire. A group of PKK militants who pleaded this event, retaliated in an unacceptable manner by blocking the road between Bingöl and Elazığ on the night of 24 May 1993. The militants captured a total of 37 persons, 33 of whom were soldiers and 4 were teachers, and executed them

by shooting. This act caused great reactions. The security forces replied by launching a wide-scale operation. Thus, the cease-fire ended *de facto* and clashes intensified.

After a short period, the PKK officially put an end to the unilateral cease-fire, declared in March. The PKK leader Abdullah Öcalan who announced the situation in a press meeting he held on 8 June in Bar Elias town of Lebanon, said: "Now, there is a real war. We will spread this war all over Turkey gradually. For this war, we will use every means we have." Abdullah Öcalan who wore guerilla clothing in stead of a suit that he had worn during his previous press meetings, briefly said the following: "It is not definite to whom we address, to government, to the President or to the armed forces. Everyone holds the other responsible for the problems. In the end, only the fighting powers will remain on the scene. Blood of many people will be shed. How long will the political and economic structure of Turkey be able to bear this situation? The people should account for this. From now on, guerilla activities will oppress the army and then a political solution will appear. We offer a cease-fire period in the future, too, but this cease-fire should be bilateral and based on equal and free conditions". Upon a question about the PKK attack during which 37 people, including 33 soldiers, were murdered near Bingöl, Abdullah Öcalan stated that he did not approve the attack and that the attack had been carried out without his knowledge. He added the following: "The attack was a little bit early and wide-scale. If I had been aware of the attack, I would have prevented it as a requisition of tactic".

Failure in the cease-fire frustrated the hopes for a solution to the Kurdish problem within an atmosphere of peace and friendship. Since the problem was preferred to be solved by armed methods in stead of by democratic and peaceful ways, a new milieu of violence began, dose of which increased in succession. Intolerance against the approaches looking for peaceful solution did not end. For instance; the "Kurdish Problem Congress" to be organized by the İHD and a group of intellectuals on the days of 25 and 27 June was banned by the Ankara Gover-norate. (Detailed information is under the section entitled "Pressure on the İHD")

Discussions on the event in Bingöl which ended the cease fire *de facto* occupied public opinion for a long while. According to certain reports reverberated to the press, an intelligence message, prepared by the Bingöl Security Directorate 4 days before the event was sent by fax to the Security General Directorate in Ankara. In the message it was said that a group of 150 PKK militants who came to Bingöl would block the Bingöl-Elazığ road and then they would carry out attacks against Bingöl city center and against the villages which did not help them. Subsequently, a special report was prepared by the intelligence units of the Security General Directorate. The report was sent by a special courier to the Prime Ministry, General Staff Office, National Security Council, Ministry of Interior, Undersecretariat of MİT (National Intelligence Agency) and Gendarmerie General Command, and demanded urgent measures to be taken. In the report it was indicated that each regional PKK group had been given instructions to prepare an attack against a specified target in their own regions which would be carried out in case of a negative response from the state to the cease-fire. One day after the report reached high-level units, the PKK militants who blocked the Bingöl-Elazığ road carried out the aforesaid attack.

A trial was launched against 7 military officers and one enlisted man in connection with the event which resulted in the deaths of 37 persons. The indictment prepared by 8th Army Corps (Elazığ) Command's Military Prosecution Office, demanded up to 10 years in prison for the defendants accused of "having caused the deaths of 37 persons by neglecting their duties" and recommended their dismissal from the army. The names and charges of the defendants are as follows: "Elazığ Gendarmerie Regiment Commander Colonel Hüseyin Yılmaz, Elazığ Operation-Public Order Director Lieutenant-colonel Sedat Şenoğlu, Kovancılar Gendarmerie

Squadron Commander Captain Zahit Engin, Karakoçan Gendarmerie Squadron Commander First Lieutenant Serdar Tavşanlı, Bingöl Gendarmerie Regiment Commander Lieutenant-colonel Özcan Yarat, Bingöl Operation-Public Order Director Lieutenant-colonel Asım Eröz, Bingöl Central Gendarmerie Squadron Commander Captain Nevzat Yıldız and enlisted man Bekir Sani Alp".

## **b) Newroz Festival**

Before the Newroz festival, an anxious awaiting prevailed in Turkey similar to those in 1992. Provocative statements and acts intensified towards 21 March. Remembering certain events which took place in 1992, the society waited with some apprehension. Some of the events in March event increased the tension. For instance, a crowd of about 2000 people who wanted to meet with the People's Labour Party deputies who went to Cizre on 8 March in order to conduct research before Newroz, was dispersed by security forces opening fire into the air. While the crowd was dispersing, some of the people fell to the ground and some of them were slightly injured. Meanwhile, Diyarbakır Deputy, Leyla Zana towards whom a police tank was driven, faced danger of being run over. Upon these events, the deputies left Cizre. Mardin Deputy Ali Yiğit, who made a statement about the events, said: "Our demand to be able to meet with people, which is the most natural right, was prevented. Security forces which should be responsible for the security of people, threatened people's life. This event is an indicator of the attitude aiming at intimidating people before Newroz".

Şırnak Deputy Orhan Doğan made a statement on 10 March and said that tension in the Emergency State Region had increased and pressure on the people had intensified before the Newroz Festival. Indicating that tension had climbed up in the region especially when the people who had wanted to meet with the HEP deputies had been dispersed, Orhan Doğan said: "Security forces detained many people on 9 March in Cizre. Those detained people were forced to sing the 'Turkish National March' and to shout 'A person who counts him/herself a Turk should be happy'. This application lasted for hours".

The tension was removed to a large extent when the PKK leader Abdullah Öcalan declared a unilateral cease-fire just before the Newroz Festival and the Newroz Festival was generally celebrated in a calm manner. Nevertheless, small incidents took place in some settlements when the security officers applied unnecessary violence. During the Newroz Festival unpleasant events occurred especially in İstanbul, Cizre, Derik, İzmir, Turgutlu, Iğdır and Batman. As a result of those events, 3 persons died, two in Adana and one in Batman. About 300 people, mostly in Adana, were injured.

Some of the sample cases compiled by the HRFT in connection with the events during the Newroz Festival are as follows:

About 400 people, most of whom were women and children, held a demonstration on 18 March in Yamanlar quarter of İzmir because of the Newroz Festival, but they were dispersed by the police using force. While the police were dispersing the crowd, 21 persons, 6 of whom are police officers, were injured and more than 50 people were detained. A demonstration made in İzmir Ege University in connection with the Newroz Festival and because of the anniversary of the Halepçe Massacre, was prevented by the police. A short-term clash broke out between students and police upon the prevention. After the clash, during which stones and clubs were used, more than 25 students were detained.

About 200 students who gathered in the Eskişehir Anadolu University in order to celebrate Newroz at noon hours on 19 March, were dispersed by police, and 12 students were detained.

Sounds of intensive gunshots were heard for an hour on 19 March evening in Cizre district of Şırnak. Cizre Mayor Haşım Haşimi stated that the event had arisen when PKK militants had opened fire on the village guards in the district. Cizre District Governor Ömer Arda, however, said that a disturbance fire opened by PKK militants at official buildings in the county had caused the event. During the event in Cizre, two village guards were wounded.

When the police attempted to disperse a group of people who demonstrated because of the Newroz on 20 March in Gündoğdu quarter of Mersin, a brief clash with stones and clubs took place. During the clash, a police commissioner named Ahmet Acar was slightly wounded by a stone which hit his head.

In Anadolu, Gülbahçesi, Dağlıoğlu, Hürriyet and Yenibey quarters of Adana, bloody incidents occurred when the police attempted to prevent groups from demonstrating on 21 March. In the events, during which the demonstrators used stones and clubs while the police used guns, Ramazan Çetin (15) and Vezir Kort (61) died, and more than 200 people, 11 of whom severely, were wounded and approximately 300 people were detained. All of the detainees were released within a short time. The names of the persons who were severely wounded during the events are as follows: "Abdülkadir Güneş, İsmail Çağın, Zülal Eköz, Ömer Genç, Eşref Gül, Alaattin Yalçın, Nuriye Turan, Abdülkadir Aras, Kazım Altun, Şeymuz Aydın and Fevzi Altunışık". In the meantime, newspaper correspondents Halil Işık and Mehmet Çiftçi from "Yeni Ülke" who were pursuing the events were beaten by the police and film rolls in their cameras were seized. In a statement made by the People's Labour Party Adana Provincial Organization, it was Adana Governor and Security Director who were held responsible for the events.

During the demonstration made because of Newroz Festival on 20 March in İpragaz quarter of Batman, some persons among the demonstrators opened fire into the air. As a result, a youth named Mehmet Veysi Gülmez (17) was killed by a ricocheting bullet which hit his head. On the other hand, an authorized demonstration which was organized on 21 March in Batman, ended without any incidents. Meanwhile, in Kurtalan district of Siirt a curfew was announced on 21 March upon the killing of Hacı Cevat Seven (58) on the evening of 20 March.

In Cizre district of Şırnak which had been a scene for bloody incidents in 1992, Newroz was celebrated without any events which resulted in death. Because of the Newroz, fires were set on starting from the evening of 20 March, and crowds of people who gathered in quarters sang songs and danced the "halay" (a kind of folkloric dance). Security forces did not intervene in most of the demonstrations. However, about 400 people who demonstrated in Cudi quarter at noon hours, were dispersed by two police tanks. However, when the people did not disperse, police officers who got off the police tanks opened fire into the air. Then some of the people responded by throwing stones. The atmosphere became tense when the police opened fire at the building where journalists were staying, and detained 4 persons, but later it calmed down upon a wireless announcement which ordered the police tanks to be driven away from the quarter.

A crowd of about 2.000 people who gathered in an empty field in Sultançiftliği quarter of İstanbul at noon hours on 21 March, held a demonstration in order to celebrate the Newroz Festival. The crowd who danced the "halay" and built on fires, later started to march shouting slogans. The gendarmes and civilian dressed police officers in the vicinity attempted to prevent

the march after a short while. Just when the demonstrators insisted on marching, the sound of a gunshot was heard. Upon the gunshot, trouble broke out and the gendarmes and civilian dressed police officers dispersed the crowd by opening fire into the air and beating people. Some of the demonstrators resisted the security officers with stones and clubs. During the incidents, 6 persons were wounded and 26 persons were detained.

A group of people demonstrating during Newroz in Turgutlu district of Manisa, were dispersed by police officers using force. While those people were dispersing, a small clash arose between the demonstrators and the police. During the clash, 9 persons, 4 of whom were police officers, were wounded, but nobody was detained.

Demonstrations planned to be held in Iğdır on 20 and 21 March were not allowed. Furthermore, the groups who went to Iğdır from the neighbouring villages were prevented from entering the city center. Meanwhile, in Ağrı about 200 people, who gathered in front of the People's Labour Party Provincial Organization building and then started to dance the "halay", were dispersed by the police and 30 of them were detained. On the other hand, 5 persons were wounded in a clash which broke out between the police and a group of people who wanted to march after the Newroz Festival organized in Tunceli on 21 March. In the meantime, 9 persons forming the delegation of the İHD who went to Derik district of Mardin, were kept in detention for a while and were not allowed to enter the county.

Because of the Newroz Festival various demonstrations and meetings were organized in Diyarbakır, Ankara, Bursa, İzmit, Mersin, Tatvan, Urfa, İzmir, Nusaybin and Viranşehir. Those demonstrations in which the security officers did not intervene ended without incident. No demonstrations were made in Şırnak and Van due to heavy snow. On 21 March, 40 persons were detained in Tarsus, 12 persons in Manisa, 19 persons in İzmit, 70 persons in Ağrı, 30 persons in Ceylanpınar, 4 persons in Gaziantep, 100 persons in İdil and 7 persons in Ergani.

The Newroz Festival organized by the People's Labour Party (HEP) İstanbul Provincial Organization was held in İstanbul on 22 March. More than 7.000 people attended the festival made in İstanbul Abdi İpekçi Sport Hall. During the festival, slogans praising the PKK and its leader Abdullah Öcalan were shouted, and posters were hanged. Because of the slogans and the posters, İstanbul SSC's Prosecution Office launched an investigation against the HEP leaders Mustafa Olcayto, Nabi Barut, Besra Eksen, Mezir Tabar, Aydın Biçerman, Yusuf Civik and İmam Şahin who are the members of the Organizing Committee for the festival.

Observations of the İHD delegation which spent the Newroz Festival in the Emergency State Region, were made public through a report on 22 March 1993. The report made public by the İHD President Akin Birdal pointed out that it was a pleasing development that less blood was shed compared to 1992, and that this was achieved thanks to careful and conscious behaviour of the people. The report stated the following: "In spite of the statements made by the authorities, peaceful demonstrations in certain settlements (such as Adana, İstanbul and Cizre) were not permitted. Settlements were surrounded by security forces, people were detained, and provocative propaganda was made. Furthermore, on the day of Newroz, villages were kept under control, freedom of press in certain places such as in Cizre was disregarded. Actually, the state banned Newroz *de facto* in certain places. In many counties, the state was on alert. This traditional attitude of the state is a negative point for a possible peace process. There are human rights violations and crimes against the Kurdish people and their traditional values. Within this context, public opinion condemns the responsible people".

### **c) Clashes, operations and attacks**

Bloody clashes, operations and raids were witnessed during the year of 1993, except for the cease-fire period during which there was relative calm. On the one hand, military power in the region was increased several times, on the other hand, the PKK increased the dose of its attacks. When compared to the previous year there was a considerable rise in the number of the security forces and PKK militants who died during the clashes. The clashes and operations in the region reached its peak for the last 3-month period of the year. Turkey conducted many air and ground operations against the PKK camps and units within or outside its borders. During the operations, sometimes civilian settlements were also destroyed. Some villagers who had no connections with either the PKK or other Kurdish organizations, died.

An air operation was conducted against the PKK camps on Mount Kasor located in the region between Genç district of Bingöl and Lice and Kulp districts of Diyarbakır on the days of 12 and 13 January. During the operation, Gomak village in the region was also damaged. In the official statement made as to the operation, it was claimed that a total of 35 PKK militants had been killed. However, sources in the region stated that the toll of the PKK was only 5. Another air operation was carried out against the PKK camps in the region on 20 January followed by ground operations on 22 January. During the operation some houses in the villages and hamlets were burnt down.

In the middle of August, an air operation was conducted against the PKK units on Buzul Mount near Yüksekova district of Hakkari which lasted for 2 days. The then Interior Minister, Mehmet Gazioglu claimed that about 250 PKK militants had been killed, but the statement was belied by the PKK saying that they had not suffered any casualties.

PKK camps and units in the Behdinan region of Northern Iraq were bombed by Turkish helicopters on 1 October. The operation was supported by artillery batteries located on the border. During the operation, some settlements suffered damage. A ball hit Tinehté village, and a woman named Şemi Gürgis (50) died while villagers named Selah Henna (23-Keldanian), Salim Mikayıl (30-Keldanian), Yusuf İšo (60) and Bünyamin Kotto (21) were wounded. Zaho Security Director Nizar Berzirgi said: "Villages were bombed by cannons and helicopters. This does not suit humanity. The villages are under control of the Peshmergas. Everyone knows that there are not any PKK militants here".

A ground operation was launched against the PKK units in the Kanmasé region of Northern Iraq on 5 October. The operation, in which also the peshmergas bound to the KDP (Kurdistan Democratic Party) participated, lasted for 3 days. The Emergency State Region Governorate disclosed that 4 PKK militants had been killed during the operation. On the other hand, the PKK alleged that they had not had any casualties and said: "6 peshmergas of the KDP and 4 enlisted men were killed during clashes".

An air and ground operation was initiated against the PKK camps and units in Mezi region of Northern Iraq on the morning of 9 October. The operation, participated by 2,000 mountain commandoes, 300 village guards, and supported by war planes and cobra helicopters, lasted for one week. The Governorate of the Emergency State Region stated that 17 PKK militants had been killed during the operation.

Turkish war planes carried out an air operation on 26 November against certain PKK targets in Northern Iraq. During the operation, F-4 and F-104 type planes which took off from the Diyarbakır Air Base in the morning hours bombed the targets determined beforehand.

Some of the PKK camps and units in Northern Iraq were bombed by Turkish war planes on the morning of 30 November. During the bombardment, certain civilian settlements were accidentally hit and thus 3 persons died and 6 persons were wounded. The KDP and the PUK protested at the operation. In a statement made by the KDP it was said: "We condemn the attack, and invite the Turkish Government to compensate for the persons killed during the operation and to put an end to the cross-border attacks directed at civilians".

The PKK units in Maziz Hori region of Northern Iraq were bombed by the Turkish war planes on the morning of 18 December. The Emergency State Governorate stated that casualty of the PKK was around 200 and that 5 vehicles belonging to the PKK were destroyed. The PKK did not make any commends concerning the operation.

In the meantime, various claims that "inhuman applications had been made and unacceptable methods had been used during the operations" were brought up. For example; it was claimed that the security officers had used chemical weapons during the clash (in which a total of 21 PKK militants had been killed) which had arisen in the Şahinkaya region of Nurhak Mountains on 30 July and continued for 2 days. Kemal Kapıcı, out of the PKK militants, killed in the operation was buried on 3 August in Kırıklı village of Adıyaman. The people who attended the funeral stated that the face Kemal Kapıcı was too burnt to be recognized and there were no bullet holes on his body.

A total of 12 PKK militants died as a result of a clash which arose near Karıncak village of Lice district of Diyarbakır on 16 October. The PKK militants were buried on 17 October in Lice. The people who attended the funeral claimed that there were torture and blow traces on the corpses of the killed PKK militants and that some of their organs had been cut off.

The security officers who conducted road controls in Digor district of Kars and its villages during the summer time, began to check whether males were circumcised or not. The application was claimed to have been carried out in order uncover the Armenians who were in cooperation with the PKK. Ahmet Çelikkaleli who went under the circumcision check, said: "The circumcision check has been continuing for 3 months. If the application continues, everyone will leave Digor and go to the mountains. I am 60 years old and have 10 children. If the application continues, I will go to the mountains, too. We made a complaint to the district governor in connection with this application and similar events, but the problem surpassed his power. Special team members deem themselves as the highest authority. They apply everything in order to humiliate the public".

### **People killed and wounded during clashes**

In 1993, many clashes broke out between the security officers and armed groups all over Turkey, particularly in the Emergency State Region and in İstanbul. A total of **1078** militants or armed persons died during the clashes and attacks, including raids against military stations and units in the Emergency State Region. The total number of the security officers or persons who died during clashes, and of the persons who were accidentally killed in those clashes, is **776**. Following is the breakdown of the security officers, militants and other persons who died during the clashes<sup>(\*)</sup>:

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(\*) A total of 341 persons who died during armed attacks and assassinations and whose chronological information is given in another section are not included in this figures.

<b>Enlistedman</b>	.....	<b>436</b>	<b>PKK</b>	.....	<b>948</b>
<b>Noncommissioned of.....</b>		<b>46</b>	<b>DS</b>	.....	<b>11</b>
<b>Militaryofficer</b>	.....	<b>34</b>	<b>TİKKO</b>	.....	<b>23</b>
<b>Policeofficer</b>	.....	<b>29</b>	<b>TİKB</b>	.....	<b>1</b>
<b>Villageguard</b>	.....	<b>151</b>	<b>TKİH</b>	.....	<b>1</b>
<b>Watchman-guardof.....</b>		<b>10</b>	<b>Hizbollah</b>	.....	<b>6</b>
<b>Other</b>	.....	<b>59</b>	<b>Unknown</b>	.....	<b>12</b>
<b>Straybullet</b>	.....	<b>11</b>	<b>Smugler</b>	.....	<b>76</b>
<b>TOTAL</b>		<b>776</b>	<b>TOTAL</b>		<b>1078</b>

PKK : Partiyê Karkeran Kürdistan (Kurdistan Worker's Party)  
DS : Revolutionary Left  
TİKKO : Workers' Peasants' Liberation Army of Turkey  
TİKB : Revolutionary Communists Union of Turkey  
TKİH : Communist Worker's Movement of Turkey

During the clashes and attacks lots of security officers were wounded and became crippled. It was disclosed through a statement made in the middle of July that a total of 381 officers, noncommissioned officers and enlisted men who had been wounded during the clashes and events in the Emergency State Region, were being treated at Gülhane Military Hospital in Ankara. According to the statement, 155 of the wounded soldiers were being treated in orthopedic wards, 96 in brain surgery wards, 59 in ophthalmologic wards, 25 in plastic surgery wards and the remaining in various departments such as surgery, physiotherapy and urology. These illustrated figures revealed that the number of the security officers who had been wounded during the events in the Emergency State Region was much higher than the figures stated in official statements.

In the 29 October 1993 issue of the daily Milliyet, author Derya Sazak wrote an impressive article about the atmosphere in the Emergency State Region, and as to the dimensions of clashes and the situation of the soldiers. The article written by Derya Sazak is as follows:

*A military station in Şırnak. A village on its slope. When the winter sets-in, those places will be no different from the plateaus of Ferit Edgü's "A Season in Hakkari" which was filmed afterwards. For 6 months or maybe for 8 months everywhere will be covered by snow. Babies with naked feet shall play in front of the doors of earthen houses with pure-white rooftops. Expecting mothers whose time is due, the elders who are ill will be pulled on sledges to a city that has a hospital. Life will continue on with the utmost harshness.*

*This time the hero of the episode we are about to tell is not a village teacher of the 1968s, but a physician of the 1990s. He has gone to the region to complete his military service not as a teacher, but as a physician. His rank; an enlisted man. An enlisted man who paid a price to shorten the service to two months. He, too, is at the peak of idealism.*

*Nowadays such persons with devotion to the cause of the development of the East and the Southeast, with a burning desire to become doctors, engineers, teachers in the "spirit of warfare" peculiar to the generation of '68 are scarce. However, the young people still abide*

*by their responsibility of compulsory military service with the belief of sacrificing their lives for the Motherland.*

*After a tour of duty at the military station in Şırnak and on returning back to the hospital where he works, the young physician dropped by Ankara on the way back. He told of the events that he had experienced and of the "plan" submitted as a "military solution", and he recalled some of his observations. It was the following day when teacher Ayşe was murdered by the PKK in Bismil, Diyarbakır. Smoke was still smouldering out of Lice and memories of the young physician were very much lively.*

*Firstly he told of the outpost he was stationed at. Despite his being a physician, he had not asked for "privileges". He had lived with clashes for 2 months with gun in hand and had gone out on field operations. He considered himself lucky because the station he was charged at was never attacked. However upon seeing the "lack of experience" during some of the clashes engaged with the PKK, as a physician he had shuddered with pain, because most of the enlisted men who were sent to the region without sufficient training (excluding the mountain commando teams) were losing their lives due to simple mistakes. For instance; it would be noted that on the bodies of most of the enlisted men killed in line of duty, the bullets had gone into their bodies from behind. It is so pitiful that in the incidents that usually took place at night the young enlisted men shot their own friends more than the targets they were aiming at.*

*During attacks against gendarmerie stations, the newly enrolled enlisted men who did not leave their posts but return fire to those firing upon them from the high hills, were being slaughtered by militants with hand grenades or rocket launchers who stealthily approached and attacked them. It was for this reason that a total of 10-15 persons were killed during the first moments of station raids. Recounting all this, the young physician was complaining that no-one amongst the soldiers could speak and understand Kurdish enough to listen to the PKK's wireless communications. He was saying that after long term listening it would be possible to recognize the identity of speakers from their voice, but no result could be expected from inexperienced soldiers who were replaced every two months.*

*As for the concept of "hot contact established", very often used in official statements... In such cases that the PKK was surrounded by forces of 200-250 people and sometimes the attack was cancelled after calculating possible tolls on both sides. During the night follow-ups, especially no engagement would be made without any guarantees, and helicopters would not be used.*

*The majority of the time, both of the parties would just observe each other from strategic hill tops, but would not engage each other. Thus in the region a "balance of violence" had naturally formed itself. They would not open fire on each other, if they did not have to. The young physician told a story from his own unit. The villagers asked for permission to pluck the grass around the station before the winter set in. One to the fact that it was harvest time, based on mutual trust, the soldiers did not refuse this request of the villagers. It was because of this agreement that water was carried to the station over a mined road. However, at each attempt, the youngsters of the villages (the PKK sympathizer militia) would prevent the grass plucking by firing warning shots. In the last event that the young physician witnessed, the same process was experienced. When shots were fired at the station while the villagers were plucking the grass, the soldiers reciprocated by opening disturbance fire by rockets towards the village.*

*Delegations came and went. One of the enlisted men noted while gathering the identification of the villagers who came to visit the commander, that the names corresponded with those in the list of PKK militants. When he warned the commander, he was told: "Let them come in, everyone knows each other anyway".*

*When the young physician was telling all these stories, he was terribly concerned about the helplessness of the villagers and voiced the need for the villagers to get together in order to cut-off the PKK connection. In fact, on the day he was discharged, he noted that the village was being evacuated.*

### **Captured soldiers**

Soldiers who were taken as prisoners by the PKK were another outstanding point of the clashes in the Emergency State Region. According to the HRFT's reckoning, a total of 23 soldiers including of one military officer, 4 noncommissioned officers (NCO-one of them retired) and 18 enlisted men, were captured by the PKK in 1993. All of those captives were released by the end of the year and 2 of the released enlisted men joined the PKK. Following is information about the soldiers taken as prisoners:

<u>Name - Surname</u>	<u>Duty</u>	<u>Date of capture</u>	<u>Place</u>	<u>Date of release</u>
01)- Kenan Kılıç	Retired NCO	24 May 1993	Bingöl	27 June 1993
02)- Ramazan Şenboğa	Enlisted man	24 May 1993	Bingöl	27 June 1993
03)- Durmuş Karaer	Enlisted man	24 May 1993	Bingöl	27 June 1993
04)- Fethi Ak	Enlisted man	24 May 1993	Bingöl	Joined the PKK
05)- Mehmet Yalın	Enlisted man	24 May 1993	Bingöl	Joined the PKK
06)- Murat Aksaray	Military officer	06 July 1993	Elbistan	30 July 1993
07)- Hüseyin Sayın	Enlisted man	06 July 1993	Elbistan	30 July 1993
08)- Piro Özark	Enlisted man	24 July 1993	Tatvan	06 August 1993
09)- Ali Kaya	NCO	30 July 1993	Kozluk	02 December 1993
10)- Mehmet Yörük	NCO	30 July 1993	Kozluk	02 December 1993
11)- Adem Kamber	Enlisted man	30 July 1993	Kozluk	02 December 1993
12)- Zafer Özpınar	NCO	01 August 1993	Yüksekova	02 December 1993
13)- Mehmet Avcı	Enlisted man	18 August 1993	Kozluk	19 November 1993
14)- Yavuz Usta	Enlisted man	18 August 1993	Kozluk	19 November 1993
15)- Cumali Göder	Enlisted man	18 August 1993	Kozluk	19 November 1993
16)- Recep Özbay	Enlisted man	18 August 1993	Kozluk	22 November 1993
17)- Abdullah Doğan	Enlisted man	18 August 1993	Kozluk	22 November 1993
18)- İrfan İlhan	Enlisted man	18 August 1993	Kozluk	22 November 1993
19)- Necati Oğuz	Enlisted man	18 August 1993	Kozluk	22 November 1993
20)- İhsan Tonga	Enlisted man	18 August 1993	Kozluk	22 November 1993
21)- Burhan Katılmış	Enlisted man	18 August 1993	Kozluk	22 November 1993
22)- Mehmet Emin Mih	Enlisted man	18 August 1993	Kozluk	22 November 1993
23)- Yüksel İçmeli	Enlisted man	18 August 1993	Kozluk	22 November 1993

Official authorities did not show any interest in the captured soldiers and their relatives. Demands for assistance by the families of the captured soldiers were returned. Thus, relatives of the captured soldiers asked the Human Rights Association for assistance and applied to certain international organizations such as the Red Cross, Amnesty International and the United Nations. Some of the captured soldiers were released following initiatives of the İHD.

Resime Kılıç who is the wife of retired noncommissioned officer Kenan Kılıç captured by the PKK militants who blocked the Bingöl-Elazığ road on 24 May, applied to the İHD on 21 June and requested assistance. Subsequently, the İHD's Secretary General Hüsni Öndül made a statement and said: "We call the PKK and demand it to release Kenan Kılıç". Kenan Kılıç was delivered to the leaders of the İHD Tunceli Branch on 27 June in the vicinity of Tunceli together with enlisted men Ramazan Şenboğa and Durmuş Karaer who had been captured during the same incident.

Making another statement on 21 July, Hüsni Öndül asked for the release of first lieutenant Murat Aksaray who had been captured by PKK militants near Tilkiler village of Elbistan, Maraş on 6 July. Pointing out that Murat Aksaray's father, İsmail Aksaray, had applied to the İHD, Hüsni Öndül said: "There is a phenomena of war. The fighting parts should act in accordance with Article 3 of the Geneva Conventions. We call the PKK and especially Abdullah Öcalan to set free the son of truck driver İsmail Aksaray who is a democratic person. We deemed it a duty of humanity to be present during the release of Murat Aksaray". Murat Aksaray and an enlisted man named Hüseyin Sayın who had been taken prisoner together with the former, were released on 30 July.

The PKK militants who raided a train station near Bulgurdere village of Palu district of Elazığ on the night of 21 July, captured 6 railway workers named Ahmet Bulut, Necati Arıkan, Rıza Osmanoğlu, Emin Avşın, Sabri Avşın and Bahri Oktay. Relatives of the captured workers applied to the İHD and asked for assistance in the release of those captured. Then, İHD's Secretary General Hüsni Öndül called on the PKK on 26 July to set the workers free. The PKK released the workers on 30 July in the vicinity of Palu.

Relatives of the enlisted men captured by the PKK militants who blocked the road between Batman and Kozluk on 18 August, applied to the İHD İstanbul Branch on 24 August and asked for the Association's assistance to rescue their children. İHD's İstanbul Branch Secretary Eren Keskin made a statement concerning the event and said: "We request the PKK to obey the rules of war and to set free the captured soldiers without regarding the attitude of the state".

Relatives of noncommissioned officer Zafer Özpınar, who had been captured by PKK militants following a clash which took place near Yüksekova on 1 August, and of enlisted man Burhan Katılmış, who had been taken prisoner on 18 August in the vicinity of Kozluk, made a press meeting on 1 October at the İHD İstanbul Branch. The relatives of the captured soldiers said that their applications to official authorities for release of the soldiers remained fruitless and that only the İHD paid attention to them. In his speech, Zafer Özpınar's father, Şakir Özpınar, said that the events which took place in Southeastern Anatolia brought blood and tears and that peace negotiations should be initiated between the state and the PKK in order to put an end to the events. On the other hand, Orhan Katılmış who is the elder brother of Burhan Katılmış, said: "After my brother was captured, our house became like a funeral parlour. My brother and other captured soldiers must be released. The state and the PKK should make peace, if it is necessary for their release. A cease-fire should be declared, if it is required. Thus, let the captured soldiers meet their families". Relatives of Zafer Özpınar and Burhan Katılmış applied to the Red Cross and the United Nations.

İsmail İlhan, father of enlisted man İrfan İlhan who had been taken prisoner by the PKK militants who had blocked the road between Batman and Kozluk on 18 August, organized a press conference in his house on 14 October. In the press meeting, İsmail İlhan stated

that they had not received any information and assistance from the official authorities about his son and said: "While coming from Yüksekova to İstanbul for a holiday, my son was trapped on 18 August. It was claimed the soldiers preferred to travel by bus instead of waiting for the plane for 2 days. We were able to receive information about my son and other captured soldiers by our own means. The official authorities did not lay claim to our children. Therefore, we had to ap-ply to the United Nations, the European Human Rights Commission and the Red Cross".

### **Funeral ceremonies**

The funeral ceremonies of the soldiers killed in the clashes, or funerals of those who were killed during the PKK's attacks, became scenes of various events. The ceremonies attended by thousands of people turned into demonstrations against the "PKK" and the "Kurds". At the ceremonies, slogans demanding execution of the deputies who are members of the Democracy Party, and calling the government to resignation, were chanted. No serious efforts were made to prevent incidents that took place during the funeral ceremonies or even to prevent repetition of similar events.

Enlisted man Ramazan Selen who had died during a clash which had broken out near Yüksekova district of Hakkari, was laid to rest on 5 August in Şihlar village of Akçadağ district of Malatya. The persons who attended the funeral showed their reactions by saying "For whom do the youths die?" and by damaging the hearse and wreaths. İsmail Aka, Deputy Governor of Malatya, who went to Şihlar village in order to attend the funeral ceremony had to leave the village since the atmosphere was very tense. Another funeral organized on 6 August in Doğan-yol district of Malatya for enlisted man Mehmet Doğan who had died in the same clash, passed full of incidents. The people who attended the funeral tore up the wreaths which were sent for the funeral and threw them in brook. Furthermore, journalists who wanted to take photographs of Mukadder Doğan, mother of the enlisted man, were harassed and scolded by participants saying "Go and take photographs of Tansu Çiller".

Village guard İsmail Ölmez died in a clash which broke out in the vicinity of Hakkari. His relatives and about 20 village guards who were his friends, held a demonstration in the Cumhuriyet quarter of Hakkari at noon hours on 7 August. During the demonstration, village guards fired shots into the air and around. In the event, 2 persons named Yakup Çifçi and Remzi Ertoş were wounded, and windows of some shops were shattered. Out of the wounded, Remzi Ertoş said that certain police officers had helped the village guards during the event. One day after the event, about 3.000 people who gathered in the city center protested at the demonstration made by the village guards. Hakkari Mayor Şükrü Çallı who talked during the meeting, said: "This irritating event made us gather together. I think the demonstration originated from ignorance and a greed for money by village guards and from the underhand plans of the state authorities. The event was a trick. Let us together display the people who prepared such kind of a trick. The people responsible for the event is firstly Governor Cema-lettin Sevim and then brigade and regiment commanders".

A funeral ceremony was held on 3 September for two police officers and one health worker who had died as a result of a bomb and armed attack carried out on Erzurum Brothel on 1 September. Following the funeral held in front of Erzurum Security Directorate, the corpses were carried on shoulders by a crowd of people to Tebrizkapı Square. The participants in the funeral shouted slogans such as "Damn the PKK", "Erzurum will be a grave of the PKK", "PKK, get out of the National Assembly", and similar placards.

At Ankara Kocatepe Mosque a funeral ceremony was organized on 25 September for enlisted man, Zeki Özbek who had died during a clash against the PKK. The National Movement Party (MHP) followers and radical Islamic persons who attended the funeral held a demonstration shouting slogans against the Democracy Party deputies and the PKK. The demonstrators who shouted slogans such as "Murderers are in the National Assembly", "Soldiers should solve the problem", reacted against the funeral march played by a military band.

Some cafeterias and game halls in the provincial center of Balıkesir were raided and damaged by the students of the noncommissioned officer training school on 22 October. Coming to the cafeterias and game halls in groups, the students called attention to the security officers killed in the Emergency State Region and said, "You are amusing yourselves while the country is in deep distress." The students later attacked the persons there with bandoliers and sticks. As a result of the attack, 5 persons were wounded and halls were damaged.

A strained atmosphere prevailed during the funeral ceremonies organized in Ankara on the day of 24 October for Brigadier Bahtiyar Aydın who had been killed during the events in Lice district of Diyarbakır. Prime Minister Tansu Çiller and certain other ministers who attended the funeral in front of the Gendarmerie General Command building were subjected to verbal protests by wives of the military officers. While Tansu Çiller was relaying her condolences to the wife of Bahtiyar Aydın, the wives of the military officers around her shouted out, "We want to see our husbands alive. Otherwise we shall also take up arms and go to the front". The Minister of Foreign Affairs, Hikmet Çetin who also attended the funeral received great reactions because of his being of Kurdish origin. The funeral ceremony held for Bahtiyar Aydın at Kocatepe Mosque became a scene of demonstrations by the supporters of the MHP. During the funeral, slogans were shouted demanding resignation of the government and demanding removal of the DEP-member deputies from the National Assembly and their execution.

Folk poet Ali Rahmani who had been dragged out of the vehicle he had got into, and killed by the PKK militants who had barricaded the road between Erzurum and Erzincan, was buried in Erzurum following a funeral ceremony held on 27 October. About 500 university students who gathered on the campus of the Erzurum Atatürk University in the morning hours started to march towards the city center in order to attend the funeral ceremony. The students carried placards stating "We do not want to study together with PKK members in the same classrooms", "Persons who measure a shroud for a Turk will die in a terrible manner", "The youth of Turkey is a steel fist inside velvet gloves". The crowd which reached over 10 thousand with the attendance of other people after entering the city center, later on moved towards Gürcükapı Mosque where the funeral ceremony was held. Subsequently, the group that shifted over to the townhall building pronouncing "God is great" shouted slogans against the PKK.

The funeral ceremony that was conducted at Maslak, İstanbul on the day of 9 November for the enlisted man named Ersin Erkunt who had died in a clash, which broke out in the vicinity of Şırnak turned into a show of strength of the Nationalist Movement Party supporters. During the ceremony attended by 3 thousand persons, slogans such as "PKK, get out of the Parliament", "Although our blood is spilt, the victory is Islam's", "The army and the nation hand in hand", "Nationalist Turkey" were shouted. Besides this, the funeral ceremony held on 22 November in Adana for enlisted man Mehmet Kısacık, killed by PKK militants during an attack against the Pirinçeken Gendarmerie Station near Çukurca, also became a

scene of demonstrations by the Nationalist Movement Party supporters. A strained atmosphere prevailed during the funeral ceremony organized in Samsun on 22 November for enlisted man İsmail Sağır who had also been killed in the same attack. The crowd which reacted against putting the corpse on a military hearse, demonstrated for a long time by carrying placards on which was written "God damn the PKK" and "Death to the PKK".

The funeral ceremony held in Bayburt on 31 December for enlisted man Nevzat Kaya who had been killed by PKK militants on 28 December evening during an attack against Kılavuzköy Gendarmerie Station around Dargeçit, was an eventful one, too. A crowd of people who attended the funeral damaged provincial organization buildings of the True Path Party and Social Democratic Populist Party. Twenty persons were detained following the event which caused about TL 155-million damage on the buildings.

### **Kurdish-Turkish conflicts**

The intolerance that started to reach serious proportions in 1992 increased in the year of 1993. As a result of this situation, there were developments which created a strain between the Turkish and Kurdish people and which may lead to further, more drastic conflicts. Television, press and similar forms of mass media prefer to follow a policy of incitement rather than softening the tension among the public. The PKK's attacks directed against civilian targets in the Emergency State Region and in the metropolitan areas, funerals for the soldiers killed in the clashes and attacks contributed to the increase in public tension. As a result of this provocative atmosphere, arguments and fights over small disagreements in some counties turned into whole-scale conflicts between Kurds and Turks within a short period of time. Alternatively, some of the events were reflected as if they were Turkish-Kurdish conflicts. In certain counties, there were attempted attacks directed at the areas inhabited by Kurdish people.

In Hacıhaliller town of Manisa, an argument that arose between two persons over buying-selling on credit basis on the evening of 15 May, turned very soon into a fight. In the incident, a total of 7 persons were wounded, 5 of them by bullets and the other 2 by wooden sticks. The incident which was reported to the public by certain newspapers with headlines like a "Kurdish-Turkish conflict" or "Reaction to Kurdish people", developed as follows: A Kurd named Zeki Gezer who arrived at the store of the grocer Necmi Acar on the evening of 15 May, wanted to purchase something on credit basis. Upon the grocer's refusal, an argument broke out between them. The argument was calmed down with the intervention of the merchants around, and Zeki Gezer was led away from the scene of the incident. After a short period of time, Zeki Gezer came back to the grocery store bringing along 30 of his relatives with him. As a result, a fight broke out between the merchants and this group. The incident worsened upon the participation of the town residents. The fight during which 7 persons were wounded, ended with the intervention of Gendarmerie. However, later on, the farm house where Zeki Gezer and his relatives lived was besieged by the town dwellers. Upon the prolongation of the siege for a considerable time, the administrators of the People's Labour Party went to the town and donated food to those in the farm. The attitude of the Manisa Governor who went to the town increased the all-round tension. It has been claimed that the Governor told the town dwellers "Chase the Kurds from here". However, the claim was denied by the Governor. In the statement made by the İHD İzmir Branch in connection with the incident, the following was stated: "There is a political tendency directed at creating an enmity between the Turkish and Kurdish people in the Aegean region. The event that was witnessed in the town of Hacıhaliller was used in this direction and was reflected to the public

opinion as a fight between the Turks and the Kurds. The press, in the matter, did not act objectively and published provocative news as if there was a Turkish-Kurdish fight in existence. We invite the Governor of Manisa and the press to act in a more responsible manner and call the public not to be drifted into provocations."

Construction worker İsmail Üreyil stabbed and wounded tradesman Mustafa Bilge in Domaniç district of Kütahya, and this event provoked certain attacks against the Kurdish people living in the district. Following the event which occurred on 27 June, a group of about 1000 people who gathered on Cumhuriyet Street started to march shouting slogans such as "Out with the Kurds", "Damn the PKK". During the march, a building where the Kurdish people were residing was stoned. Furthermore, a flat in the building where Kurdish workers stayed was entered by force and damaged. The town hall building where the Kurds took shelter was also stoned by the demonstrators.

A fight which arose because of a bill on 12 July in Ezine district of Çanakkale turned into a Turkish-Kurdish clash within a short time. The event developed as follows: A client who objected to a bill in Kervan Hotel was beaten and wounded a by servant known as 'Kurdish'. When the event was heard in the district, the hotel was surrounded by a crowd of people shouting slogans "Damn the PKK". Shots were fired at the crowd that had attacked the hotel with stones and sticks. During the events which continued until the late hours, 2 persons named Yılmaz Demir and Şerafettin Ersan were injured. The incident was calmed down when the Çanakkale Governor intervened. 4 persons detained following the event were later arrested.

A Kurd named Hasan Çetin who wanted to attend a wedding ceremony held on the eve-ning of 3 August in Gümüşçay town of Biga district of Çanakkale, was attempted to be taken out of the wedding hall. An argument which arose turned into a fight within a short period of time, and Rıfat Dağlı was stabbed and wounded by Hasan Çetin. Subsequently, a crowd of abo-ut 300 people gathered and started to break the windows of the houses and shops belonging to Kurds. The event was stopped by efforts of Biga District Governor and Gümüşçay Mayor.

A raid which had been carried out by PKK militants against Çiçekli village of Pasinler, Erzurum and which had resulted in the deaths of 6 persons, caused reactions in Erzurum. Tho-usands of people who gathered in various quarters of Erzurum on 30 October evening, started to demonstrate by shouting slogans against the PKK and Kurdish people. The groups which joined together in the city center, stoned the provincial organization buildings of the Social Democratic Populist Party and the True Path Party. In addition, the provincial center of the Democracy Party was entered by force and damaged by some of the people. The crowd which later started to march towards Mahallebaşı quarter inhabited by Kurdish people, was barely stopped by soldiers. Thus, a serious clash likely to arise between Kurdish and Turkish people was prevented. The demonstrations in Erzurum reportedly organized by the MHP supporters, also continued on the day of 31 October. Citizens who started to march in small groups in the early hours of the morning, attended the funeral ceremony held for 2 persons who were killed in Çiçekli village and whose corpses were sent to Erzurum. In the funeral attended by about 10 thousand people, there were calls for the government to resign. The people demanded arms to use against the PKK and made demonstrations against the Kurdish people. Erzurum Governor Oğuz Berberoğlu who found the demands of the demonstrators proper, stated that they would distribute arms to persons who wanted them.

Following this statement, arms were started to be distributed to the people living in the villages of Şenkaya, Olur and Çat districts.

A group of Kurdish people who left Karaköy village of Malazgirt district of Muş province and emigrated to the Tavas district of Denizli, were not permitted to settle down in Tavas. When it was learned that a group of Kurds were going to settle down in Tavas, a group of 500 persons gathered in front of the district governorate's building and started to demonstrate by shouting slogans against the Kurds and the PKK. When the event escalated, Tavas District Governor Ahmet Arabacı intervened and held a meeting asking the Kurdish people to move to another settlement center. The Kurds who were not accepted into the district went, later on, to Denizli where their relatives were living. Among those who were prevented from settling down in Tavas, a person called Selahattin Söylemez said: "Although it is stated that there is no difference between the Kurds and Turks, we are not accepted into Tavas district. Tavas is a part of our Motherland. It is as if we are turned out of our own Motherland". The Minister of Interior Nahit Menteşe, pointed out that the cause of the event was the fact that amongst those who had been killed by the PKK there was a teacher and an enlisted man from Tavas. He further stated the following: "No one wanted to give housing to these people. Therefore, by providing financial aid to these people, it was made possible for them to go elsewhere. There is no such incident as being expelled from the town. The event witnessed in Tavas is the reaction shown against the PKK such as the one shown during the funeral ceremonies held for the killed people". A child called Sevgül Söylemez (3) present amongst the Kurds who engaged in a revolt for living under bad conditions after not being accepted into the town of Tavas contracted pneumonia and, with no chance to fight it off, died.

Upon the football team Galatasaray's moving up the scale in the European Champion Club's Cup Tournament, thousands of people in the settlement centers invaded the streets and happily demonstrated away in the night of 3 November. Some of the demonstrations, with the efforts of certain provokers, were turned into movement against the PKK and the Kurds in a short time. For example, those who were demonstrating in Elazığ started to chant slogans against the PKK and the Kurds upon the provocations of certain persons mingling among the demonstrators, and to march towards Fevzi Çakmak quarter where the Kurds live in. The march, for which the police did not take any precautions, came to an end when some political party administrators stopped the crowd. Then the crowd dispersed without incident.

The Seçen and Turan families who left Toprakseven village of Çaldıran district of Van and settled in Bozan village of Mersin were subjected to attacks by a group of 50 people with stones, sticks and axes on 19 December. In the attack, 4 persons named Perihan Turan, Ahmet Turan, Seyfettin Seçen and Medine Seçen were wounded. Of the wounded, Perihan Turan said the following about the event: "We were attacked in the morning hours. They started to beat us with disregard to women and children. They were shouting at us 'You are Kurds, all Kurds are of the PKK. We shall kill all of you'". Medine Seçen and Seyfettin Seçen who were wounded during the attack stated: "They harassed and swore at us continuously. They were shouting that the Kurds should be killed. They kept cutting our water off. Later on, they attacked us. Those who did this can not be human beings. Those who preach that Kurds and Turks are brothers and that the Kurds are first class citizens should come and see our situation."

In his article entitled "the Kurdish Problem in Bazaar" and published on the daily Cum-hurriyet on 6 July 1993, poet Ali Balkız wrote how dangerous the tension between the

Turks and Kurds was and how a gap had occurred between two peoples. The article is as follows:

Just when the parties in the Southeast have entered into a period of listening to and understanding of each other, while the atmosphere is softened up a bit, when the faces of those awaiting peace are preparing to smile, the events that started with unexpected murdering of 35 soldiers at a time are increasing continuously. Each day the newspapers are full of the photo-graphs of the events, their sketches, news and comments. It looks as if the events are to climb up. Are more people going to die? Has the white dove of peace flown away? Has this chance gone missing? When will it come back again? While looking for answers to these questions for myself, I went to the Yenisehir Bazaar to buy fruits and vegetables for my restaurant. The kids with the carts surrounded me right away. I knew Yasin among them. I said "come along" to him. Potatoes, onions, parsley, egg-plants, green peppers... The cart is about to fill up. I look-ed up to see that Yasin has given up all work and is swearing away profusely. "Yasin, at whom are you swearing?" I asked. "At him there" he said, pointing out a kid around 13-14 years old like himself... The answer to the question "Why?" was very clear: "That kid denies that he is Kurdish although he is one, saying that he is not Kurdish. I ask in Kurdish, he answers me in Turkish. That is why I swore at him".

In such situations, it is exclaimed "Join the funeral prayer" (used to express sudden realization of a desperate situation). Who has created the contradiction between these two Kurdish children of 13-14 years of age? Is this a healthy contradiction? Is there not a flight from identity in one and a puffed up nationalism in the other? Has this thing descended to the level of children of these ages? Is this the way that a nation is born?

While questions in my mind were constantly multiplying, I found myself in front of fruit stands. Our cart was well full. I noticed that a middle aged woman was staring at me malignantly from two stands away. I could not understand it. She was wearing jeans, her hair was uncovered, she had make-up on and had filled up her basket. She approached me. It was very obvious that she had something to say. Her eye brows were crossed and the lines were on her face. Pointing out the fruit and vegetables that I had bought which were in Yasin's cart, she en-quired: "You are buying them for a restaurant, I presume". "Yes" I said. This time, pointing out the youngsters busy with weighing fruits for me, in front of whose stands I was standing. "Did you buy from them?" she said. My reply was "Yes" again. She made more of a cross face and leaning a little towards my ear, she said "But they are Kurds". I said "I did not look at their identity cards and what's more, their origins do not interest me much". She was surprised and said "Are you not Turkish? Does it suit a Turk to trade with Kurds?"

*This time I was the surprised one. But I gathered my wits quickly. "Lady why are you such a fanatic? Are not we all together as a united people? What difference does it make? We are all brothers" I replied. She said: "Are we brothers? You really make a mistake. Is it right to trade with Kurds while there are Turks around"?, and went away throwing cross looks at me.*

*I had taken another slap on the face. The fruits were weighed up. Calculations were made. I was twisting inside about whether I should tell youngsters or not about the conversation between the woman and me. In the end, I could not resist and told all that took place between us. The youngsters were not at all surprised about what I told them, and smiling a little, replied with only one sentence: "There are no Turkish vendors in the Bazaar, she also bought from the Kurds."*

*The same sentence again: "Join the funeral prayer"... I said to Yasin "Come on, let us go". We talked with Yasin all along the way. I listened to his story many times. He is from Kara-yazi, Erzurum. He has eight brothers. He pronounces it as eigh-yit. No roads, no school, no personal animals for husbanding. Too may no's. All he has is his cart and a profound swear word on his tongue: For the Kurds who deny their origins.*

*Meanwhile, I thought of the woman: If she had Yasin to carry her basket what would she say to him? Would she be mad at him for his being a Kurdish person? Would she not pay his fee? Or would she extend to him a handkerchief to wipe off his sweat? What would she do? When the sounds of the exploding guns in the Southeast reach the Bazaar in Yenişehir, this is how their reverberations happen.*

### **Attempts at peace**

No results were drawn from the attempts initiated in order to find a peaceful solution to the Kurdish problem in 1993, to stop fighting and blood shed. While the calls for peace were not taken into consideration, certain activities planned to be carried out within this framework were hindered, forbidden. For instance, the "Congress on the Kurdish Problem" organized by the İHD and a group of intellectuals and planned to be held on the days between 25 and 27 June, was banned by the Ankara Governorate. (Detailed information is in the section titled "Pressure on İHD"). To want to stop blood shed, to call for peace were mostly considered as "being PKK followers" or "making attempts in direction with the PKK's gains".

A group of intellectuals including writer Yaşar Kemal, held a meeting under the name of "Democracy Congress" at the end of December in İstanbul. The İHD İstanbul Branch Chair-man Ercan Kanar who organized a press meeting on 30 December following the Congress which lasted 2 days, said: "This congress which was successfully put together was meaningful rhetoric giving hope to the persons who aim at being widespread and permanent in long-term democracy and the march for peace and who want peace. In the "Final Declaration of the Congress" read out by actress Nur Sürer, a declaration of a general amnesty, a serious and permanent cease-fire to stop fighting, creation of social environment of peace, exclusion of thought from being a crime and an end to the pressure on opposition press were demanded. It was pointed out in the declaration that the Kurdish problem should not be solved by force or through obstinate policies, but be solved through democratic methods based on equality and brotherhood of the people, and it was said: "The blood shed must be stopped immediately. With this aim, a serious and permanent cease-fire must be declared and both sides must abide by the rules of the Geneva Convention. The policies inciting people to be enemies of each other should be terminated". İstanbul SSC's Prosecution Office launched investigations in connection with the speeches delivered during the Congress.

The Democracy Party carried out a peace campaign between the dates of 1 August and 1 September. The campaign started with a press meeting in the Sultanahmet Square of İstanbul on the morning of 1 August. The then Chairman of the DEP, Yaşar Kaya who spoke at the meeting, indicated that there was an unnamed war in Turkey and he invited everyone to join the peace campaign. Stating that although military policies had been applied for 70 years to solve the Kurdish problem, no success could be reached, Yaşar Kaya said that an atmosphere of peace should be secured before more people die, more blood is shed and more economic collapse. In the written declaration prepared by the DEP for the campaign, it was said the following: "The guns must be silenced. The PKK and the state should declare a cease-fire, and the cease-fire should be controlled by independent powers". The declaration

was the most important justification for the trial launched by the Constitutional Court with a demand for closure of DEP.

DEP deputies applied to CSCE. In the application made on 20 November by Hatip Dicle in the name of 17 DEP deputies, it was said that Turkey was living through days which were bothersome enough for anyone not to be indifferent, and it expressed the following: "The circumstances of violence essentially originating from the refusal of the identity of the Kurds and their national rights reached serious dimensions threatening internal peace, democracy and human rights further day by day. President Süleyman Demirel names the developments as 'The 29th Kurdish revolution'. The General Staff Chief made public that the armed clashes 'move along as a low-density war'. The Minister of Defence while returning from the region said to press members: 'I am coming from the war front'. With the effect of a chauvinistic wave that is attempted to be climbed upwards in order to get the support of the public opinion for military solution methods, the Turkish and Kurdish people are being brought against each other. When we take account of the developments, we are worried that the Kurdish people are in front of a threshold of a holocaust and under threat of migration". In the application, it was requested that a "permanent observation committee" should be formed for the Southeast.

### **Other developments and events**

The resolution with the force of law which is seen as "restricted amnesty for PKK militants" by public opinion, was promulgated in the Official Gazette on 8 June 1993 and put into effect. According to the resolution, in case where PKK militants who were not involved in any armed acts, deliver themselves, they will be set free without any legal procedure brought against them. The resolution had been shelved after the PKK militants barricaded a road near Bingöl on 24 May and murdered 37 persons, 33 of whom were unarmed enlisted men. No results were obtained from this application which went no further than "recomposition of the Repentance Law", and it was seen that the number of PKK militants who delivered themselves did not exceed 40.

With a decree taken by the Board of Ministers on 27 July, the persons who served their military service as commandos were entitled to work for the special teams of the Security General Directorate without going under any examination after being discharged. In addition, it was decided that intensive training courses on fighting terrorism be given at the police colleges and it was targeted to increase the number of the special team members from 2,800 to 15,000 within a short period of time. The Ministry of Interior, then prepared a propaganda brochure for special team members who were newly employed. In the brochure there is a call saying "Have this brochure read by your friends whom you love and would like to be together with. We are awaiting you as well as the ones whom you love". Although Article 48 of the Law on Civil Servants, number 657, finds being a citizen of Turkish Republic enough to be a civil servant, in the brochure the condition of "being a Turk" is foreseen for candidacy.

When the number of security officers in the Emergency State Region and number of deserters increased, new decisions were taken as of the second half the year in order to meet the soldier requirement of the army. In this direction, firstly, 801 teachers enrolled to the army in August on the condition of serving as teachers during their military service, were sent to military units as enlisted men after completion of their fundamental training. Their rights to serve as teachers were taken back. Subsequently, the application enabling persons to serve as

teachers during military service was temporarily suspended. The objections raised to the Military Higher Administrative Court by the persons in question whose rights to serve as teachers were taken back, were rejected.

The decisions taken to meet the soldier requirement of the army were not limited to the teachers. An arrangement was made in order to enrol the students of Common Training Faculty without waiting for their graduation. The Minister of Defence, Mehmet Gölhan, held a press conference on 16 November, and said: "This application is limited to those who are older and who have been studying at the faculty in question for many years". Subsequently, a draft law which aggravates sentences to deserters was prepared in order to prevent youths from evading military service (there are approximately 250,000 deserters which constitute 22 per cent of youngsters who are military at age). The draft law was ratified and put into force in 1994.

With the purpose of strengthening the struggle against the PKK, the Government asked for help from the tribes known as state supporters. For this purpose, a secret meeting was held at Security General Directorate on 22 November with an attendance of about 30 tribal leaders coming from Van, Hakkari and Şırnak. During the meeting, also attended by Gendarmerie General Commander Full General Aydın İlter, the Ministry of Interior's Undersecretary Bekir Aksoy and General Police Director Mehmet Açar, strategies aiming at expanding the struggle against the PKK were dealt with. One of the tribe leaders who attended the meeting explained that they had come to Ankara upon the Government's invitation and that they had some proposals concerning armaments and the sharing of the newly opened vacant positions for 11,900 village guards among the tribes. The Interior Minister, Nahit Menteşe, who met with tribe leaders expressed the point that the village guards played an important role in the fight against the PKK and said that they were expecting great contributions from village guards and tribes in the winter operation aimed at casting a great blow to the PKK. The tribe leaders also participated in a program broadcast by state television on the night of 25 November.

In a press conference organized on 26 October, the Commander in Chief of the General Staff, Full General Doğan Güreş, defined PKK militants as the "deceived youths" and said the following: "I am calling out to those youths. Especially the deceived youths who took to the mountains and those living in villages and hamlets who think they are in safety and who are called 'militia' by the PKK and as 'aiding forces' by us. I am calling out to those persons who commit every kind of high treason and whose intentions are known by us. They have two alternatives: Either they come and deliver themselves or they will certainly die. I am saying this frankly; I know that it will be a shame for young persons. This is my last warning to those youngsters. Let them come and deliver themselves. Otherwise, they will all be wasted. The others will die anyway. We will catch them wherever they escape to in the world". Doğan Güreş in the speech he made on 20 December addressing military officers, noncommissioned officers and enlisted men of the Kayseri Commando Brigade serving in the Emergency State Region, said: "I have tracked you step by step up to now starting from 29 March 1993, the date that you went to the region. First you served in Bingöl and later on in Şırnak and Siirt. You have shown that you would lovingly sacrifice your lives for the Motherland and that you are not afraid of death. The bandits looked for holes into which they would escape from you. They could not oppose you. Whenever they did they were slapped down. They tried to show their strength against women and children". Also addressing PKK militants, Doğan Güreş said: "Deceived bandits. Your strength can not overcome the Turkish

Armed Forces. It has never overcome in any period of history. Deliver yourselves to Turkish justice. Otherwise your end will be death".

The General Chief Staff Full General Doğan Güreş made a harsh statement on 24 December criticizing democratic powers. Addressing the soldiers of the Bolu Commando Brigade, Doğan Güreş targeted the Democracy Party and certain democratic mass organizations without giving names, and said the following: "In those critical days some persons and organizations that are small, but make loud noises dare to make untrue accusations and attacks against the armed forces and their ranks. Some of those persons may have taken on duties against our country for special and certain purposes. Some of them may long to produce thoughts in their accusations targeting the armed forces, although they do not have enough information on the subject. And some of them are exhibitionists who are after cheap heroism. The dangerous ones are persons and organizations that have undertaken duties for certain purposes. The danger lies in them. Do not be worried, the Turkish nation is after them".

In the meantime, the PKK leader Abdullah Öcalan made a statement on 24 November and gave information about the targets and strategies of the PKK during the winter months. Stating that they would go under a strict training period in winter while continuing their attacks, said the following: "We will assault the Welfare Party relentlessly, because it acts dangerously and abjectly. Under the guise of Islam, it gives out money. It shows a pseudo-Kurdish friendship and tries to deceive the public. There are some newspapers supporting the Welfare Party, such as Milli Gazete, Türkiye and Zaman. From now on, we shall prepare special units to eliminate its press organs and party organizations. We will also make other civilian establishments and educational institutions of Turkey ineffective. Of course there may be some exemptions. I mean if there are any schools somewhere which are not harmful to the revolution, they will not be a problem. We will let them stand. But, if there is an activity which is contrary to revolution and to our goals, we will assault them even if it is a health unit or a school.

The point that the Kurdish problem arrived at brought with a great burden on Turkey. The calculations made, revealed that the fight against the PKK in the Emergency State Region caused more than expenditure of TL 100 trillion (approximately TL 11,5 billion per hour) in 1993. When it is taken into consideration that the 1993 budget had a deficit of TL 130 trillion, the enormity and significance of the expenditure made in the name of the fight against the PKK becomes obvious. Studies putting forward the financial dimension of the struggle against the PKK were made public in 1993. Following are some figures revealed as a result of such kinds of studies and published in the October issue of the review "Asomedyâ" which is a publication of the Chamber of Ankara Industry:

- \*The cost of payments for food, beverage and ammunition aid for 44,372 village guards is TL 5 trillion.
- \*The cost of 695 gendarmerie and 7195 police lodgings, 55 prisons and 353 gendarmerie stations which were built between the years of 1991 and 1992 is TL 30 trillion.
- \*The total additional payments made to the civil servants in charge of the Emergency State Region and known as "Apo Indemnity" is TL 3,6 trillion.

\*The total number of the indemnities paid out of "veiled allowance" to the military judiciary personnel and to the MİT (National Intelligence Agency) officials is TL 6,5 trillion.

\*The cost of the Northern Iraq operation (carried out in October 1992) is TL 13 trillion.

### **Village guards**

Village guards, one of the important impasses of the Kurdish problem, often appeared on the agenda in 1993 because of incidents they caused and of their unstrained behaviour. During the one-year period, the village guards occasioned inhuman events. In addition, their names were involved in shameful crimes such as smuggling, theft, robbery and rape. For example, on 27 July, a group of village guards who barricaded the road between İdil and Midyat seized money and valuable belongings of the drivers of the lorries they stopped. The village guards, later on, went away from the scene by taking 3 lorry drivers together with them. A person named Şakir Gürbüz whose money amounting to TL 40 million and certain personal valuable things were seized by the village guards said: "The guards who stopped every vehicle including ours, seized everything such as money, watches and pens. The thing that amazed me was that although there were 3 gendarmerie stations nearby the scene, there was no interference".

In the report prepared as a result of the investigations made in the Emergency State Region by the Parliamentary Commission formed in order to scrutinize the murders by unidentified assailants, surprising sample cases about the village guards were included. In the report submitted to the General Staff Office and other security units, an immediate end to village guard system was demanded. In the report produced following the investigations the Commission had made in July, it was indicated that the village guards made smuggling trips and carried out village raids similar to the PKK by using the authority vested to them. The report also stated the following: "While the terrorism activities were increasing and the terrorists were trying to establish duress upon the citizens in the region, the number of the village guards increased, and success was tried to be obtained through these guards. However, since the system could not be properly applied, the village guards, by using the armaments and authority given to them by the state, entered illegal activities. For example, an arrest warrant in absentia was issued by Diyarbakır SSC against the guards of Şenoba village of Eruh, Şırnak whose involvement in weapon-smuggling was determined. Nevertheless, the decision was not complied with although a long period of time passed. The village guards against whom an arrest warrant was issued, continued to draw payment from the state regularly each month. In spite of this, they were not arrested. The village guards who raided Ormandışı village of Silvan district of Diyarbakır, killed 2 persons. On the other hand, the wireless message sent by the village guards to the gendarmerie was: "Ormandışı village had been raided by PKK militants and that they would go there for help". Upon this announcement, the gendarmes went to the region by helicopter in order to help. Subsequently, the gendarmes had to open fire at the citizens running away from the village guards' attack, as they were misinformed that 'The militants are running away'".

Mardin deputies Ali Yiğit and Mehmet Sincar held a press conference in the National Assembly on 31 January, and stated that the village guards were involved in many murders and illegal activities since the village guard system had been implemented. They said: "The village guard system became the most powerful arm to set the region's people at loggerheads,

and the state which created this system is responsible for the violence in the region". Pointing out that the village guards were given freedom to commit crimes, the deputies expressed the following: "They are using this freedom in a very cruel manner. The village guard system established in order to protect villagers from terrorists, is the origin of the terror in the region".

Meanwhile, 33 village guards who gave up their duties upon the call of the PKK while in charge in Elmabahçe village of Mardin in May, were kept in detention by gendarmes for 15 days. The 33 village guards stated that they had been subjected to torture and pressure at Mardin Central Gendarmerie Station and threatened with death. Later, they had to leave and move to Diyarbakır and Mardin because of pressure. The village guards applied to the İHD Diyarbakır Branch at the end of May demanding personal protection.

#### **d) Attacks against settlement centers**

The violence in the Emergency State Region increased day by day in 1993 and events similar to the ones witnessed in Şırnak(\*) in August 1992, frequently took place. Provincial and district centers were damaged by the security officers who claimed the attacks had been carried out and that sniper fire had been opened by the PKK militants. The most outstanding event was observed in Lice district of Diyarbakır in October. In the events which expanded with the kil-ling of Brigadier Bahtiyar Aydın, Lice was devastated and many people were killed.

Similar events occurred in Hakkari (3 times), İdil (2 times), Silopi, Diyadin, Yüksekova (3 times), Dargeçit, Doğubeyazıt (3 times), Yeşilyazı and Tutak. During the events, a total of **46** persons, 3 in Silopi, 6 in Diyadin, 4 in Yüksekova, 3 in Doğubeyazıt and 30 in Lice, died (in 1992 a total of 41 persons had died during similar events), and more than **100** persons were wounded. A billion TL of damage was sustained. Ten thousands of people left the settlements they had lived for years and migrated to other places. Most of the migrants tried to continue living under unhealthy conditions. All official statements concerning those incidents expressed that the PKK militants had caused the incidents.

Following is information about the events which took place in provincial and district centers:

**Lice(Diyarbakır):** The most notable pressure and attacks against settlement centers took place in Lice district of Diyarbakır in October. A transformer in the vicinity of Lice was attacked by PKK militants on the night of 14 October. The transformer was damaged and two persons named Fadıl Dinler and Ebugalip Durmuş working in the transformer were abducted. At the same time, a primary school in the district center was burnt down by unidentified persons. Meanwhile, the security forces in the district opened fire and, as a result, some of the houses and shops were damaged.

An air and ground operation was conducted against the PKK camps in the mountainous region near Lice on 20 October. On the evening of the same day, the sounds of gun shots were heard in Lice district center. Upon the gun shots, the security officers opened fire at random. In the event, Ali Gündoğan (18) and Hüseyin Gündoğan (20) were wounded. This event occasioned tension in the district. On the day and night of 21 October, a strained waiting prevailed in the district and sometimes sounds of gun shots were heard. On the morning of 22 October, a police vehicle in a petroleum station located near Lice was attacked

by PKK mili-tants. Armoured vehicles sent to the scene of the incident upon the attack, were also shot by PKK militants. Then, a wide-scale military operation was started in Lice and its surrounding. At the same time, sounds of gun shots started to be heard in Lice. Reinforcement military units were sent from Diyarbakır to Lice.

While the events were continuing, Diyarbakır Gendarmerie Region Command Brigadier Bahtiyar Aydın was killed by a shot to the eye at noon. By whom Bahtiyar Aydın was shot could not be clearly revealed. Official statements claimed that Bahtiyar Aydın had been killed by PKK militants. On the other hand, in the statement made by the PKK it was said that PKK militants had not carried out any attacks against Lice and that the events had started when the security officers had opened fire at civilians. In the statement, it was alleged that the Brigadier was victim of an internal disagreement among the security officers and that the event had been used as a justification for a military operation against Lice. Şemdin Sakık, the then commander of the PKK militants in the region, made a statement before the Lice events, and said: "All of the houses in Lice are hut-type houses. Following our previous attacks against official buildings, the security officers raked the district by guns and caused damage. One bullet can pierce through 3 or 4 houses. In order not to damage the people in Lice, we decided not to attack Lice".

With the killing of Bahtiyar Aydın, the events in Lice escalated. The events continued until the evening of 23 October. During this period, all communication with Lice was cut off and by the evening of 23 October, Lice had become a ruined and burnt out city.

In consequence of the events, at least 30 persons died and about 100 persons were wounded, 32 of whom were treated in the hospitals in Diyarbakır. The names of some of those killed are as follows: "Brigadier Bahtiyar Aydın, (Diyarbakır Gendarmerie Regional Commander), Yüksel Bayar (specialized sergeant), Murat Arar (enlisted man), Nurettin Soyer (teacher), Ali Canpolat (25), Hüseyin Cantürk (15), Dilbirin Cantürk (4), Suna Cantürk (2), Abdullah Dağlar, Şerif Kayran, Zana Mercan (16), Hüseyin Boğa (34), Salih Boğa (29), Rezak Yıldırım (65), Mustafa Mercan (38), Abdullah İzgi (40), Mehmet Kaya (32), Mustafa Çakır (40), Zana Çakır (18), Halil Dolan (70-imam), Mehdi Güler (47), Kudret Ergin (20)". During the events, 401 houses and 242 shops were burnt down and severely damaged, the municipality building was destroyed and many vehicles almost became right-offs. Upon the events, half of the people living in the district emigrated to other settlement centers.

The Republican People's Party Chairman Deniz Baykal who wanted to go to Lice on 26 October, was not permitted to enter the city. After he returned to Ankara, Deniz Baykal made a statement and said the following: "The road was barricaded with tanks and graders. We called State Minister Necmettin Cevheri by phone who gave instructions to let us enter. However, the security officers said that we could not enter. Unfortunately, instructions of the government are not valid there. There is a situation far beyond what we expected. We could not see what happened. As far as I understand, there was no milieu of hot clashes which might threaten security. I think terrible events took place in Lice. The events must have been too unpleasant to be investigated by party members and leaders, and by journalists. Prime Minister Tansu Çiller intended to go Lice following the events, but reportedly gave up going there because security officers had objected. Chairman of the Association of Human Rights and Solidarity with the Oppressed (Mazlum-Der), İhsan Aslan who conducted research in Lice said: "We could reveal in consequence of our talks with people that there was no clash, but one-sided attacks by the state".

Journalist Halil Nebiler who went to Lice after the events settled down, wrote his observations in 29 October 1993 dated newspaper "Cumhuriyet". A summary of his observations is as follows:

We are at the road junction of Lice-Hani. We are waiting for ID checks to be made of those in front of us who have been taken out of the minibus. Body searches, luggage controls, and then our turn has come. Our ID card, press cards. The major sergeant is watching.

- Why have you come here? In order to exaggerate the event, isn't it? You are not good for anything else anyway. So it is the press, is it? Come on, away with you.

It is interesting. There is an incident in Lice. All right. So, the major sergeant does not want the incident to grow bigger. But why? Did not the PKK burn down and destroy these places? Why does the sergeant not want this to be known and to grow bigger? (...)

It is drizzling. There was nobody in downtown of Lice. Downtown is formed by an asphalt road of about 300 meters surrounded on two sides by two-storied brick houses. We are going to the municipality building at the beginning of downtown. The building is full of holes. There is neither window nor window frames remaining. At the garage in its garden, one of poor Lice's hydraulic shovels, one minibus and a private car were burnt out. From that place to the mosque. The mosque is full of holes, too. On the minaret, there is a hole as big as a human head, on a point which is one and half meters high from the ground. A tiny police officer who has not been able to get rid of his anxiety says: "I have been in Lice for one year. It is here that I observed the Kurd-Turk discrimination. If we happen to cough nearby at home, our kid jump up into the air. Look, if something was happened here, there must be a reason for it. The events did not take place without any reasons". (...)

The picture of the burnt and destroyed downtown is still in front of my eyes. There is something that has leaked out of a shop towards the road and has been frozen, which makes me think that it is a gutter formed by melted down plastic materials in the shop. A Lice dweller says it is not plastic but sugar in the shop. It is raining. We are now on the back streets of Lice. In front of a half intact garden-wall stands a couple who are around 60-70 years old. There also stands their bride holding a baby. They are crying in front of their house from which no-thing remained. The rain is making dirty mud of ashes in the burnt place. A child appears. A child aged about 8 or 9 years. Just in the middle of the burnt place, I can see the child through the visor of my camera. At the moment he realizes that I am about to press the shutter release of my camera, lifting his arms he has made a "V" with his fingers and smiled. (...)

An old woman does not speak Turkish, and while crying she is muttering something in Kurdish. The only word that I am able to understand is "leşker", which means soldier. A middle-aged man looking around, has said "There were no PKK militants, it was soldiers who destroyed and burnt down everywhere". An old man on another street is telling us that he heard sounds of gun shots on the first day and that everywhere was destroyed and burnt down on the second day. On the other hand, what the skinny police officer who came from the Marmara region, said is as follows: "At about 9am, we learnt that a police team had been raked. Later, fire was opened from all houses and shops at our houses which continued for 14 hours. They were shooting at our houses from the gallery of the mosque. If something happened, it did not happen without any reason". (...)

Something makes us go back to the municipality building. We are going back there, again. It is a two-storied building on a large square. It was destroyed. Now, let us say that PKK members opened fire from this building and let us suppose that the security forces targeted the building for this reason. So why was the garage in its garden destroyed? The private car was not just simply burnt down, but deformed as if it crushed against a train. Then other questions. Amongst all the burnt down and destroyed buildings, how did the PTT building manage to remain still shiny and standing upright? Expect for tiny holes, why is there not much damage on the town-hall next to the municipality building? State Highways Administration building stands as if it was in Bursa and not in Lice at that time. Why were the police lodgings not damaged so much?

*Whom do you ask these questions? The Lice dwellers are experiencing the complete sorrow of the situation with the inability to speak-out. It is as if they have no other solution but to sit in front of the ruins of their houses and just to cry away. They could not say much to the SHP delegation anyway. While talking to the DEP delegation, we find out that the dwellers told them exactly the same things they told us; "It was not the PKK that did this. The soldiers did it. And the next day they burnt down our shops". What would Ünal Erkan respond if we asked him about all these? He will possibly state the following: "Militia and militants opened fire from the houses and the security forces reciprocated. There are 13 dead".*

*The scene we have seen in Lice is not such a scene to be curtailed down with just 13 persons killed. Whomever we talk say that his son, her husband, his wife were killed. There must be at least 30-40 persons killed. We are moving to the highway passing in front of the battalion command building. Lice dwellers on the highway are trying to stop passing-by vehicles, to get on and to leave the district. At the check-point, there are minibuses with mattresses and quilts loaded on top of them and taxies filled up with 5-6 persons. Lice is being abandoned. The remaining 500-600 people are merely looking for possible means to leave.*

*The Lice dwellers have re-named their quarters "Bosnia-Herzegovina Quarter". When we compare Lice event to the Şirnak events, the latter seem very innocent. You can now consider Lice as non-existent. An old but still vigorous man summarizes the situation: "What did happen in Lice? Well, the military solution was applied in Lice." (...)*

**Hakkari:** In consequence of an attack carried out on the night of 20 June by PKK militants against a police hut in Hakkari, police officer Yusuf Kayalı died. Upon the event, the security officers in the province, opened fire at random. As a result of shooting, Rojbin Aksaç (f-18) was severely wounded. In the event which lasted for 3 hours, houses of Mustafa Yiğit, İbrahim Hatipoğlu (the owner of the newspaper "Hakkari'nin Sesi"), Mahzo Yalçın and Remzi Çallı were heavily damaged. Besides this, Hacı İbrahim Şen Mosque was partially damaged when a police panzer struck it. After a police panzer patrolling in Hakkari on the night of 23 October, was overturned after hitting a boulder left on the road around hospital, security officers opened fire at random. As a result, 59 houses and shops, and 7 vehicles were damaged. A book store belonging to Kemal Dağgöl and houses owned by İbrahim Demiralp and Tayyip Okay were burnt down. The fire brigade was prevented from intervening in the fire. Stating that the attack is in violation of democracy and humanity, Hakkari Mayor Şükrü Çallı said: "To damage houses and shops of innocent people on justification of an accident, can not be excused". The people living in Hakkari experienced exciting hours when gun of an enlisted man on duty went off accidentally on the night of 1 November. Other enlisted men on duty thought that there was a PKK attack, and opened fire at random. In the event a child and a police officer were wounded.

**İdil(Şırnak):** In İdil district of Şırnak, security officers opened fire at random when the sounds of several gun shots were heard on the night of 13 June. Because of the shooting that continued for many hours, about 400 shops and 15 houses were damaged. İdil also became a scene of various events on 24 June evening. At about 11.30pm, shots were fired with automatic guns and mortars from the units of the security forces for 2 hours, and houses and shops were damaged. In addition, Ahmet Şaman's house in Yeni Mahalle quarter was hit by a mortar and destroyed. A woman named Adile Şaman who was trapped under the ruins, was severely injured. Havil Adıbelli's house in Atakent quarter was damaged. Making a statement, Havil Adıbelli said that he had served in prison for a long period and he was expecting such an attack. On the night of 20 November, PKK militants opened fire at certain military targets in İdili and approximately 10 shops were destroyed during the events.

**Silopi (Şırnak):** Silopi district of Şırnak was raided by PKK militant on 6 July evening. The PKK militants who entered the city at about 10.00pm opened fire at official buildings and military units for an hour. The security forces reciprocated. The returned fire by the security forces continued after the militants left the district. During the event, 3 children named Mah-mut Aydemir, Fadile Aydemir and Ayşe Yıldız died, 10 persons, 2 of whom were police officers, were wounded. It has been reported that the children died in the shooting by the security officers with automatic guns and cannons. During the events, great damage occurred on some of the official buildings, and many houses and shops. In consequence of the operations carried out on 7 July in Silopi, 102 persons were detained.

**Diyadin (Ağrı):** Diyadin district of Ağrı was raided by PKK militants on the night of 12 July. The PKK militants opened fire at official buildings and burnt down a lodgings used by police officers. The clash which arose when the security officers reciprocated the PKK attack, lasted for 3 hours. It has been reported that the security officers opened fire at shops and houses without any discrimination. Burhan Çifçi, his wife Mahide Çifçi and his children Canan Çifçi, Dilşah Çifçi, Ender Çifçi and Ruken Çifçi who were in a house hit by a cannon ball, were killed. In the official statements, it was said that those 6 persons had died as a result of the PKK attack. On the other hand, Diyadin dwellers stated that Burhan Çifçi and his family had been killed on purpose. The event in Diyadin was put on the agenda of the Assembly by deputies of CHP. In the proposal submitted to the Assembly, it was stated that there were doubts about the events and that Burhan Çifçi who died during the event was a member of CHP. In the proposal it was also said that after the events initiated with the fire opened by the PKK at official buildings, fire started in several buildings including the shop of DEP District Organization Chairman. It was also stressed that Burhan Çifçi who had been CHP District Organization Chairman before the 12 September coup and whose legs were crippled, his wife and 4 children living in the two-storied apartment above the aforesaid shop, were burnt to death. Furthermore, a 4-person DEP delegation which went to the district on 20 July held the special team members and district governor responsible for the event. The İHD Secretary General Hüsni Öndül demanded clarification of the claims holding special team members responsible for the event.

**Yüksekova (Hakkari):** Certain state buildings and military units in Yüksekova district of Hakkari were attacked by PKK militants on the night of 15 August. As a result of the at-tack, great damage occurred on the buildings, and one special team member and 2 enlisted men were wounded. Subsequently, the security officers reciprocated. Fire opened by the security officers continued after the PKK militants who stayed there for 2 hours, withdrew. In the events, Nuh Demirci (19) died and 9 persons were wounded. Many houses and shops in

Yenimahalle, Esenler and Gürgören quarters were damaged. Nuh Demirci was made public as "a PKK militant killed during clashes". Hakkari Mountain Commando Brigade Commander Brigadier Osman Pamukođlu said the following in his statement to the newspaper "Milliyet": "The ones who opened fire at soldiers and brigade of the state, were responded. From now on, we will not grant quarter to them and their accomplices. We will reciprocate with 5 bullets to 1 bullet. If we had not carried out the operation code named 'hedgehog', a group of 400 people would raze Yüksekova to the ground. When a person is in trouble, they turn to the state institutions. However, fire was opened from buildings of state institutions against soldiers. They took the course they deserved". On the other hand, the Republican Party deputies who went to Yüksekova stated that their investigations showed that the security forces had opened fire unilaterally and intensively. Expressing that the authorities were striving to create an impression that a clash broke out, the deputies stated that it was interesting that there were no PKK militants who had died or had been wounded during the events.

As a result of fire opened without any reasons by the soldiers patrolling in Esentepe and Karayol quarters of Yüksekova on 19 August, 4 persons were wounded. On the same day, a group of soldiers held a demonstration shouting slogans against the PKK. After the event, many people living in the district went to other settlement centers.

The events in Yüksekova also continued in September and October. PKK militants opened sniper fire at certain official buildings on the nights of 28 and 30 September. Upon the events, a curfew was announced in the district on 1 October and a wide-scale operation was initiated as of 4.00am. While the operation was in process, the security officers opened at random. In consequence of the shooting that continued for an hour, Hacı Uluç (52) and his children named İdris Uluç (12) and Sercan Uluç (7) died, and Adil Uluç (6) was wounded. In the event, great damage occurred on many houses and shops. In the official statement, it was said that 3 persons had died as a result of a PKK attack against the district. On the other hand, the PKK claimed that they had not carried out an attack against Yüksekova. Events caused reactions in Yüksekova. In protest of the event, about 3,000 people most of whom were women and children, held a demonstration on 3 October. On the same day, shops were kept closed. A parliamentary delegation that went to the district in connection with the events, decided that the security forces had followed 'errant behaviour' during the events.

**Dargeçit (Mardin):** Shots were fired at the houses and shops in Dargeçit district of Mardin by the soldiers patrolling in the streets at 9.00pm on 25 August. During the events which lasted until the morning hours, 15 shops were burnt down. Firemen who tried to extinguish the fire were prevented from entering by the soldiers. Some people who left Dargeçit because of the events stated that many animals perished in consequence of fire opened. Some of the persons whose shops were burnt down are as follows: "İzzetin Özçelik, Sabri Uđurtay, Hacı Kılıç, Faik Kılıç, Mecit Çelebi, Sabri Çelebi and Nezir and Ramazan."

**Doğubeyazıt (Ađrı):** Security officers claimed PKK militants had shot sniper fire at the state buildings in Doğubeyazıt on the evening of 30 August, opened fire at random. In the event, 3 women named Seyat Alkan, Sevgül Çetin and Sakine Çetin were wounded and some of the buildings were damaged. Quarter headmen of Doğubeyazıt sent letters of protest to the Chairmanship of the Assembly, Prime Ministry, Ministry of Interior and to the Ađrı Governorate. In the letters, they stated that great damage had occurred to houses and shops in consequence of the fire opened by the security officers, and that the event had increased the tension and caused a danger of mass migration.

On 25 September at about 10.00pm the sounds of gun shots were heard in Doğubeyazıt, and then the security officers in the district opened fire around. The sounds of gun shots continued until the morning hours on the next day. As a result of the shots fired, Hatice Karakaş, Azize Özkul and Ahmet Özkul died, and İbrahim Tuncel and Muhsin Tan were wounded. In the event during which rocket launchers and mortars were sometimes used, about 20 houses and shops were damaged. Among the damaged houses, was the house of the Motherland Party deputy Yaşar Yılmaz. In addition, a pastry-shop was burnt down by a fire bomb. Subsequently, a curfew was announced, and soldiers and special team members carried out an operation during which about 200 persons were detained. In the official statement made as to the event, it was claimed that PKK militants had opened fire in Doğubeyazıt and thus 4 persons had been wounded. On the other hand, the PKK denied the official statement.

The Motherland Party Chairman Mesut Yılmaz held a press conference on 28 September and disclosed that the house of Ağrı Deputy Yaşar Eryılmaz had been demolished by tanks during the events in Doğubeyazıt. In the statement made by the Prime Ministry as to the event, it was claimed that the fire had been opened at the house of Yaşar Eryılmaz in order to reciprocate the fire opened by the PKK militants in the house. Reacting against the statement, Yaşar Eryılmaz said the following: "It is a lie that fire was opened from my house upon the security officers. After the statement was made, I called the governor and district governor. They said that they had not given such information to the Ministry. My father also talked to brigade commander. The commander did not claim that fire had been opened from our house, and he apologized saying "This was what nervous enlisted men did". Repeating that military authorities apologized to Yaşar Eryılmaz's father Rıza Eryılmaz, Mesut Yılmaz said: "Everyone may make a mistake. But, when a state makes a mistake it must pay compensation. The Prime Minister making an untrue statement is a more important defect than the event. If the government makes untrue statements in order to cover up its mistakes and if the Assembly does not control it, we can not call this regime a democracy".

Security officers in Doğubeyazıt also opened fire at random on the night of 24 December. In the event during which automatic guns were used, nobody died but 2 persons were wounded. In addition, municipality and Turkish Electricity Authority buildings, many houses and about 200 shops were damaged. Doğubeyazıt Mayor Mahmut Kotan said the following as to the incident: "The security officers raked the district at random. We informed the Ağrı Governor about the situation. He said that he would come to the district and make investigations, that damage survey would be made and that he had given instructions to the Doğubeyazıt District Governor for compensation payment. As a result of the attacks carried out against our district, TL billions of damage occurred. But nobody made efforts to make good the loss. We want the attacks to be stopped".

**Yeşilyazı (Tunceli):** The gendarmerie station in Yeşilyazı town of Ovacık district in Tunceli, was attacked by PKK militants on the night of 16 September. After the PKK's attack, security officers burnt down 10 houses and 11 vehicles in the town. Tunceli Deputy Sinan Yerlikaya and the İHD Tunceli Branch President Mehmet Gülmez who went to the town two days after the event to carry out investigations, said: "The state took aim at the people in the town on purpose. Following the PKK attack against the station during which 2 enlisted men died, security officers considered all people as PKK militants and took revenge on the people. In the event, the house of exdeputy Mehmet Ali Eren was burnt down, too, and goods such as a radio and tape recorder in the burnt vehicles were seized. The town dwellers are desolated.

Military and civilian authorities stood by during the event". Sinan Yerlikaya filed an official complaint to the Prosecution Office concerning the event against noncommissioned officer Ali Akdam and the enlisted men under his order.

**Tutak (Ağrı):** PKK militants opened short-term sniper fire in Tutak district of Ağrı on 8 November evening. Subsequently, the security officers in the district opened fire at random and carried out raids in certain houses. During the event which continued for about 5 hours, the houses belonging to the relatives of Zeki Öztürk, one of the PKK leaders, were particularly targeted. In consequence of the events, about 30 houses, including that of Tutak Mayor Kemal Öztürk, were destroyed, many vehicles were damaged and 5 shops became incapacitated. In addition, some of the people were detained.

### **Evacuated, burnt down and raided villages**

Evacuation of villages and hamlets was accelerated in 1993. Particularly, the villages and hamlets where the villagers who did not accept to become village guards lived, were became targets. Pressure against the villages and hamlets was not restricted to evacuation. Military operations directed at the villages were intensified. The villages were frequently raided; people were killed, (the village raids which resulted in death are studies under the section titled "Extra-legal Executions"), wounded and tortured. Houses, stables and barns were burnt down and became unusable. Generally, the pressure continued until the villagers left their villages. People were forced to migrate. Some of the migrants went to surrounding settlement centers while some of them went to the western cities such as İstanbul, İzmir, Antalya, Mersin and Adana. Those migrants had to live under very difficult conditions, and sometimes had to live together with 30-40 persons under the same roof.

According to the research made by the İHD **923** villages or hamlets in the Emergency State Region or neighbouring provinces were evacuated from the beginning of 1990 to the end of 1993. Breakdown of some of the evacuated villages and hamlets are as follows: "Diyarbakır (121), Şırnak (117), Hakkari (108), Siirt (83), Mardin (68), Batman (29), Bitlis (28), Van (36), Bingöl (9), Muş (7) and Erzurum (2)". More than half of those villages were evacuated in 1993.

Some of the sample cases compiled by the HRFT concerning village evacuation, burning, demolishing and raids are as follows:

A PKK militant was found wounded during the attack carried out in January against a van carrying village guards between Bağlarbaşı and Narlı village of Midyat district of Mardin. In accordance with the confessions of the wounded PKK militant named Cemal, an operation was initiated in the region. While the operation was continuing, Barıştepe, Kefri, Bağlarbaşı, Gülveren and Narlı villages were raided by village guards. During the raids, villagers were beaten, forced to migrate, and some houses were destroyed. The raided villages were completely evacuated in mid 1993.

The security officers who raided Türkmen, Hacı and Kazancı villages of Bismil at the beginning of April destroyed 13 houses and detained 7 persons. The names of the persons whose houses were destroyed are as follows: "Mahmut Alkalkan, Sait Saruhan, Reşat Uluğ, Askeri Saruhan, Fehmi Çakmak, Celal Uluğ, Davut Dal, Sait Şeker, Abdurrahman Topuz, Salih Kızıl, Vedat Tunç, Nursel Altındağ and Latif Kızıl".

Kelekçi village of the Dicle district of Diyarbakır was evacuated by force and burnt down by the security officers in April. About 100 people living in the village collectively went to Diyarbakır and settled near their relatives. During the same days, people living in Köprübaşı,

Kurşunlu and Değirmen villages of Dicle were given one week to evacuate their villages. All of those three villages were evacuated to a great extent following the expiration of the deadline. Confirming the event, Diyarbakır Deputy Sedat Yurtdaş said that the villagers who went to Diyarbakır were living under extremely bad conditions.

Hasanova village of Karlıova district of Bingöl was raided on 1 June by the security officers within the operation supported with war planes and helicopters. During the raid, 4 houses were burnt down, some of the villagers gathered in the village square were beaten and 17 persons were detained. On 2 June, Kartal, Çilligöl and Kıracıtepe village of Karlıova were evacuated and the houses in the villages were completely destroyed. In addition, it was forbidden to go to plateaus in the region. Sugeldi village of Çatak district of Van was evacuated on 1 June by the security officers. About 400 people living in the village migrated to Çatak and Van.

People living in 23 villages around Mount Ağrı were forbidden to go to plateaus. The related decision was notified to village headmen on 6 June by Doğubeyazıt District Gendarmerie Squadron Commander. It was also stated that air and field operations were continuing in the region and that the state would not be responsible for any damage to occur when the villagers went to plateaus. Villagers were also warned not to approach an area within 25 kilometers of Mount Ağrı. In the notification, it was pointed out that the order had been given by the General Staff Office and that legal procedure would be initiated against those ignoring the order.

Güldiken village of Lice district of Diyarbakır was evacuated and burnt down by the security officers on 26 June. A person named Baki Çelik said journalistshe following: "The security officers gathered everyone in the village square, then stripping the men in front of women and children, they beat them and burnt their clothes and identity cards. They even beat a man who is 90 years old. They dragged me naked on ground. They threw my father into water".

The security officers who raided Kukur village of Mazıdağı, Mardin on 12 July, burnt down 20 houses and killed animals. Village headman Şakir İlbasan said: "The security officers gathered us outside of the village and said that they would burn down the village unless we did not accept to be village guards. We said that we would not be village guards. A while after, we noticed that smoke was mounting up from the village". A woman named Newroz Özgel whose house was burnt down, said that soldiers opened fire at random and beat women, and stated that villagers were not permitted to take out their belongings from the burnt houses. In the raid, the arm of Ramazan Uysal was broken, and couples Yusuf and Sultan Bora were injured as a result of beating. Kukur village was raided for the second time on 15 September. Villagers were beaten and other houses which were not burnt down during the first raid, were destroyed.

Yalınağaç, Meşeli, Ulutaş, Günbat and Kovalı villages of Mazıdağı district of Mardin were completely evacuated in July. İHD's Derik Representative Mehmet Gökalg alleged that the people living in the villages had been subjected to inhuman treatment because they had not accepted to be village guards, and that the villages had been evacuated for this reason. He explained that the villagers who migrated to other places were living in terrible conditions.

Kayıklı, Güneşli, Kelekçi and Keçeli villages of Siirt, were evacuated by village guards and gendarmes in July. Most of the houses in the villages were completely or partially burnt down. While the villages were being evacuated, Abdülcelil Toy and Hayrettin Can were wounded as a result of fire opened by the village guards and 5 pregnant women had miscarriages. The names of the villagers whose houses were completely burnt down in the events are as follows: "Süleyman Çelik, Sait Çelik, Tahir Özer, Hüseyin Oğuz, Nezir Tekin, Raşit Yıldırım, Hayrettin Can, Hasan Polat, Ahmet Balık, Abdullah Tan, Osman Tan, Mehmet İlik, Abdülaziz

İlik, Hasan İlik, Abdullah Bulgak, Halil İlik, Osman Memiş, Hacı Ali Memiş, Ahmet Memiş, Mehmet Memiş, Emin Memiş, Osman Yıldırım, Mehmet Kaya, Mehmet Tekin, Abdurrahman Memiş, Mehmet Salih Ayana, Nazım Ay, Sabri Memiş, Celal Gök, Süreyya Ay, Şemsettin Ay, Ekrem Ay, Mehmet Ay, Derviş Ay and Hayrettin Ay (the headman of Kelekçi village). "

The security officers who raided Alibeş village of Silvan district of Diyarbakır on the morning of 25 August, destroyed 6 houses together with furniture inside. After the event, the villagers said: "They are continuously putting pressure on us to make us evacuate the village. They called us to Silvan Gendarmerie Station several times. Each time, they tortured and insulted us on the grounds that we shelter PKK militants and act as couriers for the PKK. They threatened to burn down our houses and to kill us". The names of the villagers whose houses were destroyed are "Mehmet Sönük, Hüsnü Damgalı, Medeni Yücel, Velihan Kıran, Seyfettin Güzel and Reşit Okşamak".

Gomik, Atıcılar and Korhan villages of Aralık district of Iğdır were evacuated by the security officers in August. It was reported that the villages had been raided while the operation on Tendürek and Ağrı Mountains had been continuing, and then evacuated. Persons who had to leave their villages and migrate to other places, said: "On the day that the operation was started, the villages were randomly raked by the security officers. Subsequently, our provisions for winter and fodder for animals were burnt. All of them were done on purpose".

Newly enrolled village guards opened fire at certain houses in Değirmenli village of Erzinan in midnight on 27 August. As a result of fire which continued for 3 hours at intervals, some of the houses were damaged. One of the villagers whose house was shot at with guns said the following: "We could not go to our beds until morning. For 3 hours, bullets flew over our heads. At home, we gathered in a place that could not be hit, and waited. Persons with telephones called each other and tried to find out what happened. But nobody knew anything. We could not go outside. In the morning, we learnt that fire was opened on the justification that the neighbouring Pulur village was raided. We, later on, learnt that no raid had been carried out against Pulur village. The event was totally arbitrary behaviour by village guards".

Kuruçay hamlet of Yolçatı village of Lice, Diyarbakır, was raided by security officers on the morning of 12 September. During the raid that was carried out by the soldiers of Tepe Gendarmerie Station, some of the villagers were beaten, and 11 houses and one mosque were destroyed. The villagers whose houses were burnt down are as follows: "Mustafa Balta, Mehmet Balta, Kamil Balta, Fehmi Akdoğan, Abdullah Ayata, Avni Ayata, İbrahim Ayata, Bahri Akdemir, Tahir Akdemir, Kemal Akdemir and an "imam" whose name could not be revealed."

Nine of the villages and hamlets (Ele, Çevirme, Yukarı Güngören, Aşağı Güngören, Şeyhmirzo, Kelheso, Gir, Mişko and Selekose) around the Mount Ağrı were evacuated in September and then destroyed by bombing. About 3500 people living in the evacuated settlements migrated to Doğubeyazıt. Some of the migrants settled in the houses of their relatives, some of them in the stables in Hani, Meydan, Çiftçınar and İshakpaşa quarters while the remaining slept on streets.

Güzdere village of Silvan district of Diyarbakır was raided on 28 September by the security officers. During the raid, 13 houses were burnt down, goods in some of the houses were damaged and 16 persons were detained. Stating that the security officers often raided the village, the villagers said: "The village was raided at about 3.00am. They took us out of our houses. They broke televisions, refrigerators, doors, windows and electricity installations, poured food on the ground. The ones who raided the village are Silvan Gendarmerie Station Commander

and Malabadi Gendarmerie Commander Noncommissioned Hüdaverdi and the enlisted men under their command. Upon the event, we had to leave the village". The names of the villagers whose houses were destroyed are as follows: "Ahmet Toptemiş, Abdullah Avşar, Mahmut Toptemiş, Şahin Söner, Şirin Söner, Salih Eraslan, Zeki Akto, Mehmet Eraslan, Emin Tanrikulu, İrfan Uğurlu, Hanifi Aykut and Eşref Aykut".

Security officers carried out raids against Yamaç and Yürecik (Zengök) villages located 30 kilometers from Muş on 11 October and burnt down some houses in the villages. Making a statement as to the raids, Muş Deputy Sırrı Sakık stated that out of the burnt villages, Yürecik is his homevillage. He said: "On the day of the event, I should have been in the village. However, when I saw the soldiers on the road to the village, I turned back. They expected that I would be in the village. The target was me, and I escaped by chance". Following are the persons whose houses were burnt during the raid against Yürecik village: "Mehmet Sezgin, Mehmet Salgut, Nimet Salgut, Arif Sakık, Şeyhmuz Er, Selam Sakık, Suphi Samur, Aziz Türk, Müfit Sakık, Ubeydullah Sakınç, İhsan Sıdar and Abdulsalam Sakıcı".

Raiding Çavuşoğlu village of Bismil, Diyarbakır in the night of 31 October, the security officers completely or partially burnt down 45 of the 65 houses in the village. After the raid 11 persons were detained. It was claimed that Çavuşoğlu village had been raided as a reprisal for the attack carried out on 27 October (in that attack teacher Neşe Alten (21) and her father Hasan Alten (60) had been executed by shooting by PKK militants). Some of the persons whose houses were burnt down in the raid, are as follows: "Celal Bitlis, Yusuf Güngör, Kamil Güngör, Hüseyin Güngör, Hilmi Tepe, Çağan Tepe, Ramazan Çaycı, Samet Savcı, Salih Savcı, Yüksel Karatepe, İzzettin Karatepe, Emin Can, Emin Yeşilirmak, İhsan Erkek, Nuri Aydın, Halim Savcı, Fahri Karatepe, Mustafa Can, Murat Elitaş, İhsan Güven, Hüsnü Elitaş, Sabri Tepe, Mikail Tekin and Hüseyin Can".

Kösralı (Hasena) village inhabited by Syrians, of Silopi district of Şırnak was evacuated in November upon an order by the security officers. More than 400 people lived in the 60-house Kösralı village which was the last Syriac village of Silopi. Following the evacuation of the village, some villagers went to their relatives in Midyat and Mardin while a group of 13 families settled in Öğündük (Mideh) village of İdil, inhabited by Syrians.

Uzuner village of Hazro district of Diyarbakır was raided by village guards on 24 November. The raid was reportedly carried out in connection with a clash which arose in the region on 22 November and resulted in the death of 2 village guards and 2 enlisted men. During the raid, 6 houses were burnt down. In their statement, the villagers said the following: "The village guards took revenge on us for their killed friends. They beat us in the village square. They asked for money and threatened to kill us".

#### **e) Attacks against civilians**

Armed and bomb attacks directed at civilian and defenseless people increased in 1993 compared to recent years. Villages and hamlets known to support the state, houses and families of village guards, settlements where people who refused to be village guards are living, facilities and regions available to tourism, and mass transportation vehicles were all frequently targeted. A significant number of those attacks were carried out by the PKK while agents of and aims for certain attacks could not be revealed. These such attacks were generally carried out against the settlements in the Emergency State Region which are inhabited by the people who are known as PKK supporters or who did not accept to be village guards. In addition, in the western settlements such as İstanbul, Antalya, Kuşadası, bomb attacks were carried out against tourism

and facilities available to tourism. The attacks in question were disclosed to have been carried out by PKK militants.

A total of **85** attacks were observed against civilians and directed at tourism. As a result of those attacks, **406** persons, **107** of whom were children, died (in 1992, 189 persons, 34 of whom children, were killed during attacks against civilian) and at least **302** persons were wounded. 63 of the attacks during which 353 persons, 90 of whom children, died, were carried out by the PKK. 11 of the PKK's attacks were against the facilities and region available to tourists. Because of the attacks aiming at sabotaging tourism, 1 person died, 65 persons, 33 of whom are foreigners, were wounded. There was no attack against civilian, during the period from 20 March, the date when the cease-fire was announced, to the end of May when the cease-fire ended *de facto*. Agents of 11 attacks during which 52 persons, (17 of whom children) died, could not be found. However, it was widely believed that the abovestated attacks had been carried out by village guards or dark forces termed as "contr-guerilla".

Attacks against defenseless persons and civilian targets caused great hatred in the public. Those attacks provoked another important aspect in that they became a justification for the deterioration in the public and anti-democratic applications. In the statements made by the PKK or its leader Abdullah Öcalan, it was frequently repeated that attacks would be carried out against the places available to tourists, industrial institutions and entertainment centers. The aforesaid statements and the attacks subsequently carried out, increased the reaction and en-mity against the Kurdish people in the western settlements.

The sample cases compiled by the HRFT related to attacks against civilians, defenseless people and tourism are as follows:

House of Davut Ergün living in Kolgezen settlement of Güçlü village of Cizre was raided by unknown persons on the night of 12 January. In the raid, Davut Ergün's wife Hasibe Ergün and children Lokman Ergün (20), Hıdır Ergün (17), Nezir Ergün (8) and Hacer Ergün (6) were killed. It was reported that Davut Ergün had served a long time in prison in connection with a PKK trial and was released in 1992. It was not revealed who had carried out the attack.

A house in Merkez quarter of Hani district of Diyarbakır, was attacked with rocket launchers and hand grenades on 13 January. During the attack two women named Esmâ Ava (81) and Sabiha Ava (50) died and persons named Leyla Ava and İzzettin Ava were wounded.

As a result of fire opened on the night of 6 February by unknown persons at a disused building belonging to the municipality in Kurtalan district of Siirt, 5 persons named Davut Olcay (50), Şahine Olcay (40), Selahattin Şahin (38), Türkan Can (35) and Ayşe Gülcan (28) died. The reason of the attack could not be revealed.

A group of PKK militants who raided Elmabahçe village of Dargeçit district of Mardin on 2 March, shot at the house of village guard Osman Bulut. In the event, a woman named Mekkiye Bulut and children Selahattin Bulut, Ramazan Bulut and Hasan Bulut who were in the house, died.

About 10 PKK militants raided a coffee-house in Evci village of Iğdır on 6 March evening, executed Enver Okur, Ahmet Aksu, Oruç Teke and Asker Timar by shooting.

In an armed attack by the PKK militants who raided the house of village guard Ali Yabalak in Hisar village of Viranşehir, Urfa, a woman named Nuran Yabalak (20) died.

A clash broke out between the PKK militants who raided Baheabaşı village of Genç district of Bingöl and village guards on the night of 2 June. Ayşe Taş (27) and her children Fatma (2) and Emine (6-month old) who were in the house of village guard Yusuf Taş which was damaged by a bomb during the clash were burnt to death. In the event 5 persons were wounded.

PKK militants who raided Dörtbölük village of Sason district of Batman on the night of 6 June, killed village guard İrfan Tiryaki (30) and his relatives Sabriye Tiryaki (23-pregnant), Ziyet Tekin (21) and Sanıye Tırkayı.

A group of PKK militants who raided Yaylacık village of Mardin on the night of 16 June, killed 6 persons including 4 children, in the house of village guard Mehmet Serin. In the event, 2 persons named Hüseyin Azizoğlu and Mehmet Demiroğlu were wounded. The names of those killed in the event are as follows: "Mehmet Serin (39), Hikmet Serin (56), Saliha Serin, Abdülmecit Serin (14), Salime Serin (14), Meral Serin (4) and Keriman Serin (1)".

In Suruç district of Urfa, a bomb was thrown into the house of Mehmet Yalçın who is a member of the SHP. In the event, Mehmet Yalçın's mother Cemile Yalçın (50) and his 10-year old daughter Devran Yalçın died, while 4 persons, two of whom are children, were wounded.

PKK militants who raided Koyunlu village of Yeşilli district of Mardin on the night of 25 June, killed 8 persons, including 3 children, who were in the houses of village guards Nimet Kaymaz and Zahir Öktem. The names of the 8 persons killed are "Nimet Kaymaz (37), Sultan Kaymaz (28), Uğur Kaymaz (5), Gülistan Kaymaz (3), Hasret Kaymaz (14), Hacile Ökmen (50), Lamia (Ökmen) and Yahya Gümüş (43)."

As a result of fire opened by PKK militants at a train running between Bingöl and Tatvan on 28 June morning, 6 persons, 2 of whom severely, were wounded.

The PKK militants who raided Yalım village of Mardin on the night of 29 June, killed village guard Fahri Gökoğlu and 6 persons in the house of the village guard. Following are the names of the 6 persons who were killed: "Fehime Gökoğlu (42), Muzaffer Gökoğlu (16), Sultan Gökoğlu (26), Hülya Gökoğlu (3), Gülşah Gökoğlu (8) and Sevgi Gökoğlu (1 month old). In the event, 4 persons were wounded.

PKK militants who raided Başbağlar village of Kemaliye district of Erzincan on the night of 5 July, executed 30 persons by shooting. In the event 3 persons were wounded and 57 of the houses in the village were burnt. The names of those killed in the event are: "Kamil Akpınar, Ali Baltacı, Süleyman Akpınar, İbrahim Çelik, Feridun Dikkaya, Ali Kıcırcı, Şaban Tür-kücü, Ali Rıza Türkücü, Hüseyin Güner, Mehmet Ali Taşdelen, Rıfat Aydın, Fehmi Aydın, Aydın Aydın, Ali Özdemir, İbrahim Parto, Celal Demirci, Salim Parto, Recep Parto, Mehmet Parto, Yahya Özdemir, Mehmet Taşdelen, Adil Turan, İbrahim Baltacı, Nazife Baltacı, İbra-him Baltacı (13), Hasan Sandıkçı, Hüsni Öztürk, Ahmet Yıldırım and İbrahim Gülcan".

As a result of fire opened at a minibus driven on the road from Midyat to Dargeit district of Mardin, at noon hours on 11 July, a person called Celal Dağ (80) died and two persons were injured. The agents of the attack could not be revealed.

A group of PKK militants who blocked the road near Karameşe village of Sason district of Batman on 12 July, murdered 5 persons named Ebedin Tiryaki, Alaattin Aydemir, Abdurrahman Şahin, Hikmet Babay and Fahrettin Sevinç whose vehicles were stopped. After the incident, Abdülvahap Coşkun, Şemsettin Demir, Adil Yıldız, Burhan Aslan and Metin Aktaş were abducted by the militants. They were set free on 22 July.

Yayladere district of Bingöl was raided by PKK militants on 12 July at night. During the raid, PTT officers Bülent Çelik Demir, Yaşar Kıtay and Ramazan Vural who were in a ca-ravan shot at by the PKK militants, died. Besides this, district governorate, municipality and PTT buildings were damaged and about 10 vehicles belonging to the state were burnt. Sources close to the PKK alleged that the 3 PTT officers had died because they had been in cross fire.

As a result of a fire opened at the house of village guard Arif Kaplan by PKK militants who raided Narlı village of Çukurca district of Hakkari on the night of 17 July, a child named İhsan Kaplan (6) died.

Seven unknown persons raided Sündüz Plateau in the vicinity of Bahçesaray district of Van on 18 July evening, and executed 26 people, 14 of whom were children and 8 women, by shooting. In the incident 4 persons were wounded. In the official statement made after the event, PKK was stated to have organized the attack. However, rejecting this statement, sources close to PKK stated that the PKK was not involved in the plateau raid and that it had been carried out by contr-querilla. Ahmet Sevgili, one of the wounded persons, said that those 7 persons had gathered them in the village square and asked if they had been village guards or not. Saying that the armed persons got angry when they learnt that there were not any village guards, Ahmet Sevgili stated that they had opened fire after a talk through a wireless. On the other hand, a woman named Hicret Güzel (35) who escaped the event by hiding, said the follo-wing: "As far as I saw, one of the armed persons was longhaired and moustached, one of them was bearded and another had no moustache. They were wearing regional clothes and speaking in Kurdish. But their accent was very different". The names of those killed in the event are as follows: "Azad Sabırlı (7), Yunus Sabırlı (2), Müzeyyen Yaşar (42), Gül Turan (1), Gülnaz Söylemiş (18), Sedef Elmalı (35), Bahar Turan (3), Meşide Ağaç (32), Zehra Ağaç (1), Sevim Ağaç (7), Hediye Turan (20), Suzan Turan (10), Yıldız Güzel (13), Hikmet Sabırlı (20), Nezahat Elmalı (12), Hürriyet Sevgili (12), Hanım Yaşar (4), Muhammed Yaşar (8), Melike Yaşar (18), Beyhun Sevgili (40), Semra Sabırlı (17), Eylem Elmalı (4), Ferhan Sevgili (13), Huri Samsa (55), Muteber Sabırlı (38) and Azime Elmalı (14)".

PKK militants carried out an attack against a building occupied by village guards in Solhan district Bingöl on the night of 25 July. In the attack, Emine Yıldız (f-40), Derdiye Yıldız (f-28), Zeynep Yıldız (6) and Nizam Özcan (16) died while 4 persons were wounded.

The PKK militants who raided Tepebaşı village of Dicle district of Diyarbakır on the night of 27 July, killed two persons named Abdurrahman Başeğmez (55) and Cemil Başeğmez (19), and a child named Kadri Başeğmez (5).

A clash arose on 30 July evening between the PKK militants who raided Dolutekne village of Adaklı district of Bingöl and village guards. A woman named Emine Yalçın (60) and children named Ferda Yalçın and Nazmiye Yalçın (15) who were in a house hit by a rocket launcher shell during the clash, died.

As a result of fire opened by PKK militants at a service vehicle of the chromium enterprise around Alacakaya district of Elazığ on 31 July, workers named Zekeriya Balcı, Hayati Yoncalı and İhsan Toylak died. In consequence of an armed attack by PKK militants on 2 August on workers who were repairing railroad, worker Şemmi Adanır (40) was shot to death.

A group of PKK militants who blocked the road between Kavakbaşı and Yenidoğan vil-lages of Mutki district of Bitlis, murdered 19 persons in 6 minibuses they stopped. In the event which occurred on 4 August evening 13 persons were wounded. The names of those murdered

who are village guards or their families, are as follows: "Hayrettin Kardaş, Seyit Hasan Kız-maz, Aşur Turan, Reşit Kızılkaya, Mirza Bagan, Mehmet Özdil, Kazım Meşe, Ahmet Yeşil-dal, Cuma Selçuk, Salih Polat, Zeki Kardaş, Ferzande Kardaş, Gıyasettin Akyol, Salih Kılıç-aslan, Seyfettin Çetin, Aydın Uzunköprü, Feryat Ürün, Seyfettin Özaslan and Mehmet Ürün".

A group of PKK militants who raided Konakbaşı settlement of Aslanbeyli village of Solhan, Bingöl on 4 August night, killed 2 adults named Mustafa Korkmaz (70) and Hadime Korkmaz (45) and 4 children named Abdülbaki Korkmaz (5), Maruf Korkmaz (7), Sebire Korkmaz (1) and Mükerrerem Korkmaz (3). A short time after the event, PKK militants raided Asmakaya village in the same region. In the raid a woman named Nezahat Karıcı (30) and children named Ağa Karıcı (12), Gürcan Karıcı (2), Hatice Karıcı (10) and Hatime Karıcı (5) who were in a house hit by a rocket fired by the militants, died.

Vedat Ateş (27), Kemal Gürde (52), Salih Seyhan (28), Yüksel Tunç and Murat Güzel and an unidentified person who were in a tractor attacked by PKK militants on 6 August in the vicinity of Aşağıkonaklar village of Çınar district of Diyarbakır died and 2 persons were wounded.

A group of PKK militants who raided Akpınar village of Çermik district of Diyarbakır on the night of 7 August, threw hand grenades into the house of village guard Halit Kaya. In the event, 4 persons named Hamza Kaya (20), Hacer Kaya (40), Fevziye Kaya (17) and Hacer Kaya (15) died.

Armed persons who opened fire at a house in Elgün village of Viranşehir district of Urfa on night of 8 August, murdered two women named Gemra Yeten (55) and Terze Yeten (18) and a child named İbrahim Yeten (7). Sources in the region stated that a financial disagreement was the reason for the attack.

On the night of 9 August, explosives were thrown into the house of Ali Baz in Suruç district of Urfa. In the event, Ayfer Baz (22) and children named Cemile Baz (10), İsmail Baz (13) and Yılmaz Baz (15) were wounded. The PKK claimed responsibility for the bomb attack.

PKK militants opened fire at a minibus in the vicinity of Genç district of Bingöl on 10 August evening. As a result of the fire, 8 persons died while 9 persons were wounded. The names of those killed are as follows: "Ziya Öztürk (minibus driver), Said Arık, Nurullah Din-sever, Zühre Özer, Gülten Özen, Hamit Artar, Fevzi Çabalar and Tahsin Yoldaş".

The PKK militants who raided Ekşim settlement of Kuyular village of Hani district of Diyarbakır on 14 August, killed adults named Ahmet Yalçın (55), Makbule Yalçın (50) and Ayşe Topkaya (55), and children named Zeynep Yalçın (14) and Hayri Topkaya (9). During the event, 4 persons were wounded, 3 of them children.

During a raid carried out by PKK militants on Güneyaşısı village of Çemişgezek district of Tunceli on the night of 15 August, an imam named Ali Akgül (55) and persons named Kazım Özcan (50), Soner Özcan (15), Selahattin Gedik (30), Sadettin Gedik (25) and Adnan Kurt (35) died. It was revealed that the villagers of Güneyaşısı generally had right-wing tendency.

A clash broke out between security forces and the PKK militants raiding Gumbet hamlet of Çaldıran district of Van on the night of 16 August. In consequence of the clash, two village guards died, while 12 persons, 8 of whom were security officers, were wounded. While the clash in process, the militants attacked a house with rocket launcher. In the attack, two women Zahide

Ayaz (40) and Asiye Ayaz (18) and 4 children named Necibe Ayaz (8) Neriman Ayaz (6), Mercan Ayaz (4) and Aygün Ayaz (15 days old) who were in the house were killed.

A clash arose between the PKK militants who raided Akçayır village of Şirvan, Siirt and village guards on the night of 23 August. During the clash, children named Azime Abacan (12), Gülsün Abacan (15), Gülbeyaz Abacan (8), Cevahir Abacan (3), Nesibe Abacan (10) and villagers Mehmet Abacan (20) and Necla Abacan (20) who were in the house of a village guard which was shot and burnt down by the militants, were killed.

As a result of fire opened at a vehicle by the PKK militants who blocked the road between Malatya and Doğanşehir on 24 August, on allegations of disobeying stop warnings, a child named Sümeýra Aktürk (14) died and two children were wounded.

The PKK militants who blocked the road in Çaygeçit region of Mutki district of Bitlis on 27 August evening, killed three men named İhsan Akar (19), Naif Kaya (60) and Baki Güner traveling in minibuses stopped by the militants. A 5-year old child was killed and 2 persons were wounded in another attack carried out by PKK militants against Ortaklar village of Şemdinli district of Hakkari, on the same evening.

The PKK militants raiding Yoncalıbayır village of Karakoçan district in Elazığ on the night of 28 August, executed 9 of the 14 persons they brought outside of the village, by shooting. Among the other 5 brought to outside of the village, Hanefi Tunç, Fahri Tunç and Mehmet Aktaş were released and Ahmet Aktaş went missing. A man named Zeki Aktaş escaped the event with wounds. Names of the 9 killed are as follows: "Zeki Karamazı, Niyazi Kaya, Ali Demir, Nuri Üzmen, Aydın Üzmen, Bedri Tunç, Sait Tunç, Hasan Erdoğan and Nuri Aslan".

A textile factory in Pertek district of Tunceli was attacked by PKK militants on the night of 6 September. Yaşar Sarıkaya, the director of the factory, and a guard named Bülent Durgun were killed; the factory was partially burned down.

As a result of fire opened by the PKK militants who blocked the road near Ilıcalar town of Bingöl on 16 September morning, Ali Sarıkaya died and 3 persons were wounded.

Raiding the Teachers' Club in Eğin district of Diyarbakır on the night of 17 September, PKK militants killed 6 civil servants named İhsan Oruç, Aziz Durmaz, Mehmet Alaca, Orhan Aslanoğlu, Mehmet Sönük and Mirza Tekin. The PKK militants who blocked the road between Bitlis and Mutki at noon hours on 18 September, opened fire at a minibus on allegations of disobeying their stop warnings. In the fire, Şenaddin Kanık (village guard), Sabahattin Ceyhan (village guard), Menderes Turan, Ali Göçer, Bedirhan Uyanık, Sait Çevik and Mu-zaffer Altınkaya died, and 12 persons were wounded.

The house of Şefik Arın, the former chairman of Nationalist Movement Party Genç (Bingöl) district organization, in Meşedağı village, was raided by PKK militants on the night of 23 September. Süleyman Arın (70), the father of Şefik Arın, and his nephew Ahmet Arın (7) were killed in the raid. Şefik Arın had been kidnaped and killed by PKK militants in May.

Raiding Serinkan village of Kozluk district in Batman on the night of 29 September, The PKK militants killed 5 adults named Hacı Ergin (50), Saadet Ergin (48), Raife Ergin (27), Güler Ergin (20) and Sernur Güneş (35), and 2 children named Aysel Güneş (9) and Çiçek Güneş (5 month old). At the same night, PKK militants carried out a bomb attack against the Teachers' Club in Birecik district of Urfa. Teachers named Zeki Sertoğlu (35) and Göres Şişman (47) were killed and 6 teachers were wounded in the attack.

A man named Hasan Bozdoğan was killed and 9 persons were wounded in the shooting by the PKK militants blocking the way, aimed at a bus in the vicinity of Seydili village of Elbistan in Maraş for "disobeying their stop warning" on 1 October.

Five persons named Şirin Birlik, Saniye Birlik, Necmettin Birlik, Nasır Güllübahçe and Takyettin Kutsal were killed in an armed attack against a minibus in the vicinity of Boğaz-önü village of Mutki district in Bitlis on the morning of 4 October. The attack was claimed to have been carried out by village guards.

As a result of a bomb explosion on 4 October evening in a transformer building in Kuruköprü quarter of Adana, two persons named Ayşegül Çelik and Hasan Çelik, passing through the area, died. 7 persons were injured in the incident. On the same evening, PKK militants raided Kömürcü village of Gercüş district in Batman, and killed a woman named Menice Cihangir and her 7-year old daughter Mehdiye Cihangir.

Daltepe and Kalkancık villages of Şirvan district in Siirt were raided by PKK militants on the night of 4 October. During the raid, a total of 24 persons 11 of whom children, 8 of whom female, were killed in the raids during which heavy arms were used. In the event, 8 persons were wounded and 25 houses belonging to village guards were burnt down. The names of the 18 persons killed in Daltepe village are as follows: "Perihan Kavçin (22), Saniye Kavçin (12), Elife Kayır (15), Fatih Kayır (7), Nafiye Kapar (80), Mehmet Kavçin (65), Hanife Kayır (9 months old), Yener Kayır (3), Gülcihan Kavçin (9), Hediye Kavçin (9), Aynur Kayır (20), Ahmet Kayır (19), Tahsin Kaygaç (18), Mediha Kavçin (30), Semra Kavçin (3), Hülya Kavçin (1), Nedim Kavçin (10) and Mehmet Sabir Kaygaç (8)". The names of 6 persons killed in Kalkancık raid could not be learnt. In the clashes which broke out during the raids, 9 village guards and 4 PKK militants died.

The PKK militants who raided a lodging for teachers in Pertek district of Tunceli on the night of 7 October, killed 4 teachers named Fevzi Katar, Ünal Adlı, Orhan Bakış and Taşkın Zenger. The teachers named Cemal Ünlü and Şahin Tümer were severely wounded in the raid. On the same night, PKK militants raided Mırgan Plateau in Çüngüş district of Diyarbakır and killed 3 persons named İbrahim Akmeşe, Necmi Akmeşe and Saim Akmeşe.

When a hand grenade which was thrown into a coffee-house in Maden district of Elazığ at about 7.00pm on 8 October exploded, Aydın Oruç died and 25 persons, 8 of whom severely, were wounded. Nobody took responsibility for the attack.

PKK militants raided Üçtepe village of Bismil, Diyarbakır on the night of 9 October. As a result of fire opened by the militants at a house during the raid, a woman named Hayriye Kocamanoğlu died.

PKK militants who opened fire at a vehicle belonging to Forestry Affairs Directorate in the vicinity of Şenkaya district of Erzurum on 12 October, killed 3 civil servants named Mehmet Sırma, Şerafettin Ağdaş and Yaşar Öztaş.

PKK militants raided Derince village of Baykan district in Siirt, and killed a total of 22 persons of whom 14 were children and 8 were women. In the raid, 7 persons were wounded. All of those killed were reportedly colleagues of village guards. Some of the persons killed in the raid are as follows: "Nevrettin Erdem (10), Anıl Erdem (60), Merdiye Erdem (25), Emiyettin Erdem (8), Saime Erdem (30), Münasip Erdem (10), Kevser Erdem (12), Bedriye Erdem (25), Zaru Erdem (55), Saki Erdem (10), Serkan Erdem (3), Barış Erdem (4), Cumhuriyet Erdem (8),

Firuvet Erdem (25), Raife Erdem (60), Amine Erdem (28) and Hasibe Erdem (15)". The names of 5 children below 2 killed in the raid could not be learnt.

Raiding a building-site of a dam in Özlüce region in the vicinity of Karakoçan district of Elazığ on the night of 22 October, the PKK militants executed an engineer named Nejat Ataol and 8 workers by shooting.

PKK militants who blocked the road between Maden district of Elazığ and Ergani district of Diyarbakır in the evening hours on 24 October opened fire at a bus on allegations of disobeying their stop warnings. In the event, a 14-year old child Kerime Adaşlı died and 7 persons, one of whom severely, were wounded.

As a result of fire opened by the PKK militants who raided Yavi town of Çat district in Erzurum on the night of 25 October, 38 persons, including 3 children, were killed. It has been determined that about 20 village guards in the town were not on duty at night. A person named Necmi Köse who got off wounded from the fire, said: "We gathered in the coffee-house of the village in order to watch TV news. 4 persons in the guise of gendarmerie came. We thought that they would conduct an ID check and went outside. Other villagers came, too. They gathered us, took our money and watches. At that time, we realized that they were not gendarmes. Suddenly they started to shoot". The names of those killed are "Burhanettin Yeşil (18), Hulusi Meneteşe (35), Rasim Yavilioğlu (18), Hacı Yavilioğlu (24), Muhlis Meneteşe (13), Alaattin Akdeniz (60), Abdülkani Akdeniz (23), Şeref Köse (25), Selahattin Köse (50), Ahmet Göçer (40), Baki Yıldız (25), Ahmet Pekcan (30), Selami Dursunoğlu (28), Sıddık Meneteşe (30), Ahmet Koçakoğlu (45), Tahsin Polat (10), Mehmet Polat (25), Hacı Bilir (45), Zülküf Polat (50), Ali Karapınar (35), Hamit Turan (45), Yusuf Yavilioğlu (16), Hacı Ali Nehir (55), Salih Sunar (26), Yusuf Şahin (15), Selami Kudret (15), Sinan Şimşek (22), Kamil Tiryaki (17), Hikmet Çimen (25), Lütfü Polat (22), Dursun Yaşar (24) and Kurbanı Yeşil (20)". Persons named Celil Köse, Cevat Meneteşe, Fahri Kocaoğlu, Nazım Köse, Bünyamin Yardımcı, Köksal Akdeniz, Ali Koçoğlu, Hüseyin Dursunoğlu, Bestami Akdeniz, Celil Turhan, Harun Yıldız and Abdullah Köse were wounded in the raid. In the statement made by the PKK as to the event it was claimed that those killed were the Nationalist Movement Party followers and said: "The act was carried out as a reprisal of the events in Lice. In the case of the state's continuing massacres, we continue and widen our reprisal activities".

The PKK militants who raided Kocak village of Gevaş district of Van on the night of 24 October, killed a teacher named Mehmet İzdal (25) and 6 other persons named İbrahim Yılbur (55), Ferhat Yılbur (22), Recep Bayram (22), Kami Bayram (68), Medine Bayram (27) and Esra Bayram (3).

Raiding Ağaçalı village of Kulp district in Diyarbakır on the morning of 26 October, PKK militants shot dead 3 teachers named Fatih Tekin, Mehmet Fidan and Sergin Keçeli. Two teachers were also wounded in the incident. The PKK militants who attacked the primary schools in Düz and Yolalan villages of Bitlis on the same day killed 3 teachers named Abdurrahman Nazif Özbağrıaçık, Ergun Konut, Bayram Tekin and Yasemin Tekin. 3 year-old daughter of Yasemin and Bayram Tekin was also killed in the incident in Düz village.

The PKK militants, who raided Çiçekli village of Pasinler district in Erzurum on the night of 30 October, killed 6 persons named Tahsin Doğru (village headman), Hasan Taki Mazlumoğlu, Zafer Kök (50), Fatih Doğru, Adem Bingöl (43) and İsmail Doğru (62). The incident during which 6 persons were wounded, aroused reactions in Erzurum. Thousands of people crowded in different quarters of Erzurum and launched a demonstration shouting slogans

against the PKK and the Kurds. It has been reported that the raided village was generally inhabited by the Nationalist Movement Party and the Welfare Party supporters.

As a result of fire opened by PKK militants against a minibus in the vicinity of Çataklı village of Alacakaya, Erzurum, at noon hours on 8 November, Mehmet Beyazelma (35) and Resul Öztop (12) died and 5 persons were wounded.

As a result of explosion of a bomb thrown into a house in Beşiri district of Batman on the night of 10 November, 9 persons named Hüseyin Şengül, Adil Şengül, Bilal Şengül, İlhan Şengül, Hediye Şengül, Nurhan Şengül, Sadık Gürne, Musa Öztürk and Mustafa Hepöztürk were wounded. In addition, when a bomb placed in a cinema exploded on 11 November evening, 6 persons were wounded. The bomb was reportedly placed by the radical Islamic İBDA-C organization.

A clash broke out on 22 November evening between security officers and the PKK militants who raided a hamlet located 10 kilometers from Yedisu district of Bingöl. During the clash, 2 houses were bombed by the PKK militants. Two children named Zülfiye Palu and Nebahat Palu, and villagers Ömer Şimşek, Turgut Şimşek and Mehmet Şimşek who were in the bombed houses, died.

When a bomb thrown into the house of headman of Köprü village of Ilıca district of Bingöl, exploded on the night of 25 November, Ziya Kayalı and Süleyman Berdibek died. It has been claimed that children were being given lectures on the Kuran in the bombed house.

Four unknown persons who traveled by car to Kırıkkaya village of Ahlat district of Bitlis on 27 November, killed villagers İhsan Karababoş, Bedrettin Karaday, İlhami Karakoç, Tahsin Oruç and Bahçet Barış. It has been reported that the people living in Kırıkkaya village were threatened for a while. Sources in the region claimed that the attack had been carried out by "contr-guerilla".

The PKK militants who raided Ağaçonak village, 25 kilometers from Adıyaman, on 12 December evening killed total of 13 persons of whom 4 were females, 4 were children, 2 were village guards. The names of the persons killed during the raid are as follows: "Mehmet Deniz (47-village guard), Güllü Deniz (43), Bedriye Deniz (31), Şehriban Deniz (19), Cemal Deniz (18), Makbule Deniz (10), Burhan Deniz (10), Hüseyin Deniz, Hülya Deniz (4), Cumali Bereket (39-village guard), Güllü Bereket (29), Ali Bereket (13) and İsmet Bereket (23)". 2 persons were wounded during the raid.

A man named Erhan Aslan died when a bomb left in a coffee house in Denizli quarter of Adana exploded at noon hours on 15 December. 13 persons were wounded, one severely, as a result of the explosion in the coffee house which Kurdish people often frequented.

22 persons, 3 severely, were wounded after 2 bombs placed at the cafeteria used by the students at Diyarbakır Dicle University Medical Faculty exploded at noon hours on 29 December. Responsibility for the bomb attack was claimed by the PKK. It was ordered in a statement issued by the PKK short before this incident, that all the schools in the Emergency State Region should be closed and students of these schools should not attend to their school.

### **Attacks directed at tourism**

Bombs were planted by unidentified persons in 4 separate places available to tourists in Antalya on the night of 27 June. As a result of explosion of the bombs, 28 persons, 3 of whom severely (inc. 2 children), were wounded. 12 of the wounded were reportedly foreign tourists.

The bombs were supposedly planted by PKK militants. One month before the event, the PKK stated that they would carry out certain activities in the main regions available to tourists.

On the evening of 30 June, PKK militants opened fire with automatic guns at a hotel where tourists generally stay in Doğubeyazıt district of Ağrı. Nobody died or was wounded in the attack, but the windows of the building were broken.

Three hotels in Bayındır, Dokuma and Büyük Hal quarters of Antalya were bombed by PKK militants on the night of 17 July. As a result of explosion of the bombs which caused damage at the hotels, a worker named Alpaslan Şahin (22) died and children named Savaş Yılmaz (16) and Rafet Yörük (5) were wounded. A time-bomb left in a resort in Gümüldür district of İzmir was found by chance on 19 July. The bomb was defused by police teams 40 minutes before its explosion. Two hand grenades buried in the sand were found in Kadınlar Plajı region of Kuşadası on 20 July. The bombs which were prepared to blast after only a slight intervention, were defused by the police.

When a bomb which had been left in a dustbin in Sultanahmet square of İstanbul exploded at 3.30pm on 25 July, 3 Italian tourists and a 15-year old child were slightly injured.

As a result of an explosion of a hand grenade placed in a dustbin in Barbaros Boulevard of Kuşadası on the evening of 30 July, 18 tourists, 6 of whom were foreigners, were wounded. The wounded people were able to be treated within a short time.

Unidentified persons threw a bomb into a pension on Sahil Street in Foça district of İzmir on the night of 6 August. In consequence of bomb explosion, damage occurred in the building, but nobody died or was wounded.

On the night of 10 August, a hand grenade was thrown into a restaurant generally frequented by tourists in Çemberlitaş quarter of İstanbul. The grenade which did not go off because of a breakdown in its mechanism, was later defused by the police. The grenade caused panic among the people in the restaurant. When a bomb left near a bus carrying Romanian tourists in Laleli quarter of İstanbul, exploded on 18 August, 9 persons were slightly wounded. An unidentified young man threw explosives at a group of German tourists visiting historical places in Topkapı, İstanbul at about 4.30pm on 25 August. In the event, tourists named Ute Heinze (42), Margarita Hallaschha (41) and Anna Kristina (35), and the group's guide Gürsel Torba (24) were wounded.

### **Abducted tourists**

Along with its bomb attacks against certain places available to tourists in 1993, the PKK started to abduct foreign tourists who visited the Emergency State Region. A total of **20** tourists were abducted by the PKK. All of whom were set free when international organizations or their countries intervened.

The PKK militants who blocked the road between Tatvan and Van on 24 July evening, abducted 4 French tourists named Michelle Coudray (51), Robert Audoin (40), Fernand Haron (66) and Pierre Six (42) who were in a bus stopped by the militants. Two days after, one British and one Australian tourist were abducted by PKK militants in the same region. A delegation formed of Yavuz Önen, the HRFT's President, MD Bernard Granjon, President of "Medicins do Monde" headquarters of which is in France, and İsmet İmset, chief editor of the newspaper Turkish Daily News intervened. The delegation which went to Batman on 4 August in order to rescue the tourists, could not make any initiative on that day since the security officers control-

led the region where the tourists would be set free. Members of the delegation who explained the situation through a press meeting said: "As promised, the date and place that the tourists will be released were communicated to us. However, we have determined that proper conditions for taking the tourists out of the region after they are released, have not been finalized yet. We think that to take delivery of the tourists in such a discouraging atmosphere is dangerous for both the delegation and the tourists, so we had to postpone our initiative until proper conditions come into existence". The delegation members went to Muş following directions in a message they received one day later. However, they postponed going to the region where the tourists would be delivered, as the delivery region was surrounded by soldiers and special team members. The delegation which waited for a while in Muş, started action again on 7 August after another message, but they could not make any attempts owing to military operation which continued during the whole day around the region where the tourists were to be delivered. In the statement made by the delegation, all their initiatives made for taking delivery of the tourists failed as they were continuously followed by special team members. Then, the delegation left the region. The 4 French tourists were released in the vicinity of Gevaş district of Van on the night of 9 August. The 4 French tourists were taken to Ankara on 10 August by plane after their testimonies were taken at Van Security Directorate. Abducted tourists said in their statements that the militants had made them walk on the mountains but they had not been subject to any ill treatment by the PKK militants. In the meantime, the other two tourists were released on the morning of 11 August near Güroymak district of Bitlis.

The PKK militants who blocked the road near Ağrı on the night of 17 August, abducted 3 tourists named Paul Thomson (New Zealander), Henry Butler (German) and Albert Christoph Lehman (German) who were in the vehicles stopped by the militants. On the night of 19 August 4 tourists named Anna Dandrea (Italian), Angelo Palego (Italian), Nico Ricarda (Swiss) and Giuseppe Virgilio (Swiss) were abducted by the PKK militants controlling the road in the vicinity of Doğubeyazıt district of Ağrı. 7 tourists who were kept in the hands of the PKK for about 1 month, were set free on the morning of 14 September. The released tourists were subsequently detained by the police in Ağrı. The tourists who were interrogated throughout the day on allegations of "helping PKK militants", were released by the Public Prosecution Office at evening hours.

PKK militants who blocked the road in the vicinity of Kozluk district in Batman on the night of 22 August, abducted 4 foreign tourists named Muhammed Yusufi, Abdülkadir Yusufi, Michael Peterson and Anna Young. The abducted tourists were released in separate places at the beginning of September. Dutch tourist Jan Marten abducted on 14 October evening by the PKK militants, who blocked the road between Çat and Karlıova districts of Muş, was released on 14 November, and two tourists named Colin Patrick and Daugat Ellis abducted on 9 October around Pülümür district of Tunceli, were released on the morning of 19 November.

#### **f) Executions by organizations**

Attacks and assassinations on public officers such as soldiers, police officers, prosecutors, civil servants, teachers and mayors, political party members, village guards, confessors and on some persons accused of working as "police agents" or of "being state supporters" continued intensively in 1993. As a result of these attacks and assassinations, a total of **341** persons listed below died.

<b>Enlisted men</b>	.....	<b>36</b>	<b>Prosecutor, civil s.</b>	.....	<b>10</b>
<b>Ret. mil. officer</b>	.....	<b>1</b>	<b>İmam</b>	.....	<b>3</b>

NCO	.....	1	Mayor	.....	1
Village guard	.....	15	Driver	.....	2
Police officer	.....	10	Vil. Headman	.....	11
Watchman	.....	3	Teacher	.....	20
Party member	.....	9	Confessor	.....	11
MİT officer	.....	2	Denouncer	.....	52
By fault	.....	2	State supporter	.....	130
Other	.....	8	Within left-wing	.....	14

Most of those attacks were carried out by PKK militants. Following is a chronological breakdown of the killed as a result of attacks and assassinations by the organizations such as the Revolutionary Left (DS), Workers' Peasants' Liberation Army Of Turkey (TİKKO), Revolutionary Communists Union of Turkey (TİKB), Communist Worker's Movement of Turkey (TKİH) and Wejın (Resurrection) :

<u>Name and Surname</u>	<u>Place</u>	<u>Date of event</u>	<u>Justifica.</u>	<u>Organ.</u>
001)- Pink Alptekin	Gaziantep	01 January 1993	Vil. guard	PKK
002)- Gökhan Avcı	Diyarbakır	01 January 1993	Police offi.	PKK
003)- Selehattin Eser	Siirt-Koçlu	04 January 1993	Vil. guard	PKK
004)- Hurşit Yıldız	Siirt-Koçlu	04 January 1993	Vil. guard	PKK
005)- Halil Şişman (26)	Tatvan	04 January 1993	Teacher	PKK
006)- Selahattin Akıncı	Batman	16 January 1993	Vil. guard	PKK
007)- Mustafa Çimen	Mersin	18 January 1993	Confessor	PKK
008)- Nizamettin Ayna	Adana	27 January 1993	Police officer	DS
009)- Reşit Güven	Iğdır	29 January 1993	Denouncer	PKK
010)- İzzettin Yaşar	Kozluk	06 February 1993	Vil. headman	PKK
011)- Mustafa Kepi	Aralık	21 February 1993	S. supporter	PKK
012)- Baki Okan	Aralık	21 February 1993	S. supporter	PKK
013)- İsmail Çelik	Kurtalan	22 February 1993	Teacher	PKK
014)- Mehmet Salih Oğuz	Kurtalan	22 February 1993	Civil servant	PKK
015)- Nazife Aydın (50)	Adana	23 February 1993	S. supporter	PKK
016)- Ecevit Yurt (25)	Bismil	01 March 1993	Denouncer	PKK
017)- Kazım Güler (41)	Çınar	01 March 1993	S. supporter	PKK
018)- Salih Özmen (41)	Çınar	01 March 1993	S. supporter	PKK
019)- Ekrem Yılmaz	Hizan	15 March 1993	Vil. headman	PKK
020)- Mehmet İnanç	Bismil	18 March 1993	S. supporter	PKK
021)- Mehmet Barak	Çağlayancerit	20 March 1993	S. supporter	PKK
022)- Haydar Gök	Çağlayancerit	20 March 1993	S. supporter	PKK
023)- Mustafa Tercan (23)	İstanbul	20 March 1993	Police offi.	DS
024)- Mustafa Uzun (22)	İstanbul	05 April 1993	Denouncer	PKK
025)- Yaşar Durmuş	İstanbul	05 April 1993	Confessor	PKK
026)- Ethem Ekin	Adana	20 April 1993	Prosecutor	TİKB
027)- Mehmet Kenar	Adana	20 April 1993	Police offi.	TİKB
028)- Ercan Temelli	İstanbul	22 April 1993	In left-wing	DS
029)- Muharrem Aydın	İstanbul	22 April 1993	In left-wing	DS
030)- Rıza Yılmaz	Çemişgezek	24 April 1993	Vil. headman	PKK
031)- İsmail Hakkı Can	Mersin	26 April 1993	MİT officer	....

032)- Kemal Erdoğan	Adana	27 April 1993	Confessor	PKK
033)- Hasan Ağucanoğlu	Tunceli	03 May 1993	Denouncer	DS
034)- Veli Polat	Tunceli	03 May 1993	Denouncer	DS
035)- Ercan Uğur	İstanbul	03 May 1993	Denouncer	TKİH
036)- Hacı Özdemir (63)	Nusaybin	06 May 1993	S. supporter	PKK
037)- Rıdvan Berkan (27)	Nusaybin	06 May 1993	S. supporter	PKK
038)- M. Rıza Demir	Adana	17 May 1993	Denouncer	PKK
039)- Hasan Yatacı (70)	Kulp	19 May 1993	Vil. guard	PKK
040)- Kerim Yatacı (68)	Kulp	19 May 1993	S. supporter	PKK
041)- Ercan Gürel	Bergama	20 May 1993	Journalist	Jurid.
042)- Şefik Arın	Genç	23 May 1993	MHP member	PKK
043)- Hüsnü Kaya	Ömerli	23 May 1993	Vil. headman	PKK
044)- Zübeyde Kaya	Ömerli	23 May 1993	S. supporter	PKK
045)- Ahmet Top	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
046)- Ali Arar	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
047)- Murat İlibol	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
048)- Aydın Kuzey	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
049)- Haydar Arslan	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
050)- Musa Sarıgül	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
051)- Hikmet Özdemir	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
052)- Şenol Cansız	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
053)- Uğur Bozacı	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
054)- Mustafa Yılmaz	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
055)- Ramazan Esenboğa	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
056)- Erkan Kaçar	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
057)- İbrahim Erten	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
058)- Mehmet Tura	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
059)- Mevlut Özkan	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
060)- Hilmi Şahin	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
061)- Adem Zongur	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
062)- Ahmet Aran	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
063)- Ramazan Akkaya	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
064)- Mustafa Kocaoğlu	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
065)- Ahmet Apak	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
066)- Durmuş Karahan	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
067)- İlyas Uyar	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
068)- Mehmet Öztürk	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
069)- Hasan Gültutan	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
070)- Şeref Tay	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
071)- Baki Umutlu	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
072)- Cavit Yaman	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
073)- Hüseyin Çelik	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
074)- Ercan Çobanoğlu	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
075)- Nihat Odabaşı	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
076)- Murat Menteş	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
077)- Ünal Kalafat	Elazığ-Bingöl	24 May 1993	Enlisted man	PKK
078)- Gültekin Çetin	Elazığ-Bingöl	24 May 1993	Teacher	PKK
079)- Abdullah Kara	Elazığ-Bingöl	24 May 1993	Teacher	PKK
080)- İdris Askan	Elazığ-Bingöl	24 May 1993	Teacher	PKK
081)- Selahattin Askan	Elazığ-Bingöl	24 May 1993	Teacher	PKK
082)- Mehmet Kaya	Dişadin	31 May 1993	Vil. guard	PKK
083)- Şefik Kaya	Dişadin	31 May 1993	S. supporter	PKK

084)- Ömer Tozoner	Adana	01 June 1993	Confessor	....
085)- .... ....	Güroyamak	01 June 1993	Denouncer	PKK
086)- .... ....	Mersin	01 June 1993	Denouncer	PKK
087)- Reşat Denli (37)	İncirlik	07 June 1993	Confessor	PKK
088)- Bülent Kesler (28)	Tunceli-Erzincan	07 June 1993	S. supporter	PKK
089)- Muhsin Kalkan (40)	Tunceli-Erzincan	07 June 1993	S. supporter	PKK
090)- Mustafa Yanık	Tunceli-Erzincan	07 June 1993	S. supporter	PKK
091)- Mustafa Çakır	Tunceli-Erzincan	07 June 1993	S. supporter	PKK
092)- Hüseyin Tekin (65)	Şemdinli	08 June 1993	Vil. headman	PKK
093)- .... ....	İğdır-Doğube.	10 June 1993	S. supporter	PKK
094)- .... ....	İğdır-Doğube.	10 June 1993	S. supporter	PKK
095)- .... .... (woman)	İğdır-Doğube.	10 June 1993	S. supporter	PKK
096)- Şerif Işık (35)	İstanbul	10 June 1993	Denouncer	PKK
097)- Mahmut Işık (30)	İstanbul	10 June 1993	Denouncer	PKK
098)- Mehmet Utku (45)	İzmir	10 June 1993	Denouncer	PKK
099)- Ahmet Balcı (61)	Nazimiye	10 June 1993	Denouncer	TİKKO
100)- Sibel Kaymaz (20)	Nazimiye	10 June 1993	Denouncer	TİKKO
101)- .... ....	Siverek	10 June 1993	Vil. guard	PKK
102)- .... ....	Siverek	10 June 1993	Vil. guard	PKK
103)- Cengiz Eroğlu	Suruç	11 June 1993	Denouncer	PKK
104)- Murat Görün (25)	Amasya	13 June 1993	Driver	TİKKO
105)- Mustafa Saran	Cizre	14 June 1993	S. supporter	PKK
106)- Mesut Yılmaz (37)	Eruh	14 June 1993	Civil servant	PKK
107)- Sabahattin Akın	İstanbul	14 June 1993	Denouncer	PKK
108)- Ömer Baş	Tunceli	14 June 1993	İmam	PKK
109)- Abdurrahman Korucu	Çukurca	18 June 1993	Civil servant	PKK
110)- Gülsüm Aslan	Dargeçit	19 June 1993	S. supporter	PKK
111)- Şerife Eğin	Dargeçit	19 June 1993	S. supporter	PKK
112)- Hayriye Eğin	Dargeçit	19 June 1993	S. supporter	PKK
113)- Mehmet Dağ (19)	Adana	19 June 1993	Confessor	PKK
114)- Bahattin Recep	Eruh	19 June 1993	S. supporter	PKK
115)- Fethi Artık	Mazgirt	19 June 1993	S. supporter	PKK
116)- Alaattin Yıldız (18)	Hasankeyf	20 June 1993	S. supporter	PKK
117)- Nevzat Akdemir	Çemişgezek	21 June 1993	Teacher	PKK
118)- Gani Geçmez (21)	Menemen	21 June 1993	Confessor	PKK
119)- Şükrü Çiftçi (42)	Adana	22 June 1993	S. supporter	PKK
120)- Hamza Çetin (30)	Tunceli	23 June 1993	Teacher	PKK
121)- Erkan Aydın (27)	Tunceli	23 June 1993	Teacher	PKK
122)- Yalçın Alımdelik	Doğubeyazıt	25 June 1993	Businessman	PKK
123)- İsmet Türkmen	Ilıç	27 June 1993	CHP member	PKK
124)- Beşir Omay	Kızıltepe	27 June 1993	S. supporter	PKK
125)- Sacettin Koçoğlu	Akçapınar	28 June 1993	S. supporter	PKK
126)- Cemal Bintimur (30)	İstanbul	01 July 1993	S. supporter	PKK
127)- Metin Atası (32)	İstanbul	01 July 1993	By fault	DS
128)- Tarık Kadooğlu	Cizre	03 July 1993	S. supporter	PKK
129)- Bedia Meçin	Silvan	04 July 1993	S. supporter	PKK
130)- Cemalettin Demir (30)	İstanbul	07 July 1993	Confessor	PKK
131)- Abdurrahman Kocaman	Cumaçay	08 July 1993	S. supporter	PKK
132)- Ömer Kocaman (23)	Cumaçay	08 July 1993	S. supporter	PKK
133)- Sait İnce	Palu	08 July 1993	S. supporter	PKK
134)- Kadriye Tunç (41)	Kızıltepe	08 July 1993	Denouncer	PKK
135)- Rabia Tunç (19)	Kızıltepe	08 July 1993	Denouncer	PKK
136)- Fikri Çelik	Kozluk	09 July 1993	In left-wing	PKK

137)- Mehmet Önen	Tunceli	11 July 1993	Watchman	PKK
138)- Nuri Kutlu	Tunceli	11 July 1993	S. supporter	PKK
139)- Şakir Çoban	Şırvan	11 July 1993	S. supporter	PKK
140)- Cevher Eser	Şırvan	11 July 1993	S. supporter	PKK
141)- Abdullah Şark	Şırvan	11 July 1993	S. supporter	PKK
142)- Mahmut Şark	Şırvan	11 July 1993	S. supporter	PKK
143)- Abdülrezzak Şendulyıldız	Şırvan	13 July 1993	S. supporter	PKK
144)- Reşit Zağlı	Şırvan	13 July 1993	S. supporter	PKK
145)- Altan Adil	İzmir	13 July 1993	Police offi.	DS
146)- Rıza Güneşer	İstanbul	14 July 1993	In left-wing	DS
147)- Gülbey Aydemir	Hamur-Aydede	15 July 1993	Vil. guard	PKK
148)- Süphan Şahin	Karaçoban	16 July 1993	S. supporter	PKK
149)- Mevlut Aslan	Tekman-Ömer	16 July 1993	PTT officer	PKK
150)- Sadettin Yaprak	Mutki-Koyunlu	17 July 1993	S. supporter	PKK
151)- Halil Yaprak (65)	Mutki-Koyunlu	17 July 1993	S. supporter	PKK
152)- Emin Sakçı	Cizre	18 July 1993	S. supporter	PKK
153)- İbrahim Sayın	Batman	19 July 1993	Denouncer	PKK
154)- Aydın Koçer (21)	Batman	19 July 1993	Denouncer	PKK
155)- Aydın Karaoğlu (19)	Batman	19 July 1993	Denouncer	PKK
156)- M. Şerif Yavuz	Mazıdağı	19 July 1993	S. supporter	PKK
157)- Şefik Tanrıverdi	Cizre	20 July 1993	S. supporter	PKK
158)- Yusuf Tanrıverdi	Cizre	20 July 1993	S. supporter	PKK
159)- Ali Karlıdağ (61)	Adana	21 July 1993	S. supporter	PKK
160)- Mülazım Karadağ	Ağrı	21 July 1993	Denouncer	PKK
161)- Mehmet İnverdi	Cizre	22 July 1993	Vil. headman	PKK
162)- Mehmet Suvari	Siverek	24 July 1993	S. supporter	PKK
163)- Ebubekir Suvari	Siverek	24 July 1993	S. supporter	PKK
164)- Ahmet Suvari	Siverek	24 July 1993	S. supporter	PKK
165)- İzzettin Delen	Siverek	24 July 1993	S. supporter	PKK
166)- İskan Çakan	Adana	27 July 1993	Enlisted man	PKK
167)- Metin Can	Doğubeyazıt	27 July 1993	Denouncer	PKK
168)- Aydın Özdemir	Sivas-Erzurum	29 July 1993	NCO	PKK
169)- Ali Çetin	Uludere	01 August 1993	Vil. guard	PKK
170)- İsa Çetin (17)	Uludere	01 August 1993	S. supporter	PKK
171)- Hakim Erik	Uludere	01 August 1993	S. supporter	PKK
172)- Abdullah Polat	İstanbul	03 August 1993	Denouncer	PKK
173)- Abdülkadir Çıldır	Erzincan	05 August 1993	S. supporter	PKK
174)- Cihat Oyman	Siverek	05 August 1993	ANAP member	PKK
175)- İhsan Oyman	Siverek	05 August 1993	ANAP member	PKK
176)- Salih Eren	İdil-Yürük	07 August 1993	Vil. headman	PKK
177)- Zeki Eren	İdil-Yürük	07 August 1993	S. supporter	PKK
178)- Tacettin Varkan (35)	Iğdır	07 August 1993	S. supporter	PKK
179)- Übeyd Atak (50)	Iğdır	07 August 1993	S. supporter	PKK
180)- Selahattin Ertaş	Mutki	07 August 1993	Vil. headman	PKK
181)- Ömer Şeker	Çemişgezek	08 August 1993	Watchman	DS
182)- Fehmi Çok (25)	Bahçesaray	10 August 1993	S. supporter	PKK
183)- Ahmet Can	Doğubeyazıt	10 August 1993	İmam	PKK
184)- Nurettin Şahin	Karakoçan	13 August 1993	S. supporter	PKK
185)- Mehmet Dilaver	Van	13 August 1993	Denouncer	PKK
186)- Ayhan Fırat	Yüksekova	13 August 1993	Denouncer	PKK
187)- Enver Güven	Erzincan-Üzüüm.	14 August 1993	S. supporter	PKK
188)- Bekir Güven	Erzincan-Üzüüm.	14 August 1993	S. supporter	PKK
189)- .... Kahraman	Selim	15 August 1993	S. supporter	PKK

190)- .... Kahraman	Selim	15 August 1993	S. supporter	PKK
191)- .... Kahraman	Selim	15 August 1993	S. supporter	PKK
192)- Atilla Şentürk (28)	Sarıkamış	15 August 1993	S. supporter	PKK
193)- Hatun Şentürk (65)	Sarıkamış	15 August 1993	S. supporter	PKK
194)- .... ....	Kağızman	16 August 1993	S. supporter	PKK
195)- .... ....	Kağızman	16 August 1993	S. supporter	PKK
196)- Mehmet Fehim	Kozluk	17 August 1993	S. supporter	PKK
197)- Muammer Aslan	Pertek	17 August 1993	S. supporter	PKK
198)- Adnan Kartal	Pertek	17 August 1993	S. supporter	PKK
199)- Cafer Malgaz	Aralık	18 August 1993	S. supporter	PKK
200)- Yunus Seyran	Aralık	18 August 1993	S. supporter	PKK
201)- Sabri Tiz	Aralık	18 August 1993	S. supporter	PKK
202)- Garip Şahin	Adana	19 August 1993	Watchman	PKK
203)- İbrahim Ertankuş	Ağrı-Sağırtaş	20 August 1993	S. supporter	PKK
204)- Erdal Karakurt	İğdır-Yüzbaşı	20 August 1993	Denouncer	PKK
205)- İsmail Karakurt	İğdır-Yüzbaşı	20 August 1993	Denouncer	PKK
206)- Abdülbaki Çatalakaya	İğdır-Alican	20 August 1993	Denouncer	PKK
207)- İbrahim Kutlay	İğdır-Tuzluca	21 August 1993	S. supporter	PKK
208)- Kemal Pusu	İğdır-Tuzluca	21 August 1993	S. supporter	PKK
209)- Hüseyin Polat (55)	Nurhak	23 August 1993	S. supporter	PKK
210)- Mehmet Cansız	Muş	24 August 1993	Denouncer	PKK
211)- Mustafa Sürgit	Şırnak-Elmalı	24 August 1993	S. supporter	PKK
212)- Yusuf Çapar	Şırnak-Elmalı	24 August 1993	S. supporter	PKK
213)- Mahmut Doğan	Nazımiye	24 August 1993	Denouncer	TİKKO
214)- Recep Silo (35)	İstanbul	25 August 1993	MİT officer	DS
215)- Şazi Cesur	İğdır-Tuzluca	25 August 1993	S. supporter	PKK
216)- İbrahim Felik	Sarıkamış	26 August 1993	Vil. guard	PKK
217)- Firdevs Aydın	Sarıkamış	26 August 1993	S. supporter	PKK
218)- Şah İsmail Kılıç	Ardahan	27 August 1993	S. supporter	PKK
219)- Recep Kılıç	Ardahan	27 August 1993	S. supporter	PKK
220)- Ziyaettin Kılıç	Ardahan	27 August 1993	S. supporter	PKK
221)- Osman Yılmaz	İliç	27 August 1993	S. supporter	PKK
222)- Cemal Şener	İstanbul	27 August 1993	Police offi.	DS
223)- Sabri Yıldırım	Kiğı	29 August 1993	Civil servant	PKK
224)- Mustafa Küçükşahin	Kemah	30 August 1993	Worker	PKK
225)- Mustafa Özbek	Erzincan-Erzuru	31 August 1993	S. supporter	PKK
226)- Hasan Ayaydın	Kemah	31 August 1993	Denouncer	PKK
227)- Mustafa Anlı	Birecik	01 Septem. 1993	Vil. headman	PKK
228)- Müslüm Şahin	Birecik	01 Septem. 1993	Vil. headman	PKK
229)- Osman Orta (68)	İliç	01 Septem. 1993	S. supporter	PKK
230)- Hıdır Gül	Aralık	03 Septem. 1993	Vil. headman	PKK
231)- Abdülbaki Bayazıt	Aralık	03 Septem. 1993	S. supporter	PKK
232)- Mustafa Altınbaş	Adana	04 Septem. 1993	Physician	DS
233)- Fatih Urgan	Van	06 Septem. 1993	Vil. guard	PKK
234)- Yaşar Gürpınar	Urfa-Antep	06 Septem. 1993	Engineer	PKK
235)- Süleyman Başkaya	Urfa-Antep	06 Septem. 1993	Contractor	PKK
236)- Şükrü Soysüren	Elbistan	10 Septem. 1993	S. supporter	PKK
237)- Hüseyin Polat	Elbistan	10 Septem. 1993	S. supporter	PKK
238)- Maşallah Elçi (30)	Güroymak	12 Septem. 1993	Denouncer	PKK
239)- Cumali Gözcü (30)	Adana	13 Septem. 1993	Denouncer	PKK
240)- Faruk Çelebioğlu	İstanbul	14 Septem. 1993	Ret. colonel	DS
241)- Fuat Altınbilek (55)	Erzincan	15 Septem. 1993	S. supporter	PKK
242)- Harun Satçı (45)	Erzincan	15 Septem. 1993	S. supporter	PKK

243)- Ayhan Kural	Pülümür	16 Septem. 1993	Teacher	PKK
244)- Arif Demir	Suruç	17 Septem. 1993	Denouncer	PKK
245)- Muhsin Polat	Suruç	17 Septem. 1993	Denouncer	PKK
246)- Mehmet Esen	Derik	19 Septem. 1993	S. supporter	PKK
247)- İsmet Arpa	Derik	19 Septem. 1993	S. supporter	PKK
248)- Mehmet Polat	Derik	19 Septem. 1993	S. supporter	PKK
249)- Şükrü Vural	Diyarbakır	19 Septem. 1993	Enlisted man	Wejın
250)- Gürcan Diriođlu	Diyarbakır	19 Septem. 1993	Enlisted man	Wejın
251)- Muzaffer Akkuş (34)	Bingöl	20 Septem. 1993	Journalist	PKK
252)- Cuma Ballı (50)	Ergani	20 Septem. 1993	Denouncer	PKK
253)- Mustafa Anlı	Birecik-Halfeti	21 Septem. 1993	Vil. guard	PKK
254)- Müslüm Şimşek	Birecik-Halfeti	21 Septem. 1993	S. supporter	PKK
255)- Mehmet Acar	Birecik-Halfeti	21 Septem. 1993	S. supporter	PKK
256)- Kerim Karadeniz (40)	Çermik	22 Septem. 1993	Vil. guard	PKK
257)- Mehmet Kıvık	Suruç	23 Septem. 1993	S. supporter	PKK
258)- Kenan Engin	Around Ergani	23 Septem. 1993	S. supporter	PKK
259)- Mustafa Surgüç	Şırnak	25 Septem. 1993	S. supporter	PKK
260)- İbrahim Çapar	Şırnak	25 Septem. 1993	S. supporter	PKK
261)- M. Sultan Erol (19)	Adana	26 Septem. 1993	Confessor	PKK
262)- M. Şirin Sansarkan	Adana	26 Septem. 1993	Confessor	PKK
263)- Ahmet Kaplan (40)	Suruç	26 Septem. 1993	S. supporter	PKK
264)- Ali Oklu	İğdır	27 Septem. 1993	Denouncer	PKK
265)- Sait Altun	Muş	28 Septem. 1993	Worker	PKK
266)- Cuma Akgün (40)	Mersin	30 Septem. 1993	Denouncer	PKK
267)- Cevahir Çelik	Elazığ-Diyarbakır	30 Septem. 1993	Police offi.	PKK
268)- Kamer Özkan	Tunceli	30 Septem. 1993	In left-wing	PKK
269)- ....	Bingöl	06 October 1993	S. supporter	PKK
270)- ....	Bingöl	06 October 1993	S. supporter	PKK
271)- ....	Bingöl	06 October 1993	S. supporter	PKK
272)- Bayram Adadağ	Tunceli-Ovacık	06 October 1993	Teacher	PKK
273)- Nurgül Adadağ	Tunceli-Ovacık	06 October 1993	Teacher	PKK
274)- Hasan ....	Diyadin	08 October 1993	Denouncer	PKK
275)- Meral Kahraman (16)	Çemişgezek	09 October 1993	In left-wing	PKK
276)- Zeynep Kahraman (21)	Çemişgezek	09 October 1993	In left-wing	PKK
277)- Veli Kahraman	Çemişgezek	09 October 1993	In left-wing	PKK
278)- Yunus Aydar	Hozat-Horoz	09 October 1993	In left-wing	PKK
279)- Hidayet Dumrul	Hozat-Horoz	09 October 1993	In left-wing	PKK
280)- İbrahim Dışkaya	Hozat-Horoz	09 October 1993	In left-wing	PKK
281)- Düzgün Çakmak	Hozat-Horoz	09 October 1993	In left-wing	PKK
282)- Hasan Hayri Aksoy	İskenderun	10 October 1993	Denouncer	PKK
283)- Ali Rıza Yıldız	Tarsus	13 October 1993	Denouncer	PKK
284)- Hüsnü Turgut (54)	İskenderun	15 October 1993	Denouncer	PKK
285)- İsmet Hatunođlu (55)	Digor	16 October 1993	Mayor	PKK
286)- Ahmet Hatunođlu (31)	Digor	16 October 1993	S. supporter	PKK
287)- Rabil Turan	Aralık	17 October 1993	Civil servant	PKK
288)- İsmet Tekin	Aralık	17 October 1993	Civil servant	PKK
289)- Selahattin Alökmen	İzmir	19 October 1993	Denouncer	PKK
290)- Bedrettin Çelik	İzmir	19 October 1993	Denouncer	PKK
291)- Emin Bingöl	Muş-Yaygın	19 October 1993	S. supporter	PKK
292)- Hasan Tire (55)	Yüksekova	19 October 1993	S. supporter	PKK
293)- Mehmet Ali Yaprak	Nazimiye	21 October 1993	Police offi.	PKK
294)- Remzi Yemez	Nazimiye	21 October 1993	Police offi.	PKK

295)-Sıddık Özkan (27)	Malazgirt	22 October 1993	Denouncer	PKK
296)- Mehmet Yeşil (32)	Pülümür	23 October 1993	In left-wing	PKK
297)- Tuncay Akbulut (25)	Erzurum-Erzin.	25 October 1993	MHP supporter	PKK
298)- Hulusi Kaya	Erzurum-Erzin.	25 October 1993	MHP supporter	PKK
299)- İlhami Aydın	Erzurum-Erzin.	25 October 1993	MHP supporter	PKK
300)- Ali Rahmani	Erzurum-Erzin.	25 October 1993	MHP sup.	PKK
301)- Ali Yıldırım	Hazro-Dadaş	25 October 1993	Teacher	PKK
302)- Ethem Yaşar	Hazro-Dadaş	25 October 1993	Teacher	PKK
303)- Zeki Savruk	Hazro-Dadaş	25 October 1993	Teacher	PKK
304)- Hüseyin Yavuz	Hazro-Dadaş	25 October 1993	Teacher	PKK
305)- Orhan Çelebi	Hazro-Dadaş	25 October 1993	İmam	PKK
306)- Sadettin Devecioğlu	Elazığ-Bingöl	25 October 1993	S. supporter	PKK
307)- Sabahattin Aygen	Elazığ-Bingöl	25 October 1993	S. supporter	PKK
308)- Abdullah Şensoy	Elazığ-Bingöl	25 October 1993	S. supporter	PKK
309)- Yusuf Kahraman	Elazığ-Bingöl	25 October 1993	S. supporter	PKK
310)- Numan Konakçı (25)	Bismil-Haki	26 October 1993	Teacher	PKK
311)- Ayşe Konakçı (24)	Bismil-Haki	26 October 1993	Teacher	PKK
312)- Neşe Alten (21)	Bismil-Çavuşlu	27 October 1993	Teacher	PKK
313)- Hasan Alten (60)	Bismil-Çavuşlu	27 October 1993	....	PKK
314)- Abdurrahman Şahin	Hınıs	27 October 1993	S. supporter	PKK
315)- Binali Zozik (35)	Erzurum-Bingöl	27 October 1993	Driver	PKK
316)- Orhan Dayan	Pötürge	01 November 1993	Denouncer	PKK
317)- Halil Kandemir (38)	Tunceli	01 November 1993	Teacher	PKK
318)- Hasan Çakır (34)	İstanbul	03 November 1993	Denouncer	PKK
319)- Yaşar Aktürk	Pertek	03 November 1993	S. supporter	PKK
320)- Enver Balaban (25)	Aralık	06 November 1993	S. supporter	PKK
321)- Mehmet Öztop	İzmir	12 November 1993	Vil. guard	PKK
322)- Bayram İnci (33)	Adana	15 November 1993	S. supporter	PKK
323)- Zeycan Yedigaroğlu	Pertek	15 November 1993	S. supporter	TİKKO
324)- Hasan Odak (65)	Pertek	15 November 1993	S. supporter	TİKKO
325)- Mehmet Canpolat	Digor	17 November 1993	S. supporter	PKK
326)- Zahir Can	Digor	17 November 1993	S. supporter	PKK
327)- Hayrettin Özbay	Ceyhan	18 November 1993	Denouncer	PKK
328)- H. Yüksel Zarif (50)	Erzincan	21 November 1993	S. supporter	PKK
329)- Kayhan Hakan Işık	İstanbul	22 November 1993	MHP member	....
330)- Mustafa Kırıcı	İstanbul	14 December 1993	Police offi.	....
331)- Cemal Koçpınar	Adaklı	24 December 1993	S. supporter	PKK
332)- Menice Yıldırım (25)	Adana	26 December 1993	S. supporter	PKK
333)- Hasan Yıldırım	Adana	26 December 1993	S. supporter	PKK
334)- Cevat Tokdemir	Baykan	27 December 1993	S. supporter	PKK
335)- Şakir Yavuz	Adana	18 January 1993	Denouncer	PKK
336)- Mehmet Gencer	Adana	18 January 1993	Denouncer	PKK
337)- Sinan Er	Diyarbakır Pri.	06 March 1993	Disagreement	....
338)- Mülkiye Doğan (19)	Urfa Prison	12 April 1993	Confessor	PKK
339)- Erdoğan Eliuygun	Bayrampaşa Pri.	18 July 1993	In left-wing	DS
340)- Emrah Koca (8)	İstanbul	09 Septem. 1993	By fault	PKK
341)- Abdullah Yüzen (38)	Ergani	21 Septem. 1993	Denouncer	PKK

### Education and teachers

The atmosphere of violence in the Emergency State Region occasioned negative results with respect to education and training. A number of schools in the region, were closed because of migrations, pressure by the security officers or threats and attacks by the PKK. In many scho-ols,

the number of students decreased outstandingly. For example, the number of the students studying at Silvan High School declined from 600 in 1992 to 55 in 1993. A total of **1157** primary and secondary schools in the region were closed during the last 2-3 years. It has been learnt that 166 of the schools were closed because of security measures, 214 of them because teachers did not begin duty, 363 of them because no teacher was assigned, 8 of them as there were no students attending the school, 122 of them owing to repair works, 53 of them due to evacuation of villages, 13 of them were burnt down by PKK militants, 194 of them for lack of enough students, and the remaining were closed for various justifications such as lack of equipment, erosion, demolition, etc.

The PKK banned educational and training activities at primary and secondary schools and at universities in the Emergency State Region in November 1993. In the leaflet released concerning the issue, it was claimed that the schools served for the purpose of the dirty war, and it was stated that those who continued to work at the schools and students who attended the schools would be punished. Following the release of the leaflet, 2 youths named Mehmet Nur Şenol (18) and Seyfettin Turgay (17) who were trying to place a bomb at Ziya Gökalp High School in Yenişehir quarter of Diyarbakır on 19 December evening, died by premature explosion of the bomb. When two bombs left in the students' restaurant of Medical Faculty of Diyarbakır Dicle University exploded on 29 December at noon hours, 22 persons, 3 of whom severely, were wounded. The PKK claimed the responsibility for the bomb attack.

Bomb and armed attacks against teachers in charge in the Emergency State Region increased incredibly in 1993. As a result of the attacks, a total of **50** teachers were murdered. 34 of the teachers were killed by the PKK, while 15 of the teachers became victims of unidentified murders. One of the teachers lost his life during the incidents in Lice on the days of 22 and 23 October. The list<sup>(\*)</sup> of the killed teachers is as follows:

<u>Name and Surname</u>	<u>Place of the killing</u>	<u>Date of event</u>	<u>TA</u>
01)- Halis Şişman (26)	Tatvan-Yassıcak village	04 January 1993	PKK
02)- Ramazan Bilge (29)	Diyarbakır	13 January 1993	MUA
03)- Zübeyir Akkoç (41)	Diyarbakır	13 January 1993	MUA
04)- Kemal Sert (25)	Diyarbakır	17 January 1993	MUA
05)- İsmail Çelik	Siirt-Kayabağlar village	22 Şubat 1993	PKK
06)- Osman Şimşek (26)	Batman	05 March 1993	MUA
07)- Faik Ayaz	Silvan	19 March 1993	MUA
08)- Alihan Han (42)	Diyarbakır	23 April 1993	MUA
09)- Abdullah Kaya	In the vicinity of Bingöl	24 May 1993	PKK
10)- İdris Askan	In the vicinity of Bingöl	24 May 1993	PKK
11)- Selahattin Askan	In the vicinity of Bingöl	24 May 1993	PKK
12)- Gültekin Çetin	In the vicinity of Bingöl	24 May 1993	PKK
13)- Ali Rıza Peköz	Siirt-Yalınkavak village	09 June 1993	MUA
14)- Nuriye Ak (25)	Diyarbakır-Buçuktepe village	11 June 1993	MUA
15)- Elif Livan (31)	Diyarbakır-Buçuktepe village	11 June 1993	MUA
16)- Nevzat Akdemir	Çemişgezek-Tezelli village	21 June 1993	PKK
17)- Hamza Çetin (30)	Tunceli-Meşeyolu village	23 June 1993	PKK

(\*) TA: Type of the attack

MUA: Murders by unidentified assailants

18)- Erkan Aydın (27)	Tunceli-Meşeyolu village	23 June 1993	PKK
19)- Ayhan Kural	Pülümür	16 September 1993	PKK
20)- Ahmet Arcagök (30)	Diyarbakır	20 September 1993	MUA
21)- Ali Şahap Salık (34)	Diyarbakır	21 September 1993	MUA
22)- Şuayip Konuksever	Diyarbakır	22 September 1993	MUA
23)- Zeki Sertoğlu (35)	Birecik	29 September 1993	PKK
24)- Göres Şişman (47)	Birecik	29 September 1993	PKK
25)- Bayram Adadağ	In the vicinity of Ovacık	04 October 1993	PKK
26)- Nurgül Adadağ	In the vicinity of Ovacık	04 October 1993	PKK
27)- Fevzi Katar	Pertek	07 October 1993	PKK
28)- Ünal Adlı	Pertek	07 October 1993	PKK
29)- Orhan Bakış	Pertek	07 October 1993	PKK
30)- Taşkın Zenger	Pertek	07 October 1993	PKK
31)- Aydın Turan	Ceylanpınar	18 October 1993	MUA
32)- Nurettin Soyer (29)	Lice	22 October 1993	....
33)- Mehmet İzdal (25)	Gevaş-Koçak village	24 October 1993	PKK
34)- Ali Yıldırım	Hazro-Dadaş village	25 October 1993	PKK
35)- Ethem Yaşar	Hazro-Dadaş village	25 October 1993	PKK
36)- Zeki Savruk	Hazro-Dadaş village	25 October 1993	PKK
37)- Hüseyin Yavuz	Hazro-Dadaş village	25 October 1993	PKK
38)- Fatih Tekin	Kulp-Ağaçlı village	26 October 1993	PKK
39)- Sergin Keçeli	Kulp-Ağaçlı village	26 October 1993	PKK
40)- Mehmet Tekin	Kulp-Ağaçlı village	26 October 1993	PKK
41)- Nazif Özbacı	Bitlis-Yolalan village	26 October 1993	PKK
42)- Ergun Komut	Bitlis-Yolalan village	26 October 1993	PKK
43)- Bayram Tekin	Bitlis-Düz village	26 October 1993	PKK
44)- Yasemin Tekin	Bitlis-Düz village	26 October 1993	PKK
45)- Numan Konakçı (25)	Bismil-Babahaki village	26 October 1993	PKK
46)- Ayşe Konakçı	Bismil-Babahaki village	26 October 1993	PKK
47)- Neşe Alten (21)	Bismil-Çavuşoğlu village	27 October 1993	PKK
48)- Halil Kandemir (38)	Tunceli	01 November 1993	PKK
49)- Hayrettin Yıldız (38)	Diyarbakır	10 December 1993	MUA
50)- Mehmet Dayan	Diyarbakır	22 December 1993	MUA

### Attacks, bans, and events causing tension

In Tunceli and its surroundings, various disagreements took place between the PKK and other left-wing organizations in September and October. Because of the disagreements, sometimes attacks and clashes which resulted in death or injuries, took place. The disagreement started upon the PKK's statement in June saying: "Right of possession on the registered unregistered fields which were abandoned for many reasons, belongs to the PKK". When the PKK continued to collect money from the public under the name of "taxation", the disagreement deepened. This situation caused tension in the region. Intensified PKK attacks against teachers, and the murders of some left-wing teachers, increased the tension further.

Kamer Özkan, one of the leaders of the Kurdish "Tekoşin" organization, was executed by shooting by PKK militants on 30 September in Gömemiş village of Tunceli. Murder of Kamer Özkan led to protests by numerous organizations. In the statements made as to the event, it was said that Kamer Özkan had been killed after being trapped by the PKK, and the attack was condemned. In the statement made concerning the event by Tekoşin organization, the following was said: "The PKK murdered another revolutionary person. Commander Kamer Özkan became a martyr. The murder was condemned by all revolutionary organizations and

individuals, and was met with great sorrow by the public".

A group of militants from the Revolutionary Communist Party of Turkey (TDKP) having their lunch in the vicinity of Tavuk village of Hozat district in Tunceli on 9 October, sustained an armed attack by PKK militants. As a result of the armed attack, 4 TDKP militants named Yunus Aydar, Hidayet Dumrul, İbrahim Dışkaya and Düzgün Çakmak died and 2 TDKP militants were severely wounded. The tilling of 4 the TDKP militants and intensifying PKK attacks against teachers, caused reactions in Tunceli and its districts. The teachers in charge of schools in Tunceli and its districts, did not enter the classes on the days of 11 and 12 October in protest at the attacks against their colleagues. During the same days, shops in Hozat, Mazgirt, Pülümür and Ovacık districts of Tunceli were not opened in protest. In Ovacık, about 1,000 people made a demonstration in protest at the PKK. Meanwhile, in a statement made by the PKK it was claimed that the killed teachers were right-wing persons, and that the TDKP militants had been killed during a clash against the PKK. In the statement it was alleged that the TDKP militants were "police agents and provokers" and said: "The people who participated in the activities and demonstrations made in protest of the PKK will be punished".

The İHD Chairman Akın Birdal made a statement on 13 October and said the following: "The events are worrisome. We term the killing of teachers in Tunceli as an attitude against human rights, especially the right to life, and we do not approve of this view. These killings are contrary to human law and to Article 3 of the Geneva Conventions which has been defended by our association since the very beginning. No just reason can be behind this attitude and accepted. In addition, we worry about the possible effects of the clash launched by the killing of 4 TDKP members in Tunceli on democratization efforts and on the human rights struggle in Turkey. The clash within the left-wing organizations which had been experienced in the past but had never been benefitted by either a person or a group, must be immediately stopped".

The PKK militants who raided a house in Sütluçe town of Tunceli on the night of 9 October, killed 3 youths named Veli Kahraman, Meral Kahraman (16) and Zeynep Kahraman (22). It has been learnt that the killed youths were sympathizers of the TİKKO (Workers' and Peasants' Liberation Army of Turkey). Following the event, tradesman Mehmet Yeşil, who was a TİKKO sympathizer, was killed on 23 October in Pülümür district of Tunceli by PKK militants on allegations that "he was a denouncer".

In October, the PKK took the decision to kill Tunceli Mayor Mehmet Kocademir. In the statement made by the PKK about the decision, it was said that the mayor was a denouncer and had caused killings of 3 PKK militants. In consequence of these developments, Mehmet Kocademir disappeared. It has been revealed that Mehmet Kocademir had resigned and fled to the Netherlands. The decision against Mehmet Kocademir is alleged to have been lifted at the beginning of 1994.

In the meantime, the divergence<sup>(\*)</sup> within the Revolutionary Left Organization which came into existence in September 1992, caused violent clashes starting from March 1993. The

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(\*) Bedri Yağan (Middle East Representative of the Revolutionary Left) and some of his friends raided the house of the Revolutionary Left leader Dursun Karataş in Europe on the morning of 13 September 1992. Over-powering Dursun Karataş, they commandeered the organization administration, and confined Dursun Karataş to a room in his house. The situation which remained concealed for a while, was revealed when Dursun Karataş contacted with the organization members in Turkey. Subsequently, two separate groups

clashes between the "Dursun Karataş" group and the "Bedri Yağan" group continued throughout the year. As a result of the clashes 4 persons, 3 of whom were from the Bedri Yağan group (Ercan Temelli, Muharrem Aydın and Erdoğan Eliuygun) and one of whom was from the Dursun Karataş group (Rıza Güneşer) were killed. The number of the persons who were wounded during attacks and raids carried out against each other or in the clashes between the two groups exceeded 200. Houses, shops, associations and journal offices were raided, damaged or burnt down. The clashes also affected the Revolutionary Left supporters in Europe. As a result of events in various European cities, 2 persons were killed and many persons were wounded.

The PKK demanded the closure of offices of certain daily newspapers and of the Anatolian News Agency in Diyarbakır, and the resignation of the journalists working in the region. The decision of the PKK on this issue was communicated to newspaper authorities who were taken by 2 armed PKK militants to a PKK camp on the mountainous region near Silvan district of Diyarbakır on 16 October. The ban decision taken by the PKK against the press, almost stopped journalist activities in the Emergency State Region. (Detailed information is under the section titled "Freedom of Thought, Press and Belief")

After banning journalist activities in the region, the PKK asked the political parties, except the Democracy Party, to stop their activities in the Emergency State Region. In the statement made relating the subject by the ARGK (Kurdistan People Liberation Army) which is the military part of the PKK, it was pointed out that party leaders and members should have resigned, party organizations should have been closed and plates of the parties should have been taken down. In the statement, parties and their leaders were granted time by 24 October 1994. The ban decision against the political parties by the PKK, increased the tension in the political circles in Ankara and in the Emergency State Region. Bomb and armed attacks on the buildings of the political parties increased.

The Social Democrat Populist Party (SHP) Diyarbakır Provincial Organization Chairman, Hayati Kahraman (38), was kidnapped by 2 unidentified persons who came to his house on 21 October evening. Following the event, the PKK stated that Hayati Kahraman had been detained by the city guerillas of the PKK. A short time after the event, Hınıs Mayor Cafer Eren and Tekman Mayor İhsan Gök were abducted by PKK militants, too. Hayati Kahraman, Cafer Eren and İhsan Gök were released on 4 November.

Kurdish PKK followers attacked diplomatic representatives of Turkey in Germany, France, Switzerland and Sweden, and on the buildings of Turkish Airlines Offices, Turkish travel agencies and Turkish banks in many cities of Europe on 24 June. Besides this, demonstrations were made on the same day in many places in protest at the operations conducted by the Turkish Army in the Emergency State Region. As a result of the events which started synchronously great material damage occurred on the attacked diplomatic representatives and other

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using the name of "Devrimci Sol" came into existence. Dursun Karataş found supporters among the youth organizations, publication units, militants having armed activities on mountainous region, "Devrimci Sol" case defendants in prison and among the organization members in the cities, excluding İstanbul. On the other hand, Bedri Yağan was supported by an important portion of the organization members in İstanbul and by organizational units in the Middle East and Europe. The quarrels which started between the two groups accusing each other with hard words, turned into clashes within a short time. In the meantime, Bedri Yağan, the leader of the group, was killed together with 4 of his friends as a result of a raid carried out on 5 March by the police against a house in Esentepe quarter of Kartal, İstanbul. The clashes between the two groups also continued in 1993.

buildings. Munich Consulate, which was one of the representatives attacked by PKK followers, was later occupied. The occupation during which about 20 persons were held as hostages, lasted 15 hours. In addition, Marseilles Consulate was kept under occupation for 3 hours. During the attack carried out against Bern Embassy, 1 PKK follower named Şemsettin Kurt died while 6 PKK followers and one police officer were wounded in the shooting from the building of the embassy. The event in the Bern Embassy created a crisis between Turkey and Switzerland. The embassy building was kept under blockade by the Swiss police for a long period of time. Bern Ambassador Kaya Toperi had to leave Switzerland because he was announced as "*persona non-grata*". Subsequently, Turkey deported Ankara Ambassador of Switzerland and two embassy officers.

Diplomatic Representative Offices of Turkey in Germany, France, Switzerland, Norway, Denmark and Belgium, buildings of the Turkish Airlines, Turkish tourism agencies and Turkish banks located in a number of cities in Europe were attacked by PKK followers on 4 November. In addition, demonstrations were made in numerous European cities. The attacks and the demonstrations were reportedly carried out for the purpose of protesting the incidents in Lice. The attacked diplomatic representative offices and other buildings were greatly damaged as a result of the incidents that were synchronously initiated at morning hours. A man named Selim Çevik (32) was burned to death and 8 persons were injured, one being severely, during the attack on an office owned by Turks, in Wiesbaden of Germany. During the other events in Germany, 18 persons were wounded. Additionally, facilities of the newspaper Hürriyet in Frankfurt were occupied for a period time. Explosives thrown into a Turkish bank in London, caused 5 persons to be wounded.

### **Report and assessments**

Reports were produced by numerous individuals and organizations about the events in the Emergency State Region and on the Kurdish problem. In the reports, observations on the subjects such as events in the region, the point that the social and economic life came to in the region, content of the clashes, dimension of the human rights abuses, took place. Besides, various solution proposals were brought on the agenda.

For example, Dr. Çetin Erdolu who made a 10-day visit to settlements in the Emergency State Region, disclosed his related observations in his article published in the review "Birlik" (Union):

*I have spent a period of ten days including 21 March 1993, in a region where an important problem of Turkey, the problem of democracy, is lived through, in the Southeast where generally the Kurdish people live or more correctly where they fight to live. A period of ten days may not prove to be sufficient to reach definite judgment on the event and facts. But when it is taken into consideration that the political parties prepare their Kurdish report based on three day visits and interviews only with the official authorities, this period becomes of more importance. And when added to this are the residues of the past, meetings held with the people of all classes actually living there, and some events lived through, the possibility of making fixations on the subject of the problems may be found. I have had discussions with a lot of people who are political, apolitical, educated, worker, villager, members of political parties and their administrators (of DYP, SHP, HEP), and with elder people who are accepted as wise men of the region, and witnessed some events. By traveling through the Diyarbakır-Mardin-Kızıltepe-Nusaybin region, I have made observations, I shall try to explain away the fixations I have made in the light of the above:*

## **I. Political Problems**

**The State:** *The state mechanism that we observed all over Turkey in the beginning of 1980's, is more emergent there because of oppressive, arbitrary attitude against the human being in the 1993's. Nevermind coming near the statements of the Government, it is in opposite applications. This pressure, unlawful and arbitrary actions is not solely against national or political struggles, it is not only felt by anyone who is not Kurd, but anyone who commits a simple traffic offence or whose made of dress is seen as suspicious. People are potentially guilty just because they live there, and the people do not have the strength left to carry on a po-litical struggle. There are two sample cases that I witnessed while in the region. The first one happened in Mardin. A motorist who had misparked faced first verbal abuse and later a beat-ing by the police in alliance with the soldiers who were just passing by. An administrator of the DYP Provincial Organization just saved himself with difficulty from beating, when he tried to intervene in the event that we witnessed right on the main street in front of a crowd of people. All you could read on the faces of the crowd was the helplessness of not being able to oppose. The second sample case took place in Nusaybin. This was about a youth about 20 years old, who came from Mersin to Nusaybin in order to visit his relatives during the holiday (not New-roz, but "Ramadan Festive" holiday) and who was beaten as he looked at a police panzer with some surprise and curiosity. As a result of beating, a purple swelling under his eye occurred.*

*The institutions of the state are not on the side of the public. There are functional rules in the institutions which are laid down in such a way as to ignore the present laws and even the laws enabling one to live like a decent person. Another concrete event: While in a surgical operation for goitre in Mardin State Hospital, the surgeon was forced out of the operating room, having to abandon the person on the operating table, and he was forced to look after two security officers who were not in any critical danger of losing their lives. Upon his objection, the response given to the surgeon from whom I heard the story, was: "These people are of no use to this country, they are not worth any effort to help them live any longer. This country needs those of us who are trying to save the country from them. What's more, you had better know that if you insist on not coming out of the operation room, we shall include you in our black list, too." On top of this, there is pressure applied on the head doctor of the hospital by the high level security officers. The patient whose operation was interrupted survived. After the operation, she overcame the danger of losing her life, thus defeated death, by sheer luck. This 25-year old, young female patient whom I also interviewed personally was a fellow citizen who had frightened, suspicious, yet healthy eyes and who said that she was not Kurdish.*

*The political parties which are the indispensable entities of democracy are so ineffec-tive you could almost say non-existent. Both the DYP and SHP organizations, the presence of which are felt because they are the ruling parties, appear political therefore potentially guilty parties due to the fact that they have no local activities. As for the HEP and ÖZDEP which have influential political power in the region, due to the attitude similar to those of ÖZGÜR-DER or İHD encountered in Bursa, they are in a similar organizational structure working in secret. The local party members and administrators are under constant threat of being pushed around and tortured for any simple action because they are deemed as the people who are at the center of the events and not seem as respectable persons. Therefore, there is neither a wish nor the freedom to intervene with the security forces.*

**Contr-guerilla:** *While its existence is still being disputed in the West, the presence of contr-guerillas is the only thing about which the people that I spoke to, had no doubt after the events they had experienced. The Hizbollah organization recently mentioned in communiques*

by the state and government officials regarding murders by unidentified assailants, is a Gladio type organization. It continues to commit murders termed by us as "murders by unidentified assailants" while termed by regional people as "unidentified murders whose assailants are known", and these murders are committed under the noses and protection of persons who are definitely known as police officers or special team members. To prove this, there are two concrete examples told in the same manner by many people. The first murder took place in Kızıltepe. One person had been murdered in the shopping place, and the assailants were caught with the help of the tradesmen around together with the murder weapon. However, special team members very near to the scene, opened fire at the crowd and thus enabled the assailant to get away. The second example is from Nusaybin. A dentist apprehended the murderer who shot to death his friend with a single bullet while walking alongside him. In the same manner in the abovementioned event, special team members nearby, attacked the dentists and made it possible for the assailants to escape. Thinking that he would be the one next in line, the dentist in question had to leave the town where he was working.

Murders by unidentified assailants have two important and mutual characteristics. In those murders, there is no discrimination of national identity. Whatever their national identity, whether revolutionary, democrat, intellectual, leftist or resistant in short, youths trying to contribute to enlightenment all became victims. The style of commitment of the murders and the weapon used are also all the same. In daylight, in crowded places, in front of the security forces, with always the same model weapon (TAKAROF pistol) and with a single bullet shot either through the temple or neck of the victim. The fact that the murders mostly took place in Batman, Şirnak, Nusaybin and Kızıltepe where there is a dense struggle for democracy and national identity, strengthens the possibility that the reasons behind forcing these people to migrate or eliminating them if they do not migrate, is to silence voices and to weaken their struggle. During the ten-day period, three murders were committed by unidentified persons that I could not ascertain to have been reported on the media. Two of them were in Kızıltepe and the other in Nusaybin.

**The PKK:** There is strong belief that the Kurdish problem entered on the agenda owing to the fighting by PKK. However, there is disturbance felt over the evaluation of the PKK and the Kurdish problem as if they are one and the same. There are two different reactions of the public towards the cease-fire invitation. The one that found many supporters is that of the public who were fed up with fighting, terror and results created by the use of guns. Those who showed their reaction also state that the subjects mentioned above are the factors which forced the PKK to a cease-fire. A very small section do not approve of the PKK's laying down their weapons. This originates from the grudge and enmity felt against the state due to its structural formation in these areas, and from the oppressive and arbitrary attitude of security officers, and also from plunder. Another factor that is thought to be influential in the PKK's decision to take a step backwards is that the number of the Kurdish votes, around 700 thousands in the general elections, strengthened the belief that some gains may be obtained through democratic ways. Increasing poverty, migration, shrinking economy are also included in these factors. The view that the PKK has suffering great losses during the operations conducted within and outside of the borders is not approved and is not evaluated within these reasons.

**The Emergency Legislation:** In the region there is a martial law that enforces a curfew after 5.00pm, offers no personal security even in daytime, and ignores law and order. The security officers, (especially special team members and anti-riot forces) have a way of acting similar to the structure of an army which pilfers, plunders and tries to find booty of war in an

invaded territory. With the slightest of sparks, all parts of settlements are raided without any discrimination, houses, shops, cars and all goods are damaged and plundered. The citizens in the region are contented with accepting their losses. In certain cases, applications were made to the Governorate of the Emergency State Region, but no results were obtained, instead, the citizens were led either to protect their property or to refrain from having any property that could be plundered. This arbitrary and irresponsible behaviour is not solely against property, but against the people in a more harsh manner.

It is impossible for the media to work in the region. There is no permission to observe daily events by the media. Those who object and resist have to count the losses starting with their cars and extending to their lives. Distribution of newspapers and reviews face great restrictions. There is no newspaper vendor in Nusaybin and no one feels inclined to undertake the distribution. This is because two vendors were killed previously and later other people willing to do so were faced with suppression and threats covertly by Hizbollah and openly by the security officers. Pressure was applied particularly on the newspaper *Özgür Gündem*. Distribution of the newspaper in question was hindered all over the region. In most places the security forces bought all the newspapers, or pursued the newspaper vendors by spreading terror. In addition, I have learnt from the persons who sold newspapers before, that the newspaper was not distributed in other places of the region, either...

As the government is not ruling over the state in the region, so the Governor of the Emergency State Region is not ruling the security forces. In Diyarbakır, the Governor danced "halay" with the people who attended and gathered for Newroz celebrations, but fire was opened at the outer circle of the crowd although there was no illegal actions. The Governor's presence was only a factor that prevented a panic. The security forces on duty in the region have the freedom to dress, as part of the strategy, and this fact is subject to all kinds of provocative actions. This is the factor that lies at the bottom of untrue accusations. This factor also causes the belief in the presence of contr-guerilla.

**Political Parties, Trade Unions, Associations:** It is not possible for indispensable elements of democracy to be present or sensed of in a place where democracy can not be spoken of. And the truth is just so. The presence of the political parties are limited with their names. The people have no wish to be a member of the parties, let alone to be a proud leader of one of them, due to the pressure and attacks, due to the possibility of an investigation being launched against them. Political effectiveness that comes with being a leader of a political party in the West, does not exist even for the leaders of one of the coalition parties in the region. The threats, insults and beatings that a DYP provincial leader who attempted to intervene in a simple traffic incident I have mentioned above, had to suffer are a typical example of this subject. This is what is seen in the center of a city where there are not so many events. It is not possible to make such an attempt in cities, towns and villages where incidents take place much more. Associations are closed down, some of them were never opened in certain places. It is not possible even to attempt to open some of them in certain places (such as to open the İHD or People's Culture Houses in Nusaybin, Cizre, Kızıltepe, Şırnak and Batman). Trade unions are labour organizations only in appearance. They have been restricted, their functions have been stopped. They can go no further than to serve as slightly safer cafeterias.

Briefly, the 12 September Constitution, the antidemocratic Law on Political Parties, the Law for Associations which is full of prohibitions, the Turkish Penal Code are all invalid in the region. The CMUK is not valid, either, due to the government. What is valid is the rules established by the security forces, and what is legal is the opposite of the non-existent or barred

thoughts of these forces. For these reasons, it will be more realistic to say that the democratic powers should struggle to make the 12 September Constitution valid in the region.

## **II. Economic Problems**

**Unemployment:** In general, unemployment is at its peak in the region. There are temporary positions allocated for eight months in a year which only cause a slight decrease in the unemployment. The bureaucrats or government officials are absolutely ineffective on the subject of employing and filling in these temporary vacant positions. It is the security forces who are most effective on this subject, namely the General Staff. When it is recalled that the recent protest of the Şırnak Governor was due to the assigning of government officials to some of these vacant positions, this fact will be more apparent. Leaving aside the creation of new employment fields, the increase in the migration of business owners from the region limits employment fields more. The state establishments functioning in the region have had the same potential of workers for years because of the decrease in demand caused by economic stagnation. To invest in a new field is the same as suicide for the private sector and it is also impossible for the state. In fact, the amount of the budget allocated for the security of the region is already high enough (as also stated by Mrs. Çiller), and so to appropriate an additional amount would raise difficulties in bringing down (!) inflation.

**Trade:** There used to be more frontier trade made in the region but this is completely stopped at the moment. Those who managed to save through this trade, have migrated to the West. The remaining people are working with a temporary business understanding by aiming to make such a saving. Since they have such an understanding there is no permanent trade potential. As well as saying that the frontier trading has almost stopped, we should mention that new functions have emerged recently in this field. It is necessary to talk on the transportation sector going together with frontier trading. Another way of making living for the people in the region is transportation. When the frontier trading came to a stop, this sector has re-formed under a different auspices. Due to the stagnancy on the frontier trading, there were many bankruptcies, and those, who went bankrupt migrated. However, a mafia came into existence on the transportation sector. This is a mafia doing trade-offs of food stuffs for fuel-oil with North Iraq. They are apart from and unrelated to the people of the region. Without a cooperation with the mafia, it is not possible to trade on the frontiers controlled by the state and the PKK. The mafia in cooperation conducts trade-offs and makes huge profits out of it. The proportion of profit that the people get is very restricted. The tradesmen are completely desolate. Because of duress of the emergency legislation and plunder, no goods are purchased. They try to keep on trading with a minimum of goods. Another reason for a downward trend in the sales, is that the western traders are not accepting cheques or promissory notes against goods due to insecurity. Another important factor affecting the tradesmen negatively is insufficient income because the shops could be kept open for only 3 or 4 hours a day for various reasons such as the shops were closed down, shots were opened at random and life came to a stand still at nights. Thus, apart from political and antidemocratic applications, it is possible to speak of a large number of the population who went bankrupt and migrated in the last years.

**Investment:** In the region, there has been no new investment made during the last ten years, and the old investments have either diminished or gone out of existence altogether for the last 2-3 years. Private investment is nonexistent. There are some investments made by the state in some fields. These are mostly infrastructural (!) investments: Police and gendarmerie stations, lodgings and the roads constructed in order to chase the PKK which do not pass through the settlement areas. The abovementioned investments do not create new employment areas

because the construction is not carried out by local contractors and because local people do not want to work in the belief that buildings are being constructed against them. In addition to the local contractors' not undertaking these jobs, there is also the PKK's threats. As the seasonal civil works are also carried out by the state institutions there is no personal security for people working at these jobs apart from those in the city centers.

To summarize, unemployment in every field, an economic bottleneck, continuously diminishing capital, bankruptcies are the indicators that the economy of the region should be annexed to the economy of Turkey.

### **III. Social Problems**

**Education-Training:** Education and training become insufficient as one moves from the centers to outskirts of cities. Since there is no security of life, all the teachers who went there, have run away. It is mostly the local persons who can perform such a duty in the region, without their personal security and that of their students. They are able to provide education as far as the continuous clashes and indiscriminate armed attacks of the state permit them. In the last 13 years, especially at the beginning of the 1980's, already existent schools were closed down instead of the construction of new schools.

**Social Life:** Excluding metropolitans (such as Mardin and Diyarbakır), there is no night life. In some places and at certain times, there is no life during the day time. It is impossible to find a cinema, cafeteria, pub or a restaurant. Theatre wise, there is only one in Diyarbakır. The beer-houses that are plentiful in Bursa and other cities, are absent here. Even if there are any, they will be forced to close down at 2-3pm, and so they will not be functional nor serve their purpose. It is almost impossible to visit each others' houses even in the daylight and their night strolls are nothing to be spoken of. It may be possible for neighbours overlooking the same courtyard to visit each other if very careful about it.

**Migration:** The most prominent social event of the region is migration. There are several reasons for this. These reasons which can be evaluated in main groups such as economical, political and social, may be concretized as follows: "Duress of the emergency state administration; fear of being murdered by unidentified assailants; by spreading terror, disturbing those who wish to put up a political struggle; evacuation or burning down of certain settlement areas for security reasons; plunder of belongings; economic bottleneck, unemployment and bankruptcy; absence of social life and life security; insufficient education and wish to provide a good education for children." The fact that there has been an increase of migration especially in the last 1-2 years has caused a population decrease reaching 50 per-cent in certain settlement areas (although the population growth of the region is generally higher compared to the whole country). Another result of this fact is the lack of people's desire or the possibility to obtain new property. These economic and social results caused a stagnation, a decrease in demand and economic deadlock. In short, the region is awaiting to be saved in a completely changed in terms of appearance, life and function.

### **IV. Conclusion**

Recently, the PKK leader has expressed his wish for a cease-fire and other related suggestions which are being debated. Turkey's intellectuals, democrats, socialists, workers, peasants, in fact all of its people should join together in order to save the region. The people of Turkey should put aside the thoughts of fast money inspired by the 1980's and should enter into a struggle against the provocations on Kurdish-Turkish enmity created by the state. This is an

*immediate need of the region and is a must. In addition, the people who applause the intervention made in order to prevent people from dying of hunger in Somalia, the people who stir up intervention in Bosnia-Herzegovinia and Azarbaijan, should also have human feelings for the region and participate in the efforts made to save the region. Time has come and is passing quickly. The government are required to take concrete steps for this aim and the state must be structured in accordance with these steps.*

- *The Emergency Legislation should be immediately lifted.*
- *The contemporary village guard system should be terminated.*
- *The special teams and forces should be recalled from the region.*
- *The security forces and bureaucrats should be replaced with new ones who were specially trained and cleansed of prejudice on the Kurdish problem.*
- *Recognition of the Kurdish identity should be disclosed and displayed through concrete steps to be taken.*
- *Unconditional amnesty should be declared and this must be followed by studies to amend the Article 125 and the Constitution.*
- *Obstacles preventing talks, debate and organization on all kinds of thoughts and solutions in the region, should be lifted.*
- *For the long-term, studies to reconstruct the regional economy and to struggle against unemployment should be carried out. In particular, economic measures (such as land reform, modern agricultural technology) to complete the GAP Southeastern Anatolia Project) should be put on the agenda.*

*In this way, the Turkish-Kurdish brotherhood will be strengthened, the conditions of equal, free and voluntary unity of for the two peoples will be created.*

## EXTRA-JUDICIAL EXECUTIONS

Extra-judicial executions, occupying a significant place in the general context of human rights violations in Turkey, continued at an increasing pace also in 1993. Throughout the year, a total of 182 persons lost their lives as a result of applications by the security officers termed as "extra-judicial execution" such as house and shop raids, fire opened at demonstrators, at people disobeying stop warning or merely at random, execution of people who are caught alive, air raids by planes or helicopters. A considerable number of those killed were introduced to the public as "members of illegal organizations captured dead in a clash with the security forces."

Extra-judicial executions never attracted the expected sensitivity. Statements of some eye-witnesses indicating "security forces opened fire without any call for surrender" and "these people were killed instead of being apprehended alive, or after being apprehended" were not taken into consideration. Insensitivity towards such incidents expanded from single individuals to the people in higher official positions. People applauded the incidents occurring on the spot.

While an extra-judicial execution in Germany led the Federal Interior Minister, proclaiming his responsibility, to resign<sup>(\*)</sup>, the governmental reaction in Turkey was to the contrary, and to the effect that it encouraged new extrajudicial executions. For instance, Erdal İnönü, the then Deputy Prime Minister who made a speech on April 9, stated that he did not agree with the allegations about extrajudicial executions. He also said "We also want them to be caught alive. However it is not always possible to do so. It is a matter of struggle. You may sometimes capture them alive, sometimes not. If it proves impossible, it is not correct to term the incident as an extra-judicial execution." In reply to a party member who shouted "No more extra-judicial executions!", Erdal İnönü said the following: "Terror is a sort of disease. We have to eliminate it. No

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(\*) The event that led to the resignation of Rudolf Seiters, the then Federal Interior Minister of Germany, was reported as follows: Brigit Hogefeld and Wolfgang Grams, members of the outlawed Red Army Fraction (RAF), were involved in a clash with the teams of the GSG-97 in Bad-Kleinen town of Mecklenburg Vorpommern province on 27 June. Wolfgang Grams and a team member named Michael Newrzella were killed during the clash. An eye-witness who appeared in the course of the investigation about the incident explained that Grams had been killed by a shot to his head from close range. On the other hand, it was also alleged that the team member who died in the incident was accidentally killed by his colleagues. The advocate of the Grams family explained that he had been killed by a bullet to his temple, but the Interior Ministry denied all these allegations. However, the result of the autopsy on Grams affirmed the allegations. When it was revealed that Grams had been shot dead in his temple, the Interior Minister Rudolf Seiters resigned on 4 July.

society can accept the killing of people in metropolitan areas. We have to deal with it with determination. We have to stop these murders, and the police do so. They try to catch them. No doubt that their duty is to catch them alive."

In a statement he made on 14 February, the then Interior Minister İsmet Sezgin stated that the government had taken important steps in the struggle against terror, and said "If we want, we are able to finish the terror in a short period of time. We may gather them in one place and kill them all, and then we may state that 'they had committed suicide', as once done in Europe. However, we are respectful to human rights. We act with the principle of a transparent state." The following table shows the extra-judicial executions during last several years:

	1991	1992	1993
<b>Those killed during house and shop raids</b> :	<b>22</b>	<b>63</b>	<b>57</b>
<b>Those killed in gun fire opened on demonstrators (except the Newroz incidents)</b> :	<b>32</b>	<b>26</b>	<b>20</b>
<b>Those killed for disobeying stop warnings, in randomly opened fire, or similar events and after being apprehended alive</b> :	<b>44</b>	<b>103</b>	<b>109</b>
<b>TOTAL</b>	<b>98</b>	<b>192</b>	<b>186</b>

As it can be understood from the above breakdown, the extra-judicial executions in Turkey increased in recent years to an extent that they exceeded those during the 12 September period. Deaths caused by the security officers, fit the definition of "extra-judicial (extra-legal) executions" stated in the documents of the United Nations<sup>(\*)</sup>. However, this situation has never been taken into consideration, and almost all of the extra-judicial execution incidents, disordering the regulations stated in the United Nations documents, were not investigated in a sound manner. Instead of investigating the incidents, some practices and statements were observed which were bound to encourage the security officers. The trial opened was only a figurehead. Sentences rarely given did not exceed one year or two years in prison.

Some information on the trials and investigations launched concerning extra-judicial executions in 1993, are as follows:

The sentence of 6 years 8 months in prison given to Police Chief İlyas Kaya who had killed 2 persons named Ali Haydar Alpdoğan and Kemal Karatay with his gun on 3 July 1991 at a restaurant in Avcılar, İstanbul, on the grounds that "they sang songs in Kurdish", was repealed

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(\*) The United Nations published a manual in 1991 entitled "Manual on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions". The manual aimed to complete the resolution on the "Principles on Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions", which was adopted by the Economic and Social Council on 24 May 1989. In the manual the types of extra-legal executions are listed by the United Nations as follows; "political assassinations", "disappearances", "deaths due to excessive violence by the security forces", "executions without due judicial process" and "attempted massacres". The manual attaches special importance to investigations into such deaths and presents autopsy report examples. Important criteria for any investigation to be carried out are: It should be "carried out immediately", "carried out impartially", and "relatives of the victim should be protected and should participate in the investigation as a party", "the investigation should be carried out by an independent body" and "the results of the investigation should be made public".

by the Supreme Court of Appeals. In the verdict of the Supreme Court during the first days of February, it was alleged that Commissioner İlyas Kaya had shot Ali Haydar Alpdoğan and Kemal Karatay "in order defend himself", and as a result, the imprisonment sentence given was too much. Besides, it was decided that İlyas Kaya who was under arrest for 1.5 years should be released.

Bahar Öztürk who had shot and killed a young man named İsmail Metin fighting with his friends in Kurtuluş quarter of Ankara on 3 January 1992 when he had been Director of the Protection Department of Ankara Police Headquarters, was sentenced to 1 year 1 month and 10 days in prison at the end of the trial in which he was tried for the second time. In the trial which ended on 8 February 1993 at Ankara Heavy Penal Court No.6, Bahar Öztürk was also removed from duty for 6 months. Bahar Öztürk had been sentenced to 1 year 5 months and 10 days in prison in 1992 for causing the death of İsmail Metin, but the Court of Appeals had found the sentence too much and repealed it. In accordance with the execution system, a person sentenced to 1 year 1 month in prison serves for 5 months and 10 days. Bahar Öztürk who was kept in prison for 4 months, will be imprisoned again for 40 days if the sentence on him is approved by the Court of Appeals. In all stages of the trial, Bahar Öztürk defended that he had shot İsmail Metin accidentally.

The law suit against ten village guards who had killed eight villagers in a minibus that they had stopped on the road from the Çalpınar village of Midyat district of Mardin to Midyat on 20 April 1992 was held in Denizli for security reasons. The village guards who took the floor in the first hearing defended themselves saying that, "We had fired shots into the air in order to prevent a demonstration on Newroz in 1991. The PKK supporters collected those bullets and prepared this plot against us." The event was made public as a "massacre by the PKK". However, it was revealed in the course of the investigation carried out by the Midyat Public Prosecutor that it had been committed by the village guards of Kutlubey village of Nusaybin, and 10 village guards were arrested. Arrest warrants in absentia were also issued against 2 village guards named Cengiz Kaçmaz (the head of village guards) and İsmail Taş. The names of the prosecuted village guards are as follows: "Ethem Seyhan, Tacettin Şakar, Navef Aydın, Halit Aktar, Mehmet Seyhan, Rahmi Kaçmaz, Vecdi Özbay, Tevfik Akbay, Şehmuz Seyda and Abbas Taş."

The trial was started at the beginning of January against noncommissioned officer Hakan Akyol who had shot and killed a tradesman named Birol Savaş, who had gone to Bismil Gendarmerie Station in order to get 56 million TL that the former had owed. In the trial launched by the Diyarbakır 7th Army Corps Military Court, Hakan Akyol, arrested just after the event, was demanded to be sentenced to 24 years in prison. But in the course of the trial, a report was given about the defendant stating "he cannot be punished because of his mental illness". Hasip Kaplan, the advocate of the Savaş family, objected to the report that was read on 18 May. The Court accepted the objection, and sent the defendant to hospital again.

The trial launched against police officer Musa Ağyar who had killed two water distributors named Mehmet Ali Kardeş and Mehmet Aslan on 27 April 1992 in the vicinity of the police lodgings in Halkalı, İstanbul, was withdrawn. In the last hearing held on 23 June at İstanbul Bakırköy Heavy Penal Court No.2, the court board decided in the wake of the report given by Forensic Medicine Institute that "the mental balance of Musa Ağyar was not appropriate" and "therefore he should not be sentenced". Musa Ağyar who was subsequently released will be treated at Bakırköy Psychiatry and Neurology Hospital. Semih Mutlu, lawyer of the relatives of those killed, criticized the court's decision and said: "The defendant police officer is

not insane, but has a personality disorder. The report of the Forensic Medicine Institute is taking sides". Pointing out that for the diagnosis of 'acute paranoid hecme' claimed in the report it was compulsory to find certain findings during the observation period, Semih Mutlu said: "There is a gap as regard to causal relationship. The alleged findings are not convincing enough. For instance, although Musa Ağyar did not explain that he had hallucinations, there is an alleged finding in that effect. On the other hand, "acute paranoid hecme" is a personality breakdown. It is not a psychotic illness. That means that a person who has only personality disorder is liable to be punished. The defendant is a police officer, and the personality disorder termed as acute paranoid hecme is commonplace among police officers. If we regard the inter-pretation provided in the report, no policeman will be liable to be punished." Semih Mutlu applied to the Court of Appeals for repeal of the decision.

The law suit against 12 policeman, who are responsible for the murder of Hatice Dilek Aslan and İsmail Oral in a house raid on 19 May 1991, continued in 1993. Hatice Aslan's grave was opened on 8 October in accordance with a court decision in the presence of the victim's lawyers Mihriban Kırdök, M. Ali Kırdök and Emel Ataktürk, and police officers' lawyer Güzin Köprülü. Her skull and ribs were disinterred and taken to the Forensic Medicine Institute. Taking the floor in the hearing held on 8 December, Mehmet Ali Kırdök reacted to extension of the trial and delay in gathering evidence. He said: "The Security Department does not want to gather any evidence that is contrary to its own interest. Since, there is no institution of juridical police in our judiciary system, the security forces are entitled to collect the evidence of their own crimes. On the other hand, the clause in the "Law to Fight Terrorism" where it says 'the state pays the bail' encourages the security forces to commit crimes. Extra-judicial execu-tions cannot be precluded through such a system." The accused policemen named Şefik Kul, Hasan Erdoğan, Abdullah Dindar, Ayhan Özkan, Nizamettin Özoğul, Mustafa Altınok, Özer Şahman, Mehmet Düzgün, Vasfi Kara, Hikmet Taşdelen, Ruhi Fırat and Süleyman Polat, are tried at the İstanbul Kadıköy Heavy Penal Court No.1 upon a demand of between 4 to 8 years imprisonment.

In 1993, a number of applications were forwarded to the the European Human Rights Commission because cases of extra-judicial execution were not investigated seriously, the figurehead lawsuits were deluding, and the responsible persons were not punished at all. The Commission admitted numerous applications and took them under investigation. For instance<sup>(\*)</sup>, applying to Turkish Government in September as regard to two extra-legal execution cases the Commission invited the government to defend and to send the copies of the documents related to the two cases. The Commission asked the Turkish Government whether Article 2 of the European Convention on Human Rights had been violated or not.

No result could be drawn in 1993 from the trial launched by İstanbul Heavy Penal Court No.6 in connection with the raids on three houses and a workplace in Nişantaşı, Dikilitaş, Levent and Balmumcu quarters of İstanbul on the evening of 12 July 1991, as a result of which 10 persons named Niyazi Aydın, İbrahim Erdoğan, Hasan Eliuygun, Zeynep Eda Berk, Nazmi Türkcan, Cavit Özkaya, Yücel Şimşek, Ömer Coşkunırmak, İbrahim İlçi and Bilal Karakaya had been killed. In consequence, lawyer Zerrin Sarı made an individual application to the European Human Rights Commission on behalf of the victims, together with Sevgi Erdoğan,

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(\*) One of them was about the case of Ahmet Güleç who was a high school student and killed as a result of fire opened by the security forces on a demonstrating group in İdil, Şırnak on 4 March 1991, and the other was about the case of Musa Oğur, who was a watchman in a coal mine and killed by village guards and soldiers who raided the mine on 24 December 1990

Hüseyin Şimşek, Nahit Özkaya, Hakkı İlçi and Mahmut Eliuygun, the relatives of those murdered. The applicants pointed out that the killing of these 10 people was a case of extra-judicial execution, and they had been killed on purpose by the policemen who raided the houses and the workplace. It was claimed that the garments of the murder victims should have been examined in order to find out the distance of shooting, but the police had burned them so that the garments could not be examined. The applicants demanded the Commission to determine the responsibility of the Turkish state in the case, and to condemn it. The Commission, taking the application into consideration, asked the Turkish Government to submit related information. In its reply, the government stated that those killed had reciprocated with opening fire on the call to "surrender" made by the security forces. The government demanded that the Commission should reject the application.

The information and related developments on the people who lost their lives as a result of extra-judicial executions is as follows:

**a) House and workshop raids**

**01) Tahsin Meria**

A house in Akpınar quarter of Bismil, Diyarbakır was raided by the police on the night of 9 January. During the raid, a person named Tahsin Meria who was in the house at that time, was killed and a police officer was wounded. Police authorities advanced the claim that the killed person was a PKK militant and participated in certain armed attacks in Bismil.

**02)- Gurbet Deniz (26)**

**03)- Fetullah Akalın (17)**

**04)- Süleyman Kaplan (26)**

**05)- Latif Deniz (17)**

**06)- Şemsettin Evşin (19)**

**07)- ....**

A house in Kışla quarter of Nusaybin district of Mardin was raided by the security forces on the morning of 5 March. As a result of the raid, 6 people, one of whom was a woman, were killed. The names of 5 of those killed could be revealed. Police authorities claimed that those 6 people were PKK militants and had participated in certain armed attacks in Nusaybin. On the other hand, some sources in the region stated that only one of those killed was a PKK militant while the remaining 5 had nothing to do with it. Diyarbakır deputy Hatip Dicle, who conducted investigations in the house on 6 March, said: "No clash had arisen during the raid. We could not find anything to prove that a clash had broken out. This is an extra-judicial execution. None of those killed was a PKK militant. Mardin Governor and Nusaybin District Governor try to disguise the fact". Two children named Hatice Deniz and Şükran Deniz who were able to save their lives during the raid and witnessed the event, said the following: "We went to bed early that night. When we woke up, we faced masked special team members. They took our elder brother Latif Deniz, our sister Gurbet Deniz and our cousin Süleyman Kaplan who came from Manisa, to another room. Then, we heard sounds of gun shots. At that time, one of the special team members pointed at us and said 'Let us kill them'. But when another special team member resisted stating 'I am fasting. I can not kill any children', they let us free."

**08)- Bedri Yağan (34)**

**09)- Gürcan Aydın (Özgür)**

**10)- Menekşe Meral (29)**

**11)- Rıfat Kasap (32)**

**12)- Asiye Fatma Kasap (25)**

A house in Esentepe quarter of Kartal district of İstanbul was raided by the police on the night of 6 March. As a result of the raid, among the leaders of the "Devrimci Sol" organization, Bedri Yağan and Gürcan Aydın (Özgür), and Menekşe Meral (former Chairman of the Nurses' Association İstanbul Branch), Rıfat Kasap and Asiye Fatma Kasap were killed. During the

event, children of Rıfat and Asiye Fatma Kasap, 4-year old Özgür and 7-month old Sabahat, managed to escape without any wounds. The corpses of Bedri Yağan and Gürcan Aydın in the Morgue of Forensic Institute were identified by their families and lawyers on the morning of 7 March. In the statement made by the lawyers after the identification, it was said: "We determined that the police did not attempt to arrest them alive and that the bullets hit fatal regions above their waists. We also established that heavy weapons and bombs were used during the raid. Burns on the corpses were first degree. First findings show that the event was an extra-judicial execution." In addition, Feramuz Yağan, father of Bedri Yağan, said, "The bullets which caused my son's death were discharged on his neck. What kind of a clash is this, so one can be hit in the neck?" In the meantime, in news article which was published in the newspaper Cumhuriyet dated 9 March 1993, the following questions in relation to the event were asked: "It is asserted that the door was broken down on entry. However, the door is intact. Why was it required to make such a statement?"; "If the police made a persons known to the occupants of the house open the door how could the ones in the house use their guns?"; "Why were the windows of the house which was allegedly broken into smashes while the journalists were waiting downstairs?" Hüsnü Öndül, General Secretary of Human Rights Association (İHD), and Konya, Kütahya, Adana, Muğla, Diyarbakır and İzmir Branch Presidents of İHD applied to Public Prosecution Office, and demanded a trial to be launched against Necdet Menzir, İstanbul Police Chief, and the policemen who were present at the raid, on charges of "killing persons with intention of murder". Besides this, lawyers of the killed persons also made an official complaint to the Public Prosecution Office. In a statement they published, Social Democratic Populist Party's İstanbul Provincial Organization evaluated the raid as "an extra-judicial execution and massacre." In the statement, it was also recorded that an official complaint would be filed against Necdet Menzir, İstanbul Police Chief, and the policemen who were present at the raid. Upon the official complaints made, a trial was launched against 4 police-men who participated in the raid. The indictment read in the trial that started at İstanbul Heavy Penal Court No.1 on 26 October, demanded the imprisonment of the policemen named Yaşar Karaçam, Ömer Kaplan, Hasan Erdoğan and Ayhan Çarkin on the grounds that they had exceeded the limits of their duty and had killed with the intention of murdering. The defendant policemen who testified in the hearing rejected the accusations and alleged that fire had been opened by the ones in the house and hence a clash had arisen.

### **13)- Mehmet Gül (26)**

Policemen who carried out a raid against a house in Gölbaşı quarter of Bozova district of Urfa on the night of 7 March, shot dead Mehmet Gül, the son of the True Path Party's District Chairman Mehmet Gül (father and son have the same name). As a result of the autopsy made, 61 bullets were determined on the body of Mehmet Gül. Some persons, who witnessed the raid, said, "They shot Mehmet Gül at the door. They want to cover up the event with an appearance of clash." Mehmet Gül, father of the killed youth, met Interior Minister İsmet Sezgin after the event. After the meeting, Mehmet Gül said to the journalists, "The policemen surrounded the house at about 01.00pm at night, and knocked on the door. When my son called out 'Who is it?', the door was blasted with many bullets. My son's hand remained on the door handle. I have asked the Minister to dismiss the policemen who attended the raid." Saying that he met with the Police Chief and Governor after the event, Mehmet Gül stated that the Governor apologized to him explaining that it was a mistake. Interior Minister İsmet Sezgin said that judicial and administrative investigations would be launched against the responsible police-men, and the guilty ones would be punished. On the other hand, Urfa Governor Ziyaettin Akbulut said, "Information was maintained stating that a terrorist group came to Bozova. Reinforcement was

required from Urfa in order to carry out the operation and we sent. In the event, there are mutual faults. When the policemen knocked on the door, Mehmet Gül said that he would not open the door. Upon this, the event emerged. Two pistols were found at the house."

**14)- Halil İbrahim Önen (47)**

**15)- Namiye Önen (43)**

**16)- Orhan Önen (23)**

**17)- Şemse Önen (19)**

A group of people wearing masks raided a house in Karataş village of Mazıdağı district of Mardin, and murdered a worker named Halil Önen who was working at Etibank Phosphate Enterprise, along with his wife Namiye Önen and son Orhan Önen. Halil Önen's daughter named Şemse Önen who was wounded during the raid, lost her life at the hospital. The incident was first publicized as "an attack by the PKK militants," and then as "murders by unknown persons." However, it was later revealed that the raid had been carried out by the village guards of Balpınar village. Upon this, the relatives of those killed made an official complaint at the Midyat Public Prosecution Office. Nevertheless, no result could be maintained. In regard to the incident, people living at Karataş village said: "The attack was carried out because we refused to be village guards. Before he died, İbrahim Önen told us that two of the village guards who were among those who had carried out the attack, were Ali Ertay and Orhan Ertaş.

**18)- Mevlüt Yurt**

A clash took place between the police and two persons who were in a car stopped upon suspicion in Şirinevler, İstanbul on 19 March. As a result of the clash, police officers Mehmet Güven and Mehmet Atlar were wounded, and a person named Alper Hasözek was caught wounded and then detained. During the clash, the second person whose name was disclosed to be "Mevlüt Yurt", managed to escape. A short while after the event, the house where Mevlüt Yurt went, was raided by the police. As a result of the raid, Mevlüt Yurt was killed. Alper Hasözek and Mevlüt Yurt were reportedly members of a Islamic organization called "İslami Hareket".

**19)- İbrahim Yalçın Arıkan (35)**

**20)- Avni Turan (38)**

**21)- Recai Dinçel (36)**

As a result of a raid on a house in Hüseyin Paşa Street of Bahçelievler, İstanbul, by the police on the night of 24 March, İbrahim Yalçın Arıkan, Avni Turan and Recai Dinçel who were among the leaders of the "Devrimci Sol" organization, were killed. Hamza Ülkü, who is the owner of the house which was completely damaged in the raid which continued for about 4 hours, his wife Meral Ülkü and their 11-year old son Mehmet Ülkü escaped from being killed as they were freed from the house. Hamza Ülkü said that İbrahim Yalçın Arıkan, one of the killed, was his classmate and that he came to his house to visit them on that day. During the raid, janissary bands were played in police vehicles and some persons who gathered in front of the house shouted slogans in order to support the police. The house raid caused many question marks as did the other house raids. In a statement made by the İHD İstanbul Branch which termed the raid as an "extra-judicial execution", the following was said: "The event is reported as a clash, but there are many questions behind this allegation. The police disclosed that the raided house was not a safe-house, so how could it be possible to find numerous guns in a family house? In addition, it is interesting that all three corpses were in the bath without any windows. Furthermore, janissary bands played and slogans shouted during the raid are seeds of resentment which are intended to be sown. They are trying to turn the society into a society which enjoys murder. While all these events are recorded, the Minister of Interior says 'The police do not execute extra-legally'. Because of these, we do not trust the official statements." In the meantime, it was claimed that the police officers had entered by force in another flat located on one floor above the raided house and had caused great damage there, too. Owner of the said flat

who did not want her/his name to be disclosed said: "They broke the door and entered the house. Then, they threw a bomb from my bath into the flat below. Besides this, they ate pastries and chocolates and smoked cigarettes they had found at our home." Corpses of İbrahim Yalçın Arıkan, Avni Turan and Recai Dinçel were delivered to their families on 26 March after an autopsy. Lawyers of those killed who were present during the autopsy said the following: "As a result of the examination we made on the corpses and in accordance with findings by the forensic medicine institute, we think that the operation was certainly an extra-judicial execution by the police. We determined about 30 bullet wounds on the corpse of Recai Dinçel, 20 bullet wounds on that of Avni Turan and at least 25 wounds on that of İbrahim Yalçın Arıkan". A group of lawyers from the İstanbul Bar Association made an official complaint to the İstanbul Public Prosecution Office about İstanbul Police Chief Necdet Menzir and the other police officers who had attended the raid.

**22)- Şengül Yıldırım (23)**

**23)- Uğur Yaşar Kılıç (19)**

During a house raid carried out by the police in Bahariye quarter of Kadıköy, İstanbul on the night of 30 April, two university students named Şengül Yıldırım and Uğur Yaşar Kılıç were killed. The police authorities asserted that the killed youths were members of the "Dev-rimci Sol" organization. Reacting against this statement, Yurdagül Yıldırım, the elder sister of Şengül Yıldırım, said: "My sister was a student who was struggling for a more academic and democratic university. The police could have detained her whenever they wanted, and once they did so. I call everybody to be more sensitive towards such an extra-legal execution. The police want to cover up the crime they committed." On the other hand, it was reported that Uğur Yaşar Kılıç killed in the house raid, had been detained on 18 April and released on 20 April. In the meantime, it was revealed that there was another girl in the raided house, and she was able to save her life by escaping from the house. This young girl named Ergül Uzundiz, the place of whom was kept secret because of her life security, made a press statement through a video-tape shown to journalists on 5 May. In her statement, Ergül Uzundiz stated that the door had been knocked while she was chatting with Şengül Yıldırım and Uğur Yaşar Kılıç on the day of the event, and said the following: "When the door was knocked, we asked 'Who's there?', but were replied 'open the door' in a calm manner. When we did not open, they said that they would break the door down, unless we opened it. Nevertheless, they did not indicate that they were police officers. The flat had an exit to the roof. Then we jumped over the window and went out to the roof in order to escape. At that time, they started to raze the house. I escaped towards the opposite way that Şengül and Uğur went. I jumped onto the roof of the next building and I run from the house. I heard a woman screaming and sounds of gun shots. I went away from there when the sounds died down. The police came to the house on purpose to kill us. If I had not escaped, they would have killed me, too. This house, which we went to continuously, was shown as a safe-house in order to cover up the murder. The statements asserting that there had been guns and organizational documents at the house were not true. The police killed my friends in order to intimidate and scare the people." Ergül Uzundiz reappeared willingly after hiding for a while. Ergül Uzundiz who went to the Prosecution Office on 2 August with her lawyers and family, made an official complaint in connection with the house raid in Moda. Afterwards, Ergül Uzundiz was taken to İstanbul SSC by the police officers stating that "there was an arrest warrant against her in absentia". Interrogated by the SSC Public Prosecutor there, Ergül Uzundiz was arrested on charges of "being a member of an illegal organization." Subsequently, a trial was launched against her, and she was kept under arrest by the end of 1993.

#### **24)- Aydede Sarıkaya (33)**

A person named Aydede Sarıkaya was killed during a house raid carried out by the police on 9 May in Fatih quarter of İstanbul. The police authorities claimed that Aydede Sarıkaya was "a member of People's Liberation Party of Turkey-Front (THKP-C) Revolutionary Vanguard of People", and "had been killed in a clash." Meanwhile, the eyewitnesses claimed that they had not heard the warnings of the police who entered the house by breaking down the door with sledge hammers. Claiming that the incident was an extra-judicial execution, the relatives of Aydede Sarıkaya said: "Aydede Sarıkaya had his pyjamas on and he was sleeping alone in the house. Entering in the house, the police officers executed him by shooting. There were no guns in the house."

#### **25)- Yusuf Çalış**

A youth named Yusuf Çalış was killed as a result of a raid carried out by the security forces on a house in Değerli village of Dargeçit district of Mardin on the night of 8 May. During the raid, a person named Mehmet Ali Aygün was wounded. Yusuf Çalış was publicly denounced as "a PKK militant, killed in a clash." Sakine Çelik, a woman who lives in Değerli village, said to the journalists, "Yusuf Çalış and his family came to us in order to ask for a girl's hand in marriage. The village guards who saw these persons coming to the village, made a baseless denunciation to the security officers that PKK militants had come to the village. We awoke with gun shots at midnight. The gun shots continued for a while. Later, our house was raided. Entering the house, the soldiers said, 'We punished the PKK militants who came here'. Then we heard what had happened in the house where those who had come to ask our girl's hand in marriage were staying."

#### **26)- Murat Gül (22)**

A house in Fevzi Çakmak quarter of Sincan, Ankara was raided by the police on the night of 5 June. As a result of the raid, "Devrimci Sol" militant, Murat Gül, who was in the house, was killed. The house raid was carried out in the presence of Ankara SSC Prosecutor Nuh Mete Yüksel. Murat Gül had escaped from Bayrampaşa Prison on 19 February 1993 while being tried under death penalty on charges of having participated in certain armed activities.

#### **27)- Mustafa Doğan (55)**

Raiding a house in Oruçkar village of Pazarcık district of Maraş on the night of 16 June, the security officers and the village guards killed the owner of the house named Mustafa Doğan while he was asleep. During the incident, Ayşe Doğan, the wife of Mustafa Doğan, was also shot but not fatally. In a statement she made after being treated in hospital and discharged, Ayşe Doğan said: "It was towards morning, we were sleeping. Waking up with the voices coming from outside, I wanted to turn on the light. The moment I turned the light on, a person in military uniforms shouted 'turn off the light and do not move'. They opened fire on us at the same time. My husband and I were shot at that moment." A person named İsmail Özkan who lives at the village where the event took place, said, "They did this in order to make us agree to become village guards. Their aim was to intimidate us." Sedat Seyhan, the Public Prosecutor of Pazarcık, said that the bullets used during the incident belonged to the special team members and the village guards, and an investigation had been launched.

#### **28)- Akif Oruç (30)**

#### **29)- Meliha Oruç (25)**

A house in Şemikler quarter of Karşıyaka, İzmir, was raided by the police on 8 July at noon hours. During the raid, Arif Oruç and Meliha Oruç who were in the house, were killed. Police authorities claimed that the raided house was used as a base by PKK militants.

**30)- Fahrettin Aksu**  
**32)- Fuat Yarul**

**31)- Reşit Erbey**  
**33)- Ramazan Yılmaz (Policeman)**

As a result of a raid carried out by the police against a house in Gündoğdu quarter of Mersin on 19 July at about 4.00pm, 3 persons who were in the house, were killed. In a clash which broke out during the raid, a commissioner named Ramazan Yılmaz died, and a commissioner named Halil Yedigün was wounded. Police authorities claimed that the house was used as a base by PKK militants. This statement was approved by the local sources. Some persons who witnessed the event asserted that they had seen two persons being taken out of the house alive, after the raid.

**34)- Serdar Yağız**  
**35)- ..... ..**

A house in Nusaybin district of Mardin was raided by security officers on 7 August. In the raid, a youth named Serdar Yağız and a woman whose name could not be revealed, were killed. Police authorities claimed that the raided house was used by PKK militants as a base.

**36)- Sabri Atılmış (16)**  
**38)- Hakan Kasa (18)**  
**40)- Selma Çıtak (22)**

**37)- Mehmet Salgın (21)**  
**39)- Nebi Akyürek (32)**

A cafeteria in Perpa Business Center in Okmeydanı quarter of İstanbul, was raided by the police at noon hours on 13 August. In the raid, the owner of the cafeteria Nebi Akyürek, the cashier Selma Çıtak and youths named Sabri Atılmış, Mehmet Salgın and Hakan Kasa were killed. Police authorities claimed that those killed were members of "Devrimci Sol" organization and that they were preparing for a bank robbery. Journalists were allowed to enter in the cafeteria two hours after the incident. An eye-witness stated that the killed girl Selma Çıtak had shouted something like "Stop. I am going out" and he added: "I saw that young girl while being taken by police officers wearing bullet-proof vests. She was alive but wounded on her leg". Relatives of Nebi Akyürek told journalists that the event was an extra-judicial execution and said the following: "Nebi's house and job were definite. It would be very easy to apprehend him alive". Fatma Kasa, the mother of Hakan Kasa, stated that his son had been killed without any interrogation at a cafeteria he had dropped into. Stating that his wife had no links with any illegal organizations, Nedim Çıtak, the husband of Selma Çıtak, said the following: "She was working at the cafeteria in order to earn money. They killed her and left a gun beside her." In a statement made by the Revolutionary Left organization, it was stated that among those killed in the raid; Hakan Kasa and Mehmet Salgın were the militants working for good of the organization, and Nebi Akyürek, the owner of the cafeteria, was a sympathizer. It was stated that the other two killed in the raid, had no relation with the organization. In the report prepared by members of the Human Rights Association and the Contemporary Jurists Association after investigation into the raided cafeteria, the following was presented: "When we consider the examination at the scene of the event, the photographs published in the newspapers and the views broadcast in televisions, there is not a situation of legitimate defense which would require the police to use guns in the incident. Besides, the use of so many bullets by the policemen is an indicator that there was no clash. There is no balance between the guns used by the police and the ones allegedly belonged to the killed persons. It is obvious that to defend oneself is impossible with these guns. Besides, as all the shots towards the killed people were in the form of drum-fire, no one can talk about legitimate defense or clash. It was impossible for the killed people to escape from the scene of the incident. Because all exits of the building where the cafeteria is located, were under control. According to the eyewitnesses, no call of 'surrender' was heard. The place of the incident is a

cafeteria. The police had alternatives like entering the shop as customers and capturing the killed people, but these alternatives were not chosen."

**41)- Yaşar Bulut**

A clash broke out between the police and armed 2 persons who robbed a trustee taking money belonging to a rubber factory in Yenibosna quarter of İstanbul on 25 August. The 2 persons managed to escape from the clash. Shortly afterwards, a house in Yenibosna where the aforesaid 2 persons went, was raided by the police. As a result of the raid, Yaşar Bulut was captured wounded, and Şerif Kartoğlu alive. Yaşar Bulut died on 25 August at hospital where he was taken to for treatment. Yaşar Bulut and his friend were reportedly members of Turkish Communist Labor Party-Leninist. Şaban Bulut, brother of Yaşar Bulut said: "The police executed my brother extra-judicially. He was taken to 3 different hospitals although he was wounded, and he was not allowed to have the necessary medical treatment."

**42)- Abdullah (Serdar) Külce**

**43)- .... (Şiyar)**

**44)- Yusuf Parlak (Policeman)**

A house in Cudi quarter of Cizre was raided by the police on the morning of 11 September. In the clash which broke out during the raid on the house, reportedly used by PKK mili-tants, special team member Yusuf Parlak and 2 militants died, while one special team member was wounded. The house raid caused tension and reactions in Cizre. Therefore, a curfew was announced in the district. Fire was opened at random from the police tanks which went out onto the streets following the curfew. As a result of the fire opened by the police, 2 children died.

**45)- Gönül Dudu Özcan (27)**

A house in Bulgurlu quarter of Üsküdar district in İstanbul was raided by the police on the evening of 17 September. During the raid, a girl named Gönül Dudu Özcan who was in the house, was killed. Police authorities stated that the raided house had been used as a safe-house by the militants of the Revolutionary Left Organization, and that 2 persons in the house had been captured alive. However, eye-witnesses said that a girl who was in the raided house replied to the policemen ordering her to open the door, by saying "Why should I open?". The same witnesses added that together with the gunshots, they had heard the voice of the same girl crying "Don't fire. I'm opening the door." Journalists were not permitted to enter the raided house.

**46)- Muzaffer Yılmaz**

**47)- ....**

**48)- ....**

A house in Yukarı Göklü town of Halfeti district in Urfa was raided by the security forces on the evening of 6 October. The owner of the house Muzaffer Yılmaz and 2 persons who were in the house during the attack, were killed. Police authorities alleged that the killed persons were PKK members. However, the information sources in the region stated that 2 out of the 3 killed were PKK militants, but Muzaffer Yılmaz had no connections with the PKK.

**49)- Tayyar Turan Sayar (26)**

**50)- Yaşar Yılmaz (23)**

A house in Cevizlidere quarter of Balgat in Ankara was raided on the night of 26 October by the police. As a result of the raid, 2 youths named Tayyar Turan Sayar and Yaşar Yılmaz were killed. Police authorities alleged that the raided house had been used as a safe house by militants of the Revolutionary Left organization. In a statement made by the Devrimci Sol organization, it was stated that the killed persons were members of the organization.

**51)- Sevinç Çelik (19)**

A girl named Sevinç Çelik who was in a house in Fevzi Çakmak quarter of Tarsus raided by the police on the night of 2 November, committed suicide by exploding the hand grenade she was carrying. Sevinç Çelik, who was announced to be "a PKK militant" and laid to rest in Mersin on 6 May by her relatives, had reportedly committed suicide in order not to be captured alive by the police and in order for the others in the house not to be harmed.

#### **52)- Serap Macit Kolukırık**

As a result of a raid by the police against a house on Faik Bey Street in Bağlarbaşı, Maltepe quarter of İstanbul on the night of 19 November, a girl named Serap Macit Kolukırık was killed. Stating that they examined the area around the raided house, Eren Keskin, the Secretary of the İHD İstanbul Branch, organized a press conference as to the house raid on 25 November, and said that the door of the house had not been broken down but the door had about 15 holes clearly formed by bullets penetrated from the outside. She said: "The witnesses of the incident told us that they had not heard of any announcement to let them surrender". On the other hand, Serap Macit Kolukırık's lawyer Gülizar Tuncer said: "When we examined the body following the autopsy, we saw that a single shot had first been fired in her neck followed by continual shots. There were traces of bullets on the left and right hips and on the abdomen. We think that fire was opened from a short distance. We asked about the matter to the Forensic Medicine Institute. The ones sitting there said that they could not have determined the distance at which fire had been opened because the body had been brought naked before them."

#### **53)- ....**

A house on Melikahmet Street in Diyarbakır was raided in the morning hours on 22 November by the police. During the raid, a PKK militant whose name could not be revealed, was killed. The aforesaid house was reportedly raided in the framework of the operations launched following an attack carried out at a police vehicle on Melikahmet Street, 6 persons who were in the house, were also detained. Among the detainees, Mehmetşah İkincisoğ was found dead near Mardinkapı Cemetery on 9 December. (Detailed information is available in the section headed "Deaths in Detention and in Prison".)

#### **54)- Erol Yalçın (28)**

#### **55)- Selma Doğan (18)**

A house on Büklüm Street in Hasköy quarter of İstanbul, was raided at about 6.00pm on 26 November by the police. A high school student named Selma Doğan and a youth named Erol Yalçın, both of whom were in the house, were killed. It was determined that the raided house belonged to Selma Doğan's mother, and that the Doğan family had been living in that house for 10 years. Selma Doğan's mother Sabiha Doğan and brother Can Doğan (16), who came to the house after the raid, were also detained by the police. Some people living on Büklüm Street said that they did not think the raided house belonged to an organization and that they had not heard an announcement ordering those in the house to "surrender" during the operation. However, the police authorities claimed that the house had been used by the militants of the Revolutionary Left Organization, and that two police officers were wounded as a result of fire opened from the house. Sabiha Doğan, the mother of Selma Doğan, made an official complaint about the police officers who had participated in the raid and a trial was launched against those police officers.

#### **56)- Mehmet Vurgun**

A house on Gazi Street in Ceylanpınar district of Urfa was raided at about 4.00pm on 8 December by security forces. Out of the persons in the house, Mehmet Vurgun was killed and 4 persons were detained. Police authorities stated that the raided house was a safe house used by

PKK militants, and Mehmet Vurgun was a PKK militant. Sources from the region also verified that he was a PKK militant.

### **57)- Remzi Ateş**

An imam named Remzi Ateş who lived in Çüllü village of Karayazı district of Erzurum, was killed by the security officers who raided his house on 30 December. The house was reportedly raided when Remzi Ateş did not open the door to the security officers. Karayazı District Governor who attended the burial ceremony of Remzi Ateş who was laid to rest in Çüllü village on 31 December, and who offered his condolences to the relatives of Remzi Ateş, said: "A denunciation was received. This event happened while the security officers were evaluating this denunciation."

### **b) Killings as a result of fire on demonstrating groups**

#### **01) .... ....**

A group of people demonstrating in protest of attitude of the referee during a football match in Tokat on 23 May were dispersed by the police. During police dispersion, a child 15-16 years old, who received a truncheon blow to his head, died due to brain hemorrhage.

#### **02)- Erdal Boğan**

#### **04)- Asiye Barlak**

#### **06)- Gülistan Çağdavul (18)**

#### **08)- Zeynep Çağdavul (18)**

#### **10)- Zarife Boylu (16)**

#### **12)- Nurettin Orun (51)**

#### **14)- Yeter Keremciler (14)**

#### **16)- Sona Çiğdemalp**

#### **03)- Gıyasettin Çalış (36)**

#### **05)- Cemil Özvarış (40)**

#### **07)- Selvi Çağdavul (16)**

#### **09)- Hasan Çağdavul (44)**

#### **11)- Süleyman Taş (47)**

#### **13)- Dudu Günebakan**

#### **15)- Necla Geçener (14)**

A demonstration, which was made in Digor district of Kars because of the 9th anniversary of the armed activities started by PKK, was banned by the security forces who opened fire on the crowd. A crowd of 5,000 people who came from villages of Digor, began to march towards Digor in the morning hours. Security officers blocked the way of the crowd carrying PKK flags and photographs of the PKK leader Abdullah Öcalan, at the entrance of the district. Fire was opened at the crowd who did not heed the warnings of the security officers demanding them to "scatter" and then continued to march. As a result of the fire opened, 15 persons, 8 of whom were women, died, while 51 people including 24 women, were wounded. According to a statement made by the Kars Governorate, incidents allegedly started when PKK militants who were within the crowd or who took positions on the hills, opened fire at the security officers. On the contrary to this statement, information coming from the region claimed that the demonstrators had no guns, there had been no armed militants among them, and the security forces pitilessly had behaved the crowd. In addition, claims were put forward such as "3 persons, wounded during the event had been killed by being dragged along by armoured vehicles". Following are the villages of the demonstrators: "Kilittaş, Varlı, Kocaköy, Başköy, Alem, Dölaylı, Şenol, Celal, Demiröz, Hisarönü, Bacalı and Dağpınar". In a report prepared by Kars Deputy Atilla Hun and Ankara Deputy Ali Dinçer who went to Digor upon the incident, it was stated that most of those killed or wounded were women and children with no links with the PKK. The report which stressed that the demonstrators had no guns, said: "The evidence proving this situation is that there were no security officers who died or got wounded during the incident."

#### **17)- Abdurrahman Savur (62)**

#### **19)- Zahir Aldırmaz (50)**

#### **18)- Kudbettin Aldırmaz**

Fire was opened by security forces at a crowd of about 5,000 people who gathered in Mollabaki village which is 2 kilometers away from Malazgirt district of Muş, and began to march towards the district center in order to celebrate the 9th anniversary of the armed activities started by PKK. During the event, 3 persons named Abdurrahman Savur, Kudbettin Aldir-maz and Zahir Aldirmaz were shot dead, while 11 persons were wounded. In connection with the events, 142 people were detained, 11 of the detainees were arrested, and the remaining were released. In the official statement made as to the incident, the events allegedly started when PKK militants within the crowd opened fire against security officers. However, local sources claimed that there was no PKK militants within the crowd and the security forces had opened drum-fire upon the crowd.

#### **20)- Şükrü Yıldız (62)**

A dispute on the use of water, arose between the peoples living in Kıрма and Kılıçgüney villages of Vezirköprü district in Samsun on 16 August. Gendarmerie was sent to the region when the dispute could not be solved and tension increased. The gendarmes prevented the fight which arose between the peoples living in the aforesaid villages, too. A minibus carrying the gendarmes to Kılıçgüney village in order to detain some villagers related to the event, was stopped by the villagers of Kılıçgüney. Then, the persons who blocked the road began to form a demonstration on grounds that "the gendarmes took sides during the incident." Upon this, a gendarmar soldier panicked and opened fire on the crowd with his rifle. As a result of the fire, Şükrü Yıldız, headman of Kılıçgüney village, was shot in his chest. He died at hospital.

During the incidents which started when security officers opened fire on groups demonstrating in Anadolu, Dağlıoğlu, Hürriyet and Eskibey quarters of Adana because of the Newroz celebrations on 21 March, 2 persons named Ramazan Çetin and Vezir Kurt died, more than 200 persons were wounded, 11 of whom severely. (Detailed information is available in the section entitled "Newroz Festival".)

#### **c) Killings in fire opened because of disobeying "stop" warnings, at random and during similar events**

##### **001)- Mehmet Salih Aksoy (20)**

A youth named Mehmet Salih Aksoy was shot to death as a result of fire opened by soldiers who laid an ambush in the vicinity of Sencar village of Kızıltepe district of Mardin on the night of 2 January. Mehmet Salih Aksoy was reportedly shot while going out of his house in order to go to toilet. In the event, Mehmet Salih Aksoy's uncle, Davut Aksoy, who went out of the house upon the gun shots, was shot and wounded. Military authorities stated that they had had to open fire as Mehmet Salih Aksoy had not obeyed the order to stop.

##### **002)- Hatice Ekici (80)**

##### **004)- Naze Ekici (12)**

##### **006)- Şemsi Ekici (4)**

##### **003)- Ayşe Ekici (35)**

##### **005)- Hamza Ekici (6)**

When a rocket launched by a Turkish war plane flying over the border region between Iraq and Turkey for the purpose of patrolling, hit a house in Güneyce hamlet of Kumçatı village in Şırnak, women named Hatice Ekici and Ayşe Ekici and children named Naze Ekici, Hamza Ekici and Şemsi Ekici died. In the event that took place on 31 January at about 4.00pm, one person was wounded. The first day, the military officers stated that a rocket which fallen to the ground accidentally, had caused the incident. However, Şırnak Deputies Mahmut Alınak, Orhan Doğan and Selim Sadak who made a press statement in the National Assembly on 1 February in connection with the event, stated that the incident was not an accident, and the house had

been bombed on purpose by a war plane. The deputies pointing out that Güneyce was the only hamlet which was not evacuated in the region, said: "The house of the Ekici family was wittingly chosen as a target. Six members of this family joined in the mountain groups of the PKK. The people in the region are forced to migrate. This is the aim of the attack". In the meantime, releasing a press statement General Staff Office claimed that the news about bombing of the house in Güneyce hamlet by a war plane was not true. The statement recorded that the explosion of a mine planted by the PKK or of a bomb thrown into the house, had caused the incident.

**007)- Fahri Atalan (30)**

**008)- Naci Sedat Doğan (33)**

A private security officer named Lütfü Serin (32) working at Adana branch of Çetinkaya Department Stores, belonging to the brother of Necati Çetinkaya, the former Governor of the Emergency State Region, shot and killed 2 drivers named Fahri Atalan and Naci Sedat Doğan who were fighting in front of the store. During the incident which took place at 1.30am on 19 February, a policeman named Hasan Anıl and a person named Ziya Ağaçyontar were also wounded. Lütfü Serin who was detained after the incident and subsequently arrested, testified at the court, saying: "2 persons were quarreling in front of the store. They cursed to God some time later. I warned them "not to curse to God". In reply, they said, 'Why are you interfering?', and cursed my belief, too. As the most precious being is God for me, I could not stand it and killed them. I do not regret that I killed them."

**009)- Abide (Bedia) Ekin (3)**

PKK militants who were in Ormaniçi village of Güçlükonak district of Şırnak, opened fire on the security forces who raided the village on the night of 20 February. As a result of the fire, gendarmerie soldier Servet Uslu died. Then, the PKK militants left the village and drew back towards the mountains. Security forces who stayed in the village, opened fire at random towards houses. In the fire opened, a child named Abide Ekin died, while 6 persons were wounded. (Detailed information is available in the section entitled "Torture Cases".)

**010)- Siyaset Güzelgül (35)**

A woman named Siyaset Güzelgül was seriously wounded during the fire opened by the security officers who raided Kotanbaş hamlet of Molladavut village in Karaçoban district of Erzurum on 5 March. The hamlet was reportedly raided during the operation carried out after the clash which had broken out between the PKK militants and the security officers in the region on 4 March. Siyaset Güzelgül lost her life on 10 March at the hospital she was taken to. Nevzat Ekmekçi, brother of Siyaset Güzelgül, said the following about the event: "Under the pretext of the clashes with the PKK, the security forces oppress and torture us. They exercise every kind of bullying. They shot my sister intentionally. They tortured her although she was wounded. They took her to hospital 24 hours later. The sole reason of the pressure upon us is to make us leave our village and go away."

**011)- Haydar Yaşkıran**

A shepherd named Haydar Yaşkıran, who was shot and wounded by the security forces in the vicinity of Tilkiler village of Pazarcık district in Maraş on 10 November 1992, died on 21 March at Numune Hospital in Ankara where he was being treated. Haydar Yaşkıran had been shot by the special team members who thought that he was a PKK militant, while pasturing the cattle. Haydar Yaşkıran who had been treated in Maraş for some time after the incident, had been taken to Ankara Numune Hospital at the beginning of January.

**012)- Mehmet ....**

A PKK militant with the code name "Mehmet", who was captured alive after a clash in Tatlıca village of Malazgirt on 22 March, was beaten and shot to death. He was made public as a PKK militant shot dead because he disobeyed stop warnings of the security officers. No traces of blow could be revealed on the corpse of the killed person, according to the autopsy report.

**013)- Abidin Yıldız (20)**

**015)- Eylem Yıldız (18)**

**017)- Behice Canik**

**014)- Cengiz Kala (19)**

**016)- Özgür Kılıç (18)**

**018)- Abdi Şeker**

The clash which broke out on 18 April between security forces and militants of the Devrimci Sol organization around Ardıç village located between Pertek and Hozat districts of Tunceli, resulted in the deaths of 12 militants. In a statement made by the Tunceli Governorate, it was asserted that 12 persons had been killed upon "their disobeying the surrender call of the security officers and entering into a clash." However, after the investigation into the incident, it was revealed that 6 of the 12 militants had been unarmed and that they had been executed by shooting after being captured alive. Mehmet Gülmez, Tunceli Branch Chairman of the İHD stated that there were villagers who had witnessed the execution of the 6 persons by shooting.

**019)- Bekir Koçak (80)**

Bekir Koçak who went to Kayseri in order to visit his grandson, was shot in his leg as he did not obey stop warnings in the military zone where he entered accidentally on the evening of 23 April. Bekir Koçak was later taken to the military hospital, but he died due to loss of blood.

**020)- İbrahim Yalçın (31)**

İbrahim Yalçın, a militant of the Devrimci Sol who had escaped from Bayrampaşa Prison in February, was killed by the police in Rahmanlar quarter of Kartal, İstanbul on the night of 23 April. In the statement made by the police authorities, it was said that the clash had broken out when İbrahim Yalçın had disobeyed "stop warnings" by the police and opened fire at them. However, eye-witnesses said that they had not heard any "stop warnings" or "surrender orders". The lawyers who took the corpse from the morgue, stated that İbrahim Yalçın had been shot in the back by three bullets which hit fatal points. They said: "This means that fire was opened from behind. The event is an extra-judicial execution." Later on, the lawyers made an official complaint to the Public Prosecution Office. Upon the official complaint, a trial was launched against 10 security officers on charges of "intentionally killing a person". During the trial which was heard at Kartal Heavy Penal Court No.2, a woman named Kısım Şahin (the landowner of the house rented by İbrahim Yalçın) who was called as witness, said the following referring to İbrahim Yalçın: "There were no guns or bombs in the hand of the person who was escaping. Besides this, we did not hear that he had been warned to stop."

**021)- Ali Rıza Aytekin (27)**

Contractor Ali Rıza Aytekin who drove his car in front of Yanıkkaya Gendarmerie Station in order to go to the building-site of a bridge, the construction of which he was supervising, was shot by a gendarmerie soldier who opened fire without any warnings. Ali Rıza Aytekin's brother Feyzullah Aytekin who was in the same car during the event which took place on 24 April, saved his life. In relation to the event, Feyzullah Aytekin said the following: "My brother and I frequently visited the job site. Therefore the gendarmes did not use to stop us while we were driving in front of the station since they knew us. But on 24 April at about 1.00pm my brother was killed by the soldier guarding in front of the station without any warnings. Indicating that the soldier was guilty in the event, the commander of the station apologized to us following the event". A trial was launched against the enlisted man who shot Ali Rıza Aytekin, on charges of "causing death."

### **022)- Kemal Kayaş (30)**

A person named Kemal Kayaş was shot dead in Körtobası hamlet of Kürecik, Malatya on 28 April, because of the fire opened by the security forces. The event was publicized as a PKK militant was killed during a clash. However, it was revealed that Kemal Kayaş was an in-sane person who had no relations with the PKK, and had a medical report showing his mental condition. In a statement they made, relatives of Kemal Kayaş said: "Kemal came to Körtobası in order to attend the funeral ceremony of one of his relatives. He was killed by the security forces when he went out of the house in the night. The security forces continued to open fire although we said that Kemal was insane."

### **023)- Mehmet Çelik (27)**

In Viranşehir district of Urfa, a person named Mehmet Çelik who was in a vehicle shot with guns by gendarmes on the evening of 9 May for disobeying stop warnings, died. During the event, a person named Cemal Çatır who was driving the car, was slightly wounded. Regional sources stated that Mehmet Çelik was a smuggler. After the event, a trial was launched against noncommissioned officer Coşkun Kurtboğan, and enlisted men Yener Güneri, Rıza Oruç and Ömer Faruk Başçı. Defendant soldiers did not attend the first hearing held at Urfa Heavy Penal Court No.2 on 2 July. In their application to the court board, the intervening lawyers demanded that the 4 defendants tried without arrest, should be arrested. The application was rejected. Cemal Çatır who was heard as a witness in the trial, claimed that noncommissioned officer Coşkun Kurtboğan had killed Mehmet Çelik as he could not get the bribe he had wanted.

### **024)- Naim Aslan (13)**

A shepherd Naim Aslan grazing cattle around the gendarmerie battalion in Yüksekova district of Mardin on the morning of 19 May, was shot dead by gendarmes patrolling in the region. Approximately 3000 people attended the funeral ceremony of Naim Aslan who was laid to rest at the same day. While the funeral ceremony was continuing, the security forces opened fire on the crowd shouting slogans. During the event, 13-year old Atacan Oğuz was wounded.

### **025)- Kemal Aslan**

Police officers who were conducting an investigation in Kozyatağı quarter of Kadıköy, İstanbul on 22 May, opened fire at a vehicle because the persons in the vehicle did not obey their stop warnings. As a result of the fire, Kemal Aslan died on the spot while Cemal Söğüt, the 2nd person in the vehicle, escaped the event without any wounds.

### **026)- Muhsin Daltaş**

Muhsin Daltaş was killed by the police in Van, while trying to persuade his nephew Vahdettin Daltaş who escaped the police on 28 May to surrender. An investigation was launched against a policeman whose name could not be revealed. However, no arrest or detention warrant was issued against this policeman. Süreyya Daltaş, the wife of the victim made an official complaint to the Public Prosecution Office, saying that her husband was arbitrarily killed while attempting to convince his nephew to surrender.

### **027)- Abdurrahman Battal**

As a result of fire opened by the police officers who intervened in a group quarrelling on 7 June because of a rental disagreement in Çeliktepe quarter of İstanbul, Abdurrahman Battal was shot dead with one bullet to his head. His brother was also wounded in the incident.

### **028)- Süleyman Bingöl (25)**

### **029)- Fırat Turgut (22)**

Two policemen who went on a picnic to Düzağaç promenade of Bingöl, shot and killed Süleyman Bingöl and Fırat Turgut with whom they had an argument. The policemen, detained after the event on 19 June, were arrested by court. They were reportedly drunk during the event. The reason for the argument between those killed and the policemen could not be discerned.

**030)- İrfan Fidan (11)**

İrfan Fidan was killed by arbitrary fire by the gendarmes while he was chatting with his friends in the school playground in Elfan village of Savur, Mardin, on the morning of 18 June. His teacher who witnessed the event stated that the gendarmes opened fire without any reason and said: "İrfan asked for my permission to go home at about 8.30 am. While he was chatting with his friends in the playground, the soldiers opened fire at random. This is a daily occurrence. We urged the soldiers many times not to open fire arbitrarily reminding them that there were always children around. But they never took this into consideration."

**031)- Ahmet Poyraz (19)**

A youth named Ahmet Poyraz was shot to death with a single bullet to his head in Karasu quarter of Adana on the night of 25 June. The event was publicized as "a murder by unknown assailants." However, some persons who witnessed the event stated that the civilian dressed police officers had been conducting ID check close to the place where Ahmet Poyraz had been killed, and claimed that the murder had been committed by those police officers. Mehmet Çelebi, the Chairman of the İHD Adana Branch, said: "There were serious allegations that the Ahmet Poyraz had been killed by the policemen. We are investigating the case."

**032)- Mehmet Eroğlu (17)**

**033)- Yüksel Güneysel (20)**

Mehmet Eroğlu and Yüksel Güneysel who attempted to usurp some amount of money from the office of Mahmut Altuncu in Gaziosmanpaşa quarter of İstanbul on 26 June, were killed by the policemen who were waiting for them in the office. The official statement about the incident, claimed that those youths who had came to the office in order to levy tribute, had been killed in a clash with the policemen who tried to prevent them." It was subsequently revealed that the killed youths had no guns and the policemen had opened fire on them without any warnings. It was approved that the youths had gone to the office in order to usurp money. In a statement he made, Ali Rıza Dizdar, İstanbul Branch Chairman of the Contemporary Jurists Association, said: "The event is an extra-legal execution. The policemen whose charge is to apprehend people alive, had killed. Even if the youths went there for robbery, they could have been apprehended alive." İstanbul Gaziosmanpaşa Public Prosecution Office which launched an investigation upon the official complaints made, decided that the event was an extra-judicial execution. For this reason, Gaziosmanpaşa Public Prosecution Office applied to the Eyüp Public Prosecution Office in order for a case to be opened. In the application, it was stated that "the policemen named Mehmet Saka, Şevket Yılgin, Süleyman Bolak and Erol Tekten should be prosecuted as defendants in the trial which would be launched."

**034)- Ahmet Güler (35)**

**035)- Ömer Çetin (35)**

**036)- Sait Şen (35)**

**037)- Beşir Basuk (23)**

**038)- Abdullah Güler (36)**

5 of 6 villagers, detained by the soldiers and village guards who raided Özbaşıoğlu village of Güçlükonak district of Şırnak on 2 July, were executed by shooting. The 6th detainee was rescued from the event by chance with a wound. Siirt Deputy Zübeyir Aydar who applied to the Parliamentarian Human Rights Commission in connection with the event, said that out of the villagers in question, Ahmet Güler (son of Ömer) was executed while he was working in his

field, and Ömer Çetin in front of the school of the village. Indicating that villagers Sait Şen, Beşir Basuk, Ahmet Güler (son of Mahmut) and Abdullah Güler were caught and brought in front of the school just after this event, Zübeyir Aydar said the following: "Security officers who left the village on the morning of 3 July, took away those 4 persons together. One kilometer from the village, a team separated the security forces. Later those 4 villagers, were raked with guns by a sergeant who is the commander of the team. During the attack, Ahmet Güler fell under his friends and therefore did not receive any fatal wounds. Ahmet Güler came round at noon hours and throwing off his friends on top of him, went to the village wounded. He told villagers what had happened."

**039)- İdris Tatar**

**040)- Cihangir Muhammet**

**041)- .... ....**

A group of smugglers consisting of 30 people crossed the Turkish frontier around the Habur Customs Gate on 29 June. They entered in a clash with the gendarmerie corps near Tekyan village on the same night. As a consequence, three of the smugglers were captured alive, and the others escaped to Northern Iraq taking their wounded friends with them. The three smugglers were executed by shooting. They were made public as the PKK militants, killed in a clash with the security forces. However one of the wounded smugglers made a statement in hospital where he was treated, and said that the three persons were executed by shooting by soldiers. He said: "The event was presented as a killing in a clash in order to hush up the facts." İdris Tatar was buried in Dekar village of Zaho while Cihangir Muhammet in Zaho.

**042)- Mehmet Güçlü (35)**

Two police panzers patrolling in Cizre district of Şırnak were attacked by PKK mili-tants at about 10.30pm on 11 July. After the attack during which no one was killed or wounded, a clash broke out between police officers in the panzers and the PKK militants. While the clash was continuing, fire was opened on the surroundings from some of the buildings and units belonging to security officers. Gun shots continued until 2.30am. During the event, a person named Mehmet Güçlü was shot dead in the head while 9 persons, including 3 children, were wounded. The names of those 9 persons are as follows: "Edip Özer, Abdullah Çağlı, Güle Çağlı, Aydın Çağlı, İdris Çağlı, Mehmet Çağlı (12), Bahar Çağlı (1), Sedat Tanrıverdi and Mehmet Yoğurlu (14)."

**043)- Rabiya Küçükodabaşı**

A mentally disabled woman named Rabiya Küçükodabaşı was shot dead because of shots fired by the soldiers guarding in front of a military repair house on Hastaneler street of Diyarbakır on 26 June, on grounds that she had disobeyed stop warning. The killed woman was laid to rest by the municipality workers, after being kept 10 days at the morgue. Persons working at the morgue asserted that numerous bullets hit the body of the killed woman, her dress was tore down because of this, and the incident was covered up as a clash. On the other hand, the police authorities stated that she had been killed when she had attacked the soldiers.

**044)- Yahya Bilgin**

A gendarmerie battalion in the vicinity of İlıkçe village of Şırnak, was raided by the PKK militants on the morning of 29 June. After this attack, artillery fire was opened from the artillery battery of the battalion, at Bestka Mersina hamlet of İlıkçe village. A person named Yahya Bilgin died because of the fire opened. In addition, persons named Celile Cevlak, Koçer Cevlak, Reşit Cevlak, Celal Cevlak, Hezni Bilgin, Devlet Olcan and Sedik Olcan were wounded. The hamlet was totally evacuated after this incident.

#### **045)- Kemal Aygöl (25)**

A youth named Kemal Aygöl was killed by the police in an clash in Şirinevler quarter, İstanbul on 16 July. The event was made public by the authorities that a militant of the Devrim-ci Sol organization had been killed in a clash with the police. However, the weekly Mücadele published the following statement of an eyewitness: "The police apprehended Aygöl, and began beating him. His arm was broken and he fell down. Then a commissioner came and killed him by shooting in the head." The weekly claimed that he was a member of the organization.

#### **046)- Hüseyin Ergen**

Hüseyin Ergen, headman of Değerli village of Dargeçit district of Mardin, was shot dead by village guards in the vicinity of Dargeçit on 21 July. Stating that the event occurred in front of her eyes, Hüseyin Ergen's sister Mediye Acar, said the following: "We went to Dargeçit with my brother on the day of the incident. At the entrance of the district, guards of İvan village named Naif, Fethi, Adil, Halil, Feyzi, Sıddık and Hasan Çelik waylaid us. They took my brother 50 meters away. At first they tortured him and then they put a gun in his mouth and fired. My brother fell down to the ground. Village guards continued to open fire on him while he was on the ground, too. None of the soldiers which were 200 or 300 meters far away from us, intervened in the event."

#### **047)- Ümmühan Tekin (14)**

As a result of fire opened for "disobeying stop warnings" at a horse cart by the gendarmes who were controlling the road in Doğankent town of Adana, a child named Ümmühan Tekin was shot to death. Ümmühan Tekin's mother Firdevs Tekin who witnessed the event, said: "The gendarmes stopped us and asked our identities. Later they let us go. We proceeded on the way, but they said "stop" again. Nevertheless, the horse did not stop. Then they started to open fire." Noncommissioned officer Salih Mavili, the commander of the gendarmes who shot Ümmühan Tekin, claimed that the persons in the cart had been escaping after stealing corn from a field, and that they had opened fire as they had not obeyed stop warnings. Ümmühan Tekin was laid to rest after a funeral ceremony in which a crowd of people participated on 27 July. Adana Governor, Naci Parmaksız and Chief of Police, Mete Altan went to Doğankent on the same day, and offered their condolences to the family of Ümmühan Tekin. Naci Parmaksız and Mete Altan who were protested in Doğankent, said that investigations related to the event were continuing and offenders would be punished. After the investigation, the authorities launched a lawsuit against Salih Mavili on charges of "killing a man with intention" and on demand of 20 years' imprisonment. The case was first held in the Second Heavy Penal Court of Adana on 30 September. Mavili stated in the hearing: "I had shot with the authority in accordance with the Turkish Armed Forces Internal Regulations. My intention was not to kill, but to frighten." However, Firdevs Tekin, the mother of the killed girl, said: "Salih Mavili ordered the soldiers to open fire. When the soldiers rejected, he himself opened fire on us."

#### **048)- Zafer Kütük**

Police officer Ali Çimenli who is in charge of Edirne Police Headquarters shot and killed a youth named Zafer Kütük. Ali Çimenli who was detained following the event which took place on 29 July, claimed in his testimony that he had killed Zafer Kütük accidentally. He said: "He insisted on examining my pistol. While I was showing the pistol, it fired suddenly. I was not aware that there was a bullet in the barrel". Ali Çimenli was revealed to be drunk at that time. Relatives of the killed youth indicated that the event was not an accident and told the following:

"The bullet entered through just below his chin and went out from his neck. How could it be an accident? We believe that he opened fire at Zafer on purpose. Indications in the autopsy report that there were blow traces on his body, increase our doubts. We will keep on following the case. Ali Çimenli against whom a trial was launched, was sentenced to 23 years 4 months in prison on 22 October at the end of the trial heard at Edirne Heavy Penal Court No.2.

#### **049)- Yusuf Şekerci**

In Kuşlu village, Bitlis, Yusuf Şekerci died as a result of bombardment by a helicopter at about 11.00 am on 8 August. His wife Gülistan Şekerci was also wounded in the incident. Ali Osman, living in the same village, said the following about the event: "We saw a helicopter flying over the village in the morning. A few minutes later a bomb was launched from it. The house that the bomb fell on was destroyed. We took the family out of the ruin. An hour later soldiers came and recorded the event. They said that the family had died as a result of explosion of a gas tube, and warned us not to accuse the state. They claimed that no bomb had fallen on the house"

#### **050) Sare (Menci) Dirı (65)**

Fire was opened by PKK militants at a special team vehicle patrolling in İdil district of Şırnak on the night of 10 August. The clash which broke out when the special team members in the vehicle opened back fire, lasted about an hour. While the clash was continuing, fire was opened at random with howitzers and automatic guns from the security units in the district. As a result of the fire, a woman named Sare (Menci) Dirı was shot to death and some houses and shops were damaged.

#### **051)- Abdullah Arpacı**

İsmail Gür, a chief security officer in İçel Security Department, killed sportsman Abdullah Arpacı who had intervened in the quarrel between İsmail Gür and his friends. The incident took place in Hotel Oskar on the night of 16 August. İsmail Gür was arrested immediately after the event and sent to Mersin Prison. He said that he had been very drunk that night.

#### **052)- Cennet Ertunç (25)**

Upon the sounds of 7 or 8 gun shots in Çukurca district of Hakkari on 18 August at midnight, fire was opened at random by the security forces in the district. The shooting which took aim at houses and shops around, continued at intervals until morning hours. As a result of the event that caused considerable panic in the district, a pregnant woman named Cennet Ertunç died and 8 people got injured. The gunman nor the reason for those 7 or 8 gun shots which initiated the events, could be discerned.

#### **053)- Hasan Mete (18)**

#### **054)- Muhyettin Önal (37)**

#### **055)- Mehmet Öcal (20)**

Among the 6 persons detained by the security officers who had raided Güzelkaya hamlet of Söğütalan village of Ergani district in Diyarbakır in the last days of August, Hasan Mete, Muhyettin Önal and Mehmet Öcal were executed by shooting. The corpses of those killed were found on the mountainous region opposite Söğütalan Gendarmerie Station. No traces of blows were found on the corpses.

#### **056)- Mustafa Ekmen**

As a result of fire opened by the security officers who raided Acar village of Sason district of Batman, a villager named Mustafa Ekmen was shot dead. The village was raided following an attack carried out by PKK militants on the gendarmerie station near the village on the night of 7 September. In the event, 4 persons named Hüseyin Ekmen, Keleş Ekmen, Nuri Bozkurt and Ferman Ay were wounded and 9 houses were damaged.

**057)- Seyithan Balçık (4)**

**058)- Mesut Balçık (12)**

A house in Cudi quarter of Cizre was raided by the police on 11 September at about 5.00am. In the clash which broke out during the raid, a special team member named Yusuf Parlak and 2 PKK militants died. The house raid caused tension and reactions in Cizre. Upon this, a curfew was announced as of 10.30am in the district. Fire was opened at random from the police panzers which entered into streets following the curfew. As a result of the fire opened by the police, 2 children named Seyithan Balçık and Mesut Balçık died. During the events, 3 persons were wounded, 2 vehicles and one petroleum station were burnt out.

**059)- Yusuf Bozkurt**

**060)- Nesim Akıl (28)**

**061)- Ahmet Duru (65)**

**062)- Nezir Emek (30)**

**063)- Halit Akıl**

Five persons named Yusuf Bozkurt, Nesim Akıl, Ahmet Duru, Nezir Emek and Halit Akıl were killed in fire opened by the security forces who raided Toztepe village of Şırnak on 13 September at about 4.30am, while 2 persons named Ali Ekinci and Nurettin Akıl were wounded. The wounded were taken under treatment at Diyarbakır State Hospital for a long period of time. In a statement made by the Emergency State Region Governorate, it was claimed that a clash had arisen in the mentioned village and 5 PKK militants had been killed in that clash. However, stating that 5 persons were killed during fire opened while they were on the way to work in the coal mine, Cemile Akıl, the wife of Nesim Akıl, said: "They said that they were workers. They shouted 'We are going to the coal mine.' But nobody listened to them. They continued shooting. All of those killed were innocent and poor persons."

**064)- Dursun Gülen (28)**

A man named Dursun Gülen who was shot and wounded in the vicinity of Güzelaşı village of Hazro district in Diyarbakır on 7 September 1993 in shooting by the village guards who had stopped the minibus he had been in, died in hospital on 13 September. There were 3 gun-shot wounds to the chest and one gunshot wound on the neck of Dursun Gülen, who was taken under treatment at Hospital of Diyarbakır Medical Faculty following the incident. The bullet in his neck had caused a paralysis on the lower part of his body.

**065)- Hüseyin Tokal**

Stones were thrown at policemen trying to intervene in a fight between 2 persons on 15 September in Doğubeyazıt district of Ağrı. Upon this, fire was opened at random from a military tank which was at the scene of the incident. During the event which developed when special team members intervened, and continued one hour, 10 persons were shot and wounded. Among the wounded, Hüseyin Tokal died under a military tank which passed over him after he had fainted and was lying on the ground.

**066)- Yeter Güler (18)**

**067)- Bezer Doğar**

War planes raided tents on Munzur Mountains, which were used by the residents of Doğanköy and Payamdüzü villages of Çemişgezek, Tunceli, on the morning on 17 September. A young girl named Yeter Güler was killed in the event. Cemşit Akpolat, Meral Doğar, Bezer Doğar, Hatice Güler, Naim Uyrun and İmam Doğan were also wounded. Bezer Doğar lost her life in hospital. The authorities did not give any explanation regarding the event. However, Tunceli Deputy, Sinan Yerlikaya, made an explanation about the event after his investigation, and said that the bombardment was a retaliation against the death of two soldiers.

### **068)- İbrahim Halil Demirdağ (18)**

As a result of the fire opened by the village guards from Bahçe village of Çermik district of Diyarbakır on the night of 25 September, a youth named İbrahim Halil Demirdağ who was living in the same village, was shot and wounded. İbrahim Halil Demirdağ who died on 27 September at Çermik State Hospital where he was being treated, had reportedly been forced to be a village guard for a long while.

### **069)- Şükrü Gündüz (17)**

A waiter named Şükrü Gündüz was shot dead when the policemen who were controlling the road in Karabük district of Zonguldak on 27 September, opened fire at a car on the grounds that their stop warnings had not been obeyed. Şükrü Gündüz reportedly disobeyed the stop warning as he had been using the car without a driving license. However, it was asserted in the weekly Mücadele dated 9 October 1993 that Şükrü Gündüz had been killed by the policemen coming to the restaurant he was working at, and the event had tried to be closed with the scenario of "escaping from the police."

### **070)- Hava Ergin (23)**

A woman named Hava Ergin lost her life during fire opened by the security officers who raided Gısgis village of Ergani district of Diyarbakır on 29 September. During the event, great damage occurred to the houses in the village. Giving information to journalists as to the event, the villagers said: "We heard gun shots at the midnight. First of all, we thought that a clash had arisen near the village. However, we soon realized that they were firing at the houses we are living in, and we shielded ourselves in the shelters. All the houses in the village were hit. Gun shots continued until morning. Hava Ergin who was not able to go down to the shelter, died with a single bullet to her head."

### **071)- Mehmet Nasır Öğüt**

### **073)- Sevim Öğüt (17)**

### **075)- Şakir Öğüt (7)**

### **077)- Cihan Öğüt (4)**

### **079)- Mehmet Şirin Öğüt (1)**

### **072)- Ayşe Öğüt (40)**

### **074)- Sevda Öğüt (12)**

### **076)- Aycan Öğüt (6)**

### **078)- Çınar Öğüt (3)**

A noncommissioned officer named Mustafa Uçar and a PKK militant died and 2 security officers were wounded in the clash that arose in Altınova town of Hasköy district in Muş on the night of 2 October. Upon the death of a noncommissioned officer, reinforcements were sent to the town and an operation was started on 3 October. During the operation, fire was opened at random and some houses were burnt down and 9 persons, 7 of whom were children, in one of the burnt houses, were burnt to death. The incident was made public as follows: "Raiding a house, PKK militants killed 9 persons, 7 of whom were children." In a statement he made after the incident, Altınova Mayor, Baki Duygu, reacted to the attempts made in order to reflect the event as an attack by the PKK militants, and said, "What is to be done is to clarify the facts in such a way that everybody can be aware of them. In order to examine the incidents in the place where they had occurred, I invite a delegation of both human rights representatives and deputies from all parties to Altınova". Upon this, a delegation, including Van Deputy Remzi Kartal, Siirt Deputy Naif Güneş and the İHD Van Branch Chairman, Nazmi Gür, made examinations in Altınova. İsa Öğüt, a relative of Mehmet Nasır Öğüt who was burnt to death, described the raid to the delegation members as follows: "Sounds of gun fire and artillery shots came from outside of the town at 3.00am in the morning. The security officers who entered in the town afterwards, searched the houses first. During the searching, they seized our valuable things, money, jewellery and licensed guns. Then, they fired on the houses and burnt down some of them. They

burnt the fodder of our animals, and the dried dung and the wood that we had prepared for winter."

**080)- Çiğdem Olgun (18)**

A woman named Çiğdem Olgun coming from Mersin to İstanbul for a trip with her family, was shot to death on the highway in the vicinity of Göztepe by a policeman named Aslan Yardımcı working at Küçükbakkalköy Police Station. Informing the newspapers, Çiğdem Olgun's father Seyit İhlamur said, "We were coming from Mersin in my car. We stopped near the bridge. My daughter got far away to go to the toilet. Shortly afterwards, some women got near the car and said that my daughter had been shot. They had recorded the number of the car of the person who had shot my daughter. It was discerned that the person who had shot my daughter was a policeman. In my opinion, the policeman beset my daughter. Upon her resistance, he drew his gun and killed her." After the event, the police authorities trying to back Aslan Yardımcı said the following: "The incident area is a place where some women rob cars after stop-ping them under the pretext of asking about an address. Aslan Yardımcı, who had been passing through the area on the day of the incident, had seen some women waiting near the highway and after drawing his gun he had started to run after the women. Aslan Yardımcı had stumbled because of a stone on his way and had fallen down. Hence his gun had gone off. By the time the women had disappeared. Aslan Yardımcı does not know whether there had been anybody shot or not." Aslan Yardımcı was arrested on 13 October and a trial was launched against him. The prosecution started at Kadıköy Heavy Penal Court No.2 on 16 November. In the indictment heard in the trial, Aslan Yardımcı was demanded to be sentenced up to 24 years in prison for "killing a person with the intention of murder". Testifying in the hearing, Aslan Yardımcı as-serted that he had accidentally shot Çiğdem Olgun.

**081)- Hayali Zengin (35)**

A person named Hayali Zengin was shot dead by the village guards who raided Çavundur village of Lice district of Diyarbakır on 22 October. Before leaving the village, the village guards also burnt the houses of Abdullah Çelik, Ahmet Baran, Cevdet Aksoy, Emin Baran, Ali Baran, Mehmet Baran, Mahmut Baran and Samet Aydemir. The persons living at the village stated that they were not able to maintain any results from the applications they had made to the official authorities.

**082)- Mehmet Sıddık Toktaş (80)**

**083)- Selam Toktaş (36)**

**084)- Ayşe Toktaş (26)**

**085)- Nafiz Toktaş (23)**

**086)- .... (Driver)**

Zengök village in which the relatives of Muş Deputy Sırrı Sakık lived, was evacuated by the security officers in October. A person named Mehmet Sıddık Toktaş who went to the village in a truck he rented on 22 October in order to take his belongings when he heard this information, his 3 relatives and the driver of the truck were executed by shooting in the village by the persons who were supposedly "security officers." Subsequently, the corpses of the killed persons were burnt with gasoline poured and were left separately in the vicinity of the village. The corpses were found by the villagers on 25 and 26 October. Mehmet Sıddık Toktaş and his relatives reportedly went to the village after taking permission from the security officers in Muş. The incident was brought into the agenda of the Assembly by Sırrı Sakık.

**087)- Turgut Berzan Kahraman (12)**

During a clash which arose between a PKK militant and the police in Kızıltepe district of Mardin at noon hours on 22 November, the PKK militant was killed. A child named Turgut Berzan Kahraman also died after a bullet hit his head during the incident. Salih Kahraman, the

father of Turgut Berzan, said that his son had been shot with a bullet from a panzer firing at random. Kızıltepe Public Prosecutor Faysal Akpolat said: "According to the autopsy result, the child died as a result of a bullet that hit his head. I cannot know whether the bullet belongs to the policemen or to someone else. Because we have neither the cadre nor the shell of the bullet in our hands. If the incident was caused by the police, the required legal procedure against the policeman will be carried out."

#### **088)- Behiye Kızılkaya**

Fire was opened at the public buildings from different regions of Cizre at about 8.00pm on 24 November by PKK militants. Security forces in the district immediately replied to the fire and started to open running fire with automatic guns and howitzers. Gunshots were heard in the district until 4.00am. A woman named Behiye Kızılkaya who was in a house hit by a howitzer died, and her husband Salih Kızılkaya and her son Kadir Kızılkaya were wounded. In addition, damage occurred on a number of houses and shops in the district. Şırnak Deputy Orhan Doğan said that the security forces had also bombed his house on the pretext of the incidents.

#### **089)- İsa Koçbaş (15)**

A child named İsa Koçbaş was shot dead and a man named İbrahim Eksik was severely wounded as a result of the fire opened at random by the security forces who raided Tecirli village of İğdır on 7 December. İsa Koçbaş, who was killed during the raid, was denounced publicly as "a PKK militant killed in a clash". Making a statement following the incident, villagers of Tecirli said: "Special team members coming to the village opened running fire. Many people were shot and wounded. One of them was İsa Koçbaş. Afterwards, they kicked İsa who was lying down on the ground and fired at him again."

#### **090)- Ömer Dal**

#### **091)- Osman Akıl**

The corpses of two persons named Ömer Dal and Osman Akıl who had been executed by shooting by the security officers who had been patrolling at Kasrik Pass between Cizre and Şırnak, were found on 10 December. The incident was accepted as a "murder by unknown assailants" without making any examination, and the investigation was subsequently closed. However, it was revealed that Ömer Dal and Osman Akıl had been killed by a village guard named Kamil Bayar living in the Kemerli village. Making a statement related to the incident, Ömer Dal's sister Rahime Dal said: "Kamil Bayar, had been continuously threatening to kill us since I had not married him. While coming to Cizre, my brother and his friend had been first detained by the soldiers and then surrounded by the village guards. Then village guard Kamil Bayar killed him. They have been trying to present the incident as an accident." Rahime Dal added that they had wanted to make an official complaint related to the incident, but nobody at the prosecution office had been interested in their problems.

#### **092)- Halil Leco (13)**

#### **093)- Nuray Leco (16)**

A clash broke out between a group of TİKKO (Workers' Peasants' Liberation Army of Turkey) militants who came to Çemberlitaş village of Ovacık district in Tunceli on 13 December, and the soldiers who were in the village. During the clash, 2 children named Halil Leco and Nuray Leco were wounded because of fire opened at random by the soldiers. The wounded children who remained at the village as they could not be taken to the hospital, died on 14 December. A villager living in Çemberlitaş said the following about the event: "The children were shot on purpose. Halil Leco was playing with a ball when he was shot. We had been three-

atened to be killed for a long period of time in order to evacuate the village. They inflicted various shorts of pressure in order to make us leave the village."

**094)- Mahmut Çevik**

**096)- Reşit Direkçi**

**098)- ....**

**095)- Şeyhmuz Çevik**

**097)- ....**

Five youths who were taken outside the village by the security officers who raided Siyahkaya village of Silopi district of Şırnak on 13 December, were executed by shooting. The names of 2 of those killed could not be revealed. A relative of the killed Mahmut Çevik and Şeyhmuz Çevik said: "I did not witness the event, but according to the information I got, the gendarmes had come to the village and had made a search. During the search, no criminal elements had been found. Then, they had left the village taking 5 youths with them. After a short time, we heard gun shots. People living in the village had gone to the direction where the sounds of gun shots had come from, and found the corpses of the 5 youths. Official authorities publicized those 5 persons as PKK militants killed in a clash." The killed youths were laid to rest in Siyahkaya village on 15 December. In a news story which was published in the news-paper Aydınlık dated 16 December 1993, the following was asserted: "The special team members who wanted to execute the youths by shooting, were first prevented by the soldiers, but when the soldiers left the region, the youths were killed by the special team members."

**099)- Levent Sevilen (Noncommissioned officer)**

A noncommissioned officer named Levent Sevilen was killed as a result of fire opened at a vehicle by the policemen controlling the road on Cento Street in Seyrantepe quarter of Diyarbakır for disobeying their "stop warning", on the evening of 19 December. A clash broke out when another noncommissioned officer named Adnan Onay who was with Levent Sevilen, opened fire at the policemen. Adnan Onay was severely wounded during the clash. The non-commissioned officers were revealed to have consumed alcohol.

**100)- Abdülhâni İğdem**

**102)- Hüseyin Duman**

**104)- İbrahim Özer (30)**

**101)- Fesih Kaya (41)**

**103)- İsmail Gül (53)**

Security officers controlling the road in the vicinity of Melekli town of Karakoyunlu district in İğdır on 23 December, opened fire at a minibus, carrying villagers of Hasanhan, on the grounds that their stop warnings were ignored, and as a result, Abdülhâni İğdem, Fesih Kaya, Hüseyin Duman (headman of Hasanhan village), İsmail Gül and İbrahim Özer, were killed. The aforesaid 5 persons were made public as "the PKK militants killed during a clash." The incident was regarded with indignation in Hasanhan village. Villagers made a statement and said: "Security forces had raided our village several times. They ordered us to work as village guards. As we did not accept to be village guards, they fired at the minibus."

**105)- Ahmet Acar (18)**

Ahmet Acar was shot dead in the fire opened by the village guards named Sabri Güldal, Ahmet Yetiş and Salih Gezer in the city center of Van on 28 December. Asserting that his son was killed because of a blood feud, Hacı Acar, the father of Ahmet Acar, said that the village guards who had killed his son continued to work despite the complaints he had made, and no legal procedure had been started against them. Stating that Hakkari İmam Hatip High School Director Adil Gezer had ordered his son to be killed, Hacı Acar said: "Nothing was done against the school director. The state is giving salaries to murderers."

**106)- İdris Güler**

Security officers controlling the road in the vicinity of Üçgöze village on 15 December opened fire at a truck on its way to Esnemez village of Doğubeyazıt. As a result of the fire, İdris Güler who was driving the truck, was seriously wounded and Müslüm Keleş and Nusret Çelik were slightly wounded. The wounded persons stayed at the scene of the incident for about 8 hours, and were then taken to Erzurum State Hospital. İdris Güler died on 9 January 1994 at hospital. The bullets which caused the death of İdris Güler were revealed to be fired from the gun of noncommissioned officer Mustafa Ersoy. Stating that the official complaint they had made to the Doğubeyazıt Public Prosecution Office had been refused, the relatives of İdris Güler said that the event was attempted to be hushed up through the scenario of "smuggling."

#### **107)- Mehmet Sait Elmas**

Ergüven village of Kurtalan district of Siirt was raided by the security officers on 15 December. The security officers gathered the villagers in the village square, beat some of them and conducted searches in the houses. While leaving the village, the security officers took Mehmet Sait Elmas together with them. The corpse of Mehmet Sait Elmas, executed by shooting, was found in the vicinity of the village on 16 December. He had been detained twice on charges of "helping and sheltering PKK militants".

#### **108)- Reşit Kalkan**

On 10 January, fire was opened from a helicopter at two persons working in their fields near Kasrik Pass between Cizre and Şırnak, and as a result, a youth named Reşit Kalkan died, his elder brother Mecit Kalkan was wounded. No official statement was made as to the event.

#### **109)- Nurettin Aktaş**

Taxi driver Nurettin Aktaş living in Altınova town of Hasköy district of Muş, was found dead on the Hasköy-Tatvan road on 2 September. First, the events was announced as a murder by unidentified assailants. However, it was revealed that Nurettin Aktaş had been killed by village guards. Relatives of Nurettin Aktaş said the following about the incident: "ID card and the driving license of Nurettin had been seized by the security officers during a check in Hasköy. Since he had no identification document, he was detained by the village guards controlling the road. The village guards tortured and then killed Nurettin. His corpse was found 3 days after he had been killed. We could hardly recognize his body."

In 1993, many people were wounded or crippled as a result of fire opened at random or during the raids carried out by the security officers with various reasons. Following are some interesting examples determined by the HRFT on this subject:

The demonstration held by a crowd of about 1000 people in order to support the PKK in Yenipazar quarter of Mersin, was obstructed by the police using force. When the demonstrators did not disperse, fire was opened at the demonstrators and tear gas bombs were thrown. During the events, 13 persons were wounded, 3 of whom with bullets, and more than 100 people were detained. The names of the wounded are as follows: "Mustafa Çalış, Halime Bayhan, Murat Dekale, Bahattin Akyürek, Beşir Atar, Celal Pekkanat, Halime Ceyhan, Hikmet Nas, Murat Turgut, Meral Tokat, Ali Budar, Sadık Dayan and Şadi Onanç".

A young girl named Mualla Düzgün (22) who was hanging posters about "1 May Worker's Day" in Esenyurt quarter of İstanbul, was shot by gendarmes and wounded. It was claimed that Mualla Düzgün had not obeyed stop warnings.

A youth named Bahri Aslan (24) was wounded because of fire opened by the security officers who raided Kırıkbulak village of Palu district in Erzurum on 7 May. Bahri Aslan who was

wounded by the bullets which hit his stomach, leg and hip, was treated at Elazığ Fırat University Hospital for a considerable time.

In the meantime, a house raid carried out by the police in Ankara on the night of 13 May, was put off without any deaths or injuries by sheer luck as there was nobody in the house. The event took place as follows: A house in Kardelen ward of Batıkent quarter in Ankara was raided by the police at about 11.00pm. Entering the house by breaking down its door, the policemen began to open fire in the house. After the raid which caused damage, the policemen did not leave the house and waited inside till morning. The raided house was examined by a delegation headed by Kazım Genç, Ankara Branch Chairman of the Contemporary Jurists Association, on 18 May. After the examination, it was determined that the frontdoor of the house had been broken, fire had been opened at the armchair in the living room, and among the bullets which hit the armchair, 8 bullets sank into the wall after piercing through the armchair.

Policemen patrolling in Bahçelievler quarter of İstanbul on the morning of 24 May opened fire at a car on the grounds that their stop warnings had been disobeyed. As a result of the fire, an Iraqi citizen named Celal Rasol who was driving the car, was severely wounded. Another Iraqi citizen named Ruşen Nefci who was also in the car, escaped from the event without any wounds. It was reported that the aforesaid Iraqi citizens did not speak Turkish.

While examining a truck which he had bought a short time before, transporter Levent Naim Çağın was shot wounded by the policemen patrolling in Alinteri Street in OSTİM, Ankara on the night of 3 June. Levent Naim Çağın was reportedly shot for looking like a theft. Levent Naim Çağın who was hospitalized after the event, said: "I went to the scene in order to see the new truck that I bought. While I was examining it, someone shouted 'Surrender!'. Then I tried to escape in a bewildered and frightened manner. At that time they opened fire at me."

A shepherd named Sinan Süvari (22) who was grazing animals near the Armenian border in Çıldır district of Ardahan, was severely wounded because of the fire opened by the soldiers patrolling in the region. As a result of the investigation launched into the incident which took place on 30 July, an enlisted man named Alaattin Koç was arrested.

Two men named Yakup Okumuş (34) and Osman Tarlacı (24) who were in a minibus and who disobeyed the stop warnings made by the police officers controlling the road in Rahmanlar quarter of Kartal, İstanbul on the night of 25 December, were shot and wounded. The 2 persons who were taken for treatment at hospital, recovered in a short time. It was determined that Yakup Okumuş and Osman Tarlacı had not obeyed stop warnings because they had been too drunk during the incident.

#### **d) Deaths as a result of mines and unclaimed bombs**

In the Emergency State Region a total of 123<sup>(\*)</sup> persons who stepped on mines planted on roads or fields, or who tampered with unclaimed bombs they had found, died as a result of explosions (In 1992, this number was 38). In addition, more than 100 persons were wounded as a result of these kinds of explosions. Most of the wounded people became disabled because they lost hands, arms or feet. Many of these incidents happened on village roads, in the regions close to the border and in the vicinity of military zones. Following is the information gathered about the persons who died as a result of such explosions:

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(\*) This number does not comprise soldiers, policemen, special team members, village guards or PKK militants who died in mine explosion.

Name and surname	Date of event	Place of event
001)- Hasan Ayaz (62)	06 February 1993	Around Midyat-Ortaca village
002)- Sabri Cebe (44)	06 February 1993	Around Midyat-Ortaca village
003)- Said Akyüz (56)	06 February 1993	Around Midyat-Ortaca village
004)- Muhiddin İnan (55)	06 February 1993	Around Midyat-Ortaca village
005)- Caziye Kılıç (55)	06 February 1993	Around Midyat-Ortaca village
006)- Ali Işık (56)	06 February 1993	Around Midyat-Ortaca village
007)- Orhan Savcı (63)	06 February 1993	Around Midyat-Ortaca village
008)- Ziver Aydın (13)	28 March 1993	Around Nusaybin-Tepeüstü village
009)- Mehmet Aydın (11)	28 March 1993	Around Nusaybin-Tepeüstü village
010)- Mehmet Gök (16)	25 March 1993	Around Adana-Osmaniye
011)- .... (10)	25 April 1993	Around Mardin-Dargeçit
012)- Hüseyin Talay (15)	02 May 1993	Around Tunceli-Çıralı village
013)- Murat Dursun (15)	16 June 1993	Around Kulp-Konuklu village
014)- Ayşe Ateş (60)	17 June 1993	Around Cizre-Dirsekli village
015)- Asiye Ateş (40)	17 June 1993	Around Cizre-Dirsekli village
016)- Feyruz Ateş (10)	17 June 1993	Around Cizre-Dirsekli village
017)- Fatma Güngör (1)	17 June 1993	Around Cizre-Dirsekli village
018)- Sadettin Yıldırım	29 June 1993	Around Sason-Gürgenli village
019)- Mithat Şahin	29 June 1993	Around Sason-Gürgenli village
020)- Mehmet Tiryaki	29 June 1993	Around Sason-Gürgenli village
021)- Nesim Erzan	02 July 1993	Around Şırnak-Güçlükonak
022)- Ahmet Erkoca	02 July 1993	Around Şırnak-Güçlükonak
023)- ....	02 July 1993	Around Şırnak-Güçlükonak
024)- ....	02 July 1993	Around Şırnak-Güçlükonak
025)- Ethem Ekmen	04 July 1993	Around Sason-Yücebağ village
026)- Ramazan Çetinkaya	04 July 1993	Around Sason-Yücebağ village
027)- Kadir İğlek	04 July 1993	Around Kars-Bayraktar village
028)- Fahir Görmüş	04 July 1993	Around Kars-Bayraktar village
029)- Erhan Yılmaz (20)	08 July 1993	Around Hizan-Horozderesi village
030)- Mehmet Sırkan (14)	12 July 1993	Around Eruh-Dikboğan village
031)- Abdullah Bahadır	14 July 1993	Between Muş-Hasköy
032)- Suat Kınık	14 July 1993	Between Muş-Hasköy
033)- Adnan Kılıç	15 July 1993	Between Cizre-Silopi
034)- Osman Sakin (9)	16 July 1993	Around Nusaybin (border)
035)- Uğur Gümüş (9)	16 July 1993	Around Nusaybin (border)
036)- Alaattin Gümüş (12)	16 July 1993	Around Nusaybin (border)
037)- Nusret Kan	23 July 1993	Yüksekova-Pirinçeken village
038)- Azettin Kan	23 July 1993	Yüksekova-Pirinçeken village
039)- Abdurrahman Çifçi	26 July 1993	Around Derik-Pirinçli village
040)- Abdi Çifçi	26 July 1993	Around Derik-Pirinçli village
041)- Emin Özdemir	30 July 1993	Around Silopi-Görümlü village
042)- Mecit Vural	30 July 1993	Around Silopi-Görümlü village
043)- Hasan Demir (60)	31 July 1993	Around Hakkari-Tarlabası village
044)- ..... (Child)	01 August 1993	Around Çukurca-Harput village
045)- Selahattin Mendüş	01 August 1993	Around Silvan-Onbaşılar village
046)- Mehmet Mendüş	01 August 1993	Around Silvan-Onbaşılar village
047)- Mehmet Kaygu	02 August 1993	Around Eruh
048)- Ömer Turan	08 August 1993	Around Şırnak-Kırıkkaya village
049)- Mehmet Ali Çıkmaz	08 August 1993	Around Şırnak-Kırıkkaya village
050)- Emin Bilik	08 August 1993	Around Şırnak-Kırıkkaya village

051)- Fatma Ayaz	08 August 1993	Around Şırnak-Kırıkkaya village
052)- Abdurrahman Doğan (10)	12 August 1993	Şırnak-İdil district
053)- Rızgari Hasan	14 August 1993	Şemdinli-Derecik (border)
054)- Yusuf Ahmedi	14 August 1993	Şemdinli-Derecik (border)
055)- Hamit Çelebi	15 August 1993	Around Dargeçit
056)- Aziz Akgül	13 September 1993	Around Ömerli-Kayadere village
057)- Necdet Akgül	13 September 1993	Around Ömerli-Kayadere village
058)- Hüseyin Demirkıran	13 September 1993	Around Ömerli-Kayadere village
059)- Cevdet Akgül	13 September 1993	Ömerli-Kayadere village
060)- Mehmet Emin Emen	13 September 1993	Ömerli-Kayadere village
061)- Hami Özer	13 September 1993	Ömerli-Kayadere village
062)- ..... (Child)	14 September 1993	Around Cizre-Subaşı village
063)- ..... (Child)	14 September 1993	Around Cizre-Subaşı village
064)- Ömer Dayan	18 September 1993	Around Uludere-Uzundere village
065)- Salih Dayan	18 September 1993	Around Uludere-Uzundere village
066)- A.K. (12)	30 September 1993	Around Ömerli
067)- Cemil Keleş (50)	04 October 1993	Around Midyat-Kayalar village
068)- Nezir Ağırman (40)	04 October 1993	Around Midyat-Kayalar village
069)- Nevaf Ağırman (6)	04 October 1993	Around Midyat-Kayalar village
070)- Nuri Ağırman (32)	04 October 1993	Around Midyat-Kayalar village
071)- Bekir Ağırman (35)	04 October 1993	Around Midyat-Kayalar village
072)- Şakir Ağırman (2)	04 October 1993	Around Midyat-Kayalar village
073)- Felemez Ağırman (35)	04 October 1993	Around Midyat-Kayalar village
074)- Salih Ağırman (37)	04 October 1993	Around Midyat-Kayalar village
075)- Bedri Ağırman (28)	04 October 1993	Around Midyat-Kayalar village
076)- Senan Ağırman (1,5 month)	04 October 1993	Around Midyat-Kayalar village
077)- Halime Ağırman (32)	04 October 1993	Around Midyat-Kayalar village
078)- Bekir Ağırman (5)	04 October 1993	Around Midyat-Kayalar village
079)- Suat Ağırman (4)	04 October 1993	Around Midyat-Kayalar village
080)- Şakir Ağırman (25)	04 October 1993	Around Midyat-Kayalar village
081)- Pero Ağırman (30)	04 October 1993	Around Midyat-Kayalar village
082)- Gule Ağırman (32)	04 October 1993	Around Midyat-Kayalar village
083)- Hüseyin Aybar (37)	04 October 1993	Around Midyat-Kayalar village
084)- Can Akyüz (7)	04 October 1993	Around Midyat-Kayalar village
085)- Şehnaz Akyüz (4)	04 October 1993	Around Midyat-Kayalar village
086)- Hano Akyüz (19)	04 October 1993	Around Midyat-Kayalar village
087)- Şeyhmuz Aktekin (28)	04 October 1993	Around Midyat-Kayalar village
088)- Ömer Aktekin (30)	04 October 1993	Around Midyat-Kayalar village
089)- Mahuza Atuş (25)	04 October 1993	Around Midyat-Kayalar village
090)- Esmâ Yeşilmen (55)	04 October 1993	Around Midyat-Kayalar village
091)- Rafet Atuş	04 October 1993	Around Midyat-Kayalar village
092)- Davut Akpınar	04 October 1993	Around Midyat-Kayalar village
093)- Hikmet Yılmaz (36)	18 October 1993	Around Hizan-Harman village
094)- Fehmi Yılmaz	18 October 1993	Around Hizan-Harman village
095)- Ali Rıza Şahin	18 October 1993	Around Adıyaman-Uzunköy
096)- ....	19 October 1993	Around Savur-Kaynaratepe village
097)- ....	19 October 1993	Around Savur-Kaynaratepe village
098)- Hayrettin Kağba	26 October 1993	Around Beşiri-Kum village
099)- Fadıl Demirhan	26 October 1993	Around Beşiri-Kum village
100)- Kadriye Gökburun (14)	29 October 1993	Pazarcık-Demirçelik village
101)- Göknur Gökburun (12)	29 October 1993	Pazarcık-Demirçelik village
102)- Mesut Gökburun (8)	29 October 1993	Pazarcık-Demirçelik village
103)- Ayhan Gökburun (6)	29 October 1993	Pazarcık-Demirçelik village

104)- Yusuf Gökburun (4)	29 October 1993	Pazarcık-Demirçelik village
105)- Deniz Oruk (12)	29 October 1993	Pazarcık-Demirçelik village
106)- Fatih Gülergöz (12)	00 October 1993	Çatak-Yukarınarlıca village
107)- Mehmet Çevik (10)	06 November1993	Around Cizre
108)- Hakan Işık (10)	06 November1993	Around Cizre
109)- Selim Uyanmaz (8)	06 November 1993	Around Cizre
110)- Hanna Aydın	01 December 1993	Around Midyat-Ağılı village
111)- Osman Dursun (41)	01 December 1993	Around Dargeçit-İzbırak village
112)- .... ..	01 December 1993	Around Dargeçit-İzbırak village
113)- .... ..	01 December 1993	Around Dargeçit-İzbırak village
114)- .... ..	01 December 1993	Around Dargeçit-İzbırak village
115)- .... ..	01 December 1993	Around Dargeçit-İzbırak village
116)- Mehmet Şen	05 December 1993	Around Eruh-Erenkaya village
117)- Ahmet Şen	05 December 1993	Around Eruh-Erenkaya village
118)- Selim Akay	14 December 1993	Between Eruh-Güçlükönak
119)- Mehmet Karahan	14 December 1993	Between Eruh-Güçlükönak
120)- Ramazan Akça	14 December 1993	Between Eruh-Güçlükönak
121)- Mehmet Reşit Gültekin	15 December 1993	Around Arıcak-Erimli village
122)- Ahmet Korar	15 December 1993	Around Arıcak-Erimli village
123)- Mahmut Akbulut	22 December 1993	Around Midyat-Güngören village

## CAPITAL PUNISHMENT

The use of the death penalty was put on the agenda in Turkey after a long period of time in 1993. Intensified PKK attacks and activities brought about the need for capital punishment as passed by court judges. Requests for implementation of death penalties were firstly broached by certain generals in the meeting of the National Security Council in October. Then the Ankara SSC Prosecutor Nusret Demiral demanded that new provisions should be arranged in lieu of Articles 140, 141, 142 and 163 of the Turkish Penal Code which had been lifted, whereby, trials should be accelerated and capital punishment should be carried out. Within this framework, certain deputies of the True Path Party (DYP) and of the Motherland Party (ANAP) made similar statements demanding immediate introduction of capital punishment.

Conditions of Turkey enable people who are in favour of death penalties to disclose their thoughts comfortably. For instance, making a statement DYP Erzurum Deputy İsmail Köse said: "Sentences to be judged for terrorism activities must involve capital punishment. The ANAP Government took over 250 capital punishment files from the 12 September Government. However, capital punishment was never executed. I consider that execution will prevent terror." Welfare Party Ankara Deputy Melih Gökçek, who is also a member of the Parliamentary Justice Commission, made a statement in November and displayed his view in favor of the execution of death penalties. Suggesting that death penalties should be ratified by relatives of the aggrieved and not by the National Assembly, Melih Gökçek said: "I am an advocate of the right to life. Nobody has the right to kill another. If a person kills, they must get what they deserve. But the sentence must be decided on by relatives of the killed person not by the National Assembly or the President".

In Turkey, where a total of 588 people were executed during the 70-year republic period, the last death penalty was carried out on 25 October 1984. Nevertheless, reactions at home and abroad against capital punishment prevented further death penalties from being carried out. In addition, the "Law to Fight Terrorism" which came into force on 12 April 1991, has foreseen not to carry through death penalty decisions judged for the crimes committed by this time or to be committed, and instead to commute death penalties into life imprisonment. This application provided a temporary comfort on the matter of the death penalty which had been on the agenda of Turkey for some years. However, the presence of the criminal articles of laws which foresee the death penalty was still a threat. The events occurring starting from November showed how important this threat was.

While debates on capital punishment were continuing, the Parliamentary Justice Commission considered the execution of death penalties and on 10 November started examining files of convicts Seyfettin Uzundiz and Hüseyin Taşkın who had been sentenced to the death penalty. As a result of the first examinations, it was revealed that Hüseyin Taşkın might benefit from temporary article 4 of the Law to Fight Terrorism foreseeing commutation of death penalties into imprisonment terms given for crimes committed before 12 April 1991 . The file concerning Hüseyin Taşkın was then sent back to the Ministry of Justice. Hereupon, the case of Seyfettin Uzundiz was dealt with.

The meeting of the Commission during which the case of Seyfettin Uzundiz was discussed, was a very tense one. Justice Minister Seyfi Oktay who took the floor in the meeting, stated the following: "No death penalty has been carried out for a long time and should not be carried out in the future, either." But, his words drew a reaction from the Justice Commission Chairman, Cemal Şahin. Reminding the participants that he had prepared a draft bill to remove death penalties, Cemal Şahin said that the inscription signed by Süleyman Demirel(\*) and sent to Parliamentary Justice Commission through the Minister of Justice had objected to lifting the penalty of death, and he accused the Justice Minister of applying double-standards. Hereupon, Seyfi Oktay stated that his party (SHP) was against capital punishment, but no consensus could be reached because of the divergence between the DYP, the right wing of the coalition government and the SHP. Indicating that repealing capital punishment should be examined in a wide frame by the government, Seyfi Oktay said the following as a response to Cemal Şahin's criticisms: "Are we debating here repeal of capital punishment or its implementation?" The Commission halted its studies because of the length of discussions.

In a meeting held on 17 November, the Parliamentary Justice Commission decided on execution of the death penalty against Seyfettin Uzundiz (29). The decision was taken with the votes of 9 deputies from the True Path Party, the Motherland Party and the Welfare Party. Pursuant to the sentence execution system in Turkey, a death penalty decision adopted by the Commission, is submitted for approval of the National Assembly in the form of a draft bill. In case of the decision being ratified by the National Assembly, it is sent to the President for approval. If it is approved by the President, the convict is executed by hanging.

Seyfettin Uzundiz, against whom the death penalty was judged, had attempted to rob a drapery in Kartaltepe quarter of İstanbul on 15 August 1991 and had killed Vehbi Öztürk and Hilmi Öztürk who were the owners of the shop. Seyfettin Uzundiz who had been apprehended by the police one day later, had been tried by İstanbul Criminal Court No.1 and sentenced to the death penalty on 26 October 1992 on charges of "murder with the aim of usurpation". The death penalty convicted to Seyfettin Uzundiz was approved by the Supreme Court in 1993 and the related file was sent to the National Assembly.

Approval of the aforesaid death penalty decision by the Parliamentary Justice Commission caused great reactions at home and abroad. Many international organizations,

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(\*) In the aforesaid inscription signed by Süleyman Demirel while Prime Minister, he stated that the government did not think the draft foreseeing commutation of death penalty into life imprisonment was proper. In the inscription sent to the National Assembly, Süleyman Demirel stated: "Because of its dissuasiveness the penalty in question is in force in the countries where the rate of crimes committed are high. The death penalty provides a deterrent due to the social and cultural structure of our country and because of security problems and reactions occurring as a result. It is thought that the death penalty should remain in force for more time from the view of public order".

particularly Amnesty International, protested the decision. It also provoked reactions from all parts of Turkey, firstly from the Human Rights Association and human rights advocates. The event animated the debates on the death penalty which had died down for years. Because of intensive reactions, the decision in question was not submitted to the National Assembly and was suspended. However, suspension of the decision does not remove the threat on the execution of Seyfettin Uzundiz. He celebrated the new year with the fear of being executed.

After the issue of execution of death penalties was put on the agenda, the Turkish Medical Association made a meaningful call. In a statement made by the Central Council of the Turkish Medical Association (TTB) it was demanded that doctors not be present during and following execution of death penalties. In the statement it was reminded that death penalties were again brought into the Turkey's agenda and said: "The fact that the death penalty for a convict named Seyfettin Uzundiz comes into the National Assembly's agenda, is an indicator that Turkey is far from being a contemporary country in the world on the threshold of the 21st century". It was added, "Examination of a convict before the execution and contribution to determining whether the execution has been accomplished or not, by the doctors who devote themselves to the protection of life, cannot be accepted. We demand that laws dispensing with the presence of a doctor during the execution of death sentences should be amended in accordance with the decisions by the World Medical Association and TTB congress. We think the contradiction that the doctors whose duties are to keep human beings alive, take place in the killing of a person, may thus be canceled. We, the members of the Central Council of the TTB, proclaim that in case of being charged during the execution of a death sentence we will not, by any means, accept such a duty."

In 1993, various developments were also observed on capital punishment, along with the case of Seyfettin Uzundiz. The number of the trials launched with demand of death penalty rose incredibly. In addition, death penalty decisions judged by courts increased. Death penalty decisions and trials with demand of death penalty intensified after the PKK increased the dose of its attacks in the second half of the year.

Ankara SSC Prosecution Office made numerous applications to the Chairmanship of the National Assembly in order to launch trials demanding the death penalty against the Democracy Party-member deputies. The number of those applications reached 20. Further-more, immunity of DEP deputies were lifted. Parliamentary Justice-Constitution Mixed Commission, decided on 23 December to lift immunities of the Democracy Party Chairman Hatip Dicle and DEP Diyarbakır deputy Leyla Zana, Mardin deputy Ahmet Türk and Şırnak deputy Mahmut Alınak. DEP Şırnak deputies Orhan Doğan and Selim Sadak and Muş deputy Sırrı Sakık were later included in the case of those whose immunities were wanted to be lifted. The decisions in question were ratified by the General Meeting of the National Assmbly in 1994. In addition, the immunity of İstanbul Deputy Hasan Mezarıcı, who had left the Welfare Party was lifted, too. The deputies whose immunities had been lifted were detained. Out of the detained deputies Hatip Dicle, Leyla Zana, Mahmut Alınak, Ahmet Türk, Sırrı Sakık and Orhan Doğan were arrested. Repeal of the immunities of the aforesaid deputies will not prevent continuation of their being deputies.

According to HRFT determinations, a total of **34** persons received the death penalty in 1993. The number of trials launched with the demand of the death penalty exceeded **200**. The following are the defendants demanded to be sentenced to death penalty in 1993:

<u>Name of Convict</u>	<u>Charge</u>	<u>Court responsible</u>	<u>Stage of the case</u>
01)- Seyfettin Uzundiz	Judicial-Murder	Supreme Court	N.Assembly
02)- Cemalettin Cenap Arıcı	Polit.-PKK	Diyarbakır SSC	Supreme C.
03)- Nimet İğraç	Polit.-PKK	Kayseri SSC	Supreme C.
04)- Muhammed Taşdemir	Polit.-PKK	Kayseri SSC	Supreme C.
05)- Mehmet Sinci	Polit.-PKK	Kayseri SSC	Supreme C.
06)- Hüsnü Özcan	Polit.-PKK	Kayseri SSC	Supreme C.
07)- Ahmet Gülmezoğlu	Polit.-PKK	Kayseri SSC	Supreme C.
08)- Abdullah Sönmez	Polit.-PKK	Kayseri SSC	Supreme C.
09)- Abbas Alkan	Polit.-PKK	Kayseri SSC	Supreme C.
10)- Erol Özpolat	Polit.-DS	Ankara SSC	Supreme C.
11)- Hasan Yağız	Polit.-PKK	İzmir SSC	Supreme C.
12)- Osman Demir	Polit.-PKK	İzmir SSC	Supreme C.
13)- Selahattin Mete	Polit.-PKK	İzmir SSC	Supreme C.
14)- Ercan Şanlı	Judicial-Murder	İzmir Crimi. Court	Supreme C.
15)- İsmail Ekinbiçer	Judicial-Murder	İzmir Crimi. Court	Supreme C.
16)- Salih Oğuz	(*) Polit.-PKK	Diyarbakır CM.	Supreme C.
17)- Mehmet Emin Armutlu	(*) Polit.-PKK	Diyarbakır CM.	Supreme C.
18)- Ali Artuk	(*) Polit.-PKK	Diyarbakır CM.	Supreme C.
19)- İrfan Babaoğlu	(*) Polit.-PKK	Diyarbakır CM.	Supreme C.
20)- Mehmet İzzet Baykal	(*) Polit.-PKK	Diyarbakır CM.	Supreme C.
21)- Mehmet Fahri Çifkuş	(*) Polit.-PKK	Diyarbakır CM.	Supreme C.
22)- İrfan Güler	(*) Polit.-PKK	Diyarbakır CM.	Supreme C.
23)- Bedrettin Kavak	(*) Polit.-PKK	Diyarbakır CM.	Supreme C.
24)- Hamit Kangal	(*) Polit.-PKK	Diyarbakır CM.	Supreme C.
25)- Ali Yaverkaya	(*) Polit.-PKK	Diyarbakır CM.	Supreme C.
26)- Ali Kılıç	(*) Polit.-PKK	Diyarbakır CM.	Supreme C.
27)- Ramazan Ödemiş	(*) Polit.-PKK	Diyarbakır CM.	Supreme C.
28)- Zülfikar Tak	(*) Polit.-PKK	Diyarbakır CM.	Supreme C.
29)- Ali Oruç	(*) Polit.-PKK	Diyarbakır CM.	Supreme C.
30)- Rıza Altun	(*) Polit.-PKK	Diyarbakır CM.	Supreme C.
31)- Kasım Karataş	Polit.-PKK	İzmir SSC	–
32)- Coşkun Öztürk	Judicial-Murder	Bakırköy Crimi.Court	–
33)- Yıldırım Arıcan	Polit.-PKK	Kayseri SSC	–
34)- Abdurrahman Tekgöz	Judicial-Murder	Antakya Crimi. Court	Supreme C.

The information compiled by HRFT concerning the trials launched with demand of the death penalty or defendants convicted to death penalty in 1993 is as follows:

İstanbul SSC's Prosecution Office launched a trial in January against 32 persons accused of being members of the "Devrimci Sol" organization and having participated in certain armed attacks. The prepared indictment demanded death penalty for 17 defendants and sought no less than 10 years in prison for the remaining 15 defendants. The names of the defendants under death penalty are as follows: "Osman Osmanoğlu, Rasim Öztaş, İsmet Bülbül, Birol Abatay, Halil Açar, Hasan Çorman, Sezgin Çelik, Mustafa Yılmaz, Mehmet Arslan, Muammer Pakkan,

(\*) In accordance with the temporary article 4 of the "Law to Fight Terrorism" dated 12 April 1991, they will serve 20 years in prison.

(Abbreviations: CM.: Court Martial, Supreme C.: Supreme Court)

Seyit Veysi Poyraz, İmam Sayır, Aydın Yüce, Ferudun Güngör, İbrahim Erler and Kazım Gedik". The defendants were started to be sued by İstanbul SSC on 29 April. At the end of the first hearing, 12 of the arrested defendants against whom death penalty was demanded were released.

İstanbul SSC's Prosecution Office prepared a new indictment after a short period and launched another trial against 18 persons accused of being members of the "Devrimci Sol" organization and of having participated in certain armed attacks. In the trial, the death penalty was demanded for 16 of the defendants and no less than 10 years' imprisonment was sought for 2 defendants. The said case was started on 14 April at İstanbul SSC. The defendants said in the hearing that their testimonies were taken under torture at the security directorate, and they pleaded not guilty. At the end of the hearing, defendants Salman Demir and Selma Demir against whom imprisonment sentence was demanded were released. The names of the 16 defendants against whom death penalty was demanded are as follows. "Mesude Pehlivan, Galip Aygül, Şükrü Aydoğdu, Nursel Demirdöğücü, Filiz Karayel, Ali Tekin, Altan Berdan Kerimgiller, Suna Ökmen, Ahmet Özdemir, Savaş Kırçan, Hacer Arıkan, Hüseyin Atıcı, Metin Dikme, Yasemin Okuyucu, Ümit İlter and Ali Rıza Kurt".

A case was initiated against 30 persons detained for being PKK members and having participated in certain armed activities in consequence of the operations carried out in Denizli and Nazilli in December 1992. In the case initiated by İzmir SSC in January, the death penalty was demanded for Davut Akgül, Murat Ergün Duran and Nevaf Esen and no less than 3 years' imprisonment sentences were sought for each of the remaining 27 defendants.

Cemalettin Cenap Arıcı tried at Diyarbakır SSC on charges of being a member of the PKK and having participated in certain armed activities, was sentenced to death. In the trial which ended on 4 February, Fethi Yaşa and Seyfettin Yaşa tried together with Cemalettin Cenap Arıcı were sentenced to life imprisonment, while 5 defendants on the same trial were given various imprisonment sentences ranging from 3 years 9 months to 12 years 6 months. However, the remaining 12 defendants were acquitted.

A trial was launched against 20 people, 18 of whom under arrest, who were detained in January during operations conducted in İstanbul on charges of being members of the Islamic Movement organization and of having participated in certain armed activities. In the trial launched by İstanbul SSC, the death penalty was demanded for defendants Mehmet Ali Şeker and Gudbettin Gök while sentences of between 3 to 22 years in prison were sought for the remaining 18 defendants. The prepared indictment claimed that the defendants had carried out the armed attacks which had resulted in the deaths of Çetin Emeç, Turan Dursun and Ali Ekber Gorbani, who was a member of People's Mojahedin of Iran. The trial in question started on 10 May at İstanbul SSC. Mehmet Ali Şeker and Gudbettin Gök stated in the hearing that they were tortured in detention and pleaded not guilty. With a medical report showing his inability to work for 10 days, Mehmet Ali Şeker proved that he had been tortured.

A trial on demand of the death penalty was launched against Hizbollah militant Nedim Uysal (23) who had been apprehended while wounded as a result of a clash with the police in Batman at the end of October 1992. The indictment prepared by Diyarbakır SSC, indicated that the gun found over Nedim Uysal had been used in the murders of Halit Güngen, one of the reporters for the weekly "2000'e Doğru" (18 February 1992-Diyarbakır), and of the persons named Mehmet Beşir Aslan (11 October 1992-Batman) and Mehmet Şerif Bağcı (17 October 1992-Batman). The trial against Nedim Uysal started on 19 March 1993 at Diyarbakır SSC.

Nedim Uysal accepted that the said gun belonged to him, but he denied that he had a connection with the killings.

İzmir SSC launched a trial against 23 defendants alleged to be members of the PKK and to have participated in certain armed attacks in Antalya. The indictment, demanded death penalty for 7 of the defendants under Article 125 of the Turkish Penal Code and various imprisonment terms for the remaining.

The trial launched against 43 persons accused of being PKK members and having been involved in certain armed activities including the armed attack against Diyarbakır Mayor Turgut Atalay, started on 14 April. In the first hearing held at Diyarbakır SSC, 7 of the defendants were demanded to be sentenced to the death penalty and other 36 defendants to imprisonment terms ranging between 3 to 15 years. The defendants who testified in the hearing did not accept the accusations and stated that they had been tortured under police custody.

A trial was launched with the demand for the death penalty against Can Özbilen, Osman Erdemir and Ali Rıza Bayramçavuş arrested on grounds that they had participated in the plot attempt against businessman Jak Kamhi on 28 January. The defendants are claimed to be members of a radical Islamic organization (Islamic Movement). In the first hearing held on 21 April at İstanbul SSC, the defendants alleged that they had been tortured in detention.

The trial launched against 32 persons, 20 of whom are arrested, on charges of being members of the PKK and having preparations for armed activity, started on 11 May at İstanbul SSC. In the first hearing, the death penalty was sought for defendant Hasan Kenar under Article 125 of the Turkish Penal Code, while imprisonment sentences varying between 3 to 20 years were demanded for the remaining 31 defendants. At the end of the hearing, 10 of the arrested defendants were released.

The trial of 8 persons arrested on allegations of being members of the TIKKO (Workers' Peasants' Liberation Army of Turkey) and acting in the name of the organization, began on 12 May. In the first hearing, the death penalty was demanded against defendants Fedai Şahin and Muzaffer Acunbay while various imprisonment sentences were sought for other defendants

The trial launched against 50 persons accused of being members of the PKK and having carried out armed activities on behalf of the organization, began on 15 May. In the first hearing held by Diyarbakır SSC, the death penalty was sought for Ali Koç, Halil Güneş, Enver Özkartal, Muhittin Sevinç, Yılmaz Yürek, Sırat Koyuncu and Şeyhmuz Yıldız. On the other hand, the defendants pleaded not guilty and stated that they had been subjected to torture.

A case demanding the death penalty was brought against Mehmet Aygör who had raped and then killed two of three children whom he had seduced with chocolate in Altınova district of Balıkesir on 24 March. The case against Mehmet Aygör began on 16 June at Burhaniye Heavy Penal Court. The defendant Mehmet Aygör accepted all accusations and said that had regretted about what he had done.

Abdurrahman Tekgöz who, on 3 April 1993 had raped and then throttled to death a small child who was his relative, was sentenced to death. The case was brought to justice by Ankara Heavy Penal Court ended on 21 June.

Seven persons tried by Kayseri SSC on charges of being members of the PKK and having participated in certain armed activities, were sentenced to death under Article 125 of the Turkish Penal Code on 21 July. The names of the defendants sentenced to the death penalty are

"Nimet İğraç, Muhammed Taşdemir, Mehmet Sinci, Hüsni Özcan, Ahmet Gülmezoğlu, Abdullah Sönmez and Abbas Alkan. Lawyers of the aforesaid defendants claimed that their clients had been sentenced to death pursuant to the "total struggle" decision taken by the National Security Council.

A trial demanding the death penalty was launched against the Communist Labour Party of Turkey (TKEP) Secretary General, Teslim Töre, who was apprehended in April in İstanbul, and against other leaders of the organization. The indictment prepared by İstanbul SSC, pointed out that the defendants had been functioning and carrying out activities for years in order to destabilize constitutional order. TKEP Leader Teslim Töre had been wanted for 22 years by the police. The trial against Teslim Töre and fellow group members started on 20 September. The indictment read in the first hearing death penalty was sought for Teslim Töre, Ergun Adaklı, Hüseyin Bakır, Mehmet Ali Ayhan, Murat Toprak and Kenan Kalyon and imprisonment terms varying from 3 to 15 years for the remaining 7 defendants. Teslim Töre said in the hearing that his party was not a terrorist organization and functioned in accordance with socialist principals. The request of Teslim Töre and his friends to be released was rejected during the year 1993.

A youth, named Erol Özpolat accused of "being a member of the Devrimci Sol organization and of having been involved in several murders", was sentenced to death. In the trial, which ended on 31 August, Alişan Turan and Alp Aslan who were tried together with Erol Özpolat were given sentences of 15 years and 12 years in prison, respectively. When Erol Özpolat had discovered that he had been investigated for the murder acts which led him to be sentenced to death, he had delivered himself to the Public Prosecution Office on 11 February 1991. He was then delivered to the political police and kept under police custody for one month which contravenes to existing laws and was tortured there. During the case, Erol Özpolat pleaded not guilty and claimed that someone plotted against him.

Out of the 20 persons tried on charges of being members of the PKK and having been involved in certain armed attacks in İzmir, Hasan Yağız and Osman Demir were sentenced to death. In the trial which ended on 28 September, other defendants Yusuf Oktay, Bahattin Şahin and Hükmiye Seyhan were sentenced to 18 years 9 months, 17 years 6 months and 16 years' imprisonment, respectively. One defendant was convicted to 6 years in prison and 6 defendants to 3 years 9 months in prison each, while 8 defendants were acquitted.

Selahattin Mete, one of the 28 persons tried on charges of being members of the PKK and having participated in certain armed activities in İzmir, was sentenced to death. In the trial which ended on 29 September at İzmir SSC, out of the defendants, İbrahim Turan received 22 years 6 months' imprisonment, while Mehmet Sevdan and Mithat Kanat were given 12 years 6 months' imprisonment each. In addition, defendants named Salih Elibol, Osman Kaya, Baki Ökten, Mehmet Öztürk, Abdürrahim İlhan, Musa Güneş, Zübeyde Dağtekin, Şükran Akay, Aziz Mete, Şükriye Akçakale and Gazali Kaygısız were sentenced to 3 years 9 months in prison each. At the end of the trial, 13 defendants were acquitted.

Ercan Şanlı and İsmail Ekinbiçer tried on the grounds that they had killed an old couple named Bekir Saim Akın and Melahat Akın with the aim of stealing in the Hatay quarter of İzmir in 1991, were sentenced to death penalty twice under Article 450/4-7 of the Turkish Penal Code. In the trial, which ended on 19 October at İzmir Heavy Penal Court No.1, the third defendant named Hüseyin Güçlü was sentenced to life imprisonment. One of the judges asked for commutation of capital punishment into life imprisonment.

The trial launched against 16 persons for being members of the "Devrimci Sol" organization and having participated in certain armed activities, started at İstanbul SSC on 2 November. The indictment demanded the death penalty against Garip Özdemir, Filiz Gencer, Mustafa Gök, Asım Özdemir, Funda Devran and Mustafa Demirel under Article 146/1 of the Turkish Penal Code.

The PKK Case (Siverek-Hilvan group) with 131 defendants which was held at Diyarbakır Court Martial for about 13 years ended on 11 November. Fifteen defendants were sentenced to death, 14 were sentenced to life imprisonment and 54 were sentenced to imprisonment terms varying from 1 to 24 years at the end of the trial, while 48 defendants were acquitted. The names of the defendants sentenced to death are as follows: "Salih Oğuz, Mehmet Emin Armutlu, Ali Artuk, İrfan Babaoğlu, Mehmet İzzet Baykal, Mehmet Fahri Çıfkuş, İrfan Güler, Bedrettin Kavak, Hamit Kangal, Ali Yaverkaya, Ali Kılıç, Ramazan Ödemiş, Zülfikar Tak, Ali Oruç and Rıza Altun". The defendants sentenced to life imprisonment are as follows: "Abuzer Dehşet, Kazım Kılıç, Mehmet Emin Kılıç, Hikmet Tüysüz, Emin Pertev, Ahmet Kılıç, Cuma Kuyukan, Halit Çalışkan, Abdurrahman Sevgat, Abbas Yokuş, Ahmet Kösanlı-oğlu, Mustafa Karasu, Süleyman Günyeli and Celal Baymış". The death penalties handed out in the trial will not be executed in accordance with the "Law to Fight Terrorism" that had come into force on 12 April 1991 and will be commuted into 20 years' imprisonment.

Kasım Karataş, who was tried at İzmir SSC on the claims that "he was a member of the PKK and was involved in certain armed activities in İzmir", was sentenced to death under Article 125 of the Turkish Penal Code. The trial ended on 23 November. Out of the defendants Mehmet Tari was sentenced to 22 years and 6 months, Mehmet Necim Akgün, Türkan Baştürk and Zeki Aksoy to 12 years and 6 months each, Pelşini Bilen to 8 years and 4 months, and Veysi Şahin to 6 years and 3 months in prison. The other defendants named Aziz Keyik, Enver Şık, Halime Şık, Bilal Alataş, Hasan Poyraz, Hasan Aka, Başaran Mete, Hasan Aka, Saide Şık and Ekrem Tuğ received 3 years and 9 months' imprisonment each.

Ankara SSC's Prosecution Office launched a trial on charges of "being members of the Revolutionary People's Party of Turkey (TDHP) and in preparation for activity" against 25 defendants, 17 of whom were arrested. In the indictment prepared, the death penalty was demanded against two defendants named Recep Bekik and Ali Rıza Erdem in accordance with Article 146 of the Turkish Penal Code while imprisonment terms from 10 to 30 years were demanded for the remaining defendants. The trial started in December.

A trial demanding the death penalty was launched against Sarp Kuray who returned to Turkey on 23 October from France where he had lived as a political refugee following the 12 September Military Coup and then arrested. The trial against Sarp Kuray who was one of the leaders of the illegal "Partizan Yolu" (Partisan Path) which dissolved itself in 1987, started on 28 December at İstanbul SSC. Sarp Kuray, demanded to be sentenced to death under Article 146/1 of the Turkish Penal Code, was released at the end of the first hearing.

A man named Coşkun Öztürk who had killed 1 adult and 2 children, in a house he had attempted to burgle in the Büyükçekmece quarter of İstanbul on 6 May, was sentenced to death. In the trial that ended on 6 December at İstanbul Bakırköy Heavy Penal Court No.2, the defendant said: "I had entered the house for the purpose of theft. I regret what I had done." The court convicted Coşkun Öztürk to 3 separate death penalties for murdering 3 persons. Ali Güzel, the Chairman of the Court, stated that he was against the decision claiming that "the defendant should be sentenced to life imprisonment instead of the death penalty".

A trial was launched on demand of the death penalty against three women named Oksana Potopova, İrina Yakovchchenko and Riana Roma who throttled to death their friend Yuri Donenka, a Russian Federation citizen, on the grounds that he did not return the money they had earned through prostitution. The trial against the 3 Russian Federation citizens started on 8 December at İstanbul Heavy Penal Court No. 4.

Yıldırım Arıcan who was being tried at Kayseri State Security Court (SSC) on charges of "being a member of the PKK and participating in some armed activities", was sentenced to death. The defendant, sentenced under Article 25 of the Turkish Penal Code, had fled from Nevşehir E Type Prison on 17 February 1993. Out of the defendants, Serdar Oğur was sentenced to 15 years and Mehmet Avcı to 12 years and 6 months in prison in the same trial that ended on 10 December.

Diyarbakır SSC Prosecution Office launched a trial against 12 persons arrested in September for "being members of Hizbollah and participating in some armed acts including the killing of Mardin Deputy Mehmet Sincar". The indictment that was prepared demanded 8 of the defendants to be sentenced to death and the remaining 4 to various imprisonment sentences. The defendants will be judged by Diyarbakır SSC.

A trial demanding the death penalty was launched against Ekrem Baytap, who had been arrested in October on the grounds that he was among the leaders of a radical Islamic organization named 'İslami Hareket' (Islamic Movement). Ekrem Baytap, who is faced the death penalty under Article 146/1 of the Turkish Penal Code, is claimed to have connection with the killings of the journalists, Çetin Emeç and Turan Dursun, and two Iranian regime opponents. Ekrem Baytap stated that he had been tortured for 15 days while in police custody and claimed that he had no connection with the crimes brought against him.

The trial launched against 9 persons in connection with the clash which broke out in front of the İstanbul Justice building in August because of a blood feud resulting in the deaths of 5 persons, began on 22 December at Bakırköy Heavy Penal Court No. 1. In the first hearing, the death penalty was demanded against 8 of the defendants. The names of the persons demanded to be convicted to death are as follows: "Hasan Kaçar, Sürmeli Kaçar, Mesut Kaçar, Ayvaz Kaçar, Dursun Doğan, Alime Kaçar, Şahaturan Kaçar and Türkan Kaçar".

Furthermore, the presence of persons who were found to be innocent and to have no connection with the events for which they were tried with a demand for the death penalty, showed another dimension of capital punishment. If we take account of the amounts of trials launched with demand of the death penalty against persons who were later found innocent and of the possibility of execution of those innocent persons, it will be apparent how necessary to abolish the capital punishment.

These events reminded us of the following thought: "Implementation of the death penalty is to turn off into a path with no return. In the case of implementation of a death penalty mistakenly judged, there is no way to rectify the event. All sentences mistakenly passed may be rectified and compensated in some way, except for the death penalty."

Following are the events witnessed relating to persons tried on demand of the death penalty in 1993, but later who were found innocent:

It was revealed that the 11 persons tried on demand of the death penalty on charges of having killed farmer Arıkan Arıkoğlu on 13 June 1992 in Yunusoğlu village of Adana, were innocent. When the killing was discovered to have been carried out by other persons, the

aforesaid accused who were kept under arrest for 7 months, were released following the hearing held at Adana Heavy Penal Court No.2 in August, and they were acquitted in the subsequent hearing. The names of the persons in question are: "Hacı Şahlı, Nevzat Kolkıran, Ramazan Kaya, İsmail Çağlar, Ömer Çağlar, Abbas Güven, Mustafa Oruç, Şehmuz Demir, Müslüm Üzer, Mehmet Üzer and Sait Üzer".

Rahmi Karadere against whom a trial was launched on demand of the death penalty on allegations that he had killed his wife Ayşe Karadere in April, was acquitted when it was determined that his wife was infact alive. The event which gave way to the trial developed as follows: Rahmi Karadere living in Yanaz village of Bartın notified the gendarmerie that his wife had disappeared. Two months following the event, the corpse of a naked woman who was determined to have been beaten to death, was found near Karaköy village of Bartın. During the investigation, jointly conducted by the police and gendarmerie, the corpse was shown to Ayşe Karadere's parents, Behice and İlyas Demirci. When the parents said that the corpse belonged to their daughter, Rahmi Karadere was detained on allegations of murder. Although Rahmi Karadere did not accept the accusations during interrogation, he was arrested and brought to trial on a recommendation the death penalty against him. While Rahmi Karadere was waiting in prison for the first hearing, somewhat surprising information was uncovered. It was revealed that Ayşe Karadere, presumed to have died, was living in the Gördes district of Manisa with another man. Upon this development, Rahmi Karadere was released and then acquitted.

## **MURDERS BY UNIDENTIFIED ASSAILANTS**

Murders committed by unidentified assailants continued in 1993 all over Turkey, in particular in the Emergency State Region. Murders by unidentified assailants which drew the public attention more after the killing of journalist Uğur Mumcu in a bomb attack in January, targeted many persons whose ages ranged from 7 to 70 years. Political party leaders, journalists, political refugees, human rights activists, intelligence agency officers, teachers, physicians, shortly persons from every circle became victims of armed and bomb attacks or attacks with cleaver carried out by unidentified person or persons. Those murders went as far as the National Assembly, and Mehmet Sincar, the Democracy Party Mardin Deputy, was killed as a result of an armed attack in Batman on 4 September.

Murders by unidentified persons sometimes directed at certain targets in a manner that will put forward the identities of the assailants. Tradesmen who closed down their shops upon calls of the PKK were killed in succession. Syrians living in the Emergency State Region were frequently attacked. The number of the human rights activists and Kurdish intellectuals, who died during these attacks, increased. Various attacks were carried out against the persons who had been frequently detained or arrested because of their links with the PKK, and had later been released due to lack of sufficient evidence. Persons whose relatives had joined the PKK, were attacked. It was reported that confessors had undertaken a dominant role in these attacks.

Except a few provocative attacks, murders by unidentified assailants in the Emergency State Region stopped to a great extend during the period of cease-fire announced by the PKK in March. The fights which started in 1991 between the PKK and a wing (Menzil) of the Hizbollah organization with Iranian tendency ended in this period. Subsequently, the PKK leader Abdullah Öcalan and Hizbollah Kurdish Revolutionary Party Chairman Ethem Barzani signed a protocol. The following was demanded in the protocol: "Our common wish is to put up an end to the fight between the PKK and Hizbollah, to solve the problems through peaceful methods and to develop a joint struggle program against the Republic of Turkey". However, a group using the name of Hizbollah (known in the region as "Hizbi-contra") continued its attacks. The murders by unidentified assailants accelerated again after the failure in the cease-fire.

The dispute which had been continuing between the groups called "Ilim" followers and "Menzil" followers for many years, turned into clashes in the second half of 1993. These clashes which formed another dimension of the murders continued in 1994, too. As a result of these

clashes, more than 50 persons were killed during armed and bomb attacks or during the attacks with cleaver.

The indifference to the murders by unidentified assailants continued in 1993 as in the previous years. No information could be revealed about the assailants of these murders, except those of 20-25 murders. Neither the officers in the Emergency State Region nor the authorities in Ankara gave any concrete information. After Uğur Mumcu had been killed, a commission was formed within the National Assembly in order to conduct investigations into the murders by unidentified assailants, but studies of this commission were fruitless.

The murders affected the life in the Emergency State Region, particularly in Batman, Diyarbakır and Silvan. Shops and offices in the region were damaged, closed down. A considerable rise was observed in bankruptcies. Daily life was limited with day light. Settlement centers became silent when it darkened. Insurance companies blacklisted the settlement centers where the murders by unidentified assailants were intense. Those companies stating that they were not able to find any experts for determination of damage and that no one wanted to go to the region, began not to insure lives and workshops.

Following are some sample cases about the killings by unidentified assailants in 1993:

Teachers named Ramazan Aydın Bilge (29) and Zübeyir Akkoç (41) died in a fire opened by unidentified persons on 13 January morning in Bağlar quarter of Diyarbakır. Out of the killed, Zübeyir Akkoç was the husband of Nebahat Akkoç who is EĞİT-SEN (Education and Science Workers' Trade Union) Diyarbakır Branch Chairman. Diyarbakır Security Director Ramazan Er stated that the teachers had been supposedly killed by "Hizbollah" supporters.

Mehmet Ertan (45), out the leaders of the People's Labour Party (HEP) Batman Provincial Organization was killed in an armed attack he sustained in Karşıyaka quarter of Batman on the morning of 21 January. On the same day, a university student named Cevat Canpolat (22) was killed in Diyarbakır.

A cafeteria in Bağlar quarter of Diyarbakır was attacked with arms and bombs by 4 unknown persons at about 4.00pm on 23 January. As a result of the attack, Kazım Erenler, Salih Şın (47), Ahmet Elkasım (60) and Zülküf Gümüş (59) died and 6 persons were wounded. It was reported that the attacked cafeteria was used by "Hizbollah" followers. Ten minutes after the attack on the cafeteria, a bomb blasted in a house in the same vicinity. In consequence of the explosion, 60-year old Sırrı Aydın and children named Aynur Aydın (14), Güneş Aydın (10) and Hamit Aydın (11) died while 7 persons were wounded. The explosion was reportedly led by children who brought to the house one of the unexploded bombs thrown into the cafeteria.

Uğur Mumcu, one of the columnists for the newspaper Cumhuriyet lost his life as a result of a bomb plot on 24 January in Ankara. Killing of Uğur Mumcu caused great reactions all over Turkey. Ten thousands of people spilt over the streets especially in Ankara, İstanbul and İzmir, and made demonstrations in protest at the assassination of Uğur Mumcu. No clue could be obtained concerning the assassination. (Detailed information is in the section titled "Assasinated Journalists")

The Freedom and Democracy Party (ÖZDEP) Erzincan Provincial Organization Chairman Cemal Akar (30), kidnapped on 25 January, was found dead in the vicinity of Zagge village of the Pülümür district of Tunceli on 25 February. It was revealed that Cemal Akar had been killed under torture. Diyarbakır Deputy Hatip Dicle said the following as to the incident: "Cemal Akar lost his life as a result of an incident similar to the one in which Vedat Aydın had

been killed. Contr-guerilla intensified its activities recently. The government prefers to deny the claims on contr-guerilla and thus let new murders be committed".

Ömer Güven, a leader of the Socialist Party (which was closed by the Constitutional Court in 1992) Şırnak Provincial Organization, and his friend Cemal Özyurt were killed on 27 February by unidentified persons on Kasrik Pass around Cizre. The corpses of Ömer Güven and Cemal Özyurt were later burnt together with the car they were in. The Worker's Party Secretary General Hasan Yalçın made a statement related to the incident and said: "Representatives of people who struggle on legal basis, are being killed one by one. Brotherhood between Turks and Kurds is being wounded. The aim is to intimidate the people". The mother of Ömer Güven said: "Deputies from the Republican People Party had come to Şırnak. My son told about the situation in the region. Then, the state forces started to threaten my son. He was killed within a week. Village guards and contr-guerilla killed him".

The Human Rights Association Elazığ Branch Chairman lawyer Metin Can and his friend physician Hasan Kaya kidnapped by unknown persons on the evening of 21 February, were found dead 12 kilometers away from Tunceli at about 11.00am on 27 February. It was revealed that they had been tortured and killed with one bullet shot in their heads. (Detailed information is in the section titled "Pressure on the IHD").

The HEP Kızıltepe District Chairman Şeyh Davut Yalçınkaya was killed in an armed attack he sustained on the morning of 10 April in front of his house. In the event which took place at about 9.00am, Davut Yalçınkaya's brother Halim Yalçınkaya died, too. Sending a telegram to Prime Minister Süleyman Demirel about the event, the HEP Chairman Ahmet Türk said the following: "This was a provocation in order to sabotage the peace process. In a period during which you give various messages for a political atmosphere without guns, the killing of two civilians is a very disturbing event. The positive and hopeful atmosphere must have affected war brawlers so that such kinds of provocations are made".

The Motherland Party Varto District President Kerim Geldi (46) was abducted by two persons, who went to his office on the night of 5 June and introduced themselves as police officers. A short while after the event, Kerim Geldi was found dead 2 kilometers away from his office. The shops in Varto were not opened on the days of 6 and 7 June in protest of the murder.

In Silvan district of Diyarbakır, Eyüp Adıyaman, a member of the HEP and his friend Muhterem Demir died as a result of fire opened by unidentified persons at about 11.00am on 7 June. Assessing the attack, HEP leaders said: "The state let contr-guerilla work again as soon as the cease-fire period ended de facto."

Nuri Kaya, who is the former mayor of Gercüş district of Batman, was executed by shooting by 4 unidentified persons who stopped his car around Hasankeyf on the night of 9 June. In the incident, Aziz Bağcı and Garip Bağcı, who were the drivers of the car were killed, too. It was reported that 2 sons of Nuri Kaya had joined the PKK in 1992. On the same day, teacher Rıza Pekgöz in charge of Yalınkavak village of Kurtalan district of Siirt, died in a fire opened by unidentified persons. Rıza Pekgöz had moved from Batman to Kurtalan due to threats by "Hizbollah" followers.

Two female teachers named Nuriye Ak (25) and Elif Livan (31) in charge of Buçuktepe village of Diyarbakır, were killed by unidentified persons who raided their houses on the night of 11 June. On the one hand, the Governorate of the Emergency State Region, stated that those teachers had been killed by PKK militants, on the other hand, the PKK claimed that the attack

had been carried out by contr-guerilla, and said "They want to introduce the PKK as a terrorist organization by holding it responsible for the attack." Ali Livan, elder brother of Elif Livan said the following: "We do not know who killed my sister. Was she killed by the MİT (National Intelligence Agency), the contr-guerilla or by the PKK? But we will search into the death of my sister whose sole crime is 'being a revolutionist'. She called us a while ago and said that she had been receiving death threats for some time."

Unidentified persons who raided a house in Kara Hasan village of Pazarcık district of Maraş on the night of 30 July, killed a woman named Ayşe Rani (35) and two children named Elif Rani (7) and Gözde Rani (4) by cutting them in pieces with an axe. Owner of the house Hasan Rani saved his life as he was not in the house during the raid. He said that he had no problem with the PKK and that he did not think that attack had been carried out by the PKK.

Ferhat Tepe, Bitlis correspondent for the newspaper "Özgür Gündem" kidnapped by unidentified persons on the evening of 28 July in Bitlis, was found dead on 3 August in the vicinity of Hazar Lake in Sivrice district of Elazığ. It was reported that there were purple bruises on his neck and blow traces on his body. (Detailed information is in the section titled "Assasinated Journalists")

The Democracy Party member Mehmet Yaşar (28) was killed, as a result of a fire opened by unidentified persons on 31 July around Cinema Mehtap in Batman. On the evening of the same day, a tradesman named Cemalettin Burkay (24) was shot to death by unidentified persons in Bağlar quarter of Diyarbakır. In Melikahmet quarter of Diyarbakır, draper Murat Karaçobanoğlu died as a result of an armed attack on 5 August. It was determined that the gun used in the murder of Murat Karaçobanoğlu had also been used in the attack which had resulted in the death of tradesman Cemalettin Burkay.

In July and August, about 20 tradesmen were killed as a result of bomb and armed attacks in Diyarbakır. The common characteristic of the killed tradesmen was that all of them had closed down their shops in accordance with the PKK call. In the leaflets distributed in Diyarbakır on behalf of "Turkish Revenge Brigade" in July it was stated that the tradesmen who closed down their shops would be killed.

Mehmet Yeşil (29), a member of the DEP Batman District Organization Administrative Board, died because of an armed attack in 19 Mayıs quarter of Batman on the evening of 19 August. Musa Ak (25), another DEP member, was shot dead in an armed attack at his workplace in Bağlar quarter of Diyarbakır at about 7.00am on 20 August.

An Iranian refugee named Behram Azadfer who had taken refuge at the beginning of the year 1992, was killed by 2 unidentified persons coming to his house in Doğanşehir quarter of Altındağ district in Ankara on the morning of 28 August. It was learnt that Behram Azadfer was a member of the "Kurdish Democracy Party of Iran". Following the incident, an unknown person phoning to the newspapers, said that pressure on the Iranian regime opponents in Turkey, had been intensified and 4 Iranian refugees had been kidnaped by unknown persons in the previous week.

Habib Kılıç (38), one of the leaders of the DEP Batman Provincial Organization, was shot to death by an unknown person on the morning of 2 September. Habib Kılıç's brother Hikmet Kılıç (41), who was near him during the incident, was wounded. It was reported that Habib and Hikmet Kılıç were the brothers of the DEP Deputy Chairman Nesim Kılıç.

Dr. Zeki Tanrikulu (35), the Head Doctor of Silvan State Hospital, was killed in an armed attack he was subjected to while leaving the hospital at noon hours on 2 September. It was reported that the armed attack had been carried out by 2 persons around the age of 20 years. Another doctor named Mehmet Emin Ayhan, working in the same hospital, had been a victim of a murder by unidentified assailants in Silvan, in June 1992.

A delegation consisted of DEP deputies and leaders went to Batman in order to investigate into the murders by unidentified assailants. Fire was opened at the delegation members at about 6.30pm on 4 September. In the incident that took place on Bankalar Street, Mehmet Sincar (40) Mardin Deputy from the DEP and Metin Özdemir, one of the leaders of the DEP Batman Provincial Organization died. Besides this, Batman Deputy Nizamettin Toğuş and the other persons named Özgür Özdemir, Tenzile Tanzim and Ahmet Başkaya were wounded. An unknown person called İstanbul offices of certain newspapers 5 hours after the event, and said that the "Turkish Revenge Brigade" had carried out the attack as a reprisal to attacks of the PKK. The aforementioned person added the following: "Our main targets were Diyarbakır Deputies Leyla Zana and Sedat Yurtdaş, but our attack failed because wrong persons were shot. We will continue our activities on the level of deputies". The assailants of the attack could not be apprehended. It was evident that the 2 youths, who had been apprehended after the event and made public as "assailants" were the persons detained for carrying guns.

The statements made by the state authorities related to the killing of Mehmet Sincar contradicted to each other. A short time after the killing, first the Security General Director Mehmet Ağar and then State Ministers Necmettin Cevheri and Mehmet Gölhan stated that the assailant had been caught. Based on this information, Prime Minister Tansu Çiller disclosed that the assailant was in the hands of the police. Emergency State Region Governor Ünal Erkan said: "14 persons were detained and one of the detainees is the murderer". However, the then Interior Minister Mehmet Gazioğlu stated that the assailant had not been apprehended and thus belied the ministers and the Emergency State Region Governor. Subsequently, Minister Cevheri said: "We were told that the murderer had been apprehended. I will talk to Mr. Gazioğlu once more". Other authorities preferred to remain silent.

Abbas Demiroğlu (29), one of the leaders of the DEP Diyarbakır Provincial Organization, was killed in an armed attack carried out in 5 Nisan quarter of Diyarbakır on 19 September. Ali Ceylan (27) and Selahattin Gençol were killed in two separate armed attacks carried out in Mardinkapı quarter at the same hours.

A man named Ahmet Öner was killed in the fire opened by unknown persons at a cafeteria in Bağırvar town in Diyarbakır on the night of 27 September.

5 men named Cahit Sürek, Suat Sütşurup, Ömer Han, Hasan Altınkaya and Hanefi Yavuz were killed and 2 men named Mehmet Şakir Saçaklı and Tayfun Çömlek were wounded in an armed and bomb attack at a shoemaker shop in Silvan district of Diyarbakır on 5 October. It was reported that the attacked shop belonged to Hizbollah followers.

Brothers Lokman Zuğurlu (18) and Zana Zuğurlu (16) kidnapped by unidentified persons in Diyarbakır on the morning of 9 October, were found dead on the morning of 11 October. It was revealed that Lokman and Zana Zuğurlu had been killed by torturing. Nihal Zuğurlu, the elder sister of those killed youths had been detained by the police officers on 30 September. One of the elder brothers of the killed youths was among the founding members of the PKK and two of their brothers had been killed in a clash with the security forces. The

foundation congress of the PKK had been held in the house of Zuğurlu family in Fis village of Lice district of Diyarbakır on 27 November 1977.

Unknown persons opened fire at Yusuf Dündar, Deputy Mayor of Nusaybin, and his relatives who were with him on Kışla Street in Nusaybin on the morning of 13 October. Yusuf Dündar's brother Hasan Dündar (30) and his uncle Hasan Yağızsoy were killed while Yusuf Dündar was wounded.

A man named Hayati Eren (27) was killed and 8 persons were wounded as a result of the explosion of a hand grenade thrown into a cafeteria located in the vicinity of PTT Directorate in Diyarbakır, on the evening of 27 October.

An "imam" named Cengiz Oruç (25) was shot dead in the fire opened by unknown persons in Bağlar quarter of Diyarbakır on the morning of 30 October. A 10-year old child was also shot dead accidentally in the incident. Cengiz Oruç was reportedly among the top names of the religious group that is known as "Menzil" followers and that has no dispute with the PKK.

Pharmacist Eyüp Gökoğlu (38) was shot to death by unidentified persons while he was closing his shop opposite to Urfa State Hospital in Urfa on the evening of 4 November. Eyüp Gökoğlu was a member of the DEP.

Retired Major Cem Ersever who left the army in the beginning of 1993 and subsequently made interesting statements about the contr-guerilla activities in Turkey, was found dead in the vicinity of the Elmadağ district of Ankara. It was revealed that Cem Ersever had been killed with 2 bullets, shot in his neck while his hands being tied behind. Cem Ersever who had important information about the state mechanism, intelligence activities and contr-guerilla had undertaken considerable duties in the operations carried out in the Emergency State Region and had conducted the negotiations directly with Kurdish leaders Jelal Talabani and Mesut Barzani. His name was involved in many extra-legal executions and torture cases. 2 friends of Cem Ersever with whom he had worked on intelligent activities, were killed around the same days. The corpse of Mustafa Deniz, one of the killed, was found around Polatlı district of Ankara, and the corpse of Syrian origin Neval (Mahzune) Boz was found in the vicinity of Çamlıdere district of Ankara around Ankara-İstanbul Highway. The killing of Cem Ersever and his friends is accepted as an indicator of a divergence within the contr-guerilla.

Şevket Epözdemir, Chairman of the DEP Tatvan District Organization and Tatvan Representative of the İHD, was kidnapped in front of his house by unknown persons on the evening of 25 November. He was found dead in the vicinity of Güroymak district at about 3.00pm on 26 November. It was revealed that one of his arms had been broken and that he had been shot to death with a single bullet in his head.

Zeki Yalçın (17), kidnapped by 4 persons who came to his house on the night of 27 December and introduced themselves as policemen, was found dead around Zap Creek on 28 December. Zeki Yalçın was laid to rest on 29 December following a ceremony in which about one thousand people participated. A student named Ahmet Acar (18) was shot dead by a masked person while he was walking on Cumhuriyet Street in Van on 28 December.

### **Those murdered by unidentified assailants**

A total of **467** persons died as a result of murders by unidentified assailants, most of which took place in the Emergency State Region. (As a result of the murders by unidentified assailants, a total of 42 persons died in 1990 and 1991, and 362 persons in 1992). Those murders

were mostly committed in Diyarbakır, Batman, Silvan and Kızıltepe. Following is the list of the persons killed by unidentified assailants:

<u>Name and Surname</u>	<u>Place</u>	<u>Date</u>	<u>Brief Info.</u>
001)- Fadıl Dal (33)	Batman	01 January 1993	Worker
002)- Rauf Use	Silvan	01 January 1993	Driver
003)- Abdullah Kardeş	Nusaybin	03 January 1993	
004)- Yusuf Gür (35)	Batman	03 January 1993	
005)- Ali Erdoğan (30)	Batman	05 January 1993	
006)- Dündar Çelebioğlu (25)	Batman	04 January 1993	Worker
007)- Mehmet Ali Kurtay	Kızıltepe	05 January 1993	
008)- Seyfi Adem Akın	Kızıltepe	05 January 1993	
009)- Hasan Salih Kaya (34)	Batman	06 January 1993	
010)- Ercan Us (25)	Silvan	06 January 1993	
011)- Cemil Kandemir	Kızıltepe	06 January 1993	Tradesman
012)- Emin Deniz (24)	Nusaybin	06 January 1993	PKK defendant
013)- Zeynettin Karaaslan (27)	Kızıltepe	09 January 1993	Salesman
014)- Selahattin Gitmez (27)	Batman	10 January 1993	
015)- Mehmet Çiçek (58)	Silvan	10 January 1993	Tradesman
016)- Selahattin Yıldız (35)	İdil-Akköprü	10 January 1993	Farmer
017)- .... (female-35)	Batman	11 January 1993	
018)- Aziz Kalaycı (44)	Around Midyat	13 January 1993	Syriac
019)- Aydın Aydın (27)	Around Midyat	13 January 1993	Syriac
020)- Gevriye Durmuş (50)	Around Midyat	13 January 1993	Syriac
021)- Nuriye Kayar (60)	Around Midyat	13 January 1993	Syriac
022)- Halil Dede (51)	Around Midyat	13 January 1993	Syriac
023)- Yusuf Bozbakır	Around Midyat	13 January 1993	Syriac
024)- İsa Koç	Around Midyat	13 January 1993	Syriac
025)- Emin Sevgat (25)	Cizre	13 January 1993	Farmer
026)- Tahir Koç (36)	Cizre	13 January 1993	Farmer
027)- Aydın Bilge (29)	Diyarbakır	13 January 1993	Teacher
028)- Zübeyir Akkoç (41)	Diyarbakır	13 January 1993	Teacher
029)- Bahri Serihan (25)	Batman	15 January 1993	
030)- Ramazan Pişkin	Nusaybin	16 January 1993	Worker
031)- Kemal Sert (25)	Silvan	17 January 1993	Teacher
032)- Abdulvahap ....	Nusaybin	18 January 1993	İmam
033)- Celal Uçar	Nusaybin	18 January 1993	
034)- Süleyman Gök	Nusaybin	18 January 1993	
035)- Süleyman Duyan (18)	Kızıltepe	18 January 1993	
036)- Delal Demir (65)	Midyat	18 January 1993	Housewife
037)- Veysi Bingöl (18)	Siverek	18 January 1993	
038)- Mehmet Tokur	Silvan	19 January 1993	Tradesman
039)- Orhan Karaağar	Van	19 January 1993	Newspaper vendor
040)- Cevat Canpolat (22)	Diyarbakır	21 January 1993	Student
041)- Mehmet Ertan (45)	Batman	21 January 1993	HEP leader
042)- Metin Turan (26)	Batman	22 January 1993	
043)- Murat Yıldız	Batman	22 January 1993	
044)- Abdurrahim Yıldız (17)	Batman	22 January 1993	
045)- Mehmet Nezir Ece (20)	Batman	22 January 1993	
046)- İzzettin Baldır (33)	Tatvan	23 January 1993	Guard
047)- Yalçın Yeşilmen (21)	Batman	23 January 1993	Tradesman

048)- Yalçın Gözetir (15)	Batman	23 January 1993	Tradesman
049)- Kazım Erenler	Diyarbakır	23 January 1993	
050)- Salih Şın (47)	Diyarbakır	23 January 1993	
051)- Ahmet Elkasım (60)	Diyarbakır	23 January 1993	
052)- Zülküf Gümüş (50)	Diyarbakır	23 January 1993	
053)- Sırrı Aydın (60)	Diyarbakır	23 January 1993	
054)- Aynur Aydın (14)	Diyarbakır	23 January 1993	Student-lycee
055)- Güneş Aydın (10)	Diyarbakır	23 January 1993	Student-pr. school
056)- Hamit Aydın (11)	Diyarbakır	23 January 1993	Student-pr. school
057)- Selahattin Karakan (42)	Silvan	24 January 1993	Worker
058)- Uğur Mumcu (51)	Ankara	24 January 1993	Journalist
059)- Vafsettin Gökboru (39)	Batman	25 January 1993	
060)- Orhan Arık (20)	Batman	25 January 1993	
061)- Metin Akyıldız (22)	Batman	25 January 1993	
062)- Hüseyin Akyıldız (19)	Batman	25 January 1993	
063)- İrfan Akyıldız (19)	Batman	25 January 1993	
064)- Hadi Yıldız (29)	Batman	27 January 1993	Tradesman
065)- Mehmet Veysi Kan (30)	Silvan	27 January 1993	Salesman
066)- Ahmet Okuyucu (27)	Silvan	27 January 1993	Tradesman
067)- İsmet Çeliktemel (32)	Silvan	29 January 1993	Tradesman
068)- Abbas Golizade	Yalova	29 January 1993	Iranian refugee
069)- Ali Ekber Gorbani	İstanbul	30 January 1993	Iranian refugee
070)- Hamdülsena Kırtay (18)	Silvan	30 January 1993	
071)- Ali Yıldırım (31)	Diyarbakır	01 February 1993	Worker
072)- Kadri Balçık (55)	Silvan	01 February 1993	Grocer
073)- Fevzi Kazıcı (50)	Silvan	05 February 1993	MA(*) member
074)- Ayhan Koral	İzmir	05 February 1993	Student
075)- Sırrı Kılıç	İzmir	05 February 1993	Student
076)- Yusuf Akkan (25)	Pervari	05 February 1993	
077)- Mehmet Kaya (46)	Viranşehir	05 February 1993	Worker
078)- İhsan Yeşilirmak (45)	Batman	08 February 1993	
079)- İsmail Yen	Nusaybin	09 February 1993	Driver
080)- Kerem Özgen (29)	Diyarbakır	09 February 1993	Tradesman
081)- Mehmet Bağış (43)	Kozluk	09 February 1993	
082)- Yaşar Buluş (33)	Batman	12 February 1993	Merchant
083)- Azad Azizoğlu	Mazıdağı	12 February 1993	
084)- Vedat Dilekoğlu	Mazıdağı	12 February 1993	
085)- Mehmet Akdağ (Tekdağ)	Diyarbakır	13 February 1993	HEP member
086)- Mehmet Tatlı (35)	Mersin	13 February 1993	
087)- Şakir Yüce	Silvan	14 February 1993	
088)- Abdülrezzak Bozkurt	Silvan	14 February 1993	
089)- Mahmut Korunay (33)	Mersin	16 February 1993	
090)- Halil Erdemir (35)	Mersin	16 February 1993	
091)- Abdülkadir Bulut	Batman	16 February 1993	
092)- Kemal Kılıç (26)	Urfa	18 February 1993	Journalist
093)- Sileyman Akyüz (44)	Mersin	21 February 1993	Grocer
094)- Cemal Akar (30)	Erzincan	23 February 1993	ÖZDEP Chairman
095)- Cemile Erin (32)	Kızıltepe	24 February 1993	
096)- Hamdin Erin	Kızıltepe	24 February 1993	
097)- Hüseyin Çetin	Kızıltepe	25 February 1993	

(\*) Municipality Assembly.

098)- Ahmet Argın (45)	Batman	26 February 1993	
099)- Metin Can	Elazığ	27 February 1993	İHD Br.Chairman
100)- Hasan Kaya	Elazığ	27 February 1993	Doctor
101)- Ömer Güven	Cizre	27 February 1993	SP leader
102)- Cemal Özyurt	Cizre	27 February 1993	Farmer
103)- Sabri Zengin (69)	Silvan	27 February 1993	
104)- Abdülhadi Zengin (33)	Silvan	27 February 1993	
105)- Fikret Zengin (30)	Silvan	27 February 1993	
106)- Sedat Yiğit	Diyarbakır	27 February 1993	Taxi Driver
107)- Şirin Cesur (29)	Silvan	03 March 1993	Tradesman
108)- Tahir Demir	Nusaybin	03 March 1993	
109)- Darbas Bekler (18)	Nusaybin	04 March 1993	Student-lycee
110)- Sadık Bitkin (45)	Mersin	05 March 1993	Tradesman
111)- Abdülkerim Biltekin (22)	Mersin	05 March 1993	Butcher
112)- Mehmet Özçelik	Nusaybin	05 March 1993	Tradesman
113)- Osman Şimşek (26)	Batman	05 March 1993	Teacher
114)- Şahin Tekalp (27)	Silvan	13 March 1993	
115)- İhsan Karakuş (53)	Silvan	13 March 1993	Journalist
116)- .... (male)	Around Tatvan	14 March 1993	
117)- Osman Güllkan (17)	Batman	14 March 1993	
118)- Sabri Kaya (37)	Batman	16 March 1993	Butcher
119)- Abdurrahman Alkamış (37)	Diyarbakır	16 March 1993	
120)- .... (male)	Siverek	17 March 1993	
121)- Mehdi Duyar	Cizre-İdil	17 March 1993	Driver
122)- Hacı Cevat Seven (58)	Kurtalan	20 March 1993	
123)- Faik Ayaz	Silvan	19 March 1993	Teacher
124)- Nuri Taşkın	Silvan	21 March 1993	
125)- Ramazan Erte	Kızıltepe	22 March 1993	
126)- Felemez DüNDAR (37)	Batman	23 March 1993	Worker
127)- Abdurrahman Acar	Batman	23 March 1993	Salesman
128)- Fuat Kaya	Çınar	02 April 1993	Farmer
129)- Abdurrahman Kaya	Çınar	02 April 1993	Farmer
130)- Ramazan Toprak (20)	Batman	05 April 1993	
131)- Şeyh Davut Yalçınkaya	Kızıltepe	10 April 1993	HEP leader
132)- Halim Yalçınkaya	Kızıltepe	10 April 1993	HEP member
133)- Seyfi Aslan (30)	Nusaybin	11 April 1993	Tradesman
134)- Alihan Han (42)	Diyarbakır	23 April 1993	Teacher
135)- Halil Pekacar (50)	Batman	23 April 1993	Guardian
136)- Vehbi Gündüz (36)	Muş	24 April 1993	İmam
137)- Ayetullah İl (İz)	Diyarbakır	27 April 1993	Farmer
138)- Osman Demirelli	Mersin	27 April 1993	
139)- Mahmut Haneyaz (26)	Silvan	29 April 1993	Worker
140)- İbrahim Akengin (16)	Dicle	30 April 1993	Student
141)- Nuri Çelebi	Bismil	02 May 1993	Driver
142)- Mehmet Emin Gezer	Batman	03 May 1993	
143)- Seyfettin Gül	Batman	03 May 1993	
144)- Mehmet Güllüalp	Batman	04 May 1993	
145)- Mehmet Salih Satıkalp	Batman	10 May 1993	
146)- Ahmet Uysal	Kozluk	10 May 1993	Shepherd
147)- Abdülselem Eren	Around Kulp	11 May 1993	İmam
148)- Mehmet Kaya (28)	Gaziantep	19 May 1993	
149)- Necla Karçalı (19)	Gaziantep	19 May 1993	
150)- Lokman Ayaz (19)	İstanbul	24 May 1993	Student

151)- Semra Bayram (18)	Silvan	25 May 1993	Student
152)- ..... (male)	Silvan	25 May 1993	
153)- Mehmet Kaya	Mersin	25 May 1993	
154)- Mehmet Öz	Mersin	25 May 1993	
155)- Mahmut Bıçak (33)	Viranşehir	02 June 1993	Worker
156)- Halil İbrahim Bıçak (2)	Viranşehir	02 June 1993	
157)- Ali Sükut (Söğüt)	Silvan	04 June 1993	
158)- Teğmen Demir	Batman	04 June 1993	
159)- Kerim Geldi (46)	Varto	05 June 1993	ANAP leader
160)- Eyüp Adıyaman	Silvan	07 June 1993	HEP member
161)- Muhterem Demir	Silvan	07 June 1993	DEP member
162)- Ramazan Süer (40)	Bismil	08 June 1993	Guard
163)- Nuri Kaya	Gercüş	09 June 1993	Gercüş Mayor
164)- Aziz Bağcı	Gercüş	09 June 1993	Driver
165)- Garip Bağcı	Gercüş	09 June 1993	Driver
166)- Ali Rıza Pekgöz	Kurtalan	09 June 1993	Teacher
167)- Nuriye Ak (25)	Diyarbakır	11 June 1993	Teacher
168)- Elif Livan (31)	Diyarbakır	11 June 1993	Teacher
169)- Şükrü Fırat (54)	Urfa yak.	13 June 1993	DEP member
170)- Haşim Yaşa (34)	Diyarbakır	14 June 1993	Newspaper vendor
171)- Hacı Bahattin Erdem (37)	Cizre	16 June 1993	Tradesman
172)- Aydın Talip (35)	Siverek	16 June 1993	Tradesman
173)- İkrami Han	Diyarbakır	21 June 1993	Tradesman
174)- Hamit Pamuk	Diyarbakır	21 June 1993	Lab. assistant
175)- Fadıl Bulut (29)	Cizre	21 June 1993	Pharmacist
176)- Zeyno Yücesoy (60)	Kızıltepe	22 June 1993	Housewife
177)- İsmet Yücesoy (30)	Kızıltepe	22 June 1993	
178)- Fatih Güler	Diyarbakır	25 June 1993	
179)- Cüneyt İlhan (28)	Çermik	27 June 1993	Guardian
180)- Abdurrahim Alkan (21)	Diyarbakır	27 June 1993	Driver
181)- Hüseyin Baraç	Hilvan	01 July 1993	
182)- Mehmet Dede	Hilvan	01 July 1993	
183)- İbrahim Altunsoy (61)	Adana	02 July 1993	
184)- Fetih Korkut	Diyarbakır	02 July 1993	
185)- İhsan Sayar	Silvan-Batman	02 July 1993	
186)- Şehmuz Çoban	Derik	24 July 1993	Farmer
187)- Hüseyin Kaya	Derik	24 July 1993	Farmer
188)- Sedat Çelik (21)	Diyarbakır	25 July 1993	Driver
189)- Abdullah Sapan	Diyarbakır	25 July 1993	Grocer
190)- Behçet Açı (45)	Silvan	25 July 1993	Farmer
191)- Mehmet Hafif (18)	Batman	27 July 1993	Tradesman
192)- Remziye Akın	Batman	28 July 1993	Housewife
193)- Kerim Anıl	Kurtalan	28 July 1993	Fotographer
194)- Ahmet Yıldırım	Nusaybin	29 July 1993	Farmer
195)- Ayşe Rani (35)	Pazarcık	30 July 1993	Housewife
196)- Elif Rani (7)	Pazarcık	30 July 1993	Child
197)- Gözde Rani (3)	Pazarcık	30 July 1993	Child
198)- Mehmet Yaşar (28)	Batman	31 July 1993	DEP member
199)- Cemalettin Burkay (24)	Diyarbakır	31 July 1993	Tradesman
200)- Adülkadir Ateş	Şeyh Çoban	31 July 1993	
201)- Nedim Ateş	Şeyh Çoban	31 July 1993	
202)- Mehmet Selim Şahin	Gaziantep	02 August 1993	Cooker
203)- Abdullah Durmuş	Gaziantep	02 August 1993	Driver

204)- Ferhat Tepe (20)	Bitlis	04 August 1993	Journalist
205)- Ekrem Afşin (52)	Batman	05 August 1993	Worker
206)- Şehmus Ekmen (23)	Batman	05 August 1993	
207)- Nurettin Tangüler	Diyarbakır	05 August 1993	Tradesman
208)- Muhyettin Taştekin (60)	Konut Bekler	05 August 1993	Farmer
209)- Murat Karaçobanoğlu	Diyarbakır	06 August 1993	Tradesman
210)- Ömer Teğmen	Çınar	06 August 1993	
211)- Hasan Okur (40)	Diyarbakır	07 August 1993	Tradesman
212)- Osman Göçer (27)	Diyarbakır	07 August 1993	Tradesman
213)- Hacı Selim Ekmen	Batman	08 August 1993	
214)- Sıddık Adıyaman	Diyarbakır	09 August 1993	Tradesman
215)- Süleyman Ayverdi (25)	Diyarbakır	09 August 1993	Tradesman
216)- Hüseyin Akman	İdil	12 August 1993	
217)- Ahmet Elinç (27)	Gaziantep	13 August 1993	Drover
218)- Ramazan Dip	Derik-Rewşat	13 August 1993	
219)- Fevzi Dip	Derik-Rewşat	13 August 1993	
220)- Halil Keser	Ergani	14 August 1993	Farmer
221)- Hayrettin Çelik (50)	Batman	17 August 1993	
222)- Vafettin Çelik (44)	Batman	17 August 1993	
223)- Mehmet Sevim	Batman	18 August 1993	Postman
224)- Haluk Şaşmaz	Diyarbakır	18 August 1993	Barber
225)- Celal Konat (46)	Diyarbakır	18 August 1993	Worker
226)- Aziz Börü (23)	Diyarbakır	19 August 1993	
227)- Mehmet Yeşil (29)	Batman	19 August 1993	DEP leader
228)- Mehmet Sait Ayhan	Diyarbakır	20 August 1993	Salesman
229)- Musa Ak (25)	Batman	20 August 1993	DEP member
230)- Abdullah Yüzen (40)	Ergani	22 August 1993	Gasoline seller
231)- Mehmet Çelik (30)	Diyarbakır	24 August 1993	Tradesman
232)- İzzettin Altan (33)	Kozluk	26 August 1993	
233)- Hüseyin Bayık (32)	Kozluk	26 August 1993	
234)- Abdülmelik Altan (39)	Kozluk	26 August 1993	
235)- Hamit İlhan	Kozluk	26 August 1993	
236)- Vahit Demir (30)	Silvan	26 August 1993	
237)- Yusuf Karaüzüm (27)	Silvan	26 August 1993	Salesman
238)- İlhami Solmaz (25)	Batman	26 August 1993	Technician
239)- Celal Açıl (29)	Batman	26 August 1993	Driver
240)- Hasan Yılmaz (37)	Batman	28 August 1993	Tradesman
241)- İbrahim Hakkı Baykara	Diyarbakır	28 August 1993	Technician
242)- Menaf Güneş	Silvan	28 August 1993	Housewife
243)- Mehmet Saitoğlu	Batman	28 August 1993	
244)- Behram Azadfer	Ankara	28 August 1993	Iranian refugee
245)- Ubeydullah Eren	Kızıltepe	29 August 1993	Grocer
246)- Yılmaz Eren	Kızıltepe	29 August 1993	Child
247)- Ferhat Eren	Kızıltepe	29 August 1993	Child
248)- Zeki Tanrıku (35)	Silvan	02 September 1993	Doctor
249)- Habib Kılıç (38)	Batman	02 September 1993	DEP leader
250)- Nusret Güngörmez	Siverek	02 September 1993	
251)- Şakir Demirtaş (35)	Silvan	03 September 1993	
252)- Vedat Dayan (26)	Diyarbakır	04 September 1993	Tradesman
253)- Abdülcabar Ek	Kocaköy	04 September 1993	
254)- Mehmet Sincar (40)	Batman	04 September 1993	Deputy
255)- Metin Özdemir	Batman	04 September 1993	DEP leader
256)- Abdullah Çoban (30)	Diyarbakır	07 September 1993	Waiter

257)- Seyithan Özçelik (15)	Mutki	07 September 1993	Shepherd
258)- Sabri Diri	Yüksekova	07 September 1993	Farmer
259)- Ramazan Deniz (38)	Diyarbakır	10 September 1993	Farmer
260)- Haydar Deniz (40)	Diyarbakır	10 September 1993	Farmer
261)- Salih Bozkurt (27)	Batman	12 September 1993	
262)- Mustafa Bulut	Çınar-Meydan	13 September 1993	Farmer
263)- Muhammed Kadiri	Kırşehir	14 September 1993	Iranian refugee
264)- Talip Yüce	Mersin	15 September 1993	İmam
265)- Fethi Yıldız (20)	Cizre-İdil	16 September 1993	
266)- Ferudun Nergiz	Diyarbakır	17 September 1993	
267)- Abbas Demiroğlu (29)	Diyarbakır	18 September 1993	DEP leader
268)- Ahmet Işıklı	Diyarbakır	18 September 1993	
269)- Ali Ceylan (27)	Diyarbakır	18 September 1993	
270)- Selahattin Gençol	Diyarbakır	18 September 1993	
271)- Yusuf Üzümcü	Batman	19 September 1993	
272)- Mahmut Demir	İdil-Akça	19 September 1993	Farmer
273)- Ahmet Arcagök (30)	Diyarbakır	20 September 1993	Teacher
274)- Savaş Adıgüzel (13)	Diyarbakır	20 September 1993	Student
275)- M. Sait Ayan	Diyarbakır	20 September 1993	
276)- Ali Şahap Salık (34)	Diyarbakır	21 September 1993	Teacher
277)- Kudbettin Akbal (29)	Diyarbakır	22 September 1993	Grocer
278)- Şuayip Konuksever	Diyarbakır	22 September 1993	Teacher
279)- Abdülkadir Bayrak	Nusaybin	22 September 1993	Pharmacist
280)- Hamit Ülgen (27)	Diyarbakır	23 September 1993	Salesman
281)- Sabri Özdemir (29)	Batman	24 September 1993	Stationer
282)- Mehmet Çelik	Diyarbakır	24 September 1993	Tradesman
283)- İhsan Güneş (34)	Batman	25 September 1993	Tradesman
284)- Mehmet Konyar	Doğubeyazıt	26 September 1993	Student-lycee
285)- Kadir Elmas (41)	Midyat	26 September 1993	
286)- Halil Kiraz	Siverek	26 September 1993	Health officer
287)- Mehmet Salih Çakır (25)	Batman	27 September 1993	Salesman
288)- Mehmet Ali Kızmaz (18)	Batman	27 September 1993	
289)- Ahmet Öner	Diyarbakır	27 September 1993	
290)- Hamit Gezgin	Kızıltepe	28 September 1993	Singer
291)- Zülküf Akkaya (34)	Diyarbakır	28 September 1993	Newspaper ven.
292)- Hüseyin Yıldırım (43)	Diyarbakır	28 September 1993	Contractor
293)- Şükrü Yavuz	Suruç	28 September 1993	İmam
294)- Muhittin Demir	Suruç	28 September 1993	Tradesman
295)- Mehmeddin Zeki Tuncer (20)	Batman	29 September 1993	Tradesman
296)- Abdülhakim Aktürk (17)	Diyarbakır	29 September 1993	
297)- Şükrü Tekince (26)	Batman	30 September 1993	Salesman
298)- Abdülvahap Pala (18)	Diyarbakır	30 September 1993	Student
299)- Salim Sarıkan (24)	Silvan	01 October 1993	Tradesman
300)- Şakir Savaş (23)	Batman	01 October 1993	
301)- Mehmet Selim Koyuncu (29)	Batman	01 October 1993	
302)- Ahmet Güner	Malatya	01 October 1993	İmam
303)- Abdülselem Ayabağ	Batman	02 October 1993	Farmer
304)- Muzaffer Tekin (20)	Diyarbakır	04 October 1993	Photographer
305)- Şirin Akbaş (30)	Bitlis-Hizan	04 October 1993	
306)- Hayrettin Dal	Batman	04 October 1993	
307)- Mahmut Akay (42)	Batman	05 October 1993	Tradesman
308)- Cahit Sürek	Silvan	05 October 1993	Tradesman
309)- Suat Sütşurup	Silvan	05 October 1993	Tradesman

310)- Ömer Han	Silvan	05 October 1993	Tradesman
311)- Hasan Altinkaya	Silvan	05 October 1993	Tradesman
312)- Hanefi Yavuz	Silvan	05 October 1993	Tradesman
313)- Mahsun Güvenç (44)	Diyarbakır	07 October 1993	MA Member
314)- Ali Işık (42)	Diyarbakır	07 October 1993	Worker
315)- Eşref Şengül	Silvan	07 October 1993	
316)- Halit Güzel	Silvan	07 October 1993	
317)- İhsan Kıran (41)	Silvan	08 October 1993	Pharmacist
318)- Yaşar Karakutlu (40)	Mersin	08 October 1993	Village headman
319)- Zeki Murat Yıldırım (30)	Diyarbakır	09 October 1993	Tradesman
320)- Süreyya Gün (60)	Diyarbakır	09 October 1993	Salesman
321)- Aysun Gün (8)	Diyarbakır	09 October 1993	Child
322)- Şahabettin Kartal	Diyarbakır	09 October 1993	Student
323)- Adil Başkan (28)	Nusaybin	09 October 1993	Newspaper vendor
324)- Yalçın Yaşa (17)	Diyarbakır	10 October 1993	Student
325)- Ali Okal (61)	Midyat	10 October 1993	Village headman
326)- Lokman Zuğurlu (18)	Diyarbakır	10 October 1993	Student
327)- Zana Zuğurlu (16)	Diyarbakır	10 October 1993	Student
328)- Süleyman Dansız	Cizre	11 October 1993	
329)- Mahmut Yavuz	Nusaybin	12 October 1993	
330)- Hasan DüNDAR (30)	Nusaybin	13 October 1993	
331)- Hasan Yağızsoy	Nusaybin	13 October 1993	
332)- Nurettin Akkurt (30)	Siverek	13 October 1993	Worker
333)- İhsan Güneşli (48)	Silvan	13 October 1993	Worker
334)- Yılmaz Acun (17)	Siverek	13 October 1993	Student-lycee
335)- Selim Demirkıran (50)	Silvan	13 October 1993	Worker
336)- Baki Karakoç (32)	Diyarbakır	14 October 1993	Furniture vendor
337)- Sabri Kutlu (55)	Silvan	15 October 1993	
338)- Abdülislam İzden (20)	Diyarbakır	17 October 1993	
339)- Mehmet Emin	Muş	17 October 1993	
340)- Bayram Demir (17)	Diyarbakır	18 October 1993	Worker
341)- Ramazan Zengin (48)	Diyarbakır	18 October 1993	Farmer
342)- Resul Alpsöy (31)	Midyat	18 October 1993	
343)- Aydın Turan	Ceylanpınar	18 October 1993	Teacher
344)- Hakim Keskinılıç	Silvan	18 October 1993	Village headman
345)- Enver Keskinılıç	Silvan	18 October 1993	Farmer
346)- Sıtkı Uçar (36)	Silvan	18 October 1993	Farmer
347)- .... (16)	Batman	21 October 1993	Student-lycee
348)- İbrahim Karakuyu (51)	Pazarcık	21 October 1993	Farmer
349)- Sedat Sümer	Diyarbakır	22 October 1993	Worker
350)- Sabri Kaplan (33)	Batman	22 October 1993	
351)- Ramazan Yıldırım (42)	Batman	22 October 1993	
352)- Abdülşamet İmrağ (37)	Batman	22 October 1993	
353)- Abdülmenaf Aktuğ	Batman	23 October 1993	
354)- Çetin Gıdici (21)	Batman	23 October 1993	
355)- Mustafa Kılıç (20)	Batman	23 October 1993	
356)- Ramazan Çelik (35)	Batman	24 October 1993	Tradesman
357)- Mustafa Yıldırım (38)	Nusaybin	24 October 1993	
358)- Hayati Eren (27)	Diyarbakır	27 October 1993	
359)- Hanifi Yaprak	Silvan	28 October 1993	
360)- Mazhar Çelik (21)	Diyarbakır	28 October 1993	
361)- Muhittin Karaaslan (20)	Diyarbakır	28 October 1993	
362)- Tajdin Mendil	Silopi-Cizre	29 October 1993	

363)- Hacı Kayasız	Silopi-Cizre	29 October 1993	
364)- Nusret Selimoğlu	Silopi-Cizre	29 October 1993	
365)- Serbest Sala	Silopi-Cizre	29 October 1993	
366)- Cengiz Oruç (25)	Dişarbakır	30 October 1993	İmam
367)- İlhan Işık (10)	Dişarbakır	30 October 1993	Student-pr. school
368)- Mecit Baskan	Ankara	30 October 1993	Civil servant
369)- Fahri Çoşkun	Dişarbakır	31 October 1993	Merchant
370)- Abdülkadir Özcan	Dişarbakır	01 November 1993	Worker
371)- Eyüp Gökoğlu (38)	Urfa	04 November 1993	Pharmacist
372)- Can Sezgin	Batman	04 November 1993	Tradesman
373)- Cem Ersever	Ankara	05 November 1993	Retired mil. officer
374)- Mustafa Deniz	Ankara	05 November 1993	Intelligence officer
375)- Neval Boz (Mahzune)	Ankara	05 November 1993	Intelligence officer
376)- Hatip Acar	Kozluk	06 November 1993	
377)- ....	Murat Bridge	08 November 1993	
378)- ....	Murat Bridge	08 November 1993	
379)- ....	Murat Bridge	08 November 1993	
380)- Abdülkadir Selçuk	Dişarbakır	09 November 1993	
381)- Hüseyin Arıç	İdil	09 November 1993	Farmer
382)- Mehmet Arıtürk	Batman	11 November 1993	
383)- Ekrem Öner (28)	Batman	13 November 1993	
384)- Şeyhmuz Adıyaman	Dişarbakır	13 November 1993	
385)- Hüseyin Yağmur (35)	Dişarbakır	14 November 1993	
386)- Abdullah Unzunbaş (31)	Dişarbakır	15 November 1993	Worker
387)- Hüseyin Alkış	Suruç	15 November 1993	
388)- Cemal Süslü (23)	Dişarbakır	16 November 1993	
389)- Abdurrahman Cansever (18)	Dişarbakır	16 November 1993	Marketer
390)- Eşref Pervari (24)	Dişarbakır	18 November 1993	Tradesman
391)- Mustafa Yıldırım	Batman	19 November 1993	Worker
392)- Kadir İpeksümer	Urfa	19 November 1993	Newspaper vendor
393)- Süleyman Tezcan (42)	Midyat-Söğüt	21 November 1993	Farmer
394)- Vasil Şimşek	Dişarbakır	22 November 1993	Driver
395)- Ahmet Arık (Haliç-22)	Dişarbakır	22 November 1993	
396)- Mehmet Sevmiş (23)	Dişarbakır	22 November 1993	
397)- Salih Esin	Dişarbakır	22 November 1993	
398)- Ubeydullah Can (17)	Dişarbakır	22 November 1993	
399)- Mehmet Doğru	Dişarbakır	23 November 1993	Worker
400)- Mahmut Kavuk (Konuk)	Dişarbakır	23 November 1993	
401)- Aydın Tırmak	Dişarbakır	23 November 1993	
402)- Ramazan Budak (43)	Batman	23 November 1993	
403)- Abdurrahman Budak (29)	Batman	23 November 1993	
404)- Selim Rüzgar (17)	Batman	23 November 1993	
405)- Sertip Bilek	Dişarbakır	26 November 1993	Student
406)- Mehmet Kalkan	Dişarbakır	26 November 1993	Driver
407)- Şevket Epözdemir	Güroymak	26 November 1993	İHD representative
408)- Nuri Çoban (42)	Batman	26 November 1993	Salesman
409)- Şahin Elikçi	Batman	26 November 1993	
410)- Mehmet Gökmen	Batman	27 November 1993	Merchant
411)- Raci Değirmenci (30)	Batman	27 November 1993	Farmer
412)- Adnan Işık (30)	Van	27 November 1993	Newspaper seller
413)- Abdurrahman İbin	Pozartı	27 November 1993	Worker
414)- Şakir İbin	Pozartı	27 November 1993	Worker
415)- Celal Yanık	Pozartı	27 November 1993	Worker

416)- Mehmet Korkutata (38)	Bingöl	30 November 1993	
417)- Mehmet Nuri Özdemir	Batman	02 December 1993	
418)- Selahattin Özdemir	Batman	02 December 1993	
419)- Talip Topsuz (60)	Batman	02 December 1993	
420)- Rıdvan Ağırman	Nusaybin	02 December 1993	Tradesman
421)- İsmet Demir	Batman	03 December 1993	
422)- Musa Dürü	Batman	03 December 1993	Newspaper dealer
423)- Yahya Çilligöz	Batman	03 December 1993	Newspaper dealer
424)- Mehmet Sencer	Diyarbakır	03 December 1993	Tradesman
425)- Şehmuz Geçer	Derik	04 December 1993	Farmer
426)- Şeyhmuz Narin	Diyarbakır	06 December 1993	
427)- Abdülkadir Tekin	Diyarbakır	06 December 1993	
428)- Burhan Ataş	Diyarbakır	06 December 1993	
429)- Esat Güntay (22)	Batman	06 December 1993	
430)- Durmuş Zümrüt Yaprak	Adana	07 December 1993	Driver
431)- Şükrü Tavşan	Diyarbakır	07 December 1993	
432)- Sadrettin Aydın	Diyarbakır	07 December 1993	
433)- Recep Erbahadır	Diyarbakır	07 December 1993	Worker
434)- Sedat Akıncı	Diyarbakır	07 December 1993	
435)- Bülent Gül	Diyarbakır	07 December 1993	
436)- Esat Göktal	Batman	07 December 1993	
437)- Hasan Elhakan (19)	Diyarbakır	08 December 1993	
438)- Nazmi Efe	Diyarbakır	08 December 1993	
439)- Hayrettin Yıldız (38)	Diyarbakır	10 December 1993	Teacher
440)- Sıtkı Yıldırım (30)	Adana	10 December 1993	
441)- Zuhat Tepe (27)	İskenderun	14 December 1993	Newspaper seller
442)- Abdurrahman Bakır (22)	Diyarbakır	17 December 1993	Butcher
443)- Mehmet Elçiçek (40)	Diyarbakır	17 December 1993	İmam
444)- Veysi Kortak (17)	Diyarbakır	19 December 1993	
445)- Ekrem Teonay (40)	Midyat	19 December 1993	Worker
446)- ..... ..	Şırnak-Eruh	19 December 1993	
447)- ..... ..	Şırnak-Eruh	19 December 1993	
448)- Salih Bozcu (27)	Batman	21 December 1993	Driver
449)- Zeynel Keskin	Bingöl	22 December 1993	Farmer
450)- Selahattin Bilen	Silopi	22 December 1993	
451)- Niyazi Mete	Silopi	22 December 1993	
452)- Sinan Erdem (34)	Kızıltepe	22 December 1993	
453)- Mehmet Hadi Çam (32)	Kızıltepe	22 December 1993	
454)- Nezh Güneri	Bismil	24 December 1993	
455)- Sadık Kortak	Bismil	26 December 1993	PKK defendant
456)- Fevzi Öncel	Bismil	26 December 1993	Worker
457)- Sakine Öncel	Bismil	26 December 1993	Housewife
458)- Saraç Cengiz (27)	Batman	27 December 1993	
459)- Halim Özboyacı (62)	Diyarbakır	27 December 1993	
460)- Ayhan Doğan (23)	Diyarbakır	27 December 1993	
461)- Mehmet Akçanlı (28)	Diyarbakır	27 December 1993	Tradesman
462)- Mehmet Kaynar (52)	Diyarbakır	27 December 1993	Village headman
463)- Zeki Yalçın (17)	Hakkari	28 December 1993	Student-lycee
464)- Ahmet Acar (18)	Van	28 December 1993	Student
465)- Mehmet Dayan	Diyarbakır	29 December 1993	Teacher
466)- Abdurrahman Bayındır	Batman	29 December 1993	Farmer
467)- Mehmet Yılmaz	Diyarbakır	31 December 1993	Servant

# TORTURE

Torture was applied as a systematic interrogation method in 1993 and remained as a grave abuse of human rights. Despite official statements and explanations, torture could not be prevented even any effort could not be witnessed for decrease in torture cases. The number of deaths in detention, persons who disappeared after being detained or incapacitated due to torture, and the number of cases of torture and rape in detention increased outstandingly compared with the previous year. Perpetrators were protected, encouraged and even rewarded. Investigations initiated in connection with torture cases did not proceed beyond the talking stage. Manner of the pending trials or trivial sentences played a major role in the increase of torture cases.

The approach of authorities towards torture cases did not prevent torture but actually encouraged perpetrators. For instance, Ankara State Security Court's (SSC's) Chief Prosecutor Nusret Demiral, who delivered a speech in a meeting organized by the Konya Bar Association in March, said that defendants detained because of political reasons, must be interrogated while blindfolded. Nusret Demiral stated that the correct application of the law was to prevent persons, detained in connection with crimes under the jurisdiction of SSC, from benefiting from the amendments on the Code of Criminal Procedures, Nusret Demiral said: "In the trials that we launch, defendants are mostly acquitted due to lack of evidence. Nevertheless it does not mean that those defendants are innocent".

Another example showing the insincerity of authorities on the issue of torture and how the persons involved in inflicting torture were rewarded, was made public through a news taking place in 15 August 1993 dated Özgür Gündem. It was revealed that an official complaint had been lodged against Naci Parmaksız, later appointed Governor of Adana, because of an alleged case of torture in which he was involved while serving as Adana Security Director and that Turkey was sued by the European Human Rights Commission relating to the said official complaint. According to the news, a person detained in October 1987 in Adana verified with two separate medical reports he obtained from the Adana State Hospital and the Forensic Medical Institute dated 24 October 1987 and 26 October 1987 respectively, that torture had been inflicted on him. He subsequently filed an official complaint with the Prosecution Office. Although it was determined by the medical reports that the person in question had been tortured and subjected to electric shocks, an official investigation was prevented from proceeding. Even the order given by the then Interior Minister Abdülkadir Aksu for an investigation to be launched against Naci Parmaksız, was changed by tampering with the order document. Since the

investigation was prevented and no result could be drawn from objections, the person in question exercised his right to make an individual application to the European Human Rights Commission. The Commission found the application worth being scrutinized and started the necessary process. As a result of the scrutiny, the objection was approved, and Turkey was recommended to find a friendly solution to the case. Turkey notified the Commission through Can Altan who is Turkey representative on the Commission, that "the recommendation for a friendly solution was warmly regarded and whatever required would be done".

Sometimes, statements were made by authorized persons or state institutions acknowledging the presence of torture cases in Turkey. Nevertheless, these acknowledgements lost much of their meaning because of various official statements such as "torture is not systematically applied" and "perpetrators are heavily punished". The result reached by the Parliamentary Human Rights Commission, which prepared a report in February on torture cases, may be shown as an example. The Commission members produced a report based on the research conducted in Ankara and Diyarbakır that "torture was not a policy of the state", and also evaluated the 15 December 1992 statement of the European Committee for Prevention of Torture which made harsh accusations against Turkey. Claiming that the statement of the European Committee had humiliated Turkey, the Parliamentary Commission's report stated the following: "Torture is neither a policy of the state nor inflicted upon order, but stems from certain personal attitudes and behaviour".

### **CMUK (The Code of Criminal Procedures)**

Amendments made to the Code of Criminal Procedures which is shortly called as CMUK and is the most important issue discussed in 1992, also kept its place on the agenda in 1993. CMUK which has no use in the prevention of torture, remained only an indicator of "respect for human rights" used by the authorities when they were hard pressed. The events observed during the year of 1993, made it apparent that CMUK which was put into force on 1 December 1992, was of no use for the prevention of torture, did not bring any important changes to the legal system and did not go further than attempting to satisfy public opinion, particularly foreign opinion. CMUK did not actually prevent torture and deaths caused by torture and did not secure any decrease in the number of torture cases. As it is known, the amendments which were among the most outstanding promises of the SHP - DYP coalition government, foresee the following arrangements and exceptions (the Law No.3842):

- Detention periods will decrease to 24 hours for individual crimes, and to 4 days for collective crimes. This period for collective crimes may be extended for an additional 4 days by decision of a judge. The detention period will be 15 days for crimes under the jurisdiction of the SSC and 30 days in the Emergency State Region, as it was before.
- Lawyers will be able to be present at every stage of an investigation. A defendant in police custody may have access to a lawyer. A defendant's right to have a lawyer during interrogation and to demand legal assistance from his/her lawyer may not be rejected. The Bar Association will secure a lawyer for any defendant who is unable to hire one. However, these provisions are not valid for those detained because of crimes falling under the jurisdiction of the SSC.
- Testimony which is taken under torture, ill-treatment or by means of certain physical or psychological intervention breaking down will-power, is not valid. This will be applied for all crimes without discrimination.

- While being interrogated by either security officers or prosecutors, a defendant will be made aware of "the offenses charged on" and of "his/her rights including the right to remain silent". These will not be applied for cases under the jurisdiction of SSC.
- Periods under arrest will be no more than 6 months during the interrogation stage and no more than 2 years for crimes entailing imprisonment sentences up to 7 years during the trial stage. On the other hand, for crimes entailing sentences of more than 7 years' imprisonment, a judge will decide whether the period under arrest will continue or not. In that sense, arrested individuals may be released on bail if the judge approves. These provisions do not include cases under the jurisdiction of SSC.

The amendments of the CMUK caused various public discussions and criticism by human rights activists and jurists in 1993. The focus of the criticisms centered on the exclusion of political crimes from the improvements. In addition, many negative examples witnessed during the year vindicated the criticisms leveled at the CMUK. Before summarizing the criticisms against the CMUK, we must acknowledge the fact that this law includes certain positive aspects. The law consisting of 31 fundamental articles, may be considered as positive from certain aspects because it generally concretizes arrest conditions, partially prevents arbitrary arrests, shortens the detention period and gives the authority to extend this period to a judge, enables a defendant to have an access to her/his lawyer, secures lawyers the right to examine investigation documents, enumerates forbidden interrogation methods, determines interrogation methods and gives a defendant the right to remain silent and to raise objections against continuation of her/his arrest. Nevertheless these positive aspects should not mislead us. The amendments of the law do not cover the political investigations during which torture cases are observed to take place most intensively and heavily. This discrimination alone is an indicator that the law will not prevent torture. Article 31 of the law says that none of these amendments will be applied to crimes under the competence of the SSCs. Thus, an extraordinary judgment order was created and two separate legal regimes were systematized in the same country.

Though the aim of these amendments is to remove human rights abuses, Article 31 of the law constitutes a move further away from this aim, because human rights violations mostly occur with suspects under the jurisdiction of the SSCs, and torture and prohibited interrogation methods are mostly practiced in the Emergency State Region. By means of the law, human rights violations and prohibited interrogation methods during interrogations under the jurisdiction of the SSCs and in the Emergency State Region were legalized and systematized. During the Constitutional Monarchy period, an Ottoman Sultan once said: "Just give me the authority to abolish parliament and then you can form any kind of Constitution". The attitude of the Sultan seems to have been mirrored while drafting Article 31 of the code, and positive provisions formulated have been withdrawn by Article 31.

The law does not introduce any measures to end torture. The detention period was not shortened decisively. In addition, former detention periods foreseen for crimes in the Emergency State Region and under the scope of the SSCs remained the same. Under the law, the detention period for ordinary crimes may be extended to 8 days in certain cases, whereas, between 1973 and 1980, this period was a maximum of 7 days. This situation shows that the present law cannot even match the standards used 20 years ago. The 8-day detention period is in contravention of Article 5/3 of the European Convention on Human Rights which provides that persons apprehended shall be immediately brought before a judge.

Before this law, there was already the possibility for lawyers to meet suspects in the preparatory stage of an investigation in accordance with a Circular of the Prime Ministry. Crimes

under the scope of the SSCs were included in this Circular. Access to a lawyer which had been granted by the Circular to any defendants including ones under the competence of the SSCs was withdrawn by this law, thus resulting in a step backwards. The right to deprive people of their liberty was removed from prosecutors and judges and given to the police. This will lead to arbitrary applications of the law which can not be prevented.

Detainees are kept under custody of the officers who have been applying torture as an interrogation method for years. "To have access to a lawyer, to secure a lawyer to be present during interrogation and to provide legal aid for suspects" is not enough to prevent torture. Without changing the staff who over the course of many years became used to inflicting torture, it is difficult to believe that these measures will prevent torture.

With the amendments, a discrimination was created between political and ordinary crimes, the right of political offenders for a fair trial was disregarded and the principle of "equality" was ignored. Articles 5 and 6 of the Convention on Human Rights however give everybody a "right for defence and a fair trial". Even if only on paper, the 1982 Constitution provides the right of defence for everybody. Thus, the amendment lags the 1982 Constitution.

Under Article 29 of the law, the number of crimes under the scope of the SSCs was decreased. In this provision, however there is an attempt to cover up one important fact. It is misleading to think that the number of the crimes under the scope of the SSCs has actually decreased. In the amendments, certain cases such as smuggling and fictitious exports were excluded from the scope of the SSCs. When considering other crimes said to have been excluded from the scope of the SSCs, we are faced with another picture. Article 1 of the "Law to Fight Terrorism" is still in effect and many crimes excluded from the scope of the SSCs are nonetheless considered to be terror crimes under the "Law to Fight Terrorism". This means that a piece of writing, a speech or a leaflet found in a flat may easily be taken up under the "Law to Fight Terrorism". Thus, a defendant may be tried by a SSC, may be kept in detention for 15 days (30 days in the Emergency State Region), will not be allowed to have access to her/his lawyer, and her/his relatives will not be notified. As stated by Justice Minister Seyfi Oktay, s/he may even be arbitrarily and unnecessarily arrested and kept under arrest for years.

Events witnessed during 1993 verified that the CMUK resulted in failure, that all hopes were frustrated and that all criticisms against the law were substantiated. Furthermore, a series of negative implementations completed the failure. New amendments of the CMUK did not prevent torture which has been an outstanding problem of Turkey for years. Torture cases and claims, deaths in detention, and complaints made by many organizations, particularly bar associations about negative applications which continued after 1 December 1992, the date when the law was promulgated in the Official Gazette and entered into force, made it evident that the amendments did not secure any improvement. In addition, the "Law to Fight Terrorism" applied in many investigations and trials launched in violation of freedom of press, conscience, belief and organization, belied the claim that "crimes under jurisdiction of the SSCs decreased". (There are many cases illustrated under the titles "Determined Torture Cases", "Freedom of Thought and Press" and "Freedom of Organization").

The lawyers who insisted on implementation of CMUK provisions were subjected to insults and attack by security officers. In a press conference held on 17 January 1993, İstanbul Bar Association President Turgut Kazan pointed out actions by the officers who disregarded CMUK provisions and he gave some examples. Turgut Kazan declared the following about the applications of the law in contravention of the CMUK as determined by the İstanbul Bar

Association: "The most notable application is experienced in Customs Guard units. Customs officers first beat the persons they apprehend, then they inform them about their right to access to a lawyer and they intimidate them by saying "You have to give the statement that we want. Otherwise, we will continue beating you". Another sample case violating the law is that apprehended persons are told by the police that they are kept not as a defendant but as a witness. In such cases, persons apprehended do not have a right to access to a lawyer. In the end, however, police state that, these persons who testify as witnesses, are declared as defendants. According to Article 144 of CMUK, apprehended persons have a right to talk with their lawyers in a manner that cannot be heard by anyone else. In certain police stations police officers usually say "Police officers are not anybody, so you may talk to each other near them". Sometimes police officers interpret this right as having a lawyer free of charge and tell the person under suspicion, "Are you too crazy to pay for a lawyer? Call another one from the bar association free of charge". Mostly they try to dissuade the person from demanding a lawyer and even allow a civilian, in the guise of a lawyer, to talk to the suspect like a lawyer."

Following are some sample cases witnessed in 1993 illustrating the difficulties, the applications in contravention to CMUK and ordinary investigations which are not within the scope of the SSCs:

Four youths named Halit Yılmaz, Tolga Varan (16), Hasan Tanrısever and Cüneyt Türker detained in İstanbul by the police on the morning of 22 February without any justification, were not allowed to inform their families. The youths who were held in police custody until the evening hours were allowed to call their families only after great insistence on calling.

Lawyer Hikmet Aykent who went to İzmir Security Directorate's Public Order Department on 8 March after obtaining permission from the Public Prosecution Office to meet with his client who was held in police custody, was not allowed by police officers to talk to his client. Subsequently, Hikmet Aykent informed the İzmir Bar Association about the event and demanded aid. Later he returned to the Security Directorate again to see Ahmet Aksüt who is a member of the Administrative Board of the İzmir Bar Association. He was not allowed to meet his client that time either. The lawyer who objected to this application was ejected from the directorate's building by force. When the event was made known to the Public Prosecution Office, a trial was launched against security officers Coşkun Alagöz and Ali Bilgiç who were accused of acting in violation of the CMUK. The indictment prepared as a result of this event, demanded a sentence of up to 3 years' imprisonment for each of the security officers on charges of "preventing defence, insulting and using force".

In August, lawyer Ahmet Çolakoğlu who wanted to meet with his 17-year old client who had been subjected to torture during detention at İzmir Justice Building, was not permitted by a police officer to do so (According to the CMUK, defendants under 18 years old should be allowed to meet with their lawyers even if the defendants fail to make such a demand). The İzmir Bar Association complained to Deputy Prime Minister Erdal İnönü and Justice Minister Seyfi Oktay about the police involved in this event. While talking to Erdal İnönü, İzmir Bar Association President Volkan Alposkay said: "This event is too obvious to be covered up by the police, Governorate or Public Prosecution Office, and it shows a general trend of the police. The police disregard the law not only in İzmir, but all over Turkey." Lawyer Ahmet Çolakoğlu, who told Erdal İnönü about the event, stated that the attitude of the police during the event was not a personal one, and further said: "The police cannot be successful with any defence. When I met with my client later, he said that he had been forced to falsely confess that he had stolen 20 tape

recorders. He also told me that he had been subjected to torture". According to Ahmet Çolakoğlu the detention period of his client was extended to 5 days, but the permission of the prosecutor, required for extension of the period was not in the investigation file. Ahmet Çolakoğlu also said that he always carried a tape recorder with him because of an infirmity of his hands and that he recorded all threats and insults by the police on the tape recorder.

In the meantime, criticisms directed at the CMUK were occasionally put on the agenda of courts and it was claimed that the law was in contravention of the Constitution. For instance, during a trial at the Kırşehir Court of First Instance at the beginning of January, lawyers stated that Article 31 of the CMUK, which foresees that the suspects tried in connection with the offenses under the jurisdiction of SSCs may not benefit from the latest amendments of the CMUK, and was in violation of the Constitution. The statement made by the lawyers was taken into account by the aforesaid court. The mentioned court later applied to the Constitutional Court for annulment of the Article. However, the Constitutional Court rejected the application. The decision given on 18 January pointed out that the courts might apply to the Constitutional Court for annulment in cases only where the articles demanded to be annulled were under their jurisdiction. In accordance with the decision, only the SSCs may apply to the Constitutional Court with a demand to repeal Article 31 which would occasion a difference for defendants.

Upon the decision of the Constitutional Court, lawyers Selim Okçuoğlu and Niyazi Çem applied to the İstanbul SSC, and stated that Article 31 of the law contradicted many principals of the Constitution, firstly the principal of "equality before laws". Demanding that the issue should be brought before the Constitutional Court, the lawyers indicated that the extension of detention periods to 15 days for crimes within the scope of the SSCs and to 30 days for crimes in the Emergency State Region was not a legal decision, but a political one. The lawyers stated that although the amendments of the CMUK were statedly aiming at the prevention of torture, they had many medical reports verifying torture inflicted on their clients who were tried on allegations of "being members of the PKK" or "aiding and sheltering militants". They also said that the law should have been debated by the Constitutional Court with the aim of removing this inequality.

#### **a) Investigations and Trials**

Additionally, torture cases and claims were generally not investigated during 1993. While most of the official complaints were shelved, decisions not to prosecute were taken for meaningless reasons in other cases where investigations were initiated. To launch trials against perpetrators took great effort and thus it became almost impossible to prevent torture.

Another event, showing that torture cases were not seriously investigated, was experienced in Ankara in April and May. Police attempted to detain retired lieutenant Osman Tiftikçi who had been dismissed from the Army following 12 September Military Coup in a billiard hall on Esat Street of the Küçüksat quarter in Ankara. Osman Tiftikçi who objected to his detention, resisted the police by shouting slogans. The police subsequently detained him by force and took him to the Security Directorate. Osman Tiftikçi was sent to the Forensic Medicine Institute on 12 April, 3 days after his detention, where he was given a medical report by the Institute showing "his inability to work for 5 days due to wounds on his body". Osman Tiftikçi was arrested by Ankara SSC when the detention period expired and he was sent to the Forensic Medicine Institute once more on 27 April. That time, he obtained another medical report showing his inability to work for 3 days. The 27 April 1993 dated report stated that erosions had been determined on back of his penis, on his left elbow, on his right arm and on both of his toes.

Then, indicating that he was tortured in police custody, Osman Tiftikçi filed an official complaint with the Ankara Public Prosecution Office which initiated an inquiry into the case.

As a result of the inquiry, which continued for sometime, the decision not to prosecute was made on the grounds that "Osman Tiftikçi was detained within a legal framework". The following was written on the decision not to prosecute: "It has been determined that Osman Tiftikçi was wounded while he was resisting detention by the police, and his resistance caused his inability to work for 5 days. The procedure followed in the case was appropriate to the CMUK. The defendant resisted the police by shouting slogans and the officers forced him get into a police vehicle. The wounds and scars on the body of the defendant occurred at that time." The decision illustrated the types of cases where police officers might be accused of torture as follows: "To break the resistance of a defendant and to apprehend him/her are among the legal duties of the police. If police officers act in an arbitrary manner or exceed the authority given to them while preventing the resistance (such as breaking an arm, hand etc., causing heavy wounds or injury by opening fire on the upper part of the body instead of lower part), they will be legally responsible."

In the investigation, the claims by Osman Tiftikçi concerning torture inflicted on him while being interrogated were not assessed. In addition, reasons for the traces of torture which were found on various parts of his body, particularly on his penis and which were caused apparently due to electric shocks, were not mentioned. The question of whether the traces on his penis occurred while he was forced to get into the vehicle remained ambiguous and it exposed the lack of seriousness of the investigations initiated in regard to torture cases.

Other interesting examples of the results of investigations that were initiated as to torture cases and claims are as follows:

A youth named Doğan Kelek who is living in the Ortaköy district of Çorum, was beaten by a noncommissioned officer in July on the grounds that he looked like a terrorist. Doğan Kelek obtained a medical report from a hospital verifying traces of blows on his body and showing his inability to work for 6 days, and then he lodged an official complaint with the Public Prosecution Office. Doğan Kelek stated the following: "I was going from Ortaköy district to Cevzli village which is mostly inhabited by Kurdish people. A military vehicle blocked our way. A noncommissioned officer who got out of the vehicle said that I looked like a terrorist and beat me". No result could be drawn from the investigation. The noncommissioned officer who beat Doğan Kelek was assigned to another settlement in the Aegean Region and in this manner the event was covered up.

Ahmet Halifegil, who is a student at the Faculty of Education of Çukurova University, was detained on 2 May in Adana and started to be beaten by a commissioner named Sabri Güngen at PTT Police Station where he was taken to. Ahmet Halifegil who could not bear being beaten, responded by hitting Sabri Güngen with his fists. As a result, Commissioner Sabri Güngen was slightly injured. Ahmet Halifegil obtained a medical report from the Forensic Medicine Institute showing that he was unable to work for 7 days and he made an official complaint to the Public Prosecution office against Sabri Güngen. However, the Public Prosecution Office did not accept his complaint and adopted an attitude in favor of Commissioner Sabri Güngen who had a fist blow on his face and was given a medical report showing his inability to work for 3 days. Later, a trial was launched against Ahmet Halifegil on allegations of "opposing the police and attacking de facto". The trial against Ahmet Halifegil started on 1 July. Sabri Güngen who took the floor in the hearing said: "Ahmet attacked me and

my friends. He bit my arm and threw a punch to my face. We did not torture him" However, Ahmet Halifegil rejected the claims of Commissioner Güngen and said the following: "I was tortured in the police station for 17 hours and threatened to be killed. The commissioner and other police officers are lying".

It has been revealed that Eyüp Seyrek (44) who is correspondent for the newspaper "Viranşehir" and BBC, İbrahim Halil Yaman (33), Ömer Özkan (29) and Serdar Mert (16) who had been detained in December 1992 and interrogated at Urfa Security Directorate, were heavily tortured for 20 days during detention. The torture inflicted on the defendants were proved with the medical reports given by the Forensic Medicine Institute. The defendants, who were arrested and served in prison for a while, said the following: "We were subjected to heavy torture during 20 days of detention. Truncheons were inserted into our anuses. They squeezed our throats and tried to throttle us. In order to stop the torture, we had to accept everything told to us. In the medical report we obtained on 15 December 1992 it has been indicated that we accepted the accusations because of inflicted torture. In spite of the medical reports and official complaints, the torture was not inquired into. The event was covered up and became another example on insincere approach of the authorities towards torture.

In spite of insincere inquiries into torture cases, rarely any of those perpetrators were brought before a judge. Nevertheless, the sentences convicted at the end of the trials launched against them did not go beyond trivial periods as in the previous years. Following are some examples of torture trials which were concluded in 1993:

Police officers Seyid Eren and Zeki Keçe, who had beaten the İHD Urfa Branch Chairman, Lawyer Ramazan Ferat on 7 June 1991, were sentenced to 3 months' imprisonment each. At the end of the trial which ended in February at Urfa Criminal Court No.2, defendant police officers were also removed from their jobs for 3 months. On the other hand, police officers Enver Ünver and Sinan Genç tried at the same trial, were acquitted due to lack of evidence.

Three security officers named İbrahim Dedeoğlu, Mehmet Ozan and Yusuf Eren, accused of having tortured police chief İmdat Halis, detained in 1988 in Ankara on allegations of being a member of an illegal organization, were sentenced to three months in prison each. In the trial, which ended on 4 March at Ankara Heavy Penal Court No.1, the security officers in question were also given a fine of TL 5 million each and suspended from duty for 3 months. Sentences convicted to the security officers were reprieved later.

Five security officers who were tried on charges of having tortured a total of 9 persons in Şebinkarahisar district of Giresun in 1986, were convicted to various sentences. In the trial, which ended at Giresun Heavy Penal Court, Commissioner Yüksel Ergenekon was sentenced to 6 years 8 months' imprisonment and removed from his duty for 1 year and 8 months, Chief Commissioner Kemal Karacan was sentenced to 3 years 4 months' imprisonment and removed from his duty for 10 months, Commissioner Şeref Çoban was sentenced to 1 year 8 months' imprisonment and removed from his duty for 2 months, police officer Nuri Kuşçu was sentenced to 1 year 8 months in prison and removed from his duty for 2 months and police officer Yunus Yıldırım was convicted to 10 months in prison and removed from his duty for 5 months. Police officers Abdurrahman Doğan and Sedat Gümüş, who were other defendants on the trial, were acquitted. Convicted sentences were ratified and became definite.

One-year imprisonment that were handed to each of Major Ali Şahin, noncommissioned officers Mehmet Acar and İbrahim Yıldızgörür, and corporal Suat Akova, accused of torturing to death teacher Siddık Bilgin in July 1985 at Suveren Gendarmerie Station located in

Genç district of Bingöl, were repealed by the Supreme Court. It has been claimed in the verdict of the Supreme Court that the statements of the eye-witnesses verified the torture inflicted on Sıddık Bilgin, but there was no evidence to show that torture was caused of death. It has also been defended that the trial should fall due to prescription. The Supreme Court agreed that "Sıddık Bilgin had been killed during his attempt to escape in the field he had been brought to for his guidance, and his killing was a result of duty". A repeal decision was taken unani-mously. Relatives of Sıddık Bilgin stated that the decision of the Supreme Court did not relate to justice and laws, and decided to make an individual application to the European Human Rights Commission.

In a meeting organized by "Mülkiyeliler Birliği" (Union of the Faculty of Political Sciences) in June, Lawyer Halit Çelenk evaluated the trials that were launched against public officers accused of torturing and stated that perpetrators were not convicted in Turkey in a required manner. Pointing out the difficulty in proving torture cases, Halit Çelenk said that no person who witnessed the torture inflicted on a defendant could be found and that medical doctors did not report torture cases. Halit Çelenk continued as follows: "In cases where a medical report is taken, then we face with related article of the law. A sentence convicted on charges of inflicting torture, starts with 3 months' imprisonment and the judge passes only 1-year imprisonment sentence at most. Taking account of new developments, the Penal Code must be reviewed as soon as possible".

The case of the death of Remzi Basalak illustrates the difficulty in fighting torture in Turkey. The case deals with the killing of Remzi Basalak who had been apprehended after a robbery in Abidinpaşa quarter of Adana on 23 October 1992 and who had died on the evening of the as same day as his detention and whose death had been concealed from the public for four days. The security officers accused of having killed Remzi Basalak were brought before the court in 1993 as a result of many official complaints and applications. Effort on the part of the lawyers of Remzi Basalak yielded in December 1992 and his death became an occupation of court. However, 4 traffic police officers who were not involved in the killing of Remzi Basalak were made public as defendants.

The trial launched against Erdal Şahin, Özay Karatepe, Süleyman Özcan and Aytekin Yıldız on charges of causing the death of Remzi Basalak, started in January at Adana Heavy Penal Court No. 2. The indictment read in the first hearing demanded no less than 12 years' imprisonment sentences for the each of the 4 police officers. However, lawyers of Remzi Basalak claimed that the trial was figurehead and said that the defendants were not the ones who had interrogated Remzi Basalak, but the traffic police officers who had caught him. They also stated that the file had been prepared in a way as to prove that Remzi Basalak had died as he had fallen down. In the hearing held on 16 February, the lawyers made an official complaint about Adana Security Director Mete Altan and 13 police officers in charge of the Political Police Center. Upon the official complaint, a trial was launched against 11 police officers and thus the number of the defendants reached 15. The names of those 11 police officers are Ahmet Tarık Doğan, Necmettin Uçar, Gürsel Aksoy, Sami Orhan, Sıddık Ercan, Hasan Ay, Sabahat-tin Turan, Ferit Çakır, Muzaffer Aydın, Kamil Toptan and Bahattin Özbilek.

The trial continued without showing any results by the end of the year. The police officers (the new 11 defendants) who testified in the hearing held on 11 May stated that Remzi Basalak had been delivered by traffic policemen Ercan Şahin, Aytekin Yıldız, Özay Karatepe and Süleyman, whose surname could not be discerned, to them wounded. Claiming that Remzi Basalak died because he did not accept any treatment, the police officers said that they did not

know why the death of Remzi Basalak had been concealed for 4 days. In the meantime, the court board did not permit journalists to take photographs, and correspondent for the journal "Devrimci Proletarya" who insisted on taking photographs was insulted. In the 14 October 1993 hearing of the trial, defendant police officers insulted the journalists in the court hall by shouting "They are not journalists, but servants for certain ideologies", and demanded they be taken out of the court hall. Then, the court board disclosed that the journalists were able to follow the hearing, but they would not be allowed to take photographs. Later, the defendants said: "The lawyers were acting unilaterally, we will not call them esteemed lawyers from now on."

The investigation initiated into the torture inflicted on a woman named Nazlı Top in 1992 showed results 20 months after the event had occurred and a trial was subsequently launched against the 7 police officers. The trial against 7 police officers accused of having tortured Nazlı Top, who had been kept at İstanbul Political Police Center between 27 April and 7 May 1992, started on 29 December. In the trial, sentences of up to 5 years' imprisonment were demanded for the defendants. The defendant police officers did not attend the first hearing. Nazlı Top, who was 3-month pregnant when she was detained, obtained medical reports from the Forensic Institute and Haseki Hospital following her release that proved the existence of the injuries on her body, and then made an official complaint to the Public Prosecution Office. She said the following about torture inflicted on her: "They tied my arms from behind with a thick fabric and put me on a hanger. They gave me electric shocks firstly on my fingers and then on my genitals and nipples. They particularly stroke my stomach, breast and abdominal regions and sometimes beat me with a sharp wooden club. I was raped with a truncheon inserted in my vagina. They also attempted to rape me with a bottle. They were touching my stomach, asking whether I was pregnant or not and then punching".

Two students named Hüseyin Kaplan and Kazım Doğan, who were detained in Tokat on 18 May, made an official complaint to the Public Prosecution Office stating that they had been tortured at the Political Police Center. Upon their official complaint, they were sent to hospital. Medical reports showing inability to work for 10 days and 3 days were given to Hüseyin Kaplan and Kazım Doğan respectively and a trial was then launched against police officers Halit Aktaş (commissioner), Nurettin Sencar and Mehmet Adil Gerçekaslan accused of having tortured Hüseyin Kaplan and Kazım Doğan. In the meantime, it had been discerned that the police officers in question were previously convicted for torture and tried on charges of having tortured a woman named Hülya Dağlı detained in Tokat on 8 March. The trial launched against the police officers started on 19 October. In the first hearing, out of the defendants Nurettin Sencar attempted to beat the students who accused him of torture. Following the hearing, Hüseyin Kaplan and Kazım Doğan told the journalists that the judge acted arbitrarily and it was as if the ones being tried were not the perpetrator police officers but them.

Another event which exemplifies that disinterest of the authorities might last for years, is the case of Faruk Tuna who had been detained in İstanbul in 1980 and died while being interrogated. Police officers Sebahattin Tür, Necdet Göksel, Mustafa Soylu, Hüseyin Gök and Yusuf Tokur who were accused of having tortured and killed Faruk Tuna detained on 8 August 1980 in İstanbul, could hardly be brought before the court in 1993. Out of the defendants, only Sebahattin Tür attended the first hearing held on 11 February. Sebahattin Tür who testified in the hearing pleaded not guilty and claimed that he had not been involved in the interrogation of Faruk Tuna. The trial continued throughout the year without bearing any results.

Because of torture cases Turkey was frequently condemned on international platforms in 1993, and remained on the agenda. The "December Report" prepared by Helsinki Watch on

human rights abuses in various countries, stated that human rights violations in Turkey increased in 1993 and that torture could not be prevented. In addition, the United States' Government was condemned in the report for anti-terror training courses secured for Turkish security officers in USA. Turkey became a country criticized and condemned by many human rights organizations along with Amnesty International and Helsinki Watch.

The most significant criticism on torture in Turkey was made by the United Nations. A report prepared following research into torture cases in Turkey by a committee formed in accordance with Article 20 of the United Nation Convention Against Torture and Cruel, Inhuman or Degrading Treatment or Punishment, was publicized on 19 November. The report accounting the studies of the Committee on Turkey within the last 4 years, states that torture is systematically continuing in Turkey. Following is a summary account of the **results of the proceedings concerning the inquiry on Turkey** launched in accordance with Article 20 of the United Nation Convention Against Torture and Cruel, Inhuman or Degrading Treatment or Punishment<sup>(\*)</sup>:

*1. Turkey ratified the Convention on 2 August 1988. It did not at that time declare that it did not recognize the competence of the Committee provided for in Article 20 of the Convention, as it was permitted to do by the provision contained in Article 28, paragraph 1, of the Convention.*

*2. The application to Turkey of the confidential procedure provided for in Article 20, paragraphs 1-4, of the Convention began in April 1990 and ended in November 1992. In accordance with Article 20, paragraph 5, of the Convention, the Committee, after consultations with the State party concerned in April 1993, decided, on 9 November 1993, to include in the present addendum to its sixth annual report official records of the General Assembly, forty-eighth session, Supplement No.44 (A/48/44) the following account of the results of the proceedings relating to inquiry on Turkey. The decision was taken unanimously.*

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<sup>(\*)</sup> Article 20 of the UN Convention Against Torture and Cruel, Inhuman or Degrading Treatment or punishment is as follows:

If the Committee receives reliable information which appears to it to contain well-founded indications that torture is being systematically practiced in the territory of a State Party, the Committee shall invite that State Party to co-operate in the examination of the information and to this end to submit observations with regard to the information concerned.

Taking into account any observations which may have been submitted by the State Party concerned, as well as any other relevant information available to it, the Committee may, if it decides that this is warranted, designate one or more of its members to make a confidential inquiry and to report to the Committee urgently.

If an inquiry is made in accordance with paragraph 2 of this article, the Committee shall seek the co-operation of the State Party concerned. In agreement with that State Party, such an inquiry may include a visit to its territory.

After examining the findings of its member or members submitted in accordance with paragraph 2 of this article, the Committee shall transmit these findings to the State concerned together with any comments or suggestions which seem appropriate in view of the situation.

All the proceedings of the Committee referred to in paragraphs 1 to 4 of this article shall be confidential, and at all stages of the proceedings the co-operation of the State Party shall be sought. After such proceedings have been completed with regard to an inquiry made in accordance with paragraph 2, the Committee may, after consultations with the State Party concerned, decide to include a summary account of the results of the proceedings in its annual report made in accordance with Article 24.

3. At its fourth session in April 1990, the Committee against Torture examined in closed session the information on the systematic practice of torture in Turkey which had been communicated to it, pursuant to Article 20 of the Convention, by Amnesty International.

4. When it examined this information, the Committee also had before it other information concerning allegations of torture in Turkey originating from non-governmental sources and from the report of the Special Rapporteur of the Commission on Human Rights on questions relating to torture. In addition, it had before it a letter of 20 April 1990 addressed to its Chairman by the Permanent Representative of Turkey to the United Nations Office at Geneva.

5. After preliminary consideration of the information received, the Committee found that it was credible and contained well-founded indications that torture was practiced systematically in Turkey. Accordingly, on 4 May 1990, it invited the Turkish Government to cooperate in the examination of that information and to transmit its observations before 31 August 1990.

6. On 31 August 1990, the Government stated that it considered the Committee's action to exceed the powers conferred on it under the Convention.

7. As its fifth and sixth sessions in November 1990 and April 1991, the Committee rejected the Turkish Government's arguments and reiterated its invitation to the Government to cooperate in the examination of the information received. It was refused such cooperation.

8. At its sixth session, the Committee decided to instruct Mr. Voyame, its Chairman, and Mr. Perlas to analyse the information concerning Turkey communicated pursuant to Article 20 of the Convention, and it invited them to submit to it a report and proposals for further action on that question. New reports of acts of torture in Turkey had been transmitted to the Committee in 1991 by non-governmental sources.

9. Following the report and recommendations of Mr. Voyame and Mr. Perlas, the Committee, at its seventh session in November 1991, decided to undertake a confidential inquiry and designated Mr. Dipanda Moulle and Mr. Voyame for that purpose, Mr. Perlas having informed the Committee that he was unable to participate in the inquiry.

10. The Committee also decided to request the Turkish Government to give its consent to a visit by the members of the Committee designated to make the inquiry in Turkey, and expressed the wish that the visit might take place in February 1992.

11. The new Turkish Government appointed in November 1991, following parliamentary elections, stated that it was not opposed to the proposed visit by Mr. Dipanda Moulle and Mr. Voyame. It, nevertheless, considered that it would be preferable for the visit by the two Committee members making the inquiry to take place after February 1992.

12. After consultations on this question between Mr. Dipanda Moulle, Mr. Voyame and the Turkish authorities, the mission to Turkey was scheduled for 6 to 18 June 1992. Subsequently, several meetings in connection with the inquiry were held before the mission between Mr. Dipanda Moulle, Mr. Voyame and representative of the Turkish Government.

13. Mr. Dipanda Moulle and Mr. Voyame visited Turkey during the period agreed on. In Ankara, they held talks with the Minister of Foreign Affairs, the Minister of Justice, the Minister of the Interior and the Minister for Human Rights, and with other senior officials in the Turkish Administration. They also held talks with judicial officials, such as the President and Vice-President of the Constitutional Court and the Government Procurator for Ankara, with several

members of the Human Rights Commission of the Great National Assembly (Turkish Parliament)

14. In Diyarbakır, the Committee members making the inquiry held talks with the local civil and military authorities and with, inter alios, the regional prefect responsible for enforcing the state of emergency.

15. During the mission, the Committee members making the inquiry visited places of detention in Ankara and Diyarbakır under the authority of the Ministry of the Interior and places of detention under the authority of the Ministry of Justice. They were able to talk freely with prisoners, but were denied access to certain Ministry of Interior premises in Diyarbakır. In both cities, they held talks with officials and members of five Turkish non-governmental human rights organizations, with several private individuals. A medical expert who accompanied them conducted examinations on alleged victims of torture.

16. Mr. Dipanda Moulle, and Mr. Voyame reported to the Committee at its ninth session, in November 1992. Their report contained the information they had received between November 1991, the date on which the Committee had decided to initiate the confidential inquiry, and 15 October 1992.

17. On 16 November 1992, the Committee endorsed the conclusions relating to the inquiry which the two designated members had submitted to it, decided to transmit the report and conclusions to the Government of Turkey, and invited that Government to inform the Committee, before 31 January 1993, of the measures it intended to take concerning the Committee's conclusions relating to the inquiry.

18. The replies of the Government of Turkey, together with its observations on the inquiry report, were transmitted to the Committee on 19 March and 2 April 1993, and were considered by the Committee at its tenth sessions in April 1993.

19. At that session, the Committee, having completed all the proceedings relating to the inquiry, on 20 April 1993 invited the Government of Turkey to inform the Committee of its views of the question whether a summary account of the results of the inquiry should be included in its annual report to State parties and the General Assembly. The Committee also invited the Government of Turkey to communicate its opinion on that question before the end of its tenth session. i.e before 30 April 1993, or by 30 June 1993 at the latest.

20. At the request of the Government of Turkey, consultations were held on 27 April 1993 at a closed meeting of the Committee. The representatives of Turkey explained that, in their Government's view, there was no justification for publishing a summary account of the results of the proceedings relating to the inquiry in the Committee's annual report.

21. The Committee, in view of the number and seriousness of the allegations of torture in Turkey which it has received, and in view of the findings on the question by the Committee members making the inquiry and the Committee's conclusions, and having considered the replies and observations of the Turkish authorities, is convinced that such publications is necessary in order to encourage full respect for the provisions of the Conventions in Turkey.

### **Conclusions of the Committee**

22. In the course of the inquiry, the Committee considered the bill amending the Code of Criminal Procedure, the Security Courts (Constitution and Procedure) Act, the Anti-Terrorism Act of 12 April 1991 and the Police (Functions and Powers) Act, the latter Act having been

*submitted by the Government to parliament on 26 April 1992. Among the major provisions of the bill was a sharp reduction in the duration of police custody and provisions enabling lawyers to meet the person arrested at the commencement of police custody.*

*23. On 16 November 1992, the date on which the Committee adopted its conclusions on the inquiry, the bill had not yet been enacted by the Turkish parliament, the Committee having expressed the view that its rapid enactment was essential. It had also expressed the view that the role of lawyers and the duration of police custody, as provided for in the bill, as soon as possible be translated into regulations for general and immediate implementation.*

*24. The revised version of the bill was enacted by the Turkish Parliament on 18 November 1992, the Act (No. 3842) entering into force on 1 December 1992.*

*25. The Committee takes note, with satisfaction, of the provisions of Act No. 3842 concerning police custody, notably the reduction of its duration, and of the provisions concerning the intervention and role of lawyers in defending a detainee, from acts of torture and ill-treatment. It also takes note, with satisfaction, of the reduction effected by Act. No. 3842 in the number of offences falling within the competence of the State Security Courts. It nevertheless regrets that persons arrested or detained in connection with an offence within the competence of those Courts (crimes against the State, crimes connected with terrorism, firearms or drugs) remain deprived by the Act of most of the guarantees enumerated in it. It considers that the maximum time-limit of 30 days for police custody, applicable to persons captured or arrested in regions under a state of emergency before they are brought before a judge, is excessive and may leave room for acts of torture by the security forces.*

*26. The Committee takes note, with satisfaction, of the provisions of Act No. 3842 concerning interrogation procedures and the collection of testimony and prohibiting ill-treatment, torture and other physical or mental violence. It also welcomes the provisions concerning the inadmissibility of statements obtained under duress. Those provisions legally reinforce and supplement the provisions which already exist in Turkish Law, and those contained in the Ministry of the Interior's administrative regulations of 6 August 1991 relating to interrogation procedures. The Committee notes that no provision of Act No. 3842 relates to the right of a detainees in police custody to have access to a doctor of his choice, a right which is nevertheless set forth in the Ministry of the Interior's administrative regulations of 22 September 1992 concerning the conditions of detention of persons in police custody.*

*27. The Committee considers that the procedure for the forensic examination of persons in police custody undergoing examination should be separate from the police element; persons undergoing examination should be examined outside the place of detention and contents of the medical report should not be made known to the personnel responsible for police custody. In addition, persons in police custody should be able to request that a medical certificate be prepared by a doctor of their choice in any circumstances, and it should be possible for this certificate to be produced as evidence before the courts.*

*28. A judge who receives a complaint concerning statements obtained under duress should be instructed to examine, in substance, the lawfulness of such "evidence" without awaiting the outcome of a related procedure that takes too long. In addition, government prosecutors appointed to make inquiries into allegations of torture or ill-treatment, in accordance with the provisions of the Turkish Code of Criminal Procedure, should act promptly and effectively; they should be given precise instructions on this question, in accordance with Article 12 of the Convention.*

29. As to the measures for general and immediate implementation of Act No. 3842 desired by the Committee, the Government of Turkey has informed the Committee that the Minister of the Interior, in a circular concerning implementation of the Act addressed to the authorities concerned, has given the necessary instructions to ensure that the responsible officials are duly informed of this new legislation in a training programme, and that the provisions in questions are implemented immediately and that practice is very closely monitored in order to avoid any lapse.

30. In addition, the Government stated that the human rights manual used on courses in police colleges had been amended in order to reflect Act. No. 3842 and to include the necessary instructions concerning implementation of its provisions.

31. The Committee considers that the information on the measures for implementation of Act No. 3842, which the Turkish Government transmitted to it in March 1993, i.e. about four months after the Act's entry into force, is encouraging. It further believes that strict supervision of implementation of the Act should be exercised over the long term and that effective penalties should be imposed for any violation of the Act.

32. In November 1992, the Committee expressed a desire to be informed of the measures taken in Turkey to implement the Constitutional Court order of 31 March 1992 to abolish or amend a number of provisions of the Anti-Terrorism Act and, in particular, those of Article 15 (3) providing that an administrative inquiry should be conducted by the prefectural commissions before (public) court proceedings were instituted against a public official accused of torture.

33. The Turkish Government stated that the order of 31 March 1992 had entered into force on 27 January 1993 and that, in particular, as from that date a public official accused of torture would be liable to public proceedings in accordance with the normal procedure.

34. It added that, during the period 1 January to 30 August 1992, 115 investigations had been initiated concerning 547 persons suspected of perpetrating torture or ill-treatment, and that 355 prosecutions had been instituted against 450 persons accused of those offences.

35. The Committee, after having analyzed the information and testimony received from different sources during the inquiry, wishes to emphasize that penalties imposed by the courts on torturers should not be nullified by means of administrative promotions. It further considers that the scale of penalties for acts of torture should clearly be re-assessed by the legislature. Torturers should not feel that they are in a position of virtual immunity from the law.

#### ***Allegations received during the inquiry***

36. The Committee wishes to state that it has received numerous allegations of torture in Turkey originating mainly from five international non-governmental organizations and five Turkish non-governmental organizations engaged in action to promote respect for human rights. The report to which the Committee members making the inquiry addressed, also contains detailed information on dozens of testimonies which they gathered within and outside places of detention during their mission to Turkey between 6 and 18 June 1992. In addition, the Committee has received precise information on the examinations of presumed torture victims by the medical expert who lent his assistance during the inquiry, and on the talks which the Committee members making the inquiry had with the Turkish authorities about the torture allegations received.

37. *The Government of Turkey has informed the Committee that it rejects all the allegations of torture submitted by non-governmental organizations since these organizations are, in its view, deeply politicized or have never given credible proof of their impartiality. As to the testimony gathered during the mission to Turkey, the Turkish Government stated that it was derived essentially from persons presumed to be terrorists who, in line with their strategy, had every reason to claim that they been tortured.*

38. *The Committee considers that, even though only a small number of torture cases can be proved with absolute certainty, the copious testimony gathered is so consistent in its descriptions of torture techniques and the places and circumstances in which torture is perpetrated that the existence of systematic torture in Turkey cannot be denied.*

39. *The Committee considers that torture is practiced systematically when it is apparent that the torture cases reported have not occurred fortuitously in a particular place or at a particular time, but are seen to be habitual, widespread and deliberate in at least a considerable part of the territory of the country in question. Torture may in fact be of a systematic character without resulting from the direct intention of Government. It may be the consequence of factors which the Government has difficulty in controlling, and its existence may indicate a discrepancy between the policy determined by the central Government and its implementation by the local administration. Inadequate legislation which, in practice, allows room for the use of torture may also add to the systematic nature of this practice.*

40. *The Committee deplores and condemns any act of violence perpetrated by armed groups, regardless of their origin, particularly if they terrorize the population or try to destabilize the democratic institutions.*

41. *The Committee wishes to point out, however, that under Article 2 paragraph 2, of the Convention, no exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as justification of torture.*

42. *The Turkish authorities, who have undertaken to respect this provision and, what is more, have publicly condemned torture as crime against humanity, should take measures to ensure that such a provision is implemented strictly by all State authorities. Particular attention should be paid to implementation of this provision in the provinces under a state of emergency.*

43. *In this connection, efforts should be made to prevent certain departments within the Ministry of the Interior, in particular, from becoming as it were, a State within a State and appearing to escape control by senior authorities. Inspections of interrogation centers by Ministry of the Interior officials might be envisaged for this purpose and penalties should be imposed on persons violating Article 13 of Act. No. 3842 and the administrative regulations of 6 August 1991 concerning interrogation procedures, which explicitly prohibit the use of torture.*

44. *Furthermore, efforts should be made to acquaint existing law-enforcement personnel and personnel currently undergoing training with interrogation and investigation techniques that do not involve any kind of torture or other cruel, inhuman or degrading treatment.*

45. *In connection with the latter point, the Turkish Government has informed the Committee that police and gendarmerie officers and senior officials in the Directorate-General for Security were due to take, or were currently taking, training courses on interrogation methods, mainly in European countries members of the Council of Europe.*

46. For its part, the Committee considers that any programme for the training of public officials should highlight the fact that the practice of torture is not only a criminal act which carries severe penalties, but also an act which is degrading and shameful for its perpetrators and their superior officers.

47. The Committee wishes to emphasize that it has suggested to the Turkish Government that it should set up national machinery to combat torture. An independent commission might be established, under the aegis of the Ministry for Human Rights, comprising members of the professions concerned (lawyers and doctors) and representatives of non-governmental organizations, together with eminent national figures recognized as having campaigned against this evil. The commission would have access to any detention or interrogation center it wished to visit. Its responsibilities would include regular and frequent visits to all places of detention, more particularly those under the authority of the Ministry of the Interior, meeting persons held in custody in those places, consulting prison registers, receiving complaints of torture and transmitting them to the prosecutor's office. Its reports would be publicized and it would play an advisory and initiatory role in the drafting of any parliamentary bill concerning action to combat torture.

48. The Committee further considered, in November 1992, that the following immediate measures were necessary:

a) The use of a blindfold during questioning should be expressly prohibited;

b) A programme of generalized legal assistance, free of charge, should be instituted so that any person held in police custody, especially those with only a slight knowledge of the rules of law, can benefit from the full protection of the law;

c) Access by lawyers to places of detention should be made easier. In the case of persons held in police custody, premises should be made available where interviews between the accused person and his counsel can take place within sight, but not within earshot, of a police officer or official of the establishment concerned.

49. The Committee has received no response to the recommendation contained under (a). As to its recommendations (b) and (c), the new Turkish criminal legislation would present a satisfactory response if it did not provide for reservations for defendants tried by the State Security Courts.

50. The Committee considers that places of detention under the authority of the Ministry of the Interior pose many problems from the standpoint of Article 20 of the Convention. All the testimony collected before, during and after the visit by the Committee members making the inquiry corroborates this assertion.

51. Although the Turkish Government has taken initiatives to combat torture, the current situation is still one in which torture is systematically practiced in various premises under the authority of the Ministry of Interior. There is an obvious discrepancy between, on the one hand, the measures taken and the intentions expressed by the authorities with regard to action to combat torture, and on the other, the practice followed in Ministry of the Interior premises.

52. As to the layout of places of detention and particularly the solitary confinement cells, the Committee, in November 1992, called on the Turkish authorities to demolish immediately and systematically all the solitary confinement cells known as "coffins", which in themselves constitute a kind of torture. These cells measure approximately 60x80 centimeters, they have no light and inadequate ventilation, and the inmate can only stand and crouch. The Committee also requested that other solitary confinement cells should as soon as possible be brought up to

*international standards, such as those contained in the Standard Minimum Rules for the Treatment of Prisoners.*

*53. The Turkish Government has formally undertaken to comply with the Committee's recommendations concerning solitary confinement cells and has drawn the Committee's attention to the relevant provisions of the regulations of 22 September 1992 concerning conditions of detention of persons in police custody. These provisions provide, inter alia, for improvements in places of detention and adequate dimensions for individual cells, in conformity with European rules and standards. The Government has stated that the physical conditions of places of detention and administrative procedures relating to police custody were adapted to the requirements of the new regulations as soon as they entered into force on 23 September.*

*54. With regard to the implementation of Article 20 of the Convention, the Committee considers that places of detention under the authority of the Ministry of Justice pose no problems in this respect.*

*55. However, in November 1992, the Committee transmitted the following recommendations to the Turkish Government:*

*a) In general, practical efforts should be made, and funds allocated to solve the problem of prison overcrowding. To this end, new places of detention more in keeping with international standards should be built and conditions in existing places of detention notably with regard to hygiene, should be improved;*

*b) The solitary confinement cells in prison No. 1 in Diyarbakır should be demolished; to use them would, in any case, be contrary to the provisions of the Convention;*

*c) The women prisoners currently held in prison No.2 should be transferred to another prison*

*56. The Turkish Government has informed the Committee that the total capacity of Turkish prisons is 83,000, while the number of detainees is 30,000. The relative overcrowding in certain prisons has been eliminated through the implementation of new measures. It has further stated that the solitary confinement cells in prison No. 1 in Diyarbakır are not in use and that the women prisoners in Diyarbakır prison have been transferred to Urfa Prison.*

*57. The Committee takes note with satisfaction of the cooperation of the Turkish authorities during the inquiry, and congratulates them on having acted on many of its recommendations and on having taken measures intended to reinforce the implementation of the Convention and to improve the human rights situation in Turkey.*

*58. Nevertheless, the Committee remains concerned at the number and substance of the allegations of torture received, which confirm the existence and systematic character of the practice of torture in this State Party.*

*59. The Committee expresses the hope that the new Turkish Government, which was formed in June 1993, will take forceful and effective measures in order to rapidly end the practice of torture, in accordance with the provisions of the Convention.*

Turkey which was depressed due to the reactions and criticisms regarding torture by international human rights organizations, was also troubled with individual applications made to the European Human Rights Commission in 1993. She had to accept to pay compensation to torture victims. First of the events which annoyed Turkey was witnessed in April. The European Human Rights Commission demanded Turkey to defend herself in connection with a death in detention which took place in Cizre in 1990 and was put on the agenda of the European

Human Rights Commission at that time. The event in question was as follows: Abdurrahman Tanrıbilir who was detained by the gendarmerie in Düzova village of Cizre on the night of 7 September 1990, died under gendarmerie custody at about 4.00am on 8 September. It was claimed, in the official statement made of the event, that Abdurrahman Tanrıbilir had committed suicide by hanging himself with his shirt from the ceiling. Following the death of Abdurrahman Tanrıbilir, his mother Hediye Tanrıbilir lodged an official complaint with the Cizre Public Prosecution Office and demanded those responsible for her son's death to be punished. Upon the official complaint, the aforesaid Public Prosecution Office applied to Şırnak Provincial Administrative Board for permission to launch a trial regarding the event. However, Şırnak Provincial Administrative Board did not give the required permission to launch the trial and the file was shelved. Then Hediye Tanrıbilir made full use of her right to apply individually to the European Human Rights Commission. As a result of its first examination, the Commission found the application worth investigation and invited Turkey to make a vindication of the event.

Furthermore, in 1993 Turkey had to accept to recompense the 4 persons who had been aggrieved in Yeşilyurt on 14 and 15 January 1989. In the event, villagers had been tortured and forced to eat human excrement by the security officers who had gone to the village. The event had drawn many reactions from the public and a trial had been launched against Major Cafer Tayyar Çağlayan who had commanded enlisted men to do so. Major Cafer Tayyar Çağlayan had been tried in Ankara on the claims that his life had been in danger. At the end of the trial, he had been convicted to one year imprisonment, but the sentence was later reprieved.

Upon revival of the convicted sentence, out of the aggrieved villagers Abdullah Gündoğan, Bahattin Müştak, Kamil Müştak and Abdurrahman Müştak applied to the European Human Rights Commission. The Commission examined the application and received explanation from Turkey. At the end of the hearing, held in Strasburg on 12 January 1993, application made by the villagers was deemed right, and in accordance with Article 28 of the European Human Rights Convention the Turkish Government was ordered to hold talks with the said villagers in order to find a friendly solution. During the negotiations, Hasip Kaplan who undertook advocacy of the villagers asked Turkish Government for "amendments on the law on trials against civil servants, lifting of emergency state provision and TL 1-billion compensation for each person". İsmet Birsel, permanent representative of Turkey in Strasbourg, replied: "We agreed on amendments of the law on civil servants and lifting of emergency state provision. In addition we accept to pay TL 200 million for each person". However, Hasip Kaplan insisted on TL 1-billion compensation for each of the aggrieved persons in his statement dated 14 May 1993. No consensus could be reached between the parties and the situation was notified to the Commission on 13 September 1993. Together with a report it prepared, the Commission conveyed the event to the European Council of Human Rights, pursuant to the procedures.

## **b) Deaths in detention and prisons**

In 1993, a total of **29** persons died under detention and in prisons because of torture or under suspicious circumstances. **19** of the deaths were witnessed in the Emergency State Region, **3** of the deaths witnessed in İstanbul, **2** in Ankara and the remaining in Zonguldak, Nizip, Aydın, Manisa and Iğdır. The number of persons who died in detention and prisons significantly increased in 1993 when compared with the previous years (According to HRFT's searches, a total of 9, 19 and 17 persons died in detention and prisons in the years of 1990, 1991 and 1992, respectively). The deaths in detention places and prisons in 1993 are as follows:

### **01)- İbrahim Ekinci (37)**

Ormaniçi village of Şırnak, Güçlükönak was raided on the night of 20 February by security officers. During the raid, 3-year old Abide Ekin died and 6 persons were wounded as a result of random fire opened by security officers. Following this 45 persons were detained. The detainees were subjected to various kinds of torture such as falanga, inserting bottle and truncheon into anus, forcing eating of excrement and laying down on ice, burning hands, feet and buttocks, during one month in detention. As a result of torture, villager İbrahim Ekinci died.

### **02)- Harun Çetin (20)**

A youth named Harun Çetin who was detained together with his friend Özer Yüce on the night of 15 March on charges of throwing explosives into a branch of a bank in Avcılar quarter of İstanbul, was taken to İstanbul Cerrahpaşa Hospital 5 hours after his detention. As a result of the first examination, it was established that Harun Çetin suffered from a brain trauma and that there were many traces of blows to his body. Police officers guarding the hospital did not let journalists have an access for long time to physicians treating Harun Çetin. Özer Yüce detained together with Harun Çetin verified the torture inflicted on him with a medical report from the Forensic Medicine Institute. Making a statement about the event, Harun Çetin's uncle Aziz Ekingen said the following: "Police officers in the police station first told us that there was nobody with his name there. When we insisted, they said he was as fit as a fiddle. However, they did not allow us to see him. Later, I heard while they were whispering to each other that he had been taken to Cerrahpaşa Hospital. Then we went to the hospital, but officials there did not want to inform us. Upon our insistence, we were able to meet the doctors. They said that his situation was extremely grave and that he had received a dangerous blow to his head". On 28 June, Harun Çetin's elder brother Nezir Çetin and a group of İHD-member lawyers made an official complaint demanding a trial to be launched against the police officers working at Avcılar Security Directorate on charges of "attempting manslaughter". It was stated in the official complaint that Harun Çetin had been tortured at Avcılar Security Directorate after being detained. The inquiry initiated into the event after the official complaint drew no result by the end of the year. In spite of medical care, Harun Çetin died in the hospital where he was being cured, on 5 September at about 2.00am. Harun Çetin, who was among the torture victims whose treatment was financially undertaken by the HRFT, had been transferred to İstanbul Taksim Hospital later where he had been put under care until he died.

### **03)- Suphiye Varlık (60)**

Suphiye Varlık who was detained in Nusaybin by gendarmes on 22 March, died at Nusaybin Gendarmerie Station where she was held in detention. As a result of an autopsy, it was revealed that Suphiye Varlık had died due to a heart attack. Stating that she had been detained together with her mother, Suphiye Varlık's daughter Bedriye Varlık said: "My mother was a cardiac patient. She died because her heart could not endure beating by Noncommissioned Officer Şahin Bozkurt". Following the event, a trial was launched by Mardin Heavy Penal Court No.2 against Şahin Bozkurt on charges of causing death to a patient. In the hearing, held on 13 July, the court decided that the offence had been committed while in charge and sent the file to Nusaybin District Administrative Council. Thus the trial was pending. Bedriye Varlık said the following in the hearing in question: "Enlisted men on guard around our house had been bothering me continuously and a dispute broke out between us and the enlisted men on the day of incident. Then Noncommissioned Officer Şahin Bozkurt came to our house and took us under duress to the gendarmerie station. He shut us in a room and did not let anyone enter. Later he started to hit at our heads. I told him that my mother was a cardiac patient. When I asked what our crime was, he shouted 'You should not have insulted the enlisted men'. At that time, the

Governor and our relatives came to the station. While Şahin Bozkurt was talking them, my mummy turned faint. Our relatives tried to enter the room and to intervene, but Şahin Bozkurt prevented them. Upon our insistence a medical doctor was called up, and then my mother was hospitalized. After a short while we learnt that she had died".

#### **04)- Hacı İbrahim Dilek**

Hacı İbrahim Dilek who had been detained from Barıştepe village of Midyat district of Mardin on 20 March 1993, was found dead in a pit in the vicinity of Yolağzı Gendarmerie Station located on the Midyat-Gercüş road. The autopsy made on Hacı İbrahim Dilek detained together with his son Selahattin Dilek, revealed that there were traces due to torture on his body, a hard material had been inserted into his anus and that death had been caused by a blow to his head. Selahattin Dilek who was released 3 days after being detained said: "We could not receive any information about the fate of my father in spite of all our efforts. Then we applied to the Public Prosecution Office and were informed on 30 March that his corpse had been found by gendarmes". Stating that his father was continuously urged and threatened to be a village guard, Selahattin Dilek said: "My father did not accept to be a village guard, saying that he could not betray and oppress his people even if he was killed. For this reason, they started to threaten him. He did not go outside the village because of those threats. Our neighbours got used to procure our requirements from the district". Pointing out that his father's corpse was found in a pit near the station, Selahattin Dilek added: "They try to make the incident looked like a murder by unknown assailants, but we know how he was killed". At the end of the investigation, the incident was deemed "a murder by unknown assailants", and covered up.

#### **05)- Kudbettin Tekin**

Kudbettin Tekin, detained on 20 April from Tepecik village of Bismil district of Diyarbakır, died in detention while he was being interrogated at Bismil Gendarmerie Station. His corpse was delivered to his family on 10 May. On the one hand, officers of Bismil Gendarmerie Station claimed that Kudbettin Tekin had committed suicide by hanging himself on the pipes of a central heating radiator. On the other hand, the family of Kudbettin Tekin stated their belief that he had died due to torture inflicted on him in detention. The İHD Diyarbakır Branch Chairman Sedat Aslantaş who attended the autopsy process, made a statement about the event on 12 May and said the following: "According to the report, the distance between the floor and the ceiling he was hanged from is 2,70 meters. There was no stool or anything similar in the scene. It is not possible that a 1,65-meter tall person hanged himself on the pipes of a radiator which is 2,70 meters high from the floor". In the meantime, Kudbettin Tekin's father Selim and elder brother Mahmut Tekin were arrested on 19 May.

#### **06)- Vakkas Dost (30)**

A person named Vakkas Dost (30) who was detained for "drinking alcoholic liquor on the street" in Kumkapı quarter of İstanbul on the evening of 28 May, died at Kumkapı Police Station to where he was taken. The autopsy made on Vakkas Dost determined that he had died at about 3.00am on 29 May because of internal bleeding which had occurred in his spleen due to a blow. Fevzi Yeşilay who was detained together with Vakkas Dost was released upon the death of Vakkas Dost. Making a statement about the event İbrahim Dost, elder brother of Vakkas Dost, said the following: "According to Fevzi Yeşilay, my brother was ruthlessly beaten at the police station. My brother fell down for a moment and started to vomit. We think that he died at that time. We saw the corpse in the morgue. There were traces of blows to his forehead and one of his arms seemed broken". On the other hand, Fevzi Yeşilay who is the eye witness of the event said: "Vakkas fell down after a kick to his stomach and started to vomit. When I took him to the

washbasin in order to wash his face and hands, he was not able to speak". Police officer Nurettin Öztürk who was detained concerning the death of Vakkas Dost, was released after a short time and disappeared as soon as he was released. Relatives of Vakkas Dost filed an official complaint with İstanbul Public Prosecution Office about the event. In the official complaint it was stated that police officer Nurettin Öztürk had killed a person by torturing and that commissioner İbrahim Hakkı Çelebi and police officers Bahattin Ülkü and Murat Aksoy had overlooked the torture resulting in death. Following the official complaint, an arrest warrant in absentia was issued against Nurettin Öztürk accused of killing Vakkas Dost. The prosecution of Nurettin Öztürk started on 20 September at İstanbul Heavy Penal Court No.3. The next hearings were held in the absence of Nurettin Öztürk for whom a sentence of up to 24 years' imprisonment was demanded.

#### **07)- Veysi Kaymaz (30)**

Veysi Kaymaz detained by the security forces on 11 June from Karaköprü village of Çınar district of Diyarbakır, was found dead in Diyarbakır State Hospital Morgue 5 days after his detention. Relatives of Veysi Kaymaz claimed that there were traces of blows to the body of Veysi Kaymaz, his head had been beaten with a chopper and that his toe nails had been extracted. Relatives of Veysi Kaymaz stating that results of the autopsy were not given to them, said: "Officials say that he jumped from panzer and died. Is it possible to die by jumping from a height of 1 meter. Veysi did not commit suicide, they killed him." The inquiry launched into the event was shelved on the conclusion that "Veysi Kaymaz died falling down while he was trying to escape".

#### **08)- Ahmet Aydemir (75)**

The gendarmes who raided Mala Mihe Büro village of Lice, Diyarbakır on 12 June killed villager Ahmet Aydemir by beating him with sticks. Villagers stated that during the event some of the houses had been damaged and 2 persons had been injured, and they told journalists the following about the death of Ahmet Aydemir: "At noon suddenly we heard sounds of gun shots. At the same time, gendarmes who got off tanks surrounded the houses. They forced us to go out of our houses and gathered us in the village square. Then they started to beat us with sticks. They were asking whether there were guerillas in the village. They particularly picked on Ahmet Aydemir who fell down as a result of intensive beating. Then, they listened to his pulse. When they realized that he died they left the village.

#### **09)- Abdüsselam Orak**

Abdüsselam Orak detained on 10 June 1993 from Anadere village of Tatvan district of Bitlis, fell ill at Tatvan Gendarmerie Command where he was interrogated. Then he was taken to Diyarbakır State Hospital, but he died on 23 June at the hospital. It was discovered that there were traces of blow to the head and back of Abdüsselam Orak who was detained because of an unauthorized gun found in his house. Abdüsselam Orak was buried on 25 June in Anadere village of Tatvan. Persons named Vahap Gümüş and Kazım Kızıl detained together with Abdüsselam Orak were arrested and sent to prison upon the death of Abdüsselam Orak.

#### **10)- Mehmet Öztürk**

A youth named Mehmet Öztürk who was detained on 20 June by gendarmes in Çay village of Alaplı district of Zonguldak, died at Alaplı Gendarmerie Station where he had been kept under custody. Relatives of Mehmet Öztürk who was reportedly detained in connection with a definite imprisonment sentence against him, said that he had died due to torture inflicted

on him at the station. Officers from the gendarmerie station denied the claims of torture and claimed that Mehmet Öztürk who was drunk when he was detained, died because of suffocation while vomiting.

### **11)- Rıza Ürün**

Grocer Rıza Ürün who fell ill at Çankaya Police Station where he had been taken to on 2 July in connection with a dispute on a deed, died after being hospitalized. It was reported that Rıza Ürün had been beaten by the police in front of his wife Şahverdi Ürün and his son Atilla Ürün in the station and had fallen ill because of beating. However, an official report on the event stated that an heart attack was the cause of death. Ankara Deputy, Uluç Gürkan, who put the event on the agenda of the National Assembly, stated that Public Prosecutor Tuncer Özdemir had prevented an autopsy on the corpse and investigation into the event. Stating that Rıza Ürün was killed under torture, Uluç Gürkan asked Seyfi Oktay, Minister of Justice, and Mehmet Gazioğlu, Minister of Interior, "Is CMUK not valid in the police stations in Turkey?".

### **12)- Mehmet Sıddık Öncü (40)**

An "imam" (religious leader) named Sıddık Öncü from Kerkatık village of Çınar, Diyarbakır who was detained on 21 June by soldiers, died in Diyarbakır where he was interrogated. The death of Sıddık Öncü was brought to light on 8 July upon initiatives of his family. Sıddık Öncü's wife Nezahat Öncü said that her husband had been detained and beaten by soldiers, and she said the following about the event: "In the autopsy report given to us, it is written that Sıddık died as a result of an illness he suffered. The same is written in the death document, too. But we do not believe that he died for this reason. There were bruises on his hips, chin and cheeks and wounds on his hips due to beating. We saw rope traces on his wrists and neck. His nails had turned purple." Ordering the then Interior Minister Mehmet Gazioğlu to clarify the event, Diyarbakır Deputy, Hatip Dicle, submitted a motion to the Chairmanship of the National Assembly. Mehmet Gazioğlu responded to the motion in September, stating that Sıddık Öncü was detained as his relation with the PKK had been revealed and that he suffered from kidney trouble under custody and thus was twice taken to Dicle University's Medicine Faculty Hospital. He continued to say that Sıddık Öncü died due to kidney failure and stated that the claims that he had died because of torture were not true. Mehmet Gazioğlu added that such kinds of claims were aiming at discouraging the security forces.

### **13)- Hacı Ramazan Siniğ (60)**

Hacı Ramazan Siniğ who was detained during the raid carried out on 20 July by the security forces in Ortaköy village of İdil, Şırnak, died on the morning of 21 July. Salih Siniğ who was detained together with his father but released upon his father's death said the following as to the event: "Our village was raided on 18 July for the first time. In consequence of that raid Hamit Şıkva and Abdülkadir Şıkva were detained. Village guards from Tepeköy village and enlisted men who again raided the village two days later, gathered everyone including women and children in the village square. Then they searched all of the houses in the village. Although they did not find any forbidden materials in our house, they started to beat my father with iron sticks and shovels. Daddy was unable to stand still because of torture. He was forced into a panzer with the help of two persons. Along with my father, they also detained me and persons named Mehmet Emin Sermet, Cemil Kıraç and Medine Kaya. They took us to İdil Gendarmerie Station. Since my father could not bear torture inflicted on him, he died in the morning. Then they let me free". Saying that his father's corpse was taken to İdil State Hospital's Morgue, Salih Siniğ stated: "It was very difficult to recognize his corpse. All his body was purple with the bruising. An autopsy was conducted, but its results were not communicated to us. The officers in

charge of İdil Gendarmerie Station are responsible for the death of my father. I am litigant of them".

#### **14)- Yücel Dolan (25)**

A youth named Yücel Dolan who was detained by the police on 29 July from Hazro district of Diyarbakır, felt unwell on the night of 2 August in Diyarbakır where he was being interrogated. Yücel Dolan who was taken to Diyarbakır State Hospital hereupon, lost his life shortly afterwards. Yücel Dolan was laid to rest on 3 August. An autopsy report saying that "he died because of an heart attack" was drawn up for Yücel Dolan who is the son of Hazro Mayor Resul Dolan. Not accepting the autopsy report, relatives of Yücel Dolan stated that the death had been caused by torture. The inquiry launched into the event did not bring any results. Hazro Mayor Resul Doğan said: "They took my son to Diyarbakır after detaining him. They tortured and killed him within two days. His body was covered with traces of torture. There were purple bruises on his genital organ due to electric shocks. Furthermore, his head had been hit with a heavy object. All of the people in Hazro know that he was innocent".

#### **15)- Selahattin Dörtbudak**

Selahattin Dörtbudak, detained on 3 August by gendarmes in Bahçeli village of Nizip district of Gaziantep, died in the gendarmerie station where he was being interrogated. It was claimed that Selahattin Dörtbudak who was detained on charges of "theft", died due to a heart attack. Selahattin Dörtbudak's mother Güllü Dörtbudak said that her son had been killed by a sergeant who stole about TL 1 million from the pocket of her son in the gendarmerie station. Saying that she was given contradictory answers when she went to the station in order to be informed about the death of her son, Güllü Dörtbudak said: "My son was stained with blood. There was a great scar on his right shoulder. There were wounds and scars on his head and purple bruises on his stomach. Why and how did wounds and scars occur on the body of a person who died because of a heart attack?"

#### **16)- Osman Akçiçek**

A youth named Osman Akçiçek (22) who was detained because he shot and wounded a person named Engin Çelebi on 5 August in front of the İstanbul Financial Department, suffered a brain hemorrhage at Eminönü Security Directorate and was hospitalized. It was reported that Osman Akçiçek who was taken for treatment at the International Hospital, suffered from the brain hemorrhage due to a strong blow to his head. Osman Akçiçek who was reported to have been continuously beaten by the police officers under custody, remained in coma for a long time and died on 17 August in the hospital. A trial was launched against police officers Şener Erdem, Serdar Topkaya and Mehmet Arlan in connection with the death of Osman Akçiçek. Prosecution of the defendants began on 5 November at İstanbul Heavy Penal Court No.4. In the hearing, Osman Akçiçek's father Seyit Ahmet Akçiçek demanded that the defendant police officers be arrested, but his demand was rejected by the court. Bahattin Ertel one of the eye witnesses of the event, said in the hearing that they had heard screams from the room Osman Akçiçek had been shut in. Bahattin Ertel added that they had heard Chief Commissioner Şener Erdem saying "If we give a slap, he falls down and strikes his head on the walls, then we get into trouble".

#### **17)- Baki Erdoğan (27)**

A person named Baki Erdoğan who was detained by the police on 11 August in Söke district of Aydın on allegations that he is a member of the "Devrimci Sol" (Revolutionary Left) organization, felt ill because of torture inflicted on him at Aydın Security Directorate where he was interrogated, and after which he had been hospitalized on 21 August. He died on the night of

the same day. The death of Baki Erdoğan was announced in the morning of 23 August thanks to the attempts by his lawyer Mehmet Yatar. It had not been verified beforehand by police authorities that he had been detained. The official statement given relating the event claimed that Baki Erdoğan had died because of failure in the respiratory system which occurred due to tuberculosis. In a statement he made with respect to the event, İHD Aydın Branch Chairman, Erol Ertuğrul said that death of a human being who was under the state security, caused people to lose their faith in the state. Erol Ertuğrul also filed an official complaint with Aydın Public Prosecution Office. Baki Erdoğan's father Mahmut Erdoğan pointed out that his son had died because of torture and said that the authorities of the police, the prosecution office and the hospital tried to disguise the event. Mahmut Erdoğan continued saying: "My son did not have any problems with his respiratory system. When I saw his corpse in the morgue I noticed scars on the tips of his toes, arms and head. Besides this, there were purple bruises on his face. My lawyer and I were not allowed to attend the autopsy process. I demand another autopsy and an investigation into the event." Photographs and video tapes verifying torture traces on the corpse of Baki Erdoğan were made public during a press meeting held in İzmir in September. Baki Erdoğan's lawyer Mehmet Yatar who spoke in the meeting, said: "Those documents are evident of the inflicted torture. My client died because of torture. There are 12 persons who witnessed the event. We demand those who caused the death of Baki Erdoğan be identified and punished. In addition, also the physicians who gave medical reports that the 'death was caused by tuberculosis and insufficiency in the respiratory system', must be punished". The Central Council of the Turkish Medical Association prepared an evaluation report about the event. Stating that Baki Erdoğan was subjected to torture, the report says, in substance, the following: "It has been concluded that traces on his body are consistent to those left through electrical shocks, on his shoulders and wrists through hanging, and on his toes through bastinado and crush. There is a serious discrepancy between findings of the medical examination and the autopsy report. The discrepancy should be removed. The medical doctor who made the first examination stated that Baki Erdoğan had been laying with a serum connected to his arm. This case creates an impression that Baki Erdoğan was medically intervened by persons other than medical doctors in detention which is contrary to the laws". By the end of the year, no result could be drawn from the investigation initiated by Aydın Public Prosecution Office. On the other hand, claims on torture on Baki Erdoğan were taken seriously by İzmir SSC's Prosecution Office. İzmir SSC Prosecutor Hakan Tüzer who took the floor on the 14 December 1993 dated hearing of "Söke Devrimci Sol" case in which the persons detained together with Baki Erdoğan are tried, said the following: "There are serious claims that Baki Erdoğan who had been detained together with the defendants, was killed due to ill-treatment of security officers. Consequently, I am of the opinion that the result of the inquiry into the death of Baki Erdoğan, will affect the course of this case".

### **18)- Dodo Tekin**

Shepherd Dodo Tekin who had been detained by the security forces who had raided İncesu village of Derik district of Mardin on 4 August, was found dead on 11 September around the village. Dodo Tekin had firstly been taken to Derik Gendarmerie Station and then to Mardin Gendarmerie Brigade in order to be interrogated. Villagers who found the corpse stated that there were scars on his head, arms and legs. A person who was held under custody together with Dodo Tekin and who wanted to keep his name confidential for his own security, disclosed that he had witnessed the torture perpetrated on Dodo Tekin and that he had been exhausted due to torture. Putting the event on the agenda of the National Assembly, Diyarbakır Deputy Hatip Dicle asked the following questions to the Interior Minister: "Have any investigations been

initiated into the incident? Do you feel comfortable in your post in such a country in which a person was thrown outside after being murdered in detention? Who are the people responsible for this?"

**19)- Şefik Kaplan (61)**

An imam named Şefik Kaplan who had been detained by the security forces carrying out a raid on Oymapınar village of Hizan district in Bitlis on 5 September, died in Soğanlı Gendarmerie Station where he had been interrogated. The corpse of Şefik Kaplan, was delivered to his family on September 7. Relatives of Şefik Kaplan stated that he had died as a result of the torture inflicted on him. It has been claimed that a military officer in the Gendarmerie Station told villagers who went to the station to receive the body, "We have a list consisting of 12 persons who are going to be killed. One of them is dead now, the turn of those remaining is approaching." However, authorities in the station claimed that Şefik Kaplan had committed suicide in custody by hanging himself by his belt. Hatip Dicle put the event on the agenda of the National Assembly and asked for the explanation of suspicious elements by the then Interior Minister Mehmet Gazioğlu.

**20)- Bilen Çifçi (24)**

Taxi driver Bilen Çifçi who had been detained in Ankara on 9 October by the police on the allegations that "he had been involved in a theft", died in Ankara Security Directorate where he had been interrogated. Police authorities claimed that Bilen Çifçi had committed suicide by jumping from the 4th floor while being brought to court hall. It has been discovered that following his detention Bilen Çifçi had been released and sent to court on 11 October. He had been detained once more but while leaving the Justice Building, and brought to the Security Directorate. Ankara Public Prosecutor Nazmi Şarvan carrying on the inquiry into the incident, said, "According to the first information we received, there was no intention in the killing. He got used to stealing tape recorders from cabs. He committed suicide probably because he wondered how he could bring himself to talk to his friends when the case came to light. The case does not seem suspicious at the first glance". The investigation file was shelved upon decision not to prosecute.

**21)- Hacı Sansak (56)**

A jeweler named Hacı Sansak (56), detained in Cizre district of Şırnak on 3 October, died at Şırnak Security Directorate where he had been interrogated. The corpse of Hacı Sansak, who reportedly died on the first night of his detention, was sent to Diyarbakır for autopsy. Police authorities alleged that Hacı Sansak was a cardiac patient and had died as a result of a heart attack. Although, Hacı Sansak's relatives verified he was a cardiac patient, they stated that they did not believe that an heart attack had caused his death. They also added that there were traces of blows to his body. The inquiry launched relating the event by Şırnak Public Prosecution Office was concluded with a decision not to prosecute.

**22)- Selman Karabacak**

Prisoner Selman Karabacak who was held under arrest in Manisa E Type Prison was taken to İzmir Yeşilyurt State Hospital on 22 October 1993 upon diagnosis of "cerebral hemorrhage". He died in the evening of the same day in the hospital. Manisa Public Prosecutor Muzaffer Çelebi said that Selman Karabacak had been sent on a stretcher from Isparta Prison to Manisa Prison sometime before he had died and the incident was being investigated. It has been claimed that Selman Karabacak was buried without any autopsy on his corpse.

**23)- Mehmet Emin Bingöl (62)**

**24)- Yakup Tetik**

**25)- Mehmet Acar**

Corpses of 4 persons named Mehmet Emin Bingöl, Yakup Tetik, Mehmet Acar and Alican Öner killed each with one gun shot in their heads after having been tortured, were found on 8 November near Köykent located 6 kilometers away from Muş. The event was made public as "murders by unidentified assailants". However, people living in the region stated that those persons whose corpses were found had been detained from Eralan village of Muş by soldiers on 3 November and tortured to death. It has been revealed that Emin Bingöl one of the 4 persons reportedly killed on 4 November, was a religious man active in Muş and its environs. It has been claimed that Mehmet Emin Bingöl who tried to remain impartial regarding the situation in the Emergency State Region, continuously said that he might be killed. Diyarbakır Deputy Leyla Zana put the event on the agenda of the National Assembly in November. In the motion she submitted in which she demanded an explanation by the Interior Minister Nahit Menteşe, the following was stated: "Everyone in the region knows that those killed had been detained by soldiers. Regional representatives of some political parties met certain authorities and demanded those persons not to be tortured. Nevertheless, in spite of all efforts, they were killed in detention. The beard of Emin Bingöl was pulled out and all of his fingers except his forefingers were broken. There were obvious torture traces on the other bodies too." Leyla Zana asked the Interior Minister Nahit Menteşe why those persons had been detained, whether an autopsy had been made on their corpses and what kind of penalties would be imposed on the assailants.

**26)- Alican Öner****27)- Kemal Canpolat (27)**

Kemal Canpolat detained during the operation carried out in Çınar district of Diyarbakır on the night of 31 October, died at Diyarbakır Security Directorate where he had been interrogated. The corpse of Kemal Canpolat who was working as a civil servant at PTT (Post, Telephone, Telegram), was found by his family in Diyarbakır State Hospital's morgue on the morning of 13 November. Those who received the corpse stated that Kemal Canpolat had been subjected to torture and there were bruises in his head and rib cage, and his toe nails had been uprooted.

**28)- Filit Er (27)**

Filit Er detained together with his father and brother by the security forces during a raid in Hoşhaber village of Iğdır on 13 November, died at Iğdır Security Directorate while being interrogated. Tayfur Er, father of Filit Er, claimed that his son died because of the torture he was subjected to and he said: "Police officers who raided our village detained my sons Filit and Mehmet, and me. They took us to Iğdır Security Directorate and started to torture us there. One day later, police officers raided our house and this time again tortured my daughter, too. She took some time to recover from the ordeal. They tortured us for 9 days. Then they took us blindfolded to Iğdır Gendarmerie Command and then to Iğdır State Hospital. At that time, one of the police officers told a doctor that Filit had fainted. I told a captain that I wanted to see my son. He did not let me. Later we learnt that he had died". Tayfur Er said that they had been released without being brought before a judge following the death of his son. Tayfur Er added that the body of his son was all purple and one of his arms had been broken. He called all human rights organizations to see the barbarism they had experienced.

**29)- Mehmetşah İkincisoy**

Mehmetşah İkincisoy who was detained together with his family after a clash which arose between the security forces and PKK militants at 22 November night in Melik Ahmet quarter of Diyarbakır, was found dead in Mardinkapı Cemetery on 9 December. The corpse of Mehmetşah İkincisoy, presumed to have been buried by municipality officers, was later

disinterred and delivered to his family. Abdürrezzak İkincisoy who was detained together with his son Mehmet İkincisoy, said the following: "Near my house a clash arose between PKK militants and the police at 22 November night. Following the clash, police officers came to our house and asked about my son Mehmetşah. I replied that he was at my brother's home. Then, they took my other son Halil and went to my brother's house. Another clash broke out between the police officers and the youths in the house of my brother and a youth was killed. Following the incidents, the police officers took my sons Mehmetşah and Halil, my brother Abdülkadir, my nephew and nieces Nasır, Adile and Sabriye to Çarşı Police Station. Half an hour later, the police raided our house and took me and my children Hüseyin, Makbule and Nefise to the same Police Station. We were kept there for a while and then while blindfolded we were transferred to the Security Directorate and then to the Anti-Riot Directorate. During that time, they continuously beat and insulted us. At first, Mehmetşah was together with us, but later they separated him from us at the Anti-Riot Directorate. For 4 days in detention we were tortured. While we were being released on the 4th day, I noticed Mehmetşah's jacket on a table. They wanted to give the jacket to me, but I did not take it. Saying "Do not tell anyone that we detained Mehmetşah. If someone asks you about him, say that he took to the hills.", the police officers set all of us, except Halil, my brother and his son, free. My son Halil was released 15 days later. Then we learned that my brother and his son had been arrested. The fate of Mehmetşah was not clarified at that time". Meanwhile, in the answer by Diyarbakır SSC to the application made by the family it was claimed that Mehmetşah İkincisoy had died during the clash 22 November night.

### **c) Disappearances**

In 1993, along with the persons who died in detention places or prisons, many persons disappeared. A total of **13** persons who were claimed by eye witnesses or by serious proofs to have been detained or taken by security officers, disappeared. The number of the persons who disappeared showed a sharp increase compared with the previous years (According to research by HRFT, 1 person disappeared in 1990, 4 in 1991 and 8 in 1992). As was the case in the previous years, no information could be obtained about the fate of the disappearances, except one of them<sup>(\*)</sup>.

Claims of disappearances were neither investigated nor taken seriously. Concrete example of this situation are unprosecuted claims in connection with Hüseyin Toraman who had been kidnapped by presumed police officers in İstanbul in October 1991 and whose fate could not be explained. Claims relating to Hüseyin Toraman took place in a news entitled "Hüseyin Toraman Buried in Eskihisar" published in the weekly "Gerçek" (Fact) dated 6 November 1993. According to the aforesaid news, a letter was sent to the journal "Emeğin Bayrağı" (Flag of Labour) by a person who introduced himself as a police officer in charge of Gebze Security Directorate. According to the letter, Hüseyin Toraman was killed under torture at Gebze

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<sup>(\*)</sup> The fate of Tuğrul Özbek (36) who disappeared in 1992 was brought into the open in 1993. In a statement made by "Devrimci Sol" organization in March relating the event, it was stated that Tuğrul Özbek had become a police agent after being detained and taken parts in the operations against the organization. It was also pointed out that the organization was striving to apprehend him. Tuğrul Özbek who had served in prison for 10 years as he was a defendant of the "Devrimci Sol" case concluded by İstanbul Military Court in 1991, disappeared on 9 October 1992 after he left a tea-garden in Yeniköy, İstanbul. Many statements made following the event indicated that he might have been killed under police custody. Taking into account the high number of persons who witnessed that Tuğrul Özbek had been detained, he was classified under the title of "Disappearances" in the "Turkey Human Rights Report-1992" prepared by HRFT and reports of international human rights organizations.

Security Directorate and then buried in Eskihisar region of Gebze. In substance the letter says: "Hüseyin Toraman, a member of an illegal left-wing organization, died due to torture in the evening when I was serving my duty, and was buried, in accordance with the director, by Chief Commissioner Remzi Akıncılar around a bridge on Eskihisar road. Thus the event was clarified and I had a clear conscience." Hüseyin Toraman's wife Gülay Toraman and lawyer Metin Kozan applied to Gebze Public Prosecution Office demanding an inquiry into the event following the new development. However, the Prosecution Office did not take the application seriously. Upon insistence of lawyer Metin Kozan, a file was opened concerning the event. After a brief examination, the file was shelved on the grounds that Eskihisar region was too wide to be searched.

Following is the information compiled by HRFT about the disappearances in 1993:

**01)- Namık Erkek**

Namık Erkek stated to have been detained by the police on 19 December 1992 while he was going to visit his relatives living in Kurdali quarter of Mersin, disappeared later. The fate of Namık Erkek who was seen while being forced into a white car the plate number of which could not be identified, by civilian dressed persons and taken away, could not be clarified in 1993. His brothers Mahmut Erkek and Serdin Erkek applied to Mersin Security Directorate when they heard about the detention of their brother. At first, authorities stated that Namık Erkek had not been detained. Upon their insistence on the question and application to the Public Prosecution Office, it was accepted that Namık Erkek had been detained. However, it was claimed that Namık Erkek had escaped from the police station which he had been brought to. No results could be drawn from attempts made by the İHD and the People's Labour Party in the presence of the Ministry of Interior. Then, Mahmut Erkek applied to the Amnesty International by means of his lawyer Sami Doğan for help on the issue.

**02)- Ali Kırlangıç**

Ali Kırlangıç disappeared during the operations conducted against "Devrimci Sol" organization in March in İstanbul. The fate of Ali Kırlangıç who was responsible for the armed groups within the organization, remained ambiguous until a statement made by his friends in May. It was recorded in the statement that Ali Kırlangıç might have been killed either while being detained during the operations carried out in March or under torture after being detained. By the end of 1993, no information could be gathered about the fate of Ali Kırlangıç who was seen for the last time on 7 March in Edirnekapi, İstanbul.

**03)- İbrahim Akıl**

**05)- Hikmet Şimşek (Keldani)**

**07)- Salih Demirhan**

**04)- Hamdi Şimşek (Keldani)**

**06)- Hamit Özdemir**

**08)- Şemdin Culaz (Keldani)**

Following the attack by PKK militants on Görümlü Gendarmerie Brigade near Şırnak on 13 June, a large-scale operation was initiated in the region. While the operation was continuing, Görümlü village was raided by soldiers on 14 June. Following the raid, İbrahim Akıl (imam), Salih Demirhan, Halit Özdemir, Hamdi Şimşek, Hikmet Şimşek and Şemdin Culaz were detained. No information could be obtained about the detainees later. Relatives of the villagers in question stated that military officers had been responsible for whatever happened to the above villagers. However, military authorities in Silopi and Şırnak claimed that they were not aware of the missing. Two months after the event, the then Şırnak Brigade Command Mete Sayar said the following in a statement he made to the daily newspaper "Sabah": "A person working as an "imam" in a village was killed two months ago during an armed activity he participated in. When we searched the belongings on him, we found a crescent. Then we realized that he was an

Armenian". Such a statement gave an important clue about the fate of the 6 missing. Villagers from Görümlü village evaluated the statement as follows: "We think there is a connection between the person mentioned by Mete Sayar and İbrahim Akıl, because the soldiers who raided our village on 14 June gathered all of us in the village square. İbrahim Akıl who was imam of our village was among us. A while after, Hamdi Şimşek and his son Hikmet Şimşek were brought. During a search in their house, a crescent was found. A military officer hanged the crescent on the neck of İbrahim Akıl and said that we were Armenians and that they would kill all of us. Later they took the said 6 persons away. When we read the statement made by Mete Sayar we understood that the mentioned person was İbrahim Akıl. The statement brought up that İbrahim Akıl was killed by the soldiers". Muş Deputy Mehmet Sever stated that there was no official document showing whether those 6 villagers had been detained or killed, and said: "This event is evidence of the presence of certain secret units within the state and how they publicly murdered people".

#### **09)- İhsan Uygur**

#### **10)- Yüksel Alptekin**

İhsan Uygur, one of the correspondents for the Kartal office of the newspaper "Sabah", and Yüksel Alptekin, one of the drivers for the same newspaper, disappeared in July. According to the statement made by the newspaper, İhsan Uygur and Yüksel Alptekin who left the office on 6 July at about 1.30am in order to follow a story about a fire which had started in the region, did not return the office. The police were then notified. Following a search, the car in which İhsan Uygur and Yüksel Alptekin were driving, was found in the forest near Ballica village. Meanwhile, an unidentified person who called the newspaper "Sabah" claimed that İhsan Uygur and Yüksel Alptekin had been killed by the Hizbollah organization. No information could be received from İhsan Uygur and Yüksel Alptekin by the end of the year. A reward of 250 million TL was put up to encourage people to come forward to give information, but this brought no results.

#### **11)- Aysel Malkaç (22)**

Aysel Malkaç, out of the correspondents in charge of the İstanbul office of the newspaper Özgür Gündem, disappeared on the morning of 7 August. Aysel Malkaç who had left the office in Kumkapı, was claimed to have been detained by the police. Applications of the newspaper authorities, and initiatives of many organizations and individuals with the purpose of finding Aysel Malkaç alive, continued throughout the year. Within this framework, a delegation including Mahmut Tali Öngören who is Secretary General of the HRFT, negotiated with the then Interior Minister Mehmet Gazioğlu on 11 August demanding sustained efforts in order to find Aysel Malkaç alive. In spite of all attempts, nothing was clarified about the fate of Aysel Malkaç. The application made to Süleyman Demirel by Yaşar Kaya, the owner of the newspaper Özgür Gündem, received a reply stating that all security directorates had conducted the necessary investigations, but that no further information could be unearthed about her fate. Newspaper officials decided to apply to the European Human Rights Commission concerning the fate of Aysel Malkaç.

#### **12)- Erdoğan Şakar (32)**

Erdoğan Şakar disappeared on the same day as a police raid conducted on a cafeteria in Perpa Trade Center in Okmeydanı, İstanbul on 13 August. In the raid, a total of 5 persons who were alleged to be members of "Devrimci Sol" organization, were killed. Three days after the cafeteria raid Erdoğan Şakar's wife made a statement in which she said her husband had gone to Perpa Trade Center on 13 August in order to visit one of his friends and that they had been unable

to obtain any information from him since that time. No satisfactory reply was given in spite of many attempts made to clarify the fate of Erdogan Şakar seen in the Perpa Trade Center before the police raid.

### **13)- Abdulvahap Timurtaş**

Abdulvahap Timurtaş was detained on 14 August in Silopi district of Şırnak and no information could be received about him since then. Tevfik Timurtaş who was the elder brother of Abdulvahap Timurtaş had been killed while being interrogated under custody in Cizre in January 1990. His father Mehmet Timurtaş applied to Diyarbakır Branch of the İHD in October after Abdulvahap Timurtaş had disappeared. Claiming that Abdurrahman Timurtaş had been detained by the soldiers bound to Silopi Gendarmerie Command, he said: "They had killed one of my sons and then they lost Abdulvahap while in detention. We have not received any information from him for 2 months. All of the authorities I applied to denied that my son had been detained. Thus, I am worried about his life. He must have been brought before court by now, but he was not. I am afraid that he was killed under custody like my elder son was."

In the meantime, the fate of 11 persons who were detained by the security officers, who raided Alaca village of Kulp district of Diyarbakır on 9 October, was not clarified by the end of the year. Relatives of those 11 persons applied to Amnesty International through the İHD. The following statement was included in the application: "During the raid, lots of people were detained. Some of them were immediately released and some of them were set free 2 days later. However, we could not receive any information about the remaining 11 persons." The names of the 11 persons in question are "Turan Demir (27), Şah Atalay (24), Hasan Abar (41), Şerif Abar (24), Salih Akdeniz (65), Nusretin Yerlikaya, Behçet Tutuş (40), Bari Şimşek, Abdo Yamuk, Celil Aydoğdu and Behçet Taç."

### **d) Determined torture cases**

The Human Rights Foundation of Turkey has determined, as a result of its investigations and information it received, that a total of **827** persons, of whom **29** were children and **126** were women, were tortured in 1993 in detention places or prisons (this number was 552 in 1991, 595 in 1992) **160** of those persons were able to prove with medical reports that they had been subjected to torture. **22** of the tortured women reported that they had been raped or sexually abused in detention. Within the year, a total of **174** persons allegedly tortured applied to the treatment centers of the HRFT, **46** of them in Ankara, **49** in İstanbul and **79** in İzmir. (This figure does not cover **149** persons who were recently released from prisons or the persons who applied to the HRFT in 1993 even though they had been tortured before.) The cases determined by the HRFT reflect only an insignificant part of the torture cases which happened in Turkey. (\*)

We always emphasize that torture is inflicted on every defendant, without any discrimination of political or ordinary offenders, as a systematic interrogation method in Turkey. Although there is widespread use of well-known torture methods against suspects accused of ordinary crimes in police or gendarmerie custody, a significant part of torture cases can not be revealed because often suspects do not insist on their rights. Most of the persons who lodged an

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(\*) The title "Determined torture cases" included in the Turkey Human Rights Report-1993 was prepared based on the information obtained via the following channels: Persons who lodged official complaints with the Public Prosecution Offices; persons who were able to publicly declare that they had been tortured and those who applied to the treatment centers of the HRFT. While preparing the report we did not consider the information that we thought exaggerated or suspicious.

official complaint concerning torture or ill-treatment and occasionally obtained a medical report are the ones accused of political reasons. In addition, when the difficulty in receiving information from the provinces out of İstanbul, Ankara and İzmir and particularly from the Emergency State Region is considered, it becomes apparent that the number of torture victims identified by HRFT reflects only a small part of the larger total.

Before sampling the torture cases witnessed in 1993, we believe that the tragic events experienced by the villagers from Ormaniçi, Şırnak in February should be described. The events experienced by the villagers and the terribly cruel torture inflicted on them will not be forgotten for many years to come.

The PKK militants who were hiding in a house in Ormaniçi village of Güçlükonak district of Şırnak, opened fire on the security forces who had gone to the village on the night of 20 February. Gendarmerie soldier Servet Uslu died as a result of the fire opened by the PKK militants. The militants then left the village and withdrew towards the mountains. The security forces who stayed in the village after the militants had withdrawn, opened fire on houses at random. As a result, a child named Abide Ekin (3) died, and villagers named Mahmut Güler, Ali Erberk, Şehabettin Erberk, Abdullah Ekin, Halime Ekin and Nuri Özkan were wounded. During the events, most of the houses in the village were burnt or damaged. The wounded villagers were denounced as "PKK militants who were wounded in a clash". This event was the beginning of a tragedy during which cruel torture methods were applied to the villagers in Ormaniçi over one-month period.

After the event, 45 persons were detained on the morning of 21 February by the soldiers in the village. The detainees were tied to each other with thick rope, made to lie down on snow and beaten. They were made to walk on the snow barefooted to Güçlükonak Gendarmerie Station and taken under interrogation there. During interrogation those 45 persons were subjected to various kinds of torture such as electric shocks; being forced to eat excrement; having hands, feet and buttocks burned; insertion of a truncheon or bottle into anus; falanga; being kept on ice etc.

As a result of torture, out of the detainees İbrahim Ekinci died. The corpse of İbrahim Ekinci was delivered to his family on 17 March. Due to torture, most of the detainees had serious infirmities and illnesses which will remain for the rest of their lives. The names of the persons who became crippled or fell ill because of torture are as follows: "İbrahim Ekin, Osman Ekin, Abdullah Ekin, Şerif Ekin, Mehmet Kurt, Mehmet Sezgin, Abdullah Sezgin, Mehmet Özkan, Mehmet Özkan (Ahmet's son), Mahmut Özkan, Ahmet Çetin, İbrahim Kaya, Abdul-lah Elçiçek, Mehmet Kaya, Salih Demir, Şerif Demir, Ahmet Aslan, Mahmut Güler, Sait Erdem, Mehmet Yıldırım, Şükrü Yıldırım, Abdulsalam Demir, Leyla (Nevaf) Özkan, Fahret-tin Özkan, Resul Aslan, Tahir Çetin, İbrahim Özkan, Hamit Demir, Ali Erdem, Şahbettin Elbek, Hacı Ekin, Cemal Sezgin, Zeki Çetin, Mehmet Aslan, Nuri Özkan, Osman Ekinci, Halim Ekin and Hüseyin Yıldırım".

Legs, arms or toes of some of the tortured detainees had to be amputated. One foot of villagers Tahir Çetin and Resul Aslan, both feet of villager Fahrettin Özkan were amputated in the hospital they were taken to. Required prosthesis were arranged to be manufactured by the HRFT for those persons whose feet were amputated. Out of the torture victims, Sait Erdem, Ahmet Aslan and Leyla Özkan were treated in Ankara by the HRFT in April. Another torture victim named Hüseyin Yıldırım (18) applied to the HRFT's İzmir Representative in order to receive treatment, stating that he was severely tortured during 20 days in detention. Hüseyin

Yıldırım said that he had been forced to eat excrement and to drink urine and gasoline, made to lie face downwards in water and that his hands and feet had been burnt. After a long period of treatment his health improved.

After 20 days, the number of the detainees dropped to 18, including the ones who were released or hospitalized and the body of İbrahim Ekinci. Out of the 18 persons who were held in custody for a longer period, 8 were released while the remaining 10 were arrested and sent to Eruh Prison. The arrested villagers were later transferred to Muş and Diyarbakır Prisons. The names of those arrested are Mehmet Aslan (village headman), Şemsettin Erberk, Osman Ekin, Hacı Ekinci, Mehmet Özkan, Cemal Sezgin, Zeki Çetin (mentally ill), İbrahim Özkan, Mehmet Nuri Özkan and Ali Erberk". A trial was launched by Diyarbakır SSC against 17 of 18 defendants on charges of "acting in the name of the PKK and harbouring PKK militants". The indictment prepared as to the event, demanded the death penalty against 14 defendants and various imprisonment terms for 3 defendants. The trial was started on 4 May. Lawyers Tahir Elçi and Mesut Beştaş who took the floor in the hearing on behalf of the defendants, claimed that inhuman events had taken place in Ormaniçi village and that the security forces had violated the law. All of the arrested defendants against whom a trial had been launched were released in succession in 1993.

Later, the villagers from Ormaniçi applied to the European Human Rights Commission. The villagers said the following in their application: "The soldiers gathered all of the men in the village square and tortured everyone until the evening hours. For some of the time they were torturing the villagers, while at other times they were opening fire on our cattle. Our all belongings were burnt". The European Human Rights Commission took the application under consideration. As a result of its first examination, the Commission invited Turkey to offer an explanation about the events by 23 September. In his letter to the Commission, Tahir Elçi claimed that the most significant human rights abuses observed in the region during the last 10 years took place in Ormaniçi village, and said: "One of the fundamental principals of a law state which foresees that security officers must be respectful to the laws, was disregarded in Ormaniçi village. Most of the persons detained and later arrested were found innocent by SSC and released. Some of villagers were kept in detention up to 68 days. My sole wish is clarification of the incident as soon as possible."

In the meantime, the soldiers reporting to Güçlükonak Gendarmerie Battalion went to Ormaniçi village again on 30 September at about 5.00am. They took the villagers out of their houses and set on fire some of the houses in the village. It was reported that the soldiers had entered into the houses which were not burnt, searched for food, damaged all goods and burnt animal fodder prepared for winter.

Following are some of the examples compiled by the Human Rights Foundation of Turkey relating to torture cases in 1993:

Six out of 7 persons detained for looking suspicious on 4 January in Eminönü quarter of İstanbul, were forced to carry coal to the Eminönü Security Directorate. The 7th person who refused to carry coal was kept in custody one more night.

It has been reported that 13 persons who were kept in detention for 30 hours at Rize Political Police Center, were tortured during that period. Trabzon Halkevi (Public Cultural House) Chairman was among those 13 persons detained near Çayeli while returning to Trabzon from Gürsu village of Fındıklı district of Rize where they had gone for the Christmas Holiday. Of the detainees Yavuz Gümüşkaya said the following in the statement he made after they were

released: "We were hosed to cold water, insulted and beaten in Rize Security Directorate building. We demand an investigation to be launched against the police officers who inflicted torture on us".

Two and a half-month pregnant Dilek Onat who was among the 17 persons detained during the operations started on 4 January in Adana, was tortured at Adana Political Police Center where she was interrogated. Dilek Onat who had a miscarriage as a result of the torture inflicted on her, was released on 10 January upon the miscarriage and taken to her house by the police. Dilek Onat's health which was deteriorated due to torture, remained critical for a long while.

Şerif Çelik and Ekrem Oğrak detained during the operations carried out at the end of December 1992 in Muğla and its districts, stated that they had been tortured at Muğla Regional Traffic Directorate where they had been interrogated. Şerif Çelik, out of the two persons who held a press meeting in Muğla Provincial Center of the Worker's Party, said the following: "In detention I was blindfolded and continuously beaten. Then I fainted from beating. But I think they were not satisfied, then they increased the dose of torture by pouring acid on me". On the other hand, Ekrem Oğrak said: "I had an operation on my testicles and stomach some time ago. Although I told them about this, they squeezed my testicles and gave electric shocks to my sexual organ and toes".

The İHD member Gülseren Baysungur detained on 15 January in İstanbul, stated that she had been tortured at Eminönü Security Directorate where she had been interrogated. Stating that she had been beaten, given electric shocks and threatened to be killed, Gülseren Baysungur said that she had been released 24 hours later by the prosecutor on duty. İHD İstanbul Branch Secretary Eren Keskin said: "We are protesting the pressure and torture inflicted on one of our members". However, Eminönü Security Director Faruk Önce, denying the event, claimed that they had not tortured Gülseren Baysungur.

Two youths named Ekrem Kaval and Münir Çolak detained on 5 January in Akçadağ district of Malatya, were tortured at İnderesi Gendarmerie Station. Ekrem Kaval, one of the youths who were arrested on 20 January, said the following in the statement he made in Malatya E Type Prison: "For the 15 days that we were kept in detention, we were continuously tortured. We were kept hungry and thirsty for days. They applied every kind of torture method, firstly the electric shocks. Because of torture, our arms and legs became stiff".

The İHD İstanbul Branch has disclosed that 25 persons detained during the operation conducted against TDKP (Revolutionary Communist Party of Turkey) in January in İstanbul, were tortured in detention. Stating that those 25 persons held under custody for 10 to 15 days, had been beaten, subjected to falanga, given electric shocks, hanged up, and kept under pressurized water, the statement pointed out that the young girls who had been interrogated had been threatened to be sexually abused and raped. Out of the persons in question Yağmur Battal, Hakan Saraç, Erol Büyükkaraca, Hüseyin Aksoy, Murat Demir, Fazıl Ahmet Ayar, Adnan İnan, Hamit Taş, Salman Kılınç, Aynur Kılıç, Ali Durmaz, Gürsel Dursun, Selçuk Bilmiş, Nedim Köroğlu, Kubilay Durmuş, Orhan Akyol, İskender Bayhan and Şengül Karadağ (a total of 18 persons) were given medical reports verifying the torture inflicted on them and showing their inability to work for 1 to 5 days.

Osman Korkut, Hüsnu Aydın and Ekrem Deniz detained by the police on 13 January in Üsküdar, İstanbul were reportedly tortured in Çinili Police Station where they had been taken. Among the torture victims, Osman Korkut and Ekrem Deniz held a press conference in the İHD İstanbul Branch and said that over 24 hours in detention they had been damped with pressurized water, beaten with truncheons and kicked. Osman Korkut and Ekrem Deniz who filed an official complaint with the Public Prosecution Office after being released, obtained medical reports documenting the torture inflicted on them from the hospital they were sent to.

After the concert given by Group Ekin in Bergama district of İzmir on 19 February, 39 persons who had attended the concert were kept in detention for some time by the police. Müjdat Karamanoğlu and Murat Aydın who are İzmir reporters for the journal "Mücadele" (Struggle), and some members of the Group were among the detainees. After being released, those 39 persons stated that they had been beaten with truncheons and iron sticks under police custody. Two of the beaten persons applied to İzmir Representative of the HRFT for treatment.

Approximately 50 persons detained during the operations carried out in İdil district of Şırnak in January were reportedly tortured for 15 days at İdil Security Directorate where they were interrogated. The detainees including Social Democratic Populist Party İdil District Chairman Hüseyin Derin and the newspaper Hürriyet correspondent Faik Kaplan, stated that they had been forced to accept the testimonies on the crimes they had not committed. Out of the detainees "Hüseyin Derin, Faik Kaplan, Şükrü Sösin, Mehmet Atça, Kerim Aslan, Ali Aslan, Sait Tañç, Hasan Doğan, İdris Nas, Çetin Abay, Çeten Atlığ, Hasan Uras, Ali Erdemci, Selim Aslan, Halim Özalp, Ahmet Diri, Emin Hezer Adıbelli, Abdurrahman Dalmiş, İzzettin Yılmaz, Sadun Hamarat, Yusuf Başaran and Handan Babat" were arrested. On 24 February, journalist Faik Kaplan made a statement in the prison where he was kept under arrest and said: "One night they came to our wing and took me away. They stripped me and started to beat me. Then they put me in front of a video camera and ordered me to speak against the PKK. When I did not accept, they made me go out in the cold. After keeping me outside for an hour, they repeated their order. I did not accept this time either. Hereupon, they drew up their guns and threatened to kill me. Therefore, I had to make a speech against the PKK in front of the video camera".

Salih Tekin, who was one of the reporters for the newspaper Özgür Gündem in Derik and detained by gendarmes on 16 February in Metinler region of Derik district of Mardin, stated that he had been tortured in detention. Salih Tekin who made a statement after his release, said the following: "I was subjected to torture and insulted for 4 days at Derinsu Gen-darmerie Station where I was interrogated. Then, I was taken to Derik Security Directorate on 19 February. I was tortured there, too. Due to torture, I sometimes fainted. In the meantime, Derik District Gendarmerie Commander First Lieutenant Musa Çitil threatened to kill me. Since I did not accept the accusations, they set me free. I have learned that I was detained upon a baseless denunciation made by village guards".

Cevat Özkaya, İstanbul Branch Chairman of the "Association for Human Rights and Solidarity with the Oppressed" (Mazlum-Der), stated that 18 persons detained in İstanbul in January on charges of being members of the "İslami Hareket" organization and having participated in certain armed attacks, had been heavily tortured. Stating that those 18 persons had been tortured within the knowledge of İstanbul State Security Court Prosecutor Ahmet Köksal and İstanbul Security Director Necdet Menzir, Cevat Özkaya said: "Those people proved with medical reports they obtained from the Forensic Medicine Institute that they had been tortured, but they were publicized as guilty as a result of video tapes shot by the police and given to press".

Of the tortured defendants Mehmet Ali Şeker (10 days), Mehmet Kaya (3 days), Kudbettin Gök and Hüsni Yazgan were given medical reports verifying the torture.

Timur Canbaz detained at the end of February in İstanbul, stated that he had been tortured at Bakırköy Osmaniye Police Station while being interrogated. Timur Canbaz was arrested later. He said that he had been beaten and subjected to electric shocks. Upon his official complaint, Timur Canbaz obtained a medical report showing his inability to work for 5 days from the Forensic Medicine Institute.

A youth named Şahin Sevinç working as a peddler in Denizli, was beaten by an unidentified police officer because he was smoking on the street on 1 March. Şahin Sevinç who applied to the Public Prosecution Office after the event, demanded the police officer who beat him to be found and punished. Şahin Sevinç said the following about the event: "While I was walking in Bayramyeri quarter, a police officer called me and after saying 'Put out your cigarettes. Are not you aware that this month is Ramadan? Are not you ashamed of smoking?' he scolded me. I told him that he had no right to interfere. Then he said that he would take me to the security directorate. When I resisted, he reached for his gun and said that he would shoot me. Upon my reaction, he punched me. Then a quarrel arose between us and my jacket was torn. At Denizli Governorate where I went to make a complaint, I was told that "I should not have smoked cigarettes on the street".

Policemen who raided a wedding hall in Dağlıoğlu quarter of Adana, detained 6 guests by force. In addition, music instruments used in the ceremony were broken by the officers. The 6 persons who were taken to Adana Political Police Center, stated that they had been tortured for 2 days in detention. The health situation of Enver Bozcalı worsened as a result.

While driving his car on TEM Motorway, youth Tolga İncel was beaten by the police officers who blocked his way. After the event, Tolga İncel was hospitalized. İstanbul Deputy Ercan Karakaş put the event on the agenda of the National Assembly. In the motion submitted by Ercan Karakaş demanding a reply by the then Interior Minister İsmet Sezgin, it was said: "Tolga İncel was threatened with his life and then beaten by a group of persons in a civilian numbered car on the grounds that he did not give way to them. Tolga İncel told that the ones who had beaten him had introduced themselves as police officers and had forced him to sign a minute".

Erkan Can tried by Büyükçekmece Criminal Court on allegations of "having stolen cars" pleaded not guilty and stated the following in the hearing held on 9 March: "While I was testifying at the security units I told the truth first and stated that I had not steal the cars in question. But they did not believe me and tortured me. Owing to pressure, I had to give the statement the police wanted. All car-stealing cases agents of which could not be revealed were loaded on me. Nevertheless, I was in Bayrampaşa Prison when the said cars were stolen." Erkan Can also submitted the documents showing that he was in prison at that time to the court board. Hereupon, he was acquitted.

A woman named Hülya Dağlı detained following a meeting organized related to "International Laborer Women's Day" on 8 March in Tokat, made an official complaint to the Public Prosecution Office stating that she had been tortured under police custody. Hülya Dağlı verified with a medical report that she had been tortured. Hence, Tokat Public Prosecution Office launched a trial against police officers Halit Aktaş, Nurettin Sercan and Mehmet Ali Gerçekaslan. On the trial that continued during 1993, imprisonment terms varying from 3 months to 1 year are being demanded against the police officers.

While picking up firewood, Rıfat Özdemir and Kadir Gültekin living in Çınaraltı vil-lage of Ömerli, Mardin were detained by village guards from Salihağa village. During 24 hours in detention they were tortured. After being released, Rıfat Özdemir and Kadir Gültekin lodged an official complaint with Ömerli Public Prosecution Office. The persons in question were given medical reports from Forensic Medicine showing their inability to work for 10 days.

Mehmet Yiğit detained in Fethiye district of Muğla, was beaten by police officer Sait Korkmaz at Muğla Central Police Station where he was kept in detention. Mehmet Yiğit, who is one of the members of the Muğla Provincial Council from the True Path Party (DYP), went to a hospital after being set free and obtained a medical report documenting blow traces on his body and showing his inability to work for 2 days. Police officer Sait Korkmaz was removed from his post following the official complaint filed by Mehmet Yiğit against him.

Rahşan Eren (18) studying at Ankara Başkent High School was abducted on 15 March by unidentified persons who introduced themselves as police officers. Rahşan Eren who was forced to get into a vehicle with plate number "06 FTY 52" at noon hours, was beaten in the vehicle until it was darkened. Then she was taken to a desolation out of the city, let down into a well and threatened to be killed. She was sexually abused. After being beaten again, Rahşan Eren was released in the vicinity of Batıkent quarter of Ankara. At the beginning of September, Rahşan Eren was re-abducted getting into a vehicle with plate number "35 AHH 59" by the persons who introduced themselves as police officers in Dikimevi quarter of Ankara. Rahşan Eren said the following about the event: "As soon as I got into vehicle they started to beat. They blindfolded me. I could not defend myself. After a while we were in a desolation. They made me get off the vehicle. They were 5 and continuously beating me. They threatened me to rape me and abuse sexually. Later, they made me listen to the screams of tortured persons. They beat me until I felt semi-fainted. Then they left. When I came to myself I was naked." Rahşan Eren made a statement in November and stated that she had been detained in Akdere quarter of Ankara on 28 October by the police and had been tortured during her detention period of 3 days. Rahşan Eren said that she had been either detained or abducted by the police for a total of 10 times in the last 16 months and added that she had been threatened to be raped and to be killed.

Adnan Yerden detained in Mersin on 19 March while distributing a special issue of the newspaper "İşçilerin Sesi" (Voice of the Workers) prepared concerning Newroz Festival, stated that he had been tortured in detention. Adnan Yerden who filed an official complaint with the Public Prosecution Office after being released, verified with a medical report showing "his inability to work for 15 days" that he had been tortured.

5 youths named Selma Genç, Mesude Başgüzül, Nuriye Coşkun, Ali Akkaya and Ercan Toprak detained by the police while they were distributing a special issue of the journal "Emek" (Labour) in Bakırköy quarter of İstanbul on 27 March 1993, stated that they had been tortured in detention. Pointing out that they had been interrogated at Gayrettepe Political Police Center, the youths who were released by the SSC's Prosecution Office after being kept in detention for 6 days, said the following: "We were continuously beaten. They hit our heads against walls. During interrogation we were suspended on a hanger and given electric shocks. Hair of our female friends was pulled and they were dragged on the ground. Besides, they were sexually abused and threatened to be raped."

21 university students detained during the operations carried out in Isparta at the beginning of April, stated that they had been tortured under police custody. 20 of the detained students were released while one of them was arrested.

The trial launched against 43 persons on charges of being members of the PKK and having participated in certain armed activities in Diyarbakır, started on 14 April at Diyarbakır SSC. Fatma Demirel, out of the defendants who took floor in the hearing claimed that she had been raped many times by the police officers and subjected to every kind of torture. She continued as follows: "Hereupon, I had to accept to be a confessor. My statements taken under pressure were recorded and then broadcast on TV. I was a victim of a plot prepared by the police. I do not accept the testimonies taken in the police custody and prosecution office".

In Bodrum district of Muğla, two 13-year old children who were taken to police station on 13 April on the grounds that they quarreled, were beaten by police officers. The beaten children were taken back by their parents who went to the station two hours later. Parents of the children made an official complaint to District Governor Vehbi Avuç about the event. Then, the Governor demanded a legal process to be launched against the mentioned police officers.

Following the raid carried out by the police against Ekin Art Center and Ankara Office of the journal "Tavır" on 19 April, about 80 persons were detained and were reportedly tortured in detention. It has been learned that Özlem Cibelek frequently fainted due to blows, arm of İhsan Cibelek was injured, Emine Karaçay was sexually abused and high school student Tülay Çakmak was suspended on a hanger. Meanwhile, one of those detainees Hamdi Kayısı who became ill due to torture, received treatment at Ankara Numune Hospital for a while.

Can Özbilen, Osman Erdemir and Rıza Bayramçavuş who were apprehended after their attempt to kill businessman Jak Kamhi in Çengelköy quarter of İstanbul on 28 January, were started to be tried on 21 April by İstanbul SSC. The defendants who began to speak in the first hearing stated that they had been tortured under police custody, and they submitted medi-cal reports revealing torture inflicted on them and showing their inability to work for 5 days.

Mehmet Ceylan (18) detained for "disobeying stop warnings" in Tozkoparan quarter of İstanbul on the evening of 18 April, stated that he had been tortured at Gayrettepe Political Police Center where he had been interrogated by 19 April. After being released. Mehmet Ceylan applied to İstanbul Representative of the HRFT in order to be treated. Mehmet Ceylan said in the first medical examination that his back was aching and he was dizzying.

4 persons named Hacı Özkan, Aziz Bağış, Ahmet Arzu and Mustafa Gündoğdu who were detained during the operation carried out by the police on 19 April at night in Gülbahçesi quarter of Adana, were tortured in detention. It was determined that there were blow traces on the bodies of those 4 persons released after being held for 11 days under custody and that they had difficulty while walking. Ahmet Arzu whose soles were splited owing to falanga and right arm and one rib were broken, said the following about the torture inflicted on him: "While I was walking on the street at night, I was arbitrarily detained. They covered my head with a jacket in the car and took me to a desert. They were advancing that I helped and harboured PKK militants, trained the youths in our quarter and sent militants to rural area. They continuously tortured in order to make me accept the accusations".

A young girl named Filiz Topçu detained by the police on 29 April in İzmir, was revealed to have been tortured at İzmir Political Police Center where she was held under custody. Filiz Topçu's lawyer Hülya Üçpınar applied to İzmir Public Prosecution Office stating that her client had been subjected to electric shocks and falanga..

Meryem Erdal who is the lawyer of Levent Yılmaz detained by the police on 1 May in Ankara, disclosed that her client had been tortured in detention. Later, Meryem Erdal filed an

official complaint with the Public Prosecution Office. Levent Yılmaz was given a medical report showing his inability to work for 3 days from the Forensic Medicine Institute where he was sent to. No conclusion was drawn out of the application by Meryem Erdal till the end of year 1993.

Faruk Dondar (18) detained together with 8 persons from Barıştepe village of Midyat district of Mardin, divulged that he had been heavily tortured during 25 days in detention. Faruk Dondar who was taken under treatment at Medical Faculty Hospital of İstanbul University after being released, said: "First we were taken to Midyat Gendarmerie Station and were beaten and subjected to ill-treatment there. Later, I was taken to Mardin Gendarmerie Battalion together with Nezir Altınışık who was detained at the same time. We were stripped off. Then I was hanged and soaked. While I was on hanger they inserted a truncheon and club into my anus. They were continuously squeezing my testicles and hitting my stomach with their fists. Later, I fainted". Stating that pressure of the state intensified after two of his brothers had joined the PKK, Faruk Dondar added that his family members were threatened to be killed while he was in detention.

Mehmet Yılmaz running a pension available to tourists in Gümüşyaka town of Silivri, was beaten by gendarmes because he was late to inform gendarmerie station about his pensioners. Mehmet Yılmaz told the following about the event which took place in the first week of May: "Noncommissioned officer Kemal, came to the pension together with his friends. At that time, two of my clients were drinking beer in the grocery located in front of the pension. The noncommissioned officer who saw them started to shout saying "How were the Turks able to stay this pension?" Later, they beat me and push me towards the gate. I struck my head to the glass of the gate. Broken glasses cut my head. At Silivri State Hospital, my head was stitched." Mehmet Yılmaz made an official complaint to the İstanbul Public Prosecution Office against the aforesaid noncommissioned officer.

Ercüment Şahin Çervatoğlu detained following the festival held in Fatsa district of Ordu in the first week of May, lodged an official complaint to Public Prosecution Office stating that he had been tortured in detention. Ercüment Şahin Çervatoğlu who obtained a medical report from hospital showing his inability to work for two days, said the following: "The police officers who came to the hotel I stayed in Samsun where I went after the festival detained me on the grounds that I am a member of the 'Devrimci Yol' (Revolutionary Path) organization and that I gathered signature for the campaign launched for Nazım Hikmet. During the 3 days I was held under custody at Police Directorate I was tortured. Then I was released by the Prosecution Office without being interrogated".

Güneşli and Gaziler villages of Siirt and Altın village of Darğaçtı, Mardin were raided on 16 May by village guards. During the raid in which about 50 village guards participated, the villagers were beaten with clubs and butts. The villagers beaten by the village guards went to Siirt on the same day and told Siirt Mayor Ekrem Bilek about the raids. Siirt Mayor Ekrem Bilek stated after having listened to the villagers that what the village guards did was savageness, and said: "If you give weapons to ignorant persons, this is what will happen. We should not accuse the village guards, but the ones who gave them weapons". Names of some of the beaten villagers are "Fahrettin Yavuz (22), Hasan Özçelik (40), Ömer Yiğittekin (50), Aziz Tunç (50), Salih Temel (18), Nedim Türkan (9), Hüsnü Erbul (50), Ömer Uğruk (60) and Halil Tunç (65)".

A youth named Tayyar Büyük detained by the police in May in Malatya, stated that he had been tortured at Malatya Political Police Center where he had been kept in detention. Tayyar

Büyük who held a press meeting at the İHD Malatya Branch after his release, indicated that he had been kept in detention for 15 days and said the following: "When I learned that I was being wanted, I surrendered myself. In spite of my attitude, I was subjected to incredible torture at the Security Directorate. Torture such as pressurized water, electric shocks, falanga and hanger was inflicted on me. I was made public as an armed activist. Persons named Tavır Canan, Hacer Bozkurt, Mehmet Türkmen and Arif Kal with whom I was kept in detention together and who were arrested later, were tortured too".

Two persons named Muzaffer Erbaş and Bülent Kömür detained in Ankara on the evening of 26 May, stated that they had been tortured in detention. Torture inflicted on Muzaffer Erbaş and Bülent Kömür who made an official complaint to Public Prosecution Office, was documented with medical reports issued by Forensic Medicine Institute. Because of torture, Muzaffer Erbaş was unable to walk without help and applied to the HRFT.

Metin Yüksel (19) detained on allegations of having involved in a theft on 1 June in Aksaray quarter of İstanbul, said that he had been tortured at Fatih Central Police Station where he had been held under custody for 3 days. Pointing out that he was not involved in the theft, Metin Yüksel said the following about the event: "My birth was registered in Karayazı district of Erzurum. When the police officers who were conducting an ID check, learnt this fact, they took me to the police station saying "This region is a nest for terrorists, you are a terrorist, too". For 3 days at the police station I was continuously beaten. They researched my judicial record. When I proved that I was innocent, I was released".

The trial against 12 defendants including Adnan Alp who is the publishing director of Melsa Publishing House, continued with the hearing held on 9 June at İstanbul SSC. In the hearing, Adnan Alp said that he had been detained in January and interrogated at Gayrettepe Political Police Center and stated the following: "I was interrogated on charges of being a press representative for the PKK. I was hanged and subjected to electric shocks. Various torture methods were inflicted such as inserting a truncheon into the anus, pulling out of hairs around the genital organs and pressurized water. Along with torture, I was insulted. I am a worker for press. Thus, all the press is being tried here in my name. I want to believe that the perpetrators will be brought to book". Salih DüNDAR, who is another defendant on the trial claiming that he had been held in custody for 15 days and tortured during that period, said: "I am complaining about the cruel police officers who tortured me". He also submitted to the court the medical report issued by the Forensic Medicine Institute, where he was sent after his arrest, which verified the torture inflicted on him and showed his inability to work for 5 days.

Enver Oktay detained on 9 June in Yüksekova district of Hakkari, disclosed that he had been tortured in detention and one of his arms had been broken. Enver Oktay said the following: "They asked me where the guerillas were. When I did not reply, they started to inflict torture on me. I was subjected to torture during the whole night. Owing to torture, I was unable to stand and one of my arms was broken. There are torture traces all over my body."

Üzeyir Elçiçek who was detained by the police on the night of 16 June in Beyoğlu quarter of İstanbul and taken to Beyoğlu Security Directorate, was reportedly beaten in detention. Traces of blows to the body of Üzeyir Elçiçek who was unable to walk due to beating, were revealed. Meanwhile, Ayhan Temel who is a friend of Üzeyir Elçiçek and went to Beyoğlu Security Directorate in order to obtain information about his friend, was beaten by the police, too. The chin of Ayhan Temel was broken as a result of beating. The friends were beaten also by

the police officers in charge of Taksim First Aid Hospital where they had gone after their release in order to obtain medical reports.

Siddık Katan, detained by gendarmes on 1 June 1993 near Gümüőrgü village of Kozluk, Batman, stated that he had been severely tortured in detention. Siddık Katan who had made a statement in Batman E Type Prison, where he was kept under arrest, stated that he had been taken to Batman Security Directorate after being detained and interrogated there for 14 days. Siddık Katan added that one of his feet had been broken and he had suffered injuries to his body due to torture inflicted on him.

Three-month pregnant Selma Çelik (19) detained by the police in Yamanlar quarter of İzmir on 20 June, stated that she had been tortured for 2 days at İzmir Security Directorate where she had been interrogated. Stating that she had been detained together with her husband Şükrü Çelik by the police officers who had raided their house early in the morning, Selma Çelik said: "As soon as we entered the Directorate building, they wanted us to strip off. Although I objected, I was stripped until stark naked. Ignoring my pregnancy, they inflicted every kind of torture on me. When I fainted they brought me round by pouring cold water on me. They were continuously swearing". She added that her husband had been subjected to heavy torture, too.

Ramazan Kıran, Mehmet Kıran, Vahap Çelik and İzzettin Çelik, detained by soldiers on 17 June 1993 in Atalar village of Mazıdağı district of Mardin, were tortured at Derik Gendarmerie Command where they were interrogated. Out of the detainees 59-year old Mehmet Kıran was taken to Diyarbakır State Hospital when one of his arms was broken and his condition became worse due to the torture he was subjected to. Mehmet Kıran said the following in a statement he made in connection with the event: "In detention, they continuously tortured my son, Ramazan, in order to make him say where hideouts of PKK militants were. When he said that he did not know the shelters of the PKK, they started to inflict torture on me in an effort to make him talk".

Nine youths, detained in İncirlik town of Adana on 17 June on allegations of "stealing", were tortured for a week at İncirlik Gendarmerie Station. The nine youths, 8 of whom were arrested and one was released, were given medical reports documenting torture traces on their bodies and showing their inability to work for 3 days from Forensic Medicine. The names of the youths are Mehmet Yıldırım, Metin Yıldız, Tekin Yıldız, İzzet Yıldız, Müslüm Acar, Orhan Erten, Osman Toprak, Cumali Balta and Mehmet Balta. Müslüm Acar who was the only person released said that they had not been involved in stealing and that a noncommissioned officer named Bülent had tortured them.

Tacettin Ahçı, detained on 17 June in Bursa on charges of being a member of the TKP/ML-Movement (Communist Party of Turkey/Marxist Leninist) organization, stated that he had been tortured at Bursa Security Directorate where he had been interrogated. Tacettin Ahçı who was arrested on 18 June made a statement in prison and said the following: "I was detained by the police officers who came to my office. In the Directorate building I was put into an interrogation room which was on the 5th floor of the building. Since I did not accept the accusations, I was stripped naked and given electric shocks to the tips of my toes and genital organ. Later, I was subjected to pressurized water. The torture lasted for a long period. After being taken to the prison, I was also beaten by guardians".

Twenty persons working for the Bank-note Printing Office who were detained in connection with a theft in the aforesaid printing office, were reportedly tortured at Ankara Security Directorate where they were interrogated at the end of June. When Turan Çeviktaş, one of the 20

workers (of whom one is female), accepted all accusations, the remaining 19 persons were released. The released persons said in a statement that they had been given electric shocks, interrogated while blindfolded and subjected to pressurized water.

A girl named Şükran Aydın (17) who was detained by gendarmes in Taşıt village of Derik district of Mardin on 30 June, stated that she had been tortured and raped in detention. After having been released on 2 July, Şükran Aydın documented in medical report given by Mardin State Hospital that she had been raped. Şükran Aydın, who made an official complaint to Derik Public Prosecution Office, stated that the person who had raped her was one of the officers at the gendarmarie station and that she would be able to recognize him if she saw him again. Upon the official complaint of Şükran Aydın, an inquiry was initiated into the incident. Reagan Ralth, the Chairperson of the Women's Commission of the Helsinki Watch, who was in Diyarbakır at that time in order to conduct a research on human rights violations and sexual abuses, met with Şükran Aydın. Şükran Aydın, in substance, told Reagan Ralth the following: "Village guards and other security officers raided our village on 30 June. They gathered all of the villagers in the village square. They detained me, my father and aunt on the grounds that we had helped PKK militants, and they took us to Derik Gendarmerie Station. First they tortured us collectively. Later, they put me into another room. They blindfolded me. A security officer stripped me off and made me lie down. When I understood his intention, I resisted. He closed my mouth in order to prevent me from shouting. And then he raped me. They released me three days later saying that they would kill me and my family if I reported anything about rape". In the meantime, Nezahat Özen, one of the correspondents for the newspaper Özgür Gündem in Mardin, who made public what happened to Şükran Aydın in detention, was arrested. On charges of inciting people to revolt by exaggerating the rape case, a trial was launched against Nezahat Özen who was kept under arrest for 2 months.

Rize Security Director Kürşat İlgin beat police officer Şefik Sefa with whom he had a dispute and broke one of his arms. Şefik Sefa filed an official complaint with Public Prosecution Office against Kürşat İlgin. However, Kürşat İlgin in defense said the following: "He drew his gun. While I was trying to take his gun, he fell down. His arm might be broken at that time". When the incident was published in the press, an inquiry was launched against Kürşat İlgin. Meanwhile, an administrative investigation was initiated against Şefik Sefa on the justification that he made statements to the newspapers. Later, Şefik Sefa claimed that he had been threatened and told to withdraw his official complaint against the security director. In addition, Rize Security Director Kürşat İlgin beat tradesman Yalçın Yıldız in September because he had asked the director's guests for account of tea they had drunk. Yalçın Yıldız, whose head was split in the event, made an official complaint to the Public Prosecution Office. Yalçın Yıldız was sent to Rize State Hospital and given a medical report from the hospital documenting that the wound on his head would prevent him from working for 7 days and it would heal after a 10-day course of treatment. Yalçın Yıldız claimed that he had been held in police custody for 2 days after he obtained the medical report and within this period the report was destroyed.

Twelve persons detained by the police in Suruç district of Urfa on 24 June, were reportedly tortured at Urfa Security Directorate where they were interrogated. Those 12 persons who made a statement in Suruç Prison to where they were sent after being arrested on 6 July, said the following about the event: "In detention, we were given no water for 3 days. We were subject to electric shocks everyday. They put out their cigarettes on our bodies, hit our sexual organs with sticks and poured boiling water over us. Before trial, a physician arranged a report without any medical examination that we were healthy". The names of the 12 persons who stated that they

had been tortured, are as follows: "Zeki Ayçiçek (18), Mustafa Ekinci (13), Mehmet Ercan (15), İbrahim Geçgel (20), Mehmet Eraslan (15), Mustafa Kutlu, İsmet Beldek (19), Mehmet Subaşı (24), Fidel Ergen (14), Halil Şahin (24), Cahit Deniz (27) and Salih Kurt (36)".

One of the leaders of the DEP named Zeynettin Alp detained by the police in Mersin on 2 July, stated that he had been tortured in detention. Stating that he was kept in detention for 15 days and then released by the court, Zeynettin Alp indicated that certain familiar torture methods had been inflicted on him such as beating, falanga, electric shocks, putting out cigarettes. Zeynettin Alp stated that the hairs of his mustache were pulled out one by one by the police, and stated that he was not able to get a medical report from the Forensic Medicine Institute due to a lack of concern on the part of the doctor.

Five arrested defendants named Ümit İltter, Vedat Savaş, Naciye Yıldırım, Nihal Duruca and Bülent Sarı who are tried by İzmir SSC for being members of an illegal organization, were ruthlessly beaten by gendarmes during the hearing held on 21 July. Out of the arrested defendants who were beaten while being taken out of the court room on the grounds that "they disturbed the order by carrying placards in the hearing", Bülent Sarı and Ümit İltter were severely injured while the remaining 3 only slightly injured. The gendarmes who continued to beat the defendants in spite of a warning of the court president, were hardly stopped by the lawyers at the SSC.

Sixteen people were released who had been detained during the operations carried out in Hozat and Ovacık districts of Tunceli on the grounds that they had raided Başbağlar village of Kemaliye district of Erzincan on the night of 5 July and killed 30 people. The 16 people had been publicized as "agents of the massacre" by police authorities, TV stations and radios. Those people reported to have been heavily tortured in detention, accepted that they had carried out the massacre in Başbağlar village. The names of those released are as follows: "Hasan Boztaş, Kenan Bozoğlu, Alaattin Boztaş, Ali İhsan Ağgöl, Gürsel Aktaş, Cahit Aktaş, Metin Bozoğlu, Hüseyin İçli, Şahin Karakoç, Erdal Karakoç, Hayri Uludağ, Kenan Uludağ, Seydo Cila, İbrahim Sarıkaya, Erdoğan Gültakar and Mazlum Altuğ". Those released were sent from Erzincan to Hozat and Ovacık districts of Tunceli under police surveillance.

A woman named Sibel Yıldız (18), who was detained in Sarıgazi quarter of İstanbul on 7 July 1993 on allegations that "she had distributed leaflets of an illegal organization", stated that she had been tortured and raped by a policeman in detention. Sibel Yıldız who made a statement in Bayrampaşa Prison where she was held under arrest, said that her husband Olgun Yıldız detained together with her had also been subjected to torture. Sibel Yıldız received a medical report showing "her inability to work for 10 days" as the evidence of the bruises of torture on her body taken from Eyüp Forensic Medicine Institute, where she was sent upon her complaint. Making an official complaint to the İstanbul Public Prosecution Office, Sibel Yıldız's lawyer Şeref Turgut demanded the policeman called "peshmerge" and noncommissioned officer Köksal Çınar in charge of Maslak Gendarmerie Station, both of whom were involved in the aforesaid event, to be punished.

In İnegöl district of Bursa, a person named Hayrettin Yüksel, who was detained by the police on allegations of "stealing", stated that he had been tortured at İnegöl Regional Traffic Directorate. Proving with a medical report, issued by İnegöl State Hospital that he was unable to work for 3 days, Hayrettin Yüksel lodged an official complaint with the Public Prosecution Office. In the statement made by İHD Bursa Branch about the case, it was pointed out that torture on Hayrettin Yüksel showed that CMUK did not work.

A young girl named Gülnihal Yılmaz, detained by the police in Ankara on 17 July, disclosed that she had been tortured for 15 days in detention. Making a statement after being released, Gülnihal Yılmaz said that she had been detained while walking on the street and that she had been taken to Ankara Political Police Center. Pointing out she had been subjected to every kind of torture, Gülnihal Yılmaz stated that the police had also brought her friends who had been tortured and added that she had been threatened to be killed.

Physician Sabri Soysal, detained on 21 July 1993 by the police in Mersin, stated that he had been tortured for 11 days in detention. Indicating that the police had applied all kinds of torture methods in order to take the testimony the policemen had wanted, Sabri Soysal said that 3 of his ribs had been broken, he had been continuously vomiting blood and that his body had not been in a fit state as a result of torture. Sabri Soysal said that he wanted to be medically examined under the supervision of the Turkish Medical Association. In the meantime, Ceylan Türkmen, Sıddık Batur, Reşit Kamran, Muhittin Tolgar and İsa Atabay, detained along with physician Sabri Soysal, were reportedly tortured in detention, too. When those persons were taken to court hall, their extreme exhaustion and the blow traces on their bodies attracted a great deal of attention.

Abdülvahap Kandemir, İhsan Ertaş and Gaffar Karaman, detained in July in Ankara disclosed that they were tortured at Ankara Political Police Center. Out of the 3 persons who were sent to Ankara Central Closed Prison after being arrested, Gaffar Karaman claimed that he had been forced to give testimonies against Şırnak Deputy Orhan Doğan. Saying that his testimonies taken under torture, had been recorded in order to be broadcast on TV by producer Ertürk Yöndem, Gaffar Karaman alleged that they had conspired against Orhan Doğan. On the other hand, İhsan Ertaş stated that he had been urged to testify during his interrogation that Orhan Doğan sheltered PKK militants in his house. The trial against Abdülvahap Kandemir, Gaffar Karaman and İhsan Ertaş started on 16 November at Ankara SSC. Abdülvahap Kandemir said in the hearing that he was a member of the PKK, but did not participate in any of the PKK activities and that he came to Ankara for treatment and stayed in the house of Orhan Doğan but had never met Orhan Doğan. He added that statements accusing Orhan Doğan had been tried to be received from him through torture.

It has been reported that Mehmet Aslan, Salih Tunç and Aziz Arda, detained for looking suspicious on 10 August in Diyarbakır, were tortured in Çarşı Police Station. Out of the 3 persons, Salih Tunç said the following after being released: "In the station, a commissioner named Hasan and police officers named Mustafa and Mehmet beat us. Although we were innocent, they kept us in the station for 10 days. What they did was inhuman application". Salih Tunç added that they would file an official complaint with the prosecution office against the police officers who beat them. Out of the detainees Aziz Arda was treated for a while because of an indisposition which occurred due to torture.

Naci Gültekin who is the headman of Dağlıoğlu quarter in Adana and was detained by the police in August, became ill in detention and was taken to hospital. It was reported that Naci Gültekin had been suffering from a heart disease for a long time and became ill due to torture he was subjected to. Meanwhile, a young girl named Ruken Şeker (18) who was also detained in Adana, in August, said after being released, that she had been tortured in detention. Saying that she was often sexually abused by being left stripped for 5 days under police custody, Ruken Şeker stated that her condition had seriously deteriorated because of torture inflicted on her.

Mustafa Akdağ stated that he had been beaten without any justification by civilian dressed police officers patrolling in the Karaköy quarter of İstanbul on 23 August. Mustafa Akdağ applied to Public Prosecution Office and received a medical report showing his inability to work for 5 days from the Forensic Medicine Institute. Mustafa Akdağ, who arranged a press meeting in the office of İHD İstanbul Branch, said that after he had made the official complaint to the Public Prosecution Office he was threatened to be killed by the police officers in the police station he had been taken back to.

A person named Mehmet Dolmacı organizing a press meeting in the office of İHD İstanbul Branch on 27 August, disclosed that he had been beaten by police officer Mehmet Ali Yay with whom he had a financial problem. Prescribing how Mehmet Ali Yay had hit his head with the handle of his gun during the incident which occurred on 18 August, Mehmet Dolmacı said that he had later been taken to the Security Directorate in Gayrettepe. Mehmet Dolmacı added that he had been stripped, blindfolded and beaten with truncheons in the directorate building. He filed an official complaint with the Public Prosecution Office. However, Mehmet Ali Yay pleaded not guilty and claimed that Mehmet Dolmacı had injured himself, and that he had no connection with the event.

Prison guardian Resul Vural, working at Kütahya Closed Prison, was beaten by the Prison's Director Ethem Çelik, a guardian named Şerif Kalkan and a noncommissioned officer whose name could not be revealed. Resul Vural was wounded in the incident which took place in August. A medical report showing inability to work for 5 days was issued for Resul Vural by the hospital he went to in order to receive treatment. He made an official complaint against the prison officers who beat him. The course of the event was as follows: "Resul Vural bought a couple of orthopedic shoes for his son and prepared the required documents in order to receive the money he had paid for the shoes from the social security authority. But the documents were not signed by the prison director for 20 days. Hereupon, Resul Vural went to the room of director Ethem Çelik and asked why he had not signed the aforesaid documents. He was then attacked by the director and fell down to the ground with a fist blow by the director. Then he also was beaten by a noncommissioned officer and guardian Şerif Kalkan, who were in the room at that time."

Osman Saraç (39), detained by the police in Yerköy district of Yozgat in August, stated that he was tortured during the 24 hours that he was held under custody. Two separate medical reports proving torture traces on his body were issued for Osman Saraç. After receiving the medical reports, Osman Saraç applied to the Public Prosecution Office and complained about commissioner Osman Okatan. However, the inquiry launched into the event resulted in a decision not to prosecute and Osman Okatan was found innocent. Raising objection to the decision not to prosecute, Osman Saraç said the following: "I was detained in connection with kidnapping a girl, but I was released by the court. Commissioner Osman Okatan did not stomach my release and started to bear a grudge against me. A short while after the event, I went to the police station because of a distraint. He saw me in the corridor and beat me. I was kept 24 hours in detention and continuously beaten during that time."

A female named Gül Kapar, detained by the police in connection with a "theft" on 23 August in İstanbul, explained that she had been tortured in detention. Gül Kapar held for 4 days under custody at İstanbul Security Directorate said that she had been exposed to inhuman treatment and forced to be a police agent. Pointing out the police officers had accused her of being a militant when her political activities had been revealed, Gül Kapar said that she had been beaten with a truncheon, suspended and given electric shocks to her right arm. She added that she was not able to use her arm for a while.

One arm of Mehmet Kıran, beaten by the security officers who raided Atalar village of Mazıdağı district of Mardin on 25 August, was broken. Mehmet Kıran said the following as to the event: "They gathered the villagers in the village square and set our houses on fire saying that we helped PKK militants. They started to beat the villagers. I could not go out of the house because of my being paralysed. They came to the house and took me out of the bed. The captain started to beat me with my walking-stick. At that time one of my arms was broken."

The trial launched against 16 persons, 6 of whom were arrested, on charges of being members of the PKK started on 28 August at İstanbul SSC. The arrested defendants Mehmet Çelikpençe, Ali Beşenk, Selim Yalın, Veli Şahin, İsmail Burak and Mahmut Bayram who began to speak in the first hearing expressed that they had been tortured under police custody. Out of the defendants, Mahmut Bayram stated that he had verified torture inflicted on him through a medical report showing his inability to work for 7 days. In addition, Ali Beşenk claimed that he had been continuously tortured for 14 days in detention.

A woman named Zeliha Gündüzalp, detained by the police officers who raided her house in Gündoğdu quarter of Mersin on 28 August, said that she had been tortured. Zeliha Gündüzalp made the following statement after being released: "As soon as we left the house they started to beat me and put me into a car by dragging me on the ground. I fainted as a result of a punch by a police officer. At the security directorate they continued to beat me and gave electric shocks three times on the first night. They beat me on the second day, too. They were particularly hitting at my head. Later, they suspended me on a hanger. When I was almost breathless, they let me down from the hanger. During the period I was kept in detention I was frequently insulted." Zeliha Gündüzalp added that due to indifference of the physician in the hospital she had been taken to, she could not obtain any medical reports documenting the torture traces on her body.

It was reported that two children detained upon the demand of a police officer who had lost his gun while sunbathing on the beach in Davutlar district of Aydın on 29 August, had been tortured at Davutlar Gendarmerie Station for two days. Out of the children in question, 16-year old Ü.D. said that he had been detained for looking suspicious by 4 civilian dressed persons one of whom was a military officer. Pointing out that he had been first taken to a night club and beaten there, Ü.D. stated that he had attempted to escape as he had been afraid, but he had been re-apprehended when they had opened fire. He added that he had been taken to the gendarmerie station. The second aggrieved E.D. (14) said that he had been detained by the gendarmes who had come to his house and that he had been beaten in the gendarmerie station. Describing that in the gendarmerie station he had met a civilian dressed person who had introduced himself as "Van Security Director", E.D. expressed: "I was subjected to falanga. The person who introduced himself as "Van Security Director" was claiming that we took the gun he had lost on the beach. Although we said that we had not taken it, they continued to beat us. A person we presumed to be a superior officer was warning the soldiers not to blow fatally while beating us with a truncheon."

A university student named Engin Atay (22) who was detained at Eskişehir Bus Station on 7 September while going to Ankara in order to attend the funeral ceremony for Mardin Deputy Mehmet Sincar, was injured and sent to a hospital on the night of 8 September. Police authorities claimed that Engin Atay had been brought to his flat for a search and that he had jumped from the flat which is on the 8th floor of a building. It was determined Engin Atay who managed to survive since he had fallen onto a car by chance had broken bones at various parts of his body and suffered from a brain trauma. Eye-witnesses stated that Engin Atay had been handcuffed when he had fallen onto the ground. Eskişehir Public Prosecutor Cemal Durgun who

received Engin Atay's statement, said, "He was conscious and aware of what he was saying. He had been detained before and released. He told me that policemen had tortured him and threatened to kill him. He claimed he had jumped from the window because of torture and threats." Zerrin Sarı, chairman of the Rights and Freedoms Association (Özgür Der), stated that there was a scenario prepared in an unskilled way and continued: "This time, a student was the victim of an murder attempt in Eskişehir. What happened to Engin Atay, who is still alive just because he had fallen onto a car by chance, are the basic indications that the police were acting in the capacity of murderers." The İHD Kütahya Branch Chairman, Ruşen Aydın, who conducted a search in the house in question said he believed that the event was an extra-legal execution. Engin Atay arrested while under treatment at hospital, was sent to Konya E Type Prison although his treatment had not been completed yet. Engin Atay, was rehospitalized in Konya when it was revealed that his condition was extremely worrisome.

The funeral ceremony planned for Mardin Deputy Mehmet Sincar to be held on 9 September in Ankara was not realized due to the intransigent attitude of the Ankara Governorate and intensive pressure by the police. Necatibey Street where the Democracy Party (DEP) Headquarters is located, was closed for traffic and surrounded by the police as of 6.00am. Police officers who blocked the entrances to the street by panzers, did not permit anybody to enter the street. Groups of people who gathered in the morning hours in Kızılay, Yenişehir Bazaar, Abdi İpekçi Park to go to the DEP Headquarters were dispersed by the police ruthlessly beating. At least 20 persons were injured during the event (miscarriage, broken ribs or arms, brain trauma etc.). Scenes of the persons being beaten by the police were broadcast by a private TV channel. Upon the pictures shown on TV, SHP Ankara Provincial Organization Chairman Yılmaz Ateş made an official complaint to the Public Prosecution Office. In his petition to the Public Prosecution Office Yılmaz Ateş said: "We watched the horrific pictures broadcast by Star TV in the news on 9 September. The police beat, kicked and run over many defenseless people. Thus they crossed the boundaries of respect for human decency".

In consequence of the operations carried out by the police in İstanbul on the days of 9 and 10 September, 4 persons named Muzaffer Öztürk, Fatma Acunbay, Burhan Öztürk and Toprak Tokoğlu were detained on charges of being members of an illegal organization. Lawyer Mihriban Kırdök who met with her client Muzaffer Öztürk at İstanbul Political Police Center on 17 September, stated that her client had been tortured. Indicating that her client had served in prison for 11 years, Mihriban Kırdök said: "There were blow traces on his face and on visible parts of his body. His hair and mustache had been partially pulled out".

Hamza Aksu (57) working as an autopark guard in Ankara, expressed that he had been detained without any justification on 17 September and tortured. Saying that he had been taken to the Traffic Department of Ankara Security Directorate Hamza Aksu applied to the HRFT in order to receive treatment. Blow traces were determined on the arms and shoulders of Hamza Aksu. He lodged an official complaint with Ankara Public Prosecution Office.

Four persons named Hasan Şimşek (15), Ayhan Tusan (21), Oktay Akyol (25) and İsmail Vuruşkan (20) who were detained by the police on 17 September in Ankara stated that they had been tortured in Cebeci Police Station. After being released they applied to the HRFT for treatment. Blow traces were determined on their bodies. It has been discerned that those youths had been taken to the police station because of a small dispute between them.

Kemal Altıngül, held under arrest in Ankara Central Prison was beaten and wounded by gendarmes who were taking him to hospital for treatment. Kemal Altıngül's lawyer Murat

Demir applied to the Parliamentary Human Rights Commission and complained about first lieutenant Mustafa Şahin and noncommissioned officer Emrah Usta.

It has been reported that the security officers who raided Damlataş village of Pazarcık district of Maraş in September beat children in the village. Ahmet Kabukçu who made a statement as to the event, said that the leg of one of his sons had been broken while his other children named Hanım, Selvi and Faruk had been injured because of beating. Stating that he had gone to Pazarcık Central Gendarmerie Station and informed a major about the event, said that the major had told him "Such kinds of things happen. Sometimes our soldiers do such things".

A group of women who are members of İHD İstanbul Branch filed an official complaint at the İstanbul Public Prosecution Office about commissioner Rasim Gül in charge of Beyoğlu Security Directorate. İHD members stated that Rasim Gül ill treated the women working in the entertainment places where he conducted searches. In the official complaint, Rasim Gül was demanded to be tried under articles 183, 240 and 245 of the Turkish Penal Code.

A youth named Turgay Dalyan, kidnapped on 26 September by the persons who introduced themselves as police officers in Ankara, stated that he had been tortured and raped in a place he did not know. Holding a press meeting in the office of the Contemporary Jurists Association on 28 September, he stated that he had been kidnapped while walking on the street in Kızılay and forced to get into a car. "They stripped me by force and put me into a cold room. They were saying that they would kill me. Then they started to give electric shocks. After a while I fainted. When I came round, all my body was wet and my anus was bleeding. While I was unconscious they had raped me. Then 3 or 4 persons raped me again with an electric truncheon. They were continuously asking me to accept that I was a member of the 'Devrimci Sol' organization, to show where weapons of the organization were and to accept to become a police agent. Before I was set free, they said that they had recorded the rape in a video-tape and if I filed an official complaint they would send the video-tape to my family and the news-papers", he said. Turgay Dalyan applied to the HRFT for treatment.

Ethem Yükselir detained in the vicinity of İyikomşu village of Malazgirt district of Muş on 26 September said that he had been tortured at Aktuzla Gendarmerie Station. Stating that he had served 3 years in prison in connection with a PKK case, Ethem Yükselir said that he had been forced to be a police agent in the gendarmerie station. "Since I did not accept to be an agent, I was tortured by Hikmet Üstüner who is the commander of the gendarmerie station. As a result of torture, my chin was broken. Thereupon I was released on 27 September", he added. Ethem Yükselir proved with a medical report that he had been tortured and that his chin had been broken due to torture. He lodged an official complaint with Erzurum Public Prosecution Office.

A person named Kadir Kanat who was detained on 28 September in Tarsus stated that he had been tortured and raped with a truncheon at Tarsus Security Directorate where he had been interrogated. Kadir Kanat said the following: "They detained some other people along with me. They asked us to strip off. We stripped off. They made us turn towards the wall. They were hitting us with truncheons and thick clubs. They were pouring cold water over us once every 10 minutes. They were beating with sand bags. At that time, a police officer raped me with a truncheon. We were sent to hospital, but the physician at the hospital recorded that there was nothing wrong with us although he had not examined us." Kadir Kanat obtained a medical report showing his inability to work for 10 days from a private physician.

It has been reported that high school student Nihal Zuğurlu, detained on 30 September in Diyarbakır, was heavily tortured at the police station where she was interrogated. Nihal

Zuğurlu's mother İsmet Zuğurlu made a statement as to the event. She said: "In order to conduct a search in our house the police brought my daughter one day after her detention. Her face and eyes were swollen up. She was incapable of standing up. We could get no information about her afterwards." İsmet Zoğurlu, stating that her daughter had been suffering from epilepsy and that her stomach had bled three times in 1992, added that three of her sons had been killed in the clashes that had arisen between security officers and PKK militants, and hence her family had been under great pressure. Nihal Zuğurlu's brothers Lokman Zuğurlu (18) and Zana Zuğurlu (16) were abducted by unidentified persons on 9 October in Diyarbakır. The abducted youths were found dead one day later. It has been determined that Zana and Lokman Zuğurlu were tortured to death. The foundation congress of the PKK had been held on 27 November 1977 in the house of Zuğurlu family in Fis village of Lice, Diyarbakır.

Six students, detained in front of İstanbul Beykoz Paşabahçe Bottle and Glass Plant while hanging introductory placards of the journal "Alinteri", stated that they had been tortured in detention. Organizing a press conference at the İHD İstanbul Branch on 7 October, the students told that they had been interrogated at Beykoz Security Directorate and at Gayrettepe Political Police Center along their 4-day detention period and added, "We were subjected to torture in the forms of falanga and thrashing by the policemen named as Ali, Burhan, Zeki and Tarık". The 6 students made an official complaint to İstanbul Public Prosecution Office following the press conference. The names of the tortured students are as follows: "Bülent Yıldırım, Aysel Güldoğan, Murat Boztan, Ersin Gürocak, Ayşe Kural and Özden Özbek".

A girl named Nilüfer Koç, detained in Şırnak on 29 September 1993 while working as a translator for a German delegation investigating the situation in the Emergency State Region, said that she had been tortured in Şırnak Security Directorate premises where she had been interrogated. Describing how she had been held under custody for 6 days, Nilüfer Koç stated that as soon as she had been detained she had been brought to a health center and checked for her virginity. Nilüfer Koç said that she had been stripped naked, subjected to cold water and beaten at the Security Directorate where she had been brought to afterwards, and she continued: "They frequently struck my head against the walls. They hanged me up for an hour. In addition, I was taken outside the city for a day and threatened to be killed". Nilüfer Koç stated that since she could not bear the torture and insults inflicted on her in custody, she had attempted to commit suicide by cutting her wrists with a plastic water bottle she brought into pieces, but she had failed because she could not open a severe wound.

Four youths named Abidin Demir, Ali Cengiz Demir, Hüseyin Solak and Bülent Türkmen, who were detained in Gaziantep during the operations carried out in October by the police, said that they had been tortured in detention. In a statement they made in the prison, where they have been held under arrest, the aforesaid youths, said that they had been given electric shocks on the first 2 days of their detention and subjected to all kinds of torture on the remaining 5 days. The youths stated that their condition had worsened as a result of the torture inflicted on them and that they could not have any opportunity to be treated in the prison.

A man named Hüseyin Kahraman (75) who was detained in Adana in October by the police stated that he had been tortured under detention. Hüseyin Kahraman who made a statement in Malatya E Type Prison said, "I was detained on 7 October while going to a mosque to perform "namaz" (ritual worship). Later, I was arrested. I was tortured and insulted when I was kept at Adana Security Directorate. Policemen were pulling out hairs of my beard. I expect the state neither to forgive me nor to do any other thing for me."

An official complaint was filed with the Public Prosecution Office against commissioner Ruhi Yıldırım in charge of Muğla Security Directorate since he had beaten and broken the chin bone of a scrap dealer named Hamza Şahin. In his official complaint dated 28 October 1993, Hamza Şahin said that Ruhi Yıldırım had been drunk during the event and had punched him. On the other hand, Ruhi Yıldırım against whom an investigation was launched, rejected the accusation. Meanwhile, it was learnt that Ruhi Yıldırım had been entertained in a restaurant and had consumed alcoholic drinks on the day of the event in order to celebrate his being promoted to chief commissioner.

Ekrem Baytap detained in İstanbul in October for "being one of the leaders of the illegal 'İslami Hareket' organization and for having participated in some armed activities", said that he had been tortured at İstanbul Security Directorate where he had been interrogated. Ekrem Baytap saying that he was detained upon baseless claims and tortured on the first 11 days of his 15-day detention period, said: "Torture such as beating, hanging, prevention from sleeping, and soaking with pressurized water were inflicted on me. They were giving breaks only at "namaz" hours. I carried on and made no concession." Ekrem Baytap added that he had been threatened to be killed by a police authority on the 9th and the 10th days of his interrogation.

A 4-month pregnant woman named Leyla İne, detained by the police officers who raided her house in Tarsus on 1 November, had a miscarriage due to torture inflicted on her in police custody. Leyla İne stated: "They made me leave the house under beating. Although I told them that I was pregnant, they continued to beat and torture me without any hesitation. Therefore, I had a miscarriage." Leyla İne who was set free because of the miscarriage, was able to recover after a long-term treatment.

Three persons named Hamit Baltaş, Diyadin Baltaş and Yeşil Işık, who were detained in Kozluk district of Batman on 26 October by the police, stated that they had been tortured in Kozluk Gendarmerie Station where they had been interrogated. Hamit Baltaş, Diyadin Baltaş and Yeşil Işık, who were arrested after being held in detention for 30 days, said the following in a statement they made in Batman E Type Prison: "We were exposed to inhuman torture. In detention, we were forced to be agents. Hamit Baltaş was raped with truncheons and bottles during the interrogation. Thus, he fell ill and suffered from anal bleeding. In addition, our money, watches and some of our valuables were usurped."

University student Ulaş Cuduz detained in Ankara on 26 November stated that he had been beaten by the police and forced to be an agent working in corporation with the police. Organizing a press conference at Ankara Branch of the İHD on 29 November, Ulaş Cuduz said that he had been detained on 26 November by 4 persons he presumed to be policemen and that he had been brought to a waste collection area while blindfolded. Stating that he had been beaten on the area he had been brought to and threatened to be killed with a gun pointing at his head, Ulaş Cuduz said, "They told me I had to work for them if not they would kill me. They gave me time to think on the matter up to 3.00pm on 30 November. They added that if I tried to inform the public about the conversation between us it would be my end. They ordered me not to go to the İHD, too." "Ecymotic areas which were formed in consequence of beating" were determined on the body of Ulaş Cuduz who was medically examined at the HRFT.

A woman named Nazime Ekinci, whose house in Çınar district of Diyarbakır had been raided on 15 December by the police, stated that she had been beaten and shot by the policemen. Nazime Ekinci whose condition was deteriorated and whose arm was wounded, was taken under treatment at Orthopedics Department of Diyarbakır Medical Faculty Hospital. In a

statement she made at the hospital, Nazime Ekinci talked about what befell her: "Being informed that my husband, who had joined the PKK had arrived, the security forces raided my house at 3.00am. They asked me where my husband was. When I said that I did not know, they started to beat me. They could not find anything during the search they carried out in the house. When I tried to close the door while they were leaving the house, they fired shots which explains my wounded arm". Nazime Ekinci added that her husband's brother and mother who were in the house on the same night had also been beaten by the policemen.

Necmiye Aslanoğlu, among the persons detained during the raid carried out against Diyarbakır Office of the newspaper Özgür Gündem on 9 December evening by the police, stated she had been tortured in detention. Describing how she had been stripped naked and searched at Bağlar Police Station where she had first been brought to, Necmiye Aslanoğlu said that she had then been interrogated at Diyarbakır Security Directorate. She stated what had befallen her along with other detained newspaper personnel as follows: "We were first interrogated at Diyarbakır Security Directorate. They later blindfolded us and brought to a hospital. Reports stating that we were fit, were arranged there. Then we went to the Anti-Riot Directorate. As soon as we entered the building of the Anti-Riot Directorate, police officers began to beat us. They wanted me to testify and confirm that our office representative Hasan Özgün had connections with the PKK. They put me on the Palestine hanger when we rejected. The torture continued on the following day, too. They gave electric shocks on my umbilical region and my toes. They took me to the interrogation room following two days of torture. They forced me to say that Hasan Özgün was a member of the PKK. The interrogation under torture, continued on the following days, too. They ceased the torture on the last 4 days. "

Hacı Çetinkaya, Adana representative of the newspaper Özgür Gündem, and Mehmet Özen, Beyhan Günyeli and Gürsel Şahin, correspondents for the same newspaper, who all had been detained after the police raid on the Adana Office of the Özgür Gündem on 11 December, were released. The released journalists stated that they had been tortured during 7 days in detention. Hacı Çetinkaya said that they had been interrogated in a way that forced them to confirm that there was a link between the newspaper and the PKK, and said: "They tried all methods of torture in order to make us accept the baseless claims.". However, Beyhan Günyeli stated that the policemen had threatened to rape and to kill her and that statements declaring "they aided the PKK and harboured its members" had been forcefully received.

Twenty-one students detained by the police during a meeting organized in the Education Faculty of Balıkesir University on 14 December on the occasion of the "Human Rights Week", stated that they had been tortured during their detention period. The students then went to Balıkesir Public Prosecution Office and made an official complaint about the policemen relating to the torture inflicted on them.

Nineteen workers and directors of the newspaper Özgür Gündem, detained following a police raid carried out against the center of the newspaper in İstanbul on 10 December, were tortured and ill-treated under police custody. The detainees were not given medical reports verifying the torture inflicted on them. Protesting the event, the workers of the newspaper applied to the Turkish Medical Association in order that physician Taner Apaydın, who issued a medical report saying "no torture and blow traces were determined", be punished. In the application they stated that the detainees had been kept in cells for 13 days, and that newspaper directors Gurbetelli Ersöz and Ferda Çetin had been heavily tortured and that other workers had been beaten everyday. Pointing out that they were on hunger strike during the detention period and thus their condition worsened, the workers said the following: "13 days after being detained

we were sent to the Forensic Medicine Institute on 23 December. A physician named Taner Apaydın medically examined all of us within 7-8 minutes. We were put into an examination room into two groups. At that time there were 4 police officers we presumed to be the ones who had tortured us. While Taner Apaydın was asking us where blow traces or scars on our bodies were, he was laughing his sleeve. We let you evaluate the quasi-examination made in front of perpetrators by a doctor who had sworn the Hypocrite oath, and we demand the necessary procedure to be effected against Taner Apaydın". Out of the detainees Nursel Polat and Mehtap Gündüz expressed that they had been tortured, insulted and threatened under police custody.

Doğan Köseoğlu (46), detained by the police officers who raided his house in Boyno quarter of Gaziantep on the night of 21 December, stated that he had been tortured for 2 hours and thus his right arm was crippled. After being released, Doğan Köseoğlu made an official complaint to the Public Prosecution Office. He said that he had been detained and kept under custody for 7 days on the grounds that his son who had been fulfilling his military service and come home on leave had escaped from the house when he had seen the police. Orhan Köseoğlu added: "While my son was in the army as an enlisted man in Bingöl his foot was shot by the commander of the gendarmerie station because he resisted torture inflicted on the old people. That's why he was at home. He escaped because he thought that the police had come in order to detain him".

Two children, one of whom was 13-year old and the other was 15-year old, detained while selling the newspaper Özgür Gündem in Bismil district of Diyarbakır on 27 December, were reportedly tortured for 3 days under police custody. One of the detained children, 13-year old Ş.S. said the following about what happened at Bismil Security Directorate: "When I was at the bus station, where I had gone in order to sell newspapers, police officer Mehmet Bulut detained and took me to the security directorate premises. There, I was taken to the basement and then tortured and insulted. As a result of beating I fainted. After they brought me round, they continued to beat me with belts and truncheons. They hit my hands with truncheons. Therefore my hands were swollen. They wanted me to bury my hands into concrete in order to make them deflated. While my hands were in concrete one of the police officers stepped on one of them".

A 15-year old high school student walking around on Rumeli Street in Osmanbey quarter of İstanbul on the evening of 28 December, was beaten by the police officers in charge of protecting the building belonging to the True Path Party. The aforesaid student (U.E.) made a statement after the event and said that he had been beaten on the ground floor of the building because he showed his student card instead of his ID to the police officer who asked him for his ID. The 15-year old student on whose body were found traces of blows to the neck and face, was taken to Şişli Etfal Hospital by his father and was given a medical report showing his inability to work for 2 days. Emin Engin, father of U.E. who went to talk to the police officers who had beaten his son was told "We beat your son because he was chewing gum while his hands were in his pockets. You may apply everywhere and make an official complaint against us, but you cannot get anything".

A female named Songül Polat detained in İstanbul on 10 December 1993 by the police, stated that she had been tortured, subjected to sexual harassment and raped during the period she had been held in detention. Songül Polat described what befell her in a letter she sent from Bayrampaşa Prison where she was kept under arrest to the İstanbul Branch of the Human Rights Association: "I was subjected to physical and psychological torture at Gayrettepe Political Police Center where I was brought to after being detained. I was subjected to sexual harassment by the policemen while I was stripped naked and put on a hanger on the 2nd day of my detention. They

sexually tormented me by using first their hands and then a truncheon. Then I was taken off the hanger and laid down on the floor. A short and fat torturer raped me. I was faced with psychological pressure and threats to be killed on the later days. I was put on a minibus and brought to a woodland 6 or 7 days after being detained. I was raped by 5 policemen there, too. All of them raped in consequence. They throttled and beat me. They threatened to throw me into the sea. I was brought back to Gayrettepe as I accepted everything they wanted. Additionally, a written statement saying that who raped me was another person detained along with me, was taken from me." Stating that she had not been able to talk about what had befallen her for a long time, Songül Polat said, "I decided to talk since I realized that I could no more bear this shame. I lodged an official complaint with Şişli Public Prosecution Office."

In the meantime, the Central Council of the Turkish Medical Association released a report on 10 December Human Rights Day to warn medical doctors about torture cases. In the report entitled "Attitude of a Medical Doctor Against Human Rights Abuses such as Torture, Ill-treatment etc.", it was stated that action by medical doctors who witnessed human rights abuses was an ethical duty. The aforesaid report is as follows:

- The use of the medicine in torture or in other cruel, inhuman and degrading treatment cannot be acceptable and defended. Immediate action by medical doctors when they witness human rights abuses, is an ethical duty. The use of medicine in torture, including the presence of a medical doctor during interrogation of a defendant must be absolutely forbidden.
- A medical doctor may witness ill-treatment while being on duty. Even if s/he is not directly involved in the ill-treatment, s/he should evaluate the degree of ill-treatment and responsibility. Even if the event s/he witnessed is a coincidence, s/he must not tolerate the situation. A medical doctor cannot take part in torture cases even if on justification of "medical support" or "good-intention". A medical doctor forced to take part in ill-treatment or torture by means of threats against her/him or her/his families should communicate the situation to the reliable authorities.
- When a medical doctor is called upon for medical examination/treatment of a prisoner, s/he should know that s/he is responsible for doing everything on behalf of the prisoner. In this case, a medical doctor shall medically aid only the prisoners who want to have medical intervention.
- Clinics must have free conditions in order to secure that a medical doctor can aid a convicted/arrested who wants to receive treatment.
- If a convicted/arrested is not in a condition to be able to declare her/his own will about treatment, for example if s/he has lost consciousness, a doctor should aid within the frame of ethical rules to be applied in emergency cases.
- In case where a doctor does not give medical assistance to a convicted/arrested who falls ill due to torture is a participant in the torture process.
- A doctor should not examine or treat a patient in a situation where s/he is prevented from disclosing her/his name, where her/his face is disguised or where there is a third person whose presence will jeopardize the relation between the patient and the doctor.
- The report concerning the person examined/treated because of torture, should not be typed. It should be hand written by the doctor and the identity of the doctor should be clearly indicated.
- A controversial issue at this point concerns the examination/treatment of a person whose health worsens due to torture. If a doctor does not intervene at this time, the health of the person in question may worsen in a manner that cannot be healed. At this

point, the following should be adopted on principal: If the situation is not urgent the doctor may reject medical intervention in the case where there is not free clinic conditions; if an urgent intervention is required the doctor should examine/treat immediately and notify the situation as soon as possible.

- Medical intervention to reduce pain during torture cannot be acceptable and defended. Such behaviour has no use, except to provide pseudo attempts at humanity or legality.
- Misuse of psychiatry for political purposes, may form elements of torture or of other cruel, inhuman treatment.
- Military judges, in particular, and the persons in charge of prisons or psychiatry departments must be vigilant of ill-treatment. Medical doctors who refuse to take part in torture or ill-treatment should be protected against possible threats and pressures and the risk of losing their jobs.
- A serious inquiry should be conducted into the doctors who are accused of having participated or taken part in torture and the ones who are found guilty of such practices must be struck off from their profession.
- Centers founded with the aim of struggling against the effects of torture on torture victims should be encouraged. These centers having important functions for prevention of torture should be financially and openly supported by medical chambers.

#### **e) Prisons**

We can also report that the problems in prisons were not removed in 1993. Pressure, torture, collective or individual beating, inhuman treatment and bans continued to increase. Stability could not be attained in prisons. Rights obtained after lengthy hunger strikes were taken back within a short time. In addition, after the unilateral cease-fire declared by the PKK ended, pressure and violence applied by prison administrations intensified. Intensifying pressures and violence caused the convicts or accused in prisons to go on long-term hunger strikes. Prison inmates had to go on hunger strike on more than one occasion for the purpose of improvement in living conditions in prisons. For example, long-period hunger strikes were witnessed in İzmir Buca, Aydın and Malatya prisons three times a year. Hunger strikes caused "the condition of the arrested and the imprisoned individuals deteriorated". The application of ill-treatment and hunger strikes in prisons occasioned a series of problems for the relatives of prison inmates.

In a report prepared in June by the İHD İstanbul Branch relevant to the inhuman implementations in prisons, it was pointed out that the arrested and convicts want to live as human beings and said: "Prisons are torment houses. Promises of reforms and improvement in prisons have been given for years, but instead of solving the problems they prefer to increase suppression when the problems have grown". The report covering the applications witnessed during the first 4 months of 1993 stresses that following the escapes from prisons suppression has increased in prisons, and the rights of convicts and those under arrest have been seized. The report indicates that İstanbul Bayrampaşa, İstanbul Metris, Yozgat, Nevşehir, İzmir Buca, Diyarbakır, Malatya, Amasya, Elazığ, Çanakkale and İstanbul Paşakapısı Prisons face serious problems. The following is claimed in the report: "Prisons are not farms or training camps for terrorists. On the contrary they are houses of torment. There, people are subjected to every kind of pressure, torture and restriction".

Pointing out that suppression and inhuman treatment are applied not only to political prisoners, the report stresses that prisoners accused of ordinary crimes are also facing serious problems in the prisons. The following are some excerpts from the report: "Up to now, only the situation of political prisoners have been discussed, and what convicts and arrested persons

accused of ordinary crimes experience has been ignored. In the wings where the ordinary prisoners and convicts are kept, a disgusting order has been ruling which is based on the triangle of administration-guardian, wing gang leaders and drug mafia. In these wings, narcotics are dealt in and prisoners are made use drugs. It is frequently witnessed that juvenile prisoners are sexually abused and raped. The weak, out of the arrested and convicts, are forced to give tribute and used as slaves. Problems in the prisons where ordinary prisoners and convicts are kept are consciously neglected. Problems on prisons do not concern only the relatives of the prisoners and convicts, but all people. Everyone, particularly the politicians should act sensitively on this issue".

Sanitary problems and inadequate conditions for necessary treatment of the arrested and convicts are among the vital problems of the prisons. The report prepared by the Medical Chamber of Diyarbakır as a result of research it conducted into the Prisoners' Ward of Diyarbakır State Hospital, addresses the sanitary problems in an attractive manner.

Upon application made by two prisoners named Müslüme Kaplan and Şükran Koyun-cu who stayed in the Prisoners' Ward of Diyarbakır State Hospital to Medical Chamber of Diyarbakır in December 1992, the administrators of the chamber decided to conduct a research into the ward in question. The ward for prisoners was examined in January 1993 by a delegation consisting of two physicians and one architect after gaining the necessary permission. In the report, it was stated that the ward was not suitable for treatment of patient and was not so different from a ward of a prison. Indicating that there are 24 beds in the prisoners' ward with 6 patient rooms, one physician room, one medical examination room, one bathroom, one toilet, one military room and one refectory, all of which are open onto a hall, the report has stated that beds and bedsteads have been unkept and that water leaking through the wall has caused a damp atmosphere. The report briefly said the following:

"Walls are unkept and the paint had completely peeled off. The windows of the ward are 2-meters from the ground and covered with iron fences and thick metal sheets. The metal sheets cover the whole windows except for several holes for ventilation. The atmosphere is damp. The damp stems from both metal sheet-covered windows and the water leaking through the ceiling and the walls. The bathroom is not auspicious to bathe. There is no heating system in the building. They try to cope with the heating problem by means of cathalitic stoves. Since there are not any nurses in the ward at nights, necessary intervention and treatment comes too late when situation of one of the patients in the ward worsens appearing as if the ward is out of the control of the hospital administration. The prisoners' ward is not suitable for treatment due to both its structure and location. Therefore, the State Hospital should immediately be moved to another place which is convenient for security and health. Treatment in hospital is a kind of treatment which requires absolute control and attendance by authorized health personnel. However, the prisoners' ward does not adhere to all of the necessary conditions"

In the meantime, the number of prisoners and convicts increased in an outstanding manner in 1993 compared to the previous years. In a statement he made in November, Justice Minister Seyfi Oktay stated that there were a total of 32,088 persons in prisons, of whom 14,810 were convicts and 17,278 were under arrest (as of the end of 1992 there were about 28,000 prison inmates). Seyfi Oktay said that the number of the persons arrested for political reasons was 4,284 and of the persons convicted for the same reason the number was 699. In the same statement, he disclosed that 14 new prisons which were under construction would be opened within a short time and that 8 more prisons were planned to be built in 1994.

The following is information obtained by the HRFT regarding certain events, inhuman treatment and attacks against prisoners and convicts witnessed in prisons in 1993:

Left-wing inmates in Malatya E Type Prison were beaten by guardians and gendarmes on 9 January evening. In the statement made by the Contemporary Jurists Association as to the event, it was stated that 63 prison inmates, 4 of whom severely, had been injured during the event. It was also recorded that the prisoners had not been allowed access to their lawyers, and demanded an inquiry to be launched against the prison officers who had caused the event. Out of the prison inmates who were wounded during the events in Malatya Prison, Ali Şahin, Recep İnan, Serdar Demirel, Süleyman Batur, Bedri Yıldız and Kerim Yalçın-tepe were treated at hospital for some time. The inmates went on an indefinite hunger strike in protest of the attack. The hunger strike ended on 27 January on its 17th day. Lawyers who went to the prison on 27 January in order to meet with their clients were not allowed entry by the prison administration on the grounds that an investigation was being conducted in the prison. The lawyers who later met with the representatives of the inmates on 28 January, explained that the representatives had told them "The prosecution made us a promise and so we stopped striking".

In Diyarbakır E Type Prison security officers conducted an operation in the wings on 8 February and many prison inmates were beaten. 60 of the beaten prisoners were injured. 7 of the injured whose situations were serious, were hospitalized. Names of some of the injured prison inmates are as follows: "Mücahit Sever, Behçet Donlu, Ercan Tanrıverdi, Kadri Öz, Serhat Tuncer, Mehmet Acet, Enver Özkartal, Ercan Taylan, Fezullah Demiral, Nusret Solmaz, Tahir Elmas, Şirin Zorba, Abdullah Temel, Adnan Aslan, İsmet Santalu, Kenan Çeker, Sadık Tan, İlhan Akın, Hüseyin Karayel and Devrim Çakmakçı". Following these events, inmates of the prison went on hunger strike. Approximately 300 of the 700 inmates in the prison participated in the hunger strike. Deputies who went to the prison while the hunger strike was continuing were not permitted to enter the wings. The deputies were only able to meet with representatives of the prison inmates and authorities of the prison. Şırnak Deputy Mahmut Alınak said "Although we obtained permission from the Minister of Justice, we were not allowed to enter the wings. This is a scandal. The events which took place in the prison is in contravention of the democratic process".

It was later decided to continue the hunger strike in Diyarbakır E Type Prison in an alternate manner because the condition of many of the arrested and convicted inmates deteriorated. The names of the prisoners whose condition had deteriorated are "Hatip Karaaslan, Yılmaz Yürek, Murat Doğan, İrfan Babaoğlu, Metin Güven, Burhan Babaoğlu, Nizamettin Bozdağ, İlhan Akın, Hasan Bülbül, Serhat Tuncer, Nizamettin Özoğlu, Serhat Güllü, Mehmet Baysal, Selahattin Özgezmez, Hasan Pınar, Mehmet Yazar, Mehmet Gök, Remzi Dolan, Mehmet Bağrol, İzzet Baykal, Hatip Yardımcı, Nevzat Atabay and İzzettin Sevilgen". The alternate hunger strike in Diyarbakır E Type Prison was turned into an indefinite hunger strike starting from the 80th day. Meanwhile, 30 of the strikers were sent to İskenderun E Type Prison at the end of April. The hunger strike ended on 8 May when the demands of the inmates for improvement in prison conditions were approved by the prison administration.

Left-wing prisoners in İstanbul Bayrampaşa Prison who were to meet their families on 11 February were told that they would not be allowed to do that without any justification given by the authorities. Upon the announcement, a group of prisoners' relatives gathered in front of the prison and made a demonstration to protest the application. The demonstration was prevented by police teams. In the meantime, several police officers opened fire into the air. Toygun Atilla, one of the reporters for the newspaper Hürriyet, who was trying to take photographs during the

event, was harassed by police officers upon directives of Bayrampaşa Security Chief Naci Ekinci.

A tunnel dug with the aim of escaping from İzmir Buca Closed Prison, was found on 9 February. After the tunnel was discovered left-wing prisoners were beaten by guardians and gendarmes. According to the statements made by the lawyers who met with the beaten prisoners, 10 prison inmates were injured as a result of beating, 4 of whom severely. The names of the injured prisoners are as follows: "Hüseyin Kurt, Ali Teke, Mesut Koca, Vedat Savaş, Ümit İlter, Serdar Karabulut, Ali Rıza Kurt, Müjdat Yanat, Celalettin Ali Gülen and Erdal Arıkan". Furthermore, rights which had been justified following the lengthy hunger strike last year, were taken back. Upon the events in Buca Prison, 55 left-wing prisoners went on a hunger strike indefinitely on the morning of 11 February. In the statement made on 18 February by the convicts and prisoners on hunger strike, it was stated that inhuman treatment was applied; 1 August Circular had been put into force again, the wings were raided everyday on the plea of searching and that meetings with lawyers were restricted. In the meantime, prisoner Ümit İlter tried in connection with the Devrimci Sol organization, took responsibility for the tunnel found in the prison. Situation of Müjdat Yanat, Kemal Aktaş, Mehmet Güvel and Ercan Yıldız out of the prisoners on strike, became more serious on the 15th day of the strike. Meanwhile, 9 of the striking prisoners were transferred to Aydın E Type Prison on the morning of 26 February. The number of the prisoners on strike fell to 44 at the beginning of March because of release and transfers. The hunger strike ended at 23 March night upon the agreement between the authorities of the Ministry of Justice and representatives of the prisoners. After the hunger strike ended, 6 prisoners whose condition had worsened were taken under treatment in hospital.

Eighteen of the left-wing convicts and prisoners in Nevşehir E Type Prison, fled from the prison through a tunnel they had dug. The flight came to light during the roll-call in the prison on the morning of 17 February. The names of the fugitives are "Mustafa Sefer, Ali Kanar, Hüseyin Yang, Mürsel Göleli, Mehmet Şengül, Mehmet Vurucu, Hasan Durna, Emin Özbay, Gökhan Kaya, Erol Özer, Yıldırım Arıcan, Mehmet Savaş, Mehmet Çelik, Ali İhsan Kıtay, Muhammed İsa Şahin, Hüseyin Yıldırım, İbrahim Serdaroğlu and Abdullah Sönmez". These fugitives were reportedly arrested or convicted because of the trials launched in connection with the PKK, TDKP (Revolutionary Communist Party of Turkey), TİKKO (Workers' Pea-sants' Liberation Army of Turkey) and "Devrimci Sol" (Revolutionary Left) organizations. Out of the fugitives Ali İhsan Kıtay was apprehended in Bingöl on the evening of 21 February. Mürsel Göleli and Mustafa Sefer were killed during clashes with the security forces in the vicinity of Tunceli and in Silifke, respectively. Following the break out, worrisome events started in Nevşehir E Type Prison. According to the statements made by the lawyers of the prison inmates in Nevşehir Prison, lawyer Ali Demir who went to the prison on 17 February, the date that the break out came to light, was not allowed access. After leaving the prison, he was kidnapped by unknown persons who covered his head with a bag. The lawyer was supposedly kidnapped by civilian dressed police officers. The kidnapped lawyer was released after being interrogated and beaten on a deserted place. Mahir Can, Fatma Can, Alican Şit, Mustafa Ertürk, Ertürk Çelikkaleli, Agah Oktay Karakoç, Enver Morkoç and Fatih Şit released by Malatya SSC one day after the event, were beaten by officers on release from the prison.

In the meantime, female prisoners in Nevşehir E Type Prison were checked for virginity and pregnancy, on the plea of baseless news published by newspapers. The İHD Secretary General Hüsnü Öndül reacted against the pregnancy test forcibly applied to female inmates in Nevşehir E Type Prison. In a written statement, Hüsnü Öndül released, he stated that this

application was in contravention to ethics of law and medicine and said: "Now the state force is interfering in sexual functions of bodies. They hurt female prisoners' pride before all of the world". After the flight from Nevşehir E Type Prison, some baseless claims that "female convicts in the prison had conceived" had been released by some newspapers.

Fifteen of the 42 prison officers against whom an investigation was launched after the flight from Nevşehir E Type Prison on charges of "neglecting duty", were arrested. The remaining 27 persons were decided to be tried without arrest. The names of the arrested prison officers are as follows: "Fikret Öge (director of the prison), Selahattin Ergül, Oğuz Koçak, Cengiz Gül, Durmuş Ertaş, Atalay İnan, Hakkı Doğan, Cemalettin Ekici, Mustafa Saylan, Fikret Şener, Zekai Şimşek, Cabir Oğuz, Nevzat Budak, Ali Sarılmaz and Mustafa Güzel. The trial in question which was held by Nevşehir Court of First Instance ended on 23 June, and 21 out of the 42 prison officers were sentenced to various imprisonment terms ranging from 3 months to 2 years. At the end of the trial, the imprisonment sentences judged for those 21 defendants were converted into fines and reprieved. The remaining 21 defendants on the same trial were acquitted. Among the convicted prison officers are Prison Director Fikret Öge, Vice Directors of the Prison Cengiz Gül and Selahattin Ergun.

A youth named Murat Gül who was tried on demand of the death penalty on grounds that he was a member of the "Devrimci Sol" organization and participated in certain armed attacks, fled from Bayrampaşa Prison where he was kept under arrest, on the evening of 19 February. (Murat Gül was later killed by the police in Sincan, Ankara). It has been established that Murat Gül left the prison in the guise of a guardian. However, 5 political prisoners named Sadettin Aydınlik, Ali Rıza Dermanlı, Hasan Sevim, Adem Kepeneklioğlu and Yıldırım Öztürk who attempted to flee together with Murat Gül, were later caught by gendarmes. The prisoners who were caught were ruthlessly beaten by guardians and gendarmes. Meanwhile, during the searches made in Bayrampaşa Prison following the flight it was revealed that 6 prisoners named Nezih Altınay, Semih Genç, İbrahim Yalçın (later he was killed by the police in İstanbul), Süleyman Şahin, Halil Çakıroğlu and Ali Gülmez had fled from Bayrampaşa Prison on an unidentified date. Because of the escape, visits which would be held on 22 February were not allowed in Bayrampaşa Prison. In addition, Halit Dumankaya, İstanbul Deputy and a member of the Parliamentary Human Rights Commission, who went to Bayrampaşa Prison in order to investigate, was not let into the prison. Seven of the prison officers against whom an investigation was launched in connection with the escape, were arrested. The names of the arrested prison officers are "Adil Çalışkan, Adnan Yurtlu, Mustafa Vuran, Hamit Gültekin, Haydar Kılıç, Mustafa Gündüz and Cemal Renkal". Because of the flight and flight attempt from İstanbul Bayrampaşa Prison in February, a trial was launched against 115 people, 103 of whom were prison officers and the remaining 12 are prisoners. In the trial launched by İstanbul Public Prosecution Office, sentences of between 3 months and 2 years in prison were demanded for prison officers and of no less than 5 years in prison for the prisoners.

A hunger strike was started on 22 February 1993 by about 200 convicts in Mardin Prison demanding improvement in prison conditions. The hunger strike was turned into an indefinite hunger strike. In the meantime, various illnesses such tuberculosis, intestinal infection and stomach bleeding were observed in the prisoners on strike. The hunger strike ended on 18 May (on its 86th day), when most of the demands of the arrested and convicts were accepted by the prison administration.

Fourteen convicts transferred to Yozgat E Type Prison from Nevşehir E Type Prison on 20 February, were beaten by the guardians as soon as they entered the prison. Lawyer Cemal

Emir who met with the convicts in the prison said that the convicts had been wounded, but they had not received any treatment. Left-wing inmates in Yozgat E Type Prison went on a hunger strike on 25 February with the demand of improvement in living conditions. The hunger strike ended on 31 March (on its 35th day) when the mediation attempts of Ankara Deputy Salman Kaya concluded positively.

A hunger strike was staged in Malatya E Type Prison by prisoners and convicts on 4 March 1993 on the grounds that pressure and inhuman treatment had intensified. Upon the hunger strike, 21 of the prisoners and convicts were transferred to Ceyhan, Adıyaman or Maraş Prisons. Meanwhile, some restrictions were introduced for lawyers of prison inmates. According to the new application, while a lawyer is meeting with his client, any other lawyers will not be allowed to enter the prison. In addition, lawyers will not be allowed to meet with their clients who are tried on separate trials, at the same time. Lawyers criticizing the new application said that those restrictions did not have any legal basis and that the right to defend would, *de facto*, be lifted. Prisoners and convicts who staged the hunger strike, demanded the following from the prison administration: "Removal of restrictions on meetings with lawyers. Permission for inter-wards talks again. Lifting limitations on food, clothing and other items. An end to frequent raids in the wings. Permission for family visits once a week as it was before". Meanwhile, some of the inmates in the 5th wing raided by gendarmes on the morning of 19 March were beaten. As a result of beating, 3 of the beaten inmates were wounded.

The hunger strike staged on 4 March 1993 with the demand of improvement in living conditions and an end to inhuman treatment in Malatya E Type Prison, turned into a death-fast as of 9 April. Some of the 360 prison inmates who went on the hunger strike, participated in the death-fast. Condition of Sakine Işık, Gülümser Tosun, Donurcuk Özanel, Zöhre Çakmak, Kazım Ceylan, Hakan Baran, Kenan Güler and Meryem Güleren became worse owing to the hunger strike and the death-fast. Justice Minister Seyfi Oktay made an uninformed visit to Malatya Prison on the night of 11 April with the aim of providing an end to the hunger strike. In a statement after his visit, Seyfi Oktay said: "We investigated prison conditions and health situation of the prison inmates on hunger strike. We saw the measures taken". The hunger strike ended on its 41st day when prison administrators and representatives of the prison inmates reached an agreement. According to the agreement, most of the demands of the prisoners and convicts for improvement of prison conditions were accepted by the prison administration.

During an incident which took place on 6 March in the wing for confessors in Diyarbakır E Type Prison, a prisoner named Sinan Er was beaten to death. Prisoner Ahmet Riyat Hasan who was in the same wing during the incident, said that Sinan Er had been killed under torture by other confessors. He said the following: "New prisoners sent to the wing are continuously beaten by callous prisoners. Those torturers are supported by the prison administration. Sinan Er who was sent to the confessors' wing by his family in order to let him benefit from "Repentance Law", came to the wing on 2 March. He was subjected to heavy torture there and died on 6 March. When prison administrators came to the wing in order to take the corpse, I found a suitable position to escape from the wing. Unless torture is prevented, there will be many more persons who will die". Diyarbakır SSC's Prosecution authorities claimed that Sinan Er had died due to a brain hemorrhage. The autopsy carried out on Sinan Er revealed that death had been occasioned by skull fracture and brain hemorrhage both of which were due to trauma. An inquiry was launched in connection with the event against certain confessors who stayed in the same wing with Sinan Er. However, no investigation was launched against the prison administrators and security officers, presumed to be mainly responsible for the incident. Diyarbakır Deputy,

Sedat Yurtdaş, who put the event on the agenda of the National Assembly stated that Sinan Er had been purposely put in the wings for confessors and that he had been killed by the persons named Ahmet Tosun, Mustafa Güneş, Zeki Çoban, Adnan Çelik, Ramazan Paksoy, Kasım Paksoy, Halit Aslan and Abdülvahap Yıkılmaz.

Thirty left-wing convicts in Çanakkale E Type Prison went on hunger strike on 6 March. On the 25th day of the hunger strike Ahmet Işıkoğlu, Ali İnce and Kerem Yaşa, out of the convicts on strike, became ill and were hospitalized. On the 28th day of the hunger strike a convict, named Ahmet Işıkoğlu, was taken to hospital again, and condition of the convicts named Ahmet Karayığit, Kerem Yaşar and Murat Özdemir deteriorated. The hunger strike ended on 4 April.

The hunger strikes staged in Kayseri Prison on 21 March 1993 and in Aydın E Type Prison ended on 24 March (on its 4th day) and on 25 March (on its 13th day), respectively. It revealed that the hunger strikes ended upon the positive results drawn from the negotiations held between the authorities of the Ministry of Justice and representatives of the prisoners.

Nine persons arrested on charges of being members of an illegal and armed Islamic group (İBDA-C), staged a hunger strike as of 25 March in Metris Prison. Stating that they were sent from Bayrampaşa Prison to Metris Prison on 23 March, those arrested said the following: "As soon as we entered the prison we were faced with inhuman treatment. About 40 guardians attempted to attack us. Our all private belongings were seized. Our salt and sugar were taken back. Now we are isolated in an extremely bad room where dirty water leaks from the ceiling". In the statement it was pointed out that Metris Prison, where there were no political prisoners, was like a concentration camp, and it was claimed that psychological torture was inflicted on the judicial convicts in the prison and money sent by their families was seized. The hunger strike ended on its 17th day when the prison administration accepted all demands of the arrested persons.

The arrested and convicts in Muş Closed Prison went on hunger strike on 3 April. The hunger strike lasted for 15 days during which Abdullah Fidan (45), one out of the arrested men on hunger strike, died. The death of Abdullah Fidan who officially died because of a brain hemorrhage on 9 April, caused tension in the prison. Muş Closed Prison Director, Orhan Veli Alp, who made a statement upon the event, claimed there was no hunger strike in the prison and said: "The cause of the death of Abdullah Fidan is not definite. We sent his corpse for autopsy in order to find the cause".

People arrested or convicted on political grounds in Bursa Special Type Prison staged a hunger strike on 4 April with the demand of improvement in prison conditions and an end to arbitrary applications. The hunger strike continued for some time.

The 19th wing where political prisoners are kept in Konya E Type Prison, was raided by the gendarmes and guardians on 9 April. During the raid, the prisoners were beaten. After it, 11 political prisoners launched a hunger strike in protest of being beaten of the prisoners and convicts, and demanded improvements in living conditions. The names of 7 of the 11 prisoners who went on hunger strike are as follows: "Caner Tokay, Şerif Ersoy, Ferit Aslan, Faik Yürekli, Necdet Sevinç, Hüseyin Polat and Rabbena Hanedar". It has been reported that the prisoners and convicts on strike were not given any blankets and sugared water.

Meanwhile, political prisoners in İzmir Urla Closed Prison and their relatives were beaten by gendarmes and guardians when they objected to restrictions put on visits on 11 April.

Nine convicts in the prison went on hunger strike to protest the attack and for improvement of the prison conditions. During the strike, Mehmet Erođlu, Mehmet G6cckli and Mehmet Demir were transferred to Aydın E Type Prison. The hunger strike in Urla Prison ended on its 23rd day.

A prisoner named Mülkiye Dođan (19-female) arrested in Urfa Closed Prison was found dead in the wing on 12 April. Mülkiye Dođan killed by means of a hard object hit at her head, had been arrested on charges of helping and harbouring PKK militants. It was established that Mülkiye Dođan was killed by the PKK militants on the allegations that "she had denounced the organization".

Approximately 200 arrested and convicts in Elazıđ E Type Prison went on an alternate hunger strike on 6 May demanding improvement in prison conditions and an end to suppression. The beating of 6 female prisoners by guardians in front of their families provoked the hunger strike in Elazıđ E Type Prison. Left-wing prisoners in the prison continued the hunger strike alternately for a 10-day period in groups of 60 persons. The hunger strike caused the condition of the prisoners to worsen and occasioned a spreading of illness across the prison. Hereupon, the number of persons in the groups on hunger strike declined to 20-30 and the participation period to 5 days.

Left-wing prisoners in Kayseri Closed Prison were beaten by gendarmes who conducted a search in the wings on 21 May. During the event, prisoners named Hamdi Kayısı, Sami Demirci and Turgay Dalyan were injured. Following the event, complaints about Kayseri Prison increased. Starting from the beginning of June, political inmates of the prison started not to be taken to their hearings held by SSC. In the meantime, a prisoner named Sami Demirci who should have been taken to hospital for removal of the plaster around his broken leg, was not hospitalized by the gendarmes. The prisoners and convicts stated that the Ministry of Justice was responsible for arbitrary applications in the prison.

Forty-six arrested and convicts in Bismil Prison went on hunger strike on 27 May with a demand for improvement in prison conditions. The hunger strike ended on the morning of 10 June upon approval of the prisoners' demands.

The hunger strike staged at Aydın E Type Prison on 5 May 1993 with a demand for improvement in living conditions and an end to pressures and restrictions, ended on the morning of 29 May. The hunger strike was staged by 25 left-wing prisoners and convicts, most of whom had been transferred from İzmir Buca Prison. In the meantime, a delegation consisting of administrators of the İzmir branch of the Human Rights Association and Contemporary Journalists Association and of relatives of the convicts went to Aydın during the hunger strike in the prison. Members of the delegation were detained by the police while they were waiting in front of Aydın E Type Prison in order to meet with prison director and prosecutor, and were taken to Meşrutiyet Police Station. The members of the delegation who were beaten in the police station were released 4 hours later.

A hunger strike was staged on 31 May by 63 political prisoners in İzmir Buca Closed Prison with a demand for an end to torture and pressures. The prisoners on hunger strike declared in a statement they made through their advocates that they were frequently subjected to attacks by guardians. Pointing out that Gökhan Özocak, Ayhan Özdemir, Ahmet Gülhan, Volkan Yerlikaya, Yaşar Ađababa, Erdem Kılıç and Ergün Alkır were beaten by guardians on the days of 7 and 8 June, the prison inmates held the Prison Director Mehmet Akıncı and Prison Prosecutor Yaşar Arslan responsible for the events and demanded the removal of the persons responsible from their offices. The condition of 17 prisoners on strike worsened on the 17th day

of the strike. The prisoners whose condition worsened, are as follows: "Kader Aksu, Kevser Mızrak, Eylem Gönül, Vicdan Şahin, Pelşini Bilgen, Feyzan Mercimek, Naile Tuncer, Ergün Akkır, Remziye Şahin, İnyet Kandemir, Sadiye Aksoy, Yasemin Camcı, Naciye Yıldırım, Özgür Çetin, Veysel Aslanca, Sinan Uğur and Süleyman İsi". Meanwhile, lawyers of the prisoners on hunger strike applied to İzmir Public Prosecution Office on 15 June and lodged an official complaint against the prison director Mehmet Akıncı. The hunger strike in the prison ended on 28 June after most of the prisoners' demands were accepted.

It was reported that Şükrü Öztürk and Ali Durmuş, directors of Amasya E Type Prison, suppressed the political prisoners in the prison and tried provoke the ordinary prisoners against the political prisoners. In a statement made by the political prisoners at the beginning of June it was stated that the prison administration was trying to cheat the rights which had been justified by means of hunger strikes. The following was said: "Ordinary events which are observed in other prisons are exaggerated in Amasya Prison. When we apply to the prison administration in order to solve those problems, we are told 'This is a prison, not a hotel. What do you suppose about prisons? You should thank God for you are still alive.' As well as this, some of the ordinary convicts in the prison bear a grudge against political prisoners in consequence of provocation by the prison directors. They often bother us by shouting slogans such as "Damn the communist", "Damn the PKK".

Female prisoners in Nevşehir E Type Prison started not to go to hospitals beginning from the middle of June in protest of the presence of police officers and soldiers while they were being medically examined. Female prisoners accused Ünsal Songül, one of the physicians of Nevşehir State Hospital, of the application of the ruling and demanded legal procedures be launched against him. They also pointed out the indifference of the Ministry of Justice towards the event. The Turkish Medical Association Central Council member, Ata Soyer, stated the following: "The relation between physician and patient is very private. Nobody should intervene during an examination. The presence of an irrelevant person at that time is not acceptable from the cultural view, either. If general security is aimed at security officers may be placed in front of the door or on related points".

In a clash which arose in İstanbul Bayrampaşa Prison due to an organizational divergence within the Devrimci Sol organization, a prisoner named Erdoğan Eliuygun (Arif) died. In the clash which started at noon hours on 18 July and lasted for a long while, 7 prisoners were wounded.

A group of PKK trial defendants being kept in Adıyaman E Type Prison, staged an indefinite hunger strike as of 18 July in protest of inhuman treatment in the prison and with demand of improvement in living conditions. The prisoners who went on hunger strike, stated that prison administration forced them to be confessors.

About 300 prisoners in Muş Prison went on hunger strike on 17 June in protest of suppressive measures of the prison administration and to secure improvement in living conditions. In a statement, the prisoners on strike said that the number of the prisoners and convicts in the prison exceeded the capacity of the prison and that such an application was maintained on purpose. They stated: "The prison administration rejects all of our human demands and tortures us. Our friends are beaten with thick clubs after their hands and arms have been tied. We are afraid of even eating the food given us." The hunger strike in the prison ended within a short time. However, suppression in the prison and the problems faced while going to and returning from

hearings have remained. Pointing out that going to and returning from the hearings were turned into torture by the prison administration, the inmates of the prison decided not to attend the hearings starting from 23 November until the conditions were improved.

Guardian Mehmet Salih Sündür who had been working for 21 years was appointed to Kütahya Closed Prison from Urla Prison in July on the grounds that he treated the political prisoners well. Mehmet Salih Sündür against whom an investigation was launched upon denunciation by other guardians and who was later appointed to Kütahya, was a member of Yargı Sen (a trade union founded by civil servants working bound to the Ministry of Justice and by the officers in charge of prisons) and had syndical activities. The following was stated in the denunciation petitions submitted by other guardians: "He fulfills wishes of the political prisoners and grants them privilege. Thus, he caused those prisoners to behave in an undisciplined manner and to provoke an incident".

Pressures against the political prisoners in Buca Prison re-intensified starting from September and the prisoners were subjected to attacks while being taken to their hearings. The prison administration began not to let in diet food sent from outside to the prisoners. The application enabling food to be sent from outside the prison which was accepted by the prison administration after the hunger strikes staged in February and March was lifted. In addition, an arrested named Cüneyt Bozkurt who was brought before the court on 22 September was beaten by the gendarmes during the hearing held at the SSC. Pressure confronted by the left-wing prisoners in İzmir Buca Prison was put on İzmir Governor Kutlu Aktaş. Yeşim İşlegen, the chairperson of the İHD İzmir Branch, Ercan Demir, the chairperson of the Contemporary Jurists Association İzmir Branch and Haluk Aydın, a member of İzmir Medical Chamber Human Rights Commission, interviewed with Kutlu Aktaş on 26 November to inform him about the inhuman treatment in Buca Prison. In a statement he made related to the interview, Ercan Demir said the following: "We explained in the interview that the gendarmerie in Buca Prison beat the prisoners under arrest while going to court or to hospital. We stated that our clients did not go to the hearings because of the treatment of the gendarmerie and hence the trials became irregular and the defendants were being greatly affected by this situation. We told that the prisoners under arrest were facing a serious threat. We added that noncommissioned officers Sezai Pala and Zekai Şahin had injured a prisoner named Cengiz Şengül by beating on the way to the SSC. We asked governor Kutlu Aktaş's help to bring an end to the pressure of the gendarmerie." Besides this, lawyer Nedim Değirmenci, a leader of the Contemporary Jurists Association İzmir Branch who released a statement on 29 November, said they had learnt that the severe treatment of the gendarmerie against the prisoners had been softened following the interview with the governor.

Political prisoners in Aydın E Type Prison who made a statement at the end of September protested of inhuman applications in the prison and called the public to be more sensitive to what went on. In the statement they said that visits by the prisoners' relatives were prevented by the prison administration, wings were raided without any justification and belongings of the prisoners were damaged during the raids. Describing how torture was carried out in the prison, they pointed out that ill prisoners were not hospitalized, and even if they were hospitalized they were not treated and inhuman searches were carried out while going to or returning from hearings or hospitals.

Woman's Rights Commission of the İHD İstanbul branch disclosed that female inmates in Bayrampaşa Prison were threatened to be raped. In the press meeting held by the Woman's Rights Commission on 9 October, it was stated that pants brought for female political prisoners by their families were torn by the soldiers in charge of the prison. The following was reported in

the press statement read by lawyer Eren Keskin, a member of the Commission: "In Turkey which boasts a woman Prime Minister, women are raped in detention places and exposed to threats of rape in prisons. Pants brought for the female prisoners are perforated and torn during search. This situation makes us worry".

Three arrested people named Ekrem Aslan (24), Süleyman Aydın (34) and Mehmet Tuncay (41) who stayed in one of the wings for PKK case defendants in İzmir Buca Prison, were strangled and stabbed to death. The corpses of the 3 arrested persons presumed to have been killed on the night of 21 October, were found by the guardians. It was disclosed that those arrested had been killed on allegations of betraying the organization. Upon the killing of the 3 arrested, the gendarmes and guardians carried out an operation on the night of 22 October in the wings where the inmates charged on PKK cases are kept. During the operation a total of 64 persons were wounded, 7 of whom severely. In addition, PKK case defendants in the prison were not allowed to leave their wings for some time.

Left-wing prisoners in Kırklareli E Type Prison making a statement in November, reported that they were exposed to pressure in the prison, families visiting them were confronted with difficulties raised by soldiers and some of their belongings were seized by the administrators of the prison. The prisoners invited the public to support to solve the problems.

The arrested and convicted persons in Elazığ E Type Prison, were ruthlessly beaten by the gendarmes and guardians who raided the wings on 18 November. Sixteen of the beaten persons named Abdullah Şaşmaz, Aydın İlçi, Fesih Sezen, Salih Pirinç, Abdurrahman Aslan, Ahmet Kağaslan, Mehmet Taşsun, Emin Tanrıokul, Hacı Tayboğa, Selam Sosin, Şükrü Sosin, İlhan Bayram, Ramazan Bingöl, Seyfettin Vesik, Tahir Kanık and Bilal İlhan were injured. It was established that the event in the prison started due to objections raised by the prisoners against the attempts to transfer an arrested named Zeki Şaşmaz to Mardin for interrogation. The statement made by the prisoners as to the events is as follows: "Officers threw tear bombs through the embrasures of wings. Therefore, fires started in some of the wings. At the same time, pressurized water was being squirted. The officers who entered the wings by pulling down the walls by sledge hammers, beat us with thick clubs and truncheons. The ones wounded during the raid could not get necessary treatment. Many of our friends were put into cells. The prison prosecutor, and prison directors Kemal Eryaman, İsmail Aksoy and Kemal Kaya are responsible for what happened".

Yılmaz Doğru (20) who was kept under arrest in Diyarbakır E Type Prison fell ill and was taken to the prison's infirmary. He died at the infirmary at the beginning of December. Relatives of Yılmaz Doğru claimed that indifference of physicians Veysi Fidantek and Veli Kılıçaslan who are in charge of the infirmary occasioned the death. It was revealed that the hospitalization of Yılmaz Doğru who became ill suddenly due to cold on 28 November had been delayed, and that he had been sent back to the prison's infirmary without having received the necessary medical treatment at the hospital where he had been taken to after numerous attempts.

During a quarrel which broke out in the morning hours on 24 December in Paşakapısı Prison in Üsküdar, İstanbul, a prisoner named Erdal Meral was shot dead with a pistol. It has been determined that Erdal Meral was killed by a convict named Mehmet Kabakçı in the same wing. Prison Prosecutor launched an investigation in order to clarify how and by whom the pistol used in the murder was brought into the prison. On the other hand, Mehmet Kabakçı said that he had killed Erdal Meral because he had cursed him.

From December onwards, hunger strikes were staged in many prisons in an effort to demand improvements in living conditions, an end to pressures and a repeal of the circulation promulgated by the Justice Minister on 9 September 1993. The hunger strikes were participated by approximately 400 prisoners and convicts, most of whom are the defendants of the "Devrimci Sol" trials. The hunger strikes which continued throughout December, ended on the first days of 1994 when the demands were approved. The following are the prisons where the hunger strikes were staged: "Ankara Central Prison, Çanakkale E Type Prison, Aydın E Type Prison, Buca Prison, Yozgat E Type Prison, Çankırı E Type Prison, Bayrampaşa Prison and Kayseri Closed Prison". The hunger strikes in the prisons were supported by another hunger strike launched by relatives of the strikers in the General Center of the İHD.

## **FREEDOM OF THOUGHT, PRESS AND BELIEF**

1993 was also a scene for violations of freedom of thought, press and belief. Illegal practices, pressure and attacks continued with an increasing pace compared to previous years. A number of laws, especially the "Law to Fight Terrorism", constituted a ground for the practices which eliminated the freedom of thought and press. In addition to this, physical attacks continued to increase without abate. Journalists were killed or disappeared. Bomb and armed attacks were carried out against journalists and organs of press. The number of confiscations as well as imprisonment verdicts, and imprisoned journalists and writers increased. Freedom of thought and cultural life were seriously damaged. The continual one-sided publication and broadcasting approach of the popular newspapers and television channels, which only serves to distort the facts and mislead the public opinion, was another negative dimension of mass media, in connection with the freedom of thought and press.

Not only pressure and physical attacks, but also ideological attacks against the press and journalists were continued intensively. "Enemy" newspapers and periodicals, and "enemy" journalists were created. In particular, the publications adopting approaches contrary to the official ideology and discourse on the subjects considered to be taboo such as the Kurdish problem, compulsory military service, the army, and religion, and the ones who expressed their opinions on these problems, were subject to heavy pressures and attacks. This pressure against the press was concentrated mostly on the periodicals and newspapers like Özgür Gündem, Azadi, Aydınlık, Gerçek, Mücadele, Emeğin Bayrağı. Pressure brought heavy sanctions on some of the radical Islamic publications, too. In 1993, hundreds of newspapers and periodicals were confiscated, while many publications were banned.

As a result of the pressure and attacks against the press and thought, many publications came to a point where they could not be sold or distributed in many centers in Turkey. Newspaper distributors or sellers who insisted on selling the newspapers which were not permitted to be sold, became victims of murders by unknown assassins. Meanwhile, the PKK also banned the press activities and work of journalists (except a few publication organs) in the State of Emergency Region. Most publication organs and journalists respected the ban decision. With the decision to ban, journalistic activities already being carried out under very difficult conditions in the region, stopped almost totally.

Legal pressure on thought and press-publication was not abolished and was not even seen to decrease. Promises given in this respect and the promises of the SHP-DYP coalition

governments stating that "a democratic press law would be prepared, tens of laws and regulations burdening heavy sanctions on the press would be removed", were not fulfilled either. There was not even any attempts to amend the "Law to Fight Terrorism"(\*) which had brought heavy sanctions against the press and constituted a ground for many imprisonment decisions given.

Since the legal and administrative pressure on press and thought seemed to have been insufficient, new attempts to increase the existing pressure were undertaken by the government during the last 3 months of 1993. Among the decisions taken by the National Security Council under the pretext of the PKK's actions and attacks, most important part to be decided on was composed of demands against the press. In this respect, the NSC and the government wanted to amend the "Law to Fight Terrorism" in order to aggravate the sentences given. In addition, the state authorities forced the press to accept a structure directed from one center under the name of "total struggle against terror" in accordance with the demand of the NSC, and within this respect, "soldier newspapers" and "soldier journalists" were created. These kinds of newspapers and journalists distorted the events, especially those experienced within the borders of the Emergency State Region. A provocative publication and broadcasting policy which might cause a Turkish-Kurdish clash, was implemented.

The Office of the Chief of Staff gave a briefing to the owners and managers of the press-publication organs on 11 July. During the briefing, at which the representatives of the government were also present, General Staff authorities demanded the journalists "not to be an instrument for the PKK propaganda." In his opening speech of the briefing, General Fikret Küpeli, Second Chief of the General Staff, said that "the struggle against terror is the total struggle of Turkey. We openly demand your support for those involved in this struggle", while Deputy Prime Minister Erdal İnönü also said, "We demand your help. Security forces need moral support." Özgür Gündem and Aydınlık newspapers were not invited to the briefing. These demands were put into practice by the press and publication organs to a great extent. After the briefing, a draft law, which aimed at amending the "Law to Fight Terrorism" in order to increase the pressure on the freedom of thought and press, was introduced. (Besides aggravating the punishments against the press, that draft law also contains many anti-democratic statements.) Because of the conflict between the True Path Party and Social Democratic Populist Party that constitute the coalition, the amendments to be introduced on the "Law to Fight Terrorism" could not be put into force by the end of the year 1993. Those amendments were postponed to 1994. Criticizing the amendments on the "Law to Fight Terrorism", İHD Secretary General, Hüsnü Öndül made the following statement:

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(\*) Freedom of thought and press was mostly put under pressure by the articles 140, 141, 142 and 163 of the Turkish Penal Code until the last 3 years. These articles were abolished when the "Law to Fight Terrorism" was put into force in 12 April 1991. However, this modification was of no use in practice, as proved once more with those experienced throughout 1993. In the regulation made in April of 1991, Article 142/3 of the Turkish Penal Code, which was mostly applied for the confiscation or imprisonment decisions and defined as "separatist propaganda", was preserved textually as the Article 8 of the "Law to Fight Terrorism". Nearly eighty per cent of the confiscation and imprisonment decisions were ordered in accordance with this article in 1993. In addition to Article 8, Article 6 of the "Law to Fight Terrorism" which puts the freedom of thought and press under pressure, was also practiced frequently in 1993. Besides this, confiscation, arrest and imprisonment decisions given in accordance with articles 155, 158, 159, 175, 311 and 312 of the Turkish Penal Code and with the Law to Protect Children from Harmful Publication and Broadcasting (etc.), were also witnessed frequently.

"The Law to Fight Terrorism is a special law and has political aims. Its implementation is also carried out by a special court (State Security Court) which has political aims. These political aims may be summarized as follows: In society, there are people who think, write, speak or organize with the aim of changing the economic, social and political system. These democratic-political forces of transformation who threaten the established system, shall be stopped by 'coercion'. Determination of the political aim in such a way, gives birth to legal amendments being made in accordance with this political aim. Within this frame, freedom of thought and press was replaced by penal sanctions. Those who organized meetings, took part in trade union activities, and went on strike, were confronted by the law. Concepts like 'terrorist crime' or 'terrorist' organization are not legal but political identifications. For this reason, all the crimes considered in the law are political crimes, crimes of thought and organization. The draft law nearly doubles the imprisonment and fine sentences, creates new crimes, increases the number of crimes which are to be heard by the SSCs, and brings some protective clauses for those who use the power of the law and take the same side as the state (even for those abusing that power illegally). With the amendments, a great set is attempted to be built against the freedom of thought and organization."

The efforts of military in order to tidy the press up were not restricted to amending law and organizing meetings. Attempts were often made by the General Staff and sometimes by the military prosecution offices in order to subdue the press or journalists. There was a great increase in the number of the official complaints lodged by the General Staff concerning the press and journalists in the year 1993. The number of official complaints sent to the prosecution offices by the General Staff through the channel of the Ministry of Justice, reached 217. The authorities of the General Staff, reacting when no sentence was given related to those official complaints, said: "The judiciary must function perfectly. No sentence has been given in relation to 217 official complaints until now. This is impossible." 112 of the official complaints were against the Özgür Gündem, while 6 were against Aydınlık.

The efforts in order to pressurize the press were not restricted to increasing the number of the official complaints. On 14 December, the Military Court of the General Staff issued an arrest warrant in absentia for Erhan Akyıldız and his assistant Ali Tefvik Berber who prepared a program for a private TV channel. This decision was given on the grounds that "people had been incited to conceive the military service in a forboding manner" through a program broadcast on the evening of 8 December. Erhan Akyıldız and Ali Tefvik Berber were detained in İstanbul by the police following the arrest warrant, issued against them in absentia, and sent to Ankara on the same day. The two journalists were arrested and put into Mamak Military Prison on 15 December. Meanwhile, Erhan Akyıldız who began to suffer from some health problems while he was being brought to the prison, was taken under treatment at a hospital for some time. The objection by Erhan Akyıldız and Ali Tefvik Berber to the arrest warrant, was not accepted.

Erhan Akyıldız and Ali Tefvik Berber, against whom a trial was launched later on, have been the first journalists tried because of their works before a military court for the last 30-40 years, excluding the martial law periods. Arrest warrants in absentia were issued for Menderes Meletli and Aytek Özel, members of the War Opponents Association who gave statements in the program prepared by Erhan Akyıldız and Ali Tefvik Berber, too. The trial against Erhan Akyıldız and Ali Tefvik Berber started at the Military Court of the General Staff on 21 December. The indictment read in the hearing demanded the defendants to be sentenced to between 2 months to 2 years in prison under Article 155 of the Turkish Penal Code. Defending himself during the hearing, Erhan Akyıldız said: "Journalists, while carrying out the duty of informing,

do not bother whether they will be admired by the Head of the General Staff or by the Prime Minister. The news prepared by us, has not been admired by the Head of the General Staff. We have headlong been put in Mamak Military Prison as a result of this displeasure. Our arrest and imprisonment by the military court with regard to a law, which has not been amended since 1940, and our being tried by a military court, are not the shame of us, but of those that have besmirched the Turkish Democracy." The release of the defendants was later decided in the hearing. The case of Erhan Akyıldız and Ali Tevfik Berber, arrested and tried at the military court, caused extensive reactions at home and abroad, and as a result they were released in a short time. They were sentenced to 2 months in prison each in February of 1994.

In the meantime, it has been learnt that in two different trials launched before, on the grounds that "people had been incited to conceive the military service in a forboding manner", the defendants were acquitted, while the decision not to prosecute was given in an investigation. According to an article published by the Cumhuriyet newspaper about the issue, İstanbul State Security Court had launched a trial against Tuğrul Eryılmaz and Vedat Zincir, the editors of the journal "Sokak", on the grounds that "they made publications inciting the people to have a conception against the military service in their journal," in 1989. The trial resulted with acquittal in 19 August 1990, stating that "opposing the compulsory military service can not be regarded as a crime." A second trial, which had been launched against Tayfun Gönül and Ahmet Zeki Okçuoğlu because of another news item that was published by the Sokak, had also resulted with acquittal. Those verdicts of acquittal became decisive when the Supreme Court of Appeals approved them. The investigation which was launched against Menderes Meletli because of a news item that was published in Cumhuriyet on 18 January 1993, resulted in the decision not to prosecute. When taking account of the decisions to acquit and not to prosecute previously given for almost the same cases, it will be apparent that the arrest of Erhan Akyıldız and Ali Tevfik Berber and the trial launched against them were arbitrary applications.

#### **a) Assassinated, wounded or missing press workers**

The killings of journalists which intensified from the beginning of 1992, continued also in 1993, and 7 journalists died because of armed or bomb attacks. In addition, 3 press workers, 2 of whom journalists and one a driver of a newspaper, disappeared. The decrease in the number of the killed journalists when compared to the previous year (13 journalists were killed in 1992) did not make any sense as the assassinations continued. The murderers of the assassinated journalists, (except one-Ercan Gürel), could neither be found, nor identified. Putting aside the assailants, political activities of the victims and juridical cases against them or investigations they had been subject to, were put on the agenda by the government.

Approaches of the authorities towards the attacks directed at journalists were not so much different from the previous year's. For example; making a speech at the Assembly, Mehmet Batallı, one of the then state ministers, stated that only one of the 13 journalists who had been assassinated in 1992, was a journalist (İzzet Keser), while the remaining were militants. In his response to the speech of Muş Deputy, Sırrı Sakık in the Assembly, Mehmet Batallı asserted that the state was being accused of the assassinations carried out by the "PKK or Hizboullah" supporters, and said the following: "Correspondents for the newspapers Yeni Ülke and Özgür Gündem are people having relations with the illegal organizations. Asserted claims are wrong. These claims are being expressed and asserted in order to create question marks in our people's minds."

Besides, no serious effort to find the assailants of the journalists killed in the last 2 or 3 years, was witnessed. Putting the finding of the assailants to one side, the journalists who were murdered were described as "militants", and thus, grounds were laid for new attacks. The clues which could be obtained during the interrogations of the militants captured accidentally, or as a result of examining the guns seized on them, could not be evaluated properly (as should have been). Although some trials had been launched on this subject, no result could have been drawn. For example, the Diyarbakır SSC Prosecution Office launched a trial against 11 persons on allegations that "they were members of Hizbollah and participated in some armed attacks carried out in Ceylanpınar district of Urfa". In the indictment prepared, it was stated that one of the defendants, Mehmet Gül, had participated in armed attacks which resulted in the deaths of Hüseyin Deniz, one of the columnists of the newspaper Özgür Gündem (he was severely wounded because of the armed attack he sustained on 9 August 1992, and died at the hospital he was taken to on 10 August 1992), and a person named Faysal Kızılırmak. However, this did not go beyond the claim stage. Although there had been a trial launched, the assassination of Hüseyin Deniz remained a murder by unidentified persons.

On the other hand, a man named Nedim Uysal was caught with the gun used in the killing of Halit Güngen, the correspondent for the weekly 2000'e Doğru, on 18 February 1992. However, in the case against Nedim Uysal, the Diyarbakır SSC attorney accused him of only of having an unlicensed gun. Nedim Uysal's lawyer İshak Sağlam, said that Uysal was not related to the event, and that he believed that Uysal would be acquitted. He said: "Nedim Uysal is now accused of having a gun without a license. We have definite documents given by the directorate of Batman İmam Hatip Lisesi (Religious School), proving that he was in the school dormitory on the date that Halit Güngen was killed." However, the office of the Governor of the State of Emergency had stated that Nedim Uysal, who was arrested while injured after a clash with the police on 27 October 1992, was responsible for killing some people, including Halit Güngen. Despite all these developments the case of Halit Güngen was another unclarified case in 1993.

The following is the information gathered by the HRFT in connection with the assassinated journalists in 1993 and those assassinations:

#### **01)- Uğur Mumcu (51)**

Uğur Mumcu, one of the writers of the newspaper Cumhuriyet, died as a result of a bomb plot he sustained in front of his house on Karlı Street in Gaziosmanpaşa, in Ankara, at about 1.30pm on 24 January 1994. The event occurred when the bomb placed in his private car exploded. Two separate organizations called "Islamic Liberation Organization" and İBDA-C claimed responsibility for the plot. However, the degree of seriousness these claims could never been revealed. Uğur Mumcu, who had been receiving death threats from various groups and circles for years, did not want any police guards. The bomb which caused the death of Uğur Mumcu, was reportedly similar to the ones which were used during the attacks carried out by Islamic groups against certain foreign diplomats in Ankara.

The assassination of Uğur Mumcu provoked great reactions at home and abroad. The assassination of Uğur Mumcu was protested by various demonstrations, meetings, marches and similar activities organized all over Turkey on 24, 25 and 26 January. Members of the Contemporary Journalists Association left red carnations and lit candles on the place where Uğur Mumcu was assassinated, at noon hours on 25 January. The murder was condemned, during the demonstrations held on the night of 24 January and on the evening 25 January evening, which were organized in İstanbul, and in which thousands of people participated. Demonstrations which were organized upon the killing of Uğur Mumcu, continued all over

Turkey for days. Uğur Mumcu was laid to rest on 27 January in Ankara after a funeral ceremony in which hundreds of thousands of people participated. The funeral ceremony during which anti-secular Islamic groups, Sheriat (Islamic religious law) and Iran were frequently protested, ended without incident. The first ceremony for Uğur Mumcu was held in front of the Ankara Office of the newspaper Cumhuriyet for which he worked for years. In the ceremony organized there, İlhan Selçuk, one of the writers of the newspaper Cumhuriyet, and Erdal İnönü, the Chairman of the Social Democratic Populist Party (SHP) gave a speech. Later the coffin was brought to Maltepe Mosque followed by a very crowded cortege consisting of hundreds of thousands of people in spite of heavy rain. Following the ritual prayer, the body of Uğur Mumcu was taken to Cebeçi Cemetery after a 8-kilometer march and buried there. The funeral ceremony was broadcast partially live by TRT television. The funeral organized for Uğur Mumcu was the most heavily attended demonstration witnessed in Turkey since 1980.

Although one year has passed, the assailants who carried out the bomb attack against journalist-writer Uğur Mumcu, have not been found yet. During the days following the incident, in a statement on 25 January, the then Interior Minister İsmet Sezgin disclosed that 13 persons including some foreign citizens, were detained as a result of the operations started after the plot. İsmet Sezgin said that plastic explosive materials were found after a raid on a suspicious house in İstanbul. Similar statements were frequently made by the authorities in the days that followed. It was stressed that to find the assailants was a matter of honour. In spite of those numerous statements and promises, neither the assailants were caught nor any clues about their identities could be maintained. The Commission to Investigate the Murders by Unidentified Persons which was constituted within the National Assembly after the assassination, could not reach any results, either. Remaining of the assassination of Uğur Mumcu as "a murder by unidentified persons", created reactions in the public.

The most serious development related to the killing of Uğur Mumcu, was relayed to the public in September. This development was put on the agenda by an article published in the newspaper Milliyet on 17 September 1993. The aforesaid article concerned a disclosure by a 29-year old surprise eyewitness, who came out one week after the assassination of Uğur Mumcu. According to the news, the surprise eyewitness named Ayhan Aydın (29) went to the Yıldızevler Police Station in Çankaya, Ankara at about 6am on 31 January, and gave the following information about the killing of Uğur Mumcu:

"I was having lunch near the taxi station at Karlı Street in Gaziosmanpaşa on 24 January. A man, about 1.65-70 in height, dark, aged 30-35, with mustache, weighting approximately 70 kilograms, having a scar in ellipse form on his left cheek, wearing black glasses, jeans and black leather jacket, a dark blue shawl, speaking in a bad accent, approached me asking where I was from. He said, seeing that I got angry, "Don't get angry, I'm also Kurdish." Upon this, I told him that I was seeking a job. He said that he could help me, saying "We can employ you. Come and work for us. But we don't have a fixed address. Give me your telephone number and we will call you when we can employ you." Meanwhile, a dark blue Doğan car the plate number of which I could not get, came down the street. The car's left back tire was deflated and there were two men inside. One of them was short, having rippled black hair, wearing a criss-cross black and white coat, and black trousers. These persons took off the deflated tire. The person with the criss-cross coat said to the other one wearing a leather jacket, "The nut went under the Renault near the wall. Mistik, go and get it." The one wearing a black leather jacket laid under the car, saying "I'm looking for the nut," and stayed under the car for about one minute. Then he got back. The other person who had come nearby me and whose description I gave above, walked back.

The two persons who had come with the dark blue Doğan, changed their car's left back tire and went to the same direction as the other person, that is to say, from Karlı Street to Çankaya. After 20 minutes had past, at 1.20pm, a man whose name was Uğur Mumcu as I later learnt, approached his car, opened its door and got into. He sat at the driver's chair, and I don't know which pedal he stepped on, but the car moved back-wards a little bit. The car exploded suddenly at that moment. And as I was scared, I have not come to give my statement until now. I could recognize those three persons if I see them again."

Upon this statement, some persons who had been arrested in connection with the plots against Çetin Emeç and Jak Kamhi, and who allegedly were "members of an outlawed organization İslami Hareket (the Islamic Movement)" were faced with Ayhan Aydın upon the demand of the Ankara SSC. Ayhan Aydın said that he had recognized the defendants named Mehmet Ali Şeker and Ayhan Usta as the murderers of Uğur Mumcu. Mehmet Ali Şeker and Ayhan Usta, on the other hand, stated that they had no connection with the bomb plot and they had been under detention in İstanbul on the day that Uğur Mumcu was murdered. As the information came from İstanbul Police Headquarters was in the same direction, Ayhan Aydın's statement was not regarded as serious. However, some claims were made later on, asserting that "the minutes regarding the arrest of the 2 defendants had been distorted by changing some dates". For example, in the minutes about Mehmet Ali Şeker, it was stated that the defendant had been arrested on 26 January. However, the date of arrest at the signature part of the same minute had been written as "24 January 1994". This situation gave birth to the suspicion that "the dates in the minutes had been distorted."

The surprise witness Ayhan Aydın stayed on the agenda for a long period of time. He was taken from his home on 20 September by the police saying that "You are going to give your statement at the National Assembly's Commission to Investigate the Murders by Unidentified Assailants". Ayhan Aydın who was taken to the Turkish Radio and Television instead of the Assembly, was made to talk in a television program his face unhidden. It was apparently an attempt to form a public opinion that "the events told by Ayhan Aydın were unfounded." Besides, it was asserted that "Ayhan Aydın made false statements in order to get the money prize which was thought to have been given to the persons who could give information in the context of the assassination against Uğur Mumcu." Stating that he had become a target after the program broadcast by the TV, Ayhan Aydın demanded his personal safety be maintained.

Reactions in the family of Uğur Mumcu aroused following the TV program and the fact that no further progress regarding the assailants of the plot against Uğur Mumcu could be made. In a written statement on 25 September, Güldal Mumcu, the wife of Uğur Mumcu, said the following:

"Eight months passed after the killing of Uğur Mumcu. When we look through the past, all the state authorities were frequently stressing that the incident would be clarified, and this was proclaimed to be a debt of honour during the first days of this 8 month period. As days and weeks passed, it can be seen that these promises have begun to be forgotten and the mystery of the incident could not be solved. One of the responsible persons (Süleyman Demirel) is under the armour of irresponsibility today, and another one (Erdal İnönü) is in the process of withdrawing from politics. Besides, some statements were made which did not suit to the seriousness of the incident. For example, the chief public prosecutor who is responsible for the conduct of the investigation (Ankara SSC Prosecutor Nusret Demiral) made a statement indicating that "this event can be solved after one year." These words do not fit the logic of law and suit the responsibility of his post. These words make the other authorities lax their duties. (...) As is se-

en, there have been efforts to cover up the assassination of Uğur Mumcu like the previous incidents (such as the cases of professors Muammer Aksoy and Bahriye Üçok). There is apparently only one explanation for this. The State wants these incidents to remain as secrets. I do not find it suitable to claim that the State is not able to clarify the incidents, because this is not only the disregard of the power of the State and its authorities, but also an implication of the inability of the State. Besides this, I deem it a citizen's duty to trust the State and its authorities under any condition, too. However, I have to say that I want the State to regard me and Uğur Mumcu at least as citizens. (...) I should also state that I did not understand the efforts of SSC Chief Prosecutor Nusret Demiral to show himself as a family friend of Uğur Mumcu, in Reha Muhtar's program, upon the recent discussions which took part in the press. Nusret Demiral who came to the scene of the incident and left afterwards, leaving the duty of collecting evidence to the police, could not be a friend of Uğur Mumcu. Besides, if he had been a person conscious of his responsibility, he would have phoned us for the first investigation in order to find out about the situation before the incidents, and given his condolences to us for this respect. Is it not interesting that a prosecutor who did not fulfill one of the basic requirements of humanity, takes shelter in false friendships in order to give the impression that he is investigating the incident seriously? Besides, Uğur's articles criticizing the fact that Nusret Demiral did not fulfill the requirements of his duty, are still fresh in people's memories. Those who create false friendships, and are afraid of their own shadows sheltering darkness, were not friends of Uğur and could never be. I believe that all the difficulties will be overcome with the power of Uğur's love and reason which he showed when he was embracing every creature of nature, and by the courage of wisdom and interrogation of darkness by the truth."

### **02)- Kemal Kılıç (26)**

Kemal Kılıç, the Urfa Representative of the newspaper Özgür Gündem, died as a result of fire opened by unidentified persons at about 6pm on 18 February, near Külünçe village 17 kilometers from Urfa. The assailants, who opened fire at Kemal Kılıç, escaped by getting in a taxi after the incident. Kemal Kılıç who became a correspondent for the weekly newspaper "Yeni Ülke" after the publication of the daily Özgür Gündem was interrupted, was one of the leaders of the İHD Urfa Branch. Mehmet Şenol, the head of Diyarbakır Office of Özgür Gündem, said that Kemal Kılıç had applied to the Bureau of the Governor of Urfa for a gun license, but that his demand had been rejected. Cemil Kılıç, elder brother of Kemal Kılıç, said that on the day of the event, the alleged 4 male assailants had attempted to kidnap his brother first, but upon his resistance had killed him with two bullets in his head. Cemil Kılıç said: "As far as we know, my brother resisted the perpetrators for a while. There were wounds and bruises on his body". Kemal Kılıç was being investigated just before his death, in connection with a press statement he had made about Urfa Governor Ziyaeddin Akbulut in December 1992. In the aforesaid statement, Kemal Kılıç had protested the hindering of the distribution of Özgür Gündem in Urfa, and that the Governor did not take any concrete security measures in spite of the threats against the newspaper's workers. In the meantime, during an operation carried out in Diyarbakır against the "Hizbollah" supporters in December, a gun with 9 mm. caliber which was marked "Cheska" and used in the assassination against Kemal Kılıç, was found.

### **03)- İhsan Karakuş (53)**

İhsan Karakuş, owner of the local newspaper "Silvan" published in Silvan district of Diyarbakır, was killed by unidentified persons on the morning of 13 March. İhsan Karakuş who became subject to an attack on his way to office from home, died on the spot. It could not be

clarified by the end of 1993 why and by whom İhsan Karakuş who has a "neutral" personality, was killed.

#### **04)- Ercan Gürel**

Ercan Gürel, Bergama (İzmir) correspondent for the Hürriyet News Agency, died as a result of an armed attack on 20 May. The murderer named Veysel Özakıncı who was apprehended just after the event, stated that he had killed Ercan Gürel due to a disagreement over land. Ercan Gürel had been wounded by being beaten with an iron stick to his head by an unidentified person on 17 January 1993.

#### **05)- Rıza Güneşer**

Rıza Güneşer, owner of the monthly journal "Halkın Gücü", was killed by unidentified persons in a gun attack at noon hours on 14 July in Parseller quarter of İkitelli region of İstanbul. The armed attack on Rıza Güneşer was reportedly carried out in connection with the "organizational divergence within 'Devrimci Sol' organization". The attack is stated to have been carried out by the circle known as "Bedri Yağan group".

#### **06)- Ferhat Tepe (21)**

Ferhat Tepe, one of the correspondents for the newspaper "Özgür Gündem" in Bitlis, was kidnapped by unidentified persons on 28 July night. Witnesses said that they saw a tall, bearded 25-30 year old person with a wireless, made Ferhat Tepe get in a car at about 7pm on the day of the incident. An unidentified person who called the family of Ferhat Tepe on the morning of 29 July, indicated that he was calling "on behalf of the Turkish-Ottoman Revenge Union" and stated that Ferhat Tepe was in their hands. He then demanded the activities of the Democracy Party in Bitlis be stopped, along with a ransom of TL 4 billion to be paid and some tourists which were captured by the PKK be released. Ferhat Tepe who was the son of the DEP Bitlis Provincial Chairman, İshak Tepe, and had been frequently received death threats, was found dead on 3 August near Hazar Lake in Sivrice district of Elazığ. First Ferhat Tepe was buried in Elazığ because his identity could not be revealed. The grave of Ferhat Tepe was opened later upon the pressure of his family, and the corpse was taken to the morgue once again. The corpse of Ferhat Tepe was delivered to his family, and it was determined that "there were purple bruises on his neck and traces of blows to his body." The İHD Chairman Akın Birdal who made a statement after Ferhat Tepe was found dead, indicated that the murder was committed under the information and supervision of the state authorities, and said that: "The person who is primarily responsible for the murder of Ferhat Tepe is the Minister of Interior. Although we warned the Minister several times, all initiatives made with the aim of finding Ferhat Tepe alive remained fruitless". He was laid to rest on 10 August in Bitlis after a funeral ceremony in which about 2000 people participated.

#### **07)- Muzaffer Akkuş (34)**

Muzaffer Akkuş (34), one of the Bingöl correspondents for the newspaper Milliyet, was executed by shooting by a group of PKK militants blocking the road in the vicinity of Bingöl on the morning of 20 September. One of the militants was killed during the clash between the PKK militants and the security officers, who were transferred to the region following the incident, at about 8.30am. Along side with his position as a journalist, Muzaffer Akkuş was reportedly a subcontractor, and had undertaken the construction of some of the Gendarmerie Stations in the region.

## **Missing journalists**

İhsan Uygur, one of the correspondents for Kartal office of the newspaper "Sabah", and Yüksel Alptekin, one of the drivers for the same newspaper, disappeared in July. According to the statement made by the newspaper, İhsan Uygur and Yüksel Alptekin, who left the office on 6 July at about 1.30am in order to follow up a fire which started in the region, did not return to the office. The police were then notified and after some investigation the car in which İhsan Uygur and Yüksel Alptekin got, was found burnt out in the forest near Ballica village. Mean-while, an unidentified person who called the newspaper Sabah claimed that İhsan Uygur and Yüksel Alptekin were "kidnapped and killed by the Hizbollah organization." No information could be received from İhsan Uygur and Yüksel Alptekin by the end of the year. A reward of TL 200 million which was put up by the newspaper Sabah in order to learn the fates of İhsan Uğur and Yüksel Alptekin, came to no avail.

Aysel Malkaç, one of the correspondents working at the İstanbul office of the newspaper "Özgür Gündem", disappeared on 7 August morning. It was claimed that Aysel Malkaç who disappeared after she left the newspaper headquarters in Kumkapı in connection with a news, was detained by the police, but this claim was not accepted by the police authorities. A delegation, including Mahmut Tali Öngören, the Secretary General of the HRFT, met with the Interior Minister Mehmet Gazioğlu on 11 August, and demanded necessary measures to be taken in order to find Aysel Malkaç alive. A number of persons and organizations continued their attempts during the year in the hope of finding Aysel Malkaç alive. In the meantime, members of the newspaper Özgür Gündem started an alternate hunger strike at the İHD İstanbul Branch on 23 August. The strike ended on 21 September. No result could be drawn from all those attempts, but Aysel Malkaç's whereabouts could not be unearthed by the end of the year. Upon this, the newspaper authorities decided to appeal to the European Commission on Human Rights as regards the case of Aysel Malkaç.

## **Newspaper vendors killed or wounded**

Attacks against the press were not restricted to the journalists. Persons who sold or distributed newspapers in the Emergency State Region, were also victims of armed or bomb attacks. As a result of these attacks, **11** newspaper vendors or distributors were killed by unidentified persons. 7 of the 11 newspaper vendors were killed as they sold the newspaper Özgür Gündem. These attacks affected the newspaper sales negatively.

### **01)- Orhan Karaağar**

A peddler named Orhan Karaağar who distributed some newspapers, especially Özgür Gündem, in Van, was stabbed and killed by unknown persons while going to his house on the evening of 19 January. Orhan Karaağar was reportedly threatened with his life, just before the attack, if he did not give up distributing newspapers and journals. He had also been detained, kept under custody for two hours and beaten by the police who raided Van office of the Özgür Gündem on 8 January.

### **02)- Haşim Yaşa (34)**

Haşim Yaşa (34) who was a newspaper vendor in Ofis quarter of Diyarbakır, was shot in his head, and killed by unidentified persons at about 7.30am on 14 June. Haşim Yaşa who had often received death threats before, was buried on the same day following a funeral ceremony in which many people attended. Haşim Yaşa's nephew and partner Eşref Yaşa was also severely wounded in the shooting by unidentified persons on 15 January. At the hospital he was taken to after the incident, Eşref Yaşa said that he "was expecting such an attack, and as he de-fended

himself against the assailants, he was rescued from the incident by having been wounded." The newspaper kiosk which was commonly run by Haşim Yaşa and Eşref Yaşa, had been burnt by unidentified persons in 1992. Yalçın Yaşa, nephew of Haşim Yaşa, was also killed in the attack by unknown persons in Ofis quarter of Diyarbakır on 10 October morning. During the incident, Yahya Yaşa (14), the brother of Yalçın Yaşa, was severely wounded.

### **03)- Yusuf Karaüzüm (27)**

Three unidentified perpetrators opened fire on a group of five persons who were walking on the road in Mescit Quarter of Silvan in Diyarbakır on the night of 26 August. Vahit Demir (30) and Yusuf Karaüzüm were killed and three persons named Hamit Balcı, Kadir Alır and Turan Doğan were wounded in the incident. Among the killed, was Yusuf Karaüzüm who had undertaken the distribution of the newspaper Özgür Gündem in Silvan.

### **04)- Zülküf Akkaya (34)**

Zülküf Akkaya (34), a newspaper vendor in Yoğurt Pazarı quarter of Diyarbakır, was killed in an armed attack at about 11.00am on 28 September. Following the incident, three unidentified persons who fired at Zülküf Akkaya escaped. Zülküf Akkaya had reportedly been threatened for a long period of time not to sell the newspaper Özgür Gündem. Upon the killing of Zülküf Akkaya, the newspaper kiosks were not opened for a while in Diyarbakır.

### **05)- Adil Başkan (28)**

A tradesman named Adil Başkan, who was working as a newspaper vendor in Nusaybin district of Mardin, was killed in an armed attack while going to his office on the morning of 9 October. Adil Başkan, who was the only newspaper distributor in Nusaybin, was reported to have been "threatened not to sell the newspaper Özgür Gündem" for a long period of time.

### **06)- Kadir İpeksümer**

Kadir İpeksümer, who was a newspaper vendor in the city center of Urfa, suffered severe wounding to the head and chest in an attack by Hizbollah supporters using meat cleavers at the beginning of December. Kadir İpeksümer was taken under treatment at hospital, but died on the morning of 19 December. The assailants who killed Kadir İpeksümer, could not be identified.

### **07)- Adnan Işık (30)**

Adnan Işık (30), one of the distributors of the newspaper Özgür Gündem in Van, was severely wounded after being shot in his head in an armed attack in Hafızıye quarter on the night of 27 December. Adnan Işık lost his life at the hospital he was taken to, at the same night. Adnan Işık, who was shot 20 meters away from his house, had frequently received death threats. The eyewitnesses claimed that the offenders who had killed Adnan Işık had escaped in two vehicles both of which belonged to the Van Security Directorate.

### **08)- Musa Dürü**

### **09)- Yahya Çilligöz**

Two tradesmen named Musa Dürü and Yahya Çilligöz, who were working as newspaper vendors in Batman, were killed in two separate armed attacks with an interval of 15 minutes of each other on the morning of 3 December. However, no one claimed responsibility. Upon the killings of Musa Dürü and Yahya Çilligöz, the newspaper kiosks were not opened for a while in Batman.

### 10)- Mehmet Sencer (41)

A tradesman of Arab origin named Mehmet Sencer was killed in an armed attack Şehitlik quarter of Diyarbakır on 4 December. Mehmet Sencer was selling the newspapers in his shop in Şehitlik quarter of Diyarbakır, and had been frequently threatened to be killed for selling Özgür Gündem.

### 11)- Zuhat Tepe (27)

Zuhat Tepe (27), one of the distributors of the newspaper Özgür Gündem in İskenderun, was found dead about 50 meters from his house on the morning of 14 December. It was found that Zuhat Tepe had had his throat cut. The authorities of the newspaper stated that Zuhat Tepe had, for sometime, been threatened with his life by unknown persons, in order to "dissuade him from distributing the newspaper".

In 1993 more than 50 non-fatal attacks were recorded against persons distributing or selling Özgür Gündem or against their property, with most of the attacks taking place in Diyarbakır. Some of those persons were wounded, some were beaten and sometimes their money was seized by force as a result of these attacks. Below are some of the names of those who were wounded in attacks:

<u>Name and Surname</u>	<u>Date</u>	<u>Place</u>	<u>Attack</u>
01)- Ali İhsan Kaya (19)	05 January 1993	Diyarbakır	Stabbing
02)- Enver Yakut (15)	05 January 1993	Diyarbakır	Beating
03)- Hamit Yakut (13)	05 January 1993	Diyarbakır	Beating
04)- Eşref Yaşa	15 January 1993	Diyarbakır	Armed attack
05)- H.Y. (16)	14 February 1993	Diyarbakır	Beating
06)- Mehmet Balamir (19)	28 September 1993	Diyarbakır	Cleaver attack
07)- Abdülkadir Altan (16)	29 September 1993	Diyarbakır	Cleaver attack
08)- Recep Demirtaş (16)	09 October 1993	Diyarbakır	Cleaver attack
09)- Orhan Okçu (11)	09 October 1993	Diyarbakır	Beating
10)- Aziz Karadeniz (15)	13 October 1993	Diyarbakır	Cleaver attack
11)- Rıfat Uçar (13)	13 October 1993	Diyarbakır	Beating
12)- Hüseyin Taş	18 October 1993	Antalya	Stabbing
13)- R.Ş. (16)	26 November 1993	Diyarbakır	Beating
14)- Eyüp Avcı	02 December 1993	Van	Beating
15)- Y.T. (14)	02 December 1993	Diyarbakır	Beating
16)- D.B. (12)	03 December 1993	Diyarbakır	Cleaver attack
17)- N.Y. (13)	03 December 1993	Diyarbakır	Cleaver attack
18)- A.A. (13)	31 December 1993	Diyarbakır	Beating

### b) Attacks, pressure on the press and journalists

In 1993, press organs, press associations, journalists and writers have frequently been subjected to attacks carried out by the police or different circles. Özgür Gündem and Aydınlik newspapers gained a particular importance in terms of the intensive attacks they have been subjected to. In addition, the journals or newspapers which have a publication policy contrary to the traditional policies, or defend radical ideas, also sustained heavy pressure and attacks. The weeklies like Azadi, Mücadele and Gerçek, the reviews like Emegün Bayrağı, Özgür Gelecek and Newroz, the monthly Taraf of radical Islamic opinion, and some other publications following the same line faced severe oppression and persecution.

**Özgür Gündem:** The newspaper receiving the most oppressive and intensive attacks was Özgür Gündem, with an extensive publication policy towards the Kurdish problem. Özgür Gündem had also been subject to heavy pressure and attacks, and four of its writers (Hafız Akdemir, Yahya Orhan, Hüseyin Deniz and Musa Anter) and three distributors (Halil Adanır, Kemal Ekinci and Lokman Gündüz) had been killed, one personnel member (Burhan Karadeniz) had been paralyzed after an attack, 28 of its personnel had been detained or arrested and a total of 46 trials had been launched against the newspaper in 1992.

The newspaper Özgür Gündem, the first issue of which was published on 30 May 1992, ceased publication as of 15 January, due to a financial bottleneck as a result of pressure and obstructions. In a statement, the newspaper's owner Yaşar Kaya said: "The company which had undertaken distribution of our newspaper in Diyarbakır, Urfa, Mardin, Elazığ and Van, renounced the distribution. We tried to distribute the newspaper by our own means. The past months have passed in such a way. Our correspondents, volunteers and loyal persons who distributed the newspaper have all been subject to armed attacks. All of these were part of the annihilation policy being implemented on us. Today, our daily loss is TL 30 million, because of attacks and obstructions. In that situation it is impossible to continue publishing". He added that the bottleneck would be overcome in a short time and they would recommence publication.

Özgür Gündem was re-published as of 26 April 1993. The newspaper and its personnel faced more extensive oppression and a campaign of attacks during its new publication period, when compared to the year 1992. **2** personnel of the newspaper Özgür Gündem (Kemal Kılıç and Ferhat Tepe) and **7** distributors (Orhan Karaağar, Haşim Yaşa, Zülküf Akkaya, Adil Başkan, Adnan Işık, Mehmet Sencer and Zuhat Tepe) were killed, **one** of its personnel (Aysel Malkaç) disappeared, about **200** of its personnel were detained, **28** of its personnel were arrested. **146** out of 210 issues of Özgür Gündem, published in the period between 26 April 1993 and 23 November 1993, were confiscated. An important part of the confiscation decisions, most of which were issued by İstanbul SSC, were ordered in accordance with Articles 6 and 8 of the "Law to Fight Terrorism". **119** trials were launched because of various news and articles published in the newspaper during the same period. Sentences which were demanded in those trials, exceeded a total of **500 years** in prison. The chief editor of the newspaper named Şeyh Davut Karadağ, Gülay Çelik, Bülent Balta, Özgür Aslan and Erkan Aydın were arrested. Out of the 217 official complaints filed by the Office of the General Staff, 112 were against the newspaper Özgür Gündem. In the majority of the trials launched against the newspaper Özgür Gündem, closure decisions were demanded. Closure decisions of **4** months in total were ordered at the end of 5 trials (The closure decisions become effective when the Supreme Court approves them). As a result of the cases concluded in 1993, total of imprisonment sentences passed on the workers of Özgür Gündem exceeded **14 years** and total of fines reached **TL 2,732 million**. Some news and articles which were not regarded as criminal when published in other press organs, became grounds for confiscations or trials against the newspaper Özgür Gündem.

In addition, Özgür Gündem was frequently subject to some obstructions for some interesting and superficial reasons during the year. For example, the İstanbul Court of First Instance No.2 decided to stop the publication of the newspaper Özgür Gündem. The decision given on 12 July 1993 was taken on the grounds that "chief editor of the newspaper Davut Karadağ did not communicate his new address to İstanbul Governorate." The court's decision, after the completion of the necessary procedures, was repealed on 14 July. Özgür Gündem, refusing to comply with the decision "to stop the publication" ordered by the court, continued its publication on 13 and 14 July.

An arrest warrant in absentia was issued against Yaşar Kaya, the owner of Özgür Gündem, by the SSC, on the grounds that he did not attend the hearings of a trial against his newspaper. The aforesaid warrant was issued in a hearing of a trial launched in connection with 3 different articles published in Özgür Gündem on 2 June 1993, under "the Law to Fight Terrorism". In the hearing held on 26 August, Davut Karadağ, former chief editor of the newspaper, who was in prison at that time, was also put under arrest in his absence. Describing the sentence as "a scandal of law", Yaşar Kaya said that he could not attend the hearings of the trial which resulted in the issue of an arrest warrant against him, because of his meetings with President Süleyman Demirel and Chairman of the National Assembly, Hüsamettin Cindoruk. Yaşar Kaya said, "There are about 60 trials launched against me. Sometimes, it becomes impossible for me to attend all of these because of the intensity of my routine work. They want to kill me this way."

Those who work for Özgür Gündem were left defenceless against pressure and attacks. Applications by the newspaper personnel for a gun license were always rejected. For example, the Urfa Representative of the newspaper, Kemal Kılıç, who wanted to have a gun license for his own security, was not given this opportunity. Kemal Kılıç who had applied for a license, was killed in an armed attack. Bayram Balcı who became Urfa Representative after the assassination of Kemal Kılıç, could not receive the gun license he demanded either. Urfa Governorate rejected all the applications made by Bayram Çelik to secure that he be "taken under protection and the security of his life be maintained". Bayram Balcı whose applications were also rejected, but who continuously received death threats, met with Urfa Governor Ziyaeddin Akbulut in December, and stated that local administrators of the city would be responsible if he was killed.

The distribution and the selling of the newspaper Özgür Gündem was carried out with great difficulty. Özgür Gündem was not permitted in many public institutions (canteens, ministries, military units, prisons, etc.) where the newspapers were bought or sold collectively. The newspaper came to a point where it could not be distributed or sold, because the orders given by the local security authorities had no legal basis anywhere in Turkey, especially in the Emergency State Region. Those efforts aiming at preventing the sales of Özgür Gündem were also supported by some right wing groups. Those who went to great lengths in order to sell the newspaper in the Emergency State Region, were frequently detained and threatened. In cases when the threats were ineffective, attacks which resulted in deaths or injuries were carried out by Hizbollah supporters or some secret forces.

On 18 August soldiers from Dargeçit Gendarmerie Station burnt 200 copies of the 17 August 1993 edition of Özgür Gündem after apprehending the minibuses distributing the newspaper between Midyat and Dargeçit. A minibus driver who wanted his name not to be revealed, stated that he was threatened by the soldiers saying "if you continue to deliver this newspaper, we will burn you together with your vehicle". Besides this, many of the issues of Özgür Gündem dated 15 August 1993, were seized by the Dargeçit Gendarmerie Command two days before this incident. Gendarmerie Commander Captain Ali Tapan informed the newspaper's authorities who called him in connection with both events, "I confiscated the newspapers dated 15 August, in order to examine them. I couldn't find anything suspicious. So I gave them back. However, the other ones were burnt in mistake. I ordered the confiscation of the prohibited publications. And the soldiers burnt the newspapers." Ali Tapan, in response to the question asking if he was authorized to confiscate newspapers, said that "I'm authorized to do everything. If I want, I won't allow the newspaper to be sold."

Özgür Gündem and its workers faced an intensive attack campaign all over Turkey during December. With an operation, which was carried out in Diyarbakır on 9 December, all of the offices of the newspaper, including its center in İstanbul, were raided and a large number of its workers were detained and interrogated by being tortured. The operation against Özgür Gündem was started and carried out in accordance with the orders of the National Security Council. An unfounded statement of a person who had worked at the newspaper for a while, regarding the newspaper and its workers, was claimed to be the ground for the operation.

The headquarters of Özgür Gündem in İstanbul was raided by a large number of policemen at about 6.00pm on 10 December. Seizing all the materials and documents in the newspaper building, the policemen detained 110 people including some of the executive and editorial members of the newspaper. The detainees were brought to Gayrettepe Political Police Headquarters. Phone lines were broke and the journalists trying to follow the incident were not permitted to enter the building during the search that lasted until the late hours. Because of the raid which was later discovered to be carried out as a directive of the decision taken by İstanbul SSC, the newspaper Özgür Gündem could not be released on 11, 12, and 13 December, but restarted publication beginning on 14 December. It was said in a statement issued in relation with the republication of the newspaper, "The buildings of our newspaper, which was being published within the frame of the law, were raided and the publication of the newspaper was de facto stopped. Our archive was seized. Those who are sharing this blame must know that pressures on us cannot frighten us."

Ninety-two of the detainees were released in groups as of noon hours on 11 December. The remaining 18 persons were kept in detention and interrogated. The names of the 18 persons, most of whom were administrators of the newspaper, are as follows: "Gurbetelli Ersöz (Newscasting manager), Ferda Çetin, Gülten Kışanak (Director of the news center), Ali Rıza Halis, Hüseyin Solgun, Müslüm Yücel, Faysal Dağlı, Mahmut Doğan, Mehtap Gürbüz, Ali Seyhan, Nursel Polat, Yurdusev Özsökmenler, Doğan Güzel, Mücahir Kuas, Mehmet Bala-mir, Şemsettin Ecevit, Ferhat Tugay and Düzgün Deniz".

The headquarters of Özgür Gündem in İstanbul was opened and inspected by the lawyers of the newspaper on 12 December. It was determined, as a result of the inspections that the police raid had caused damage to the building. Making a statement on the same day, İstanbul SSC Prosecution Office stated that the operation had been carried out upon some statements and information received. It was said in the statement that guns, bullets, gas masks and some documents relating to the PKK were found during the search carried out in the newspaper building. Hasip Kaplan, one of the lawyers of the newspaper who later made a statement, confirmed that 2 pistols, 25 gas masks and 2 sleep bags were found during the search. Hasip Kaplan stated that Ali Rıza Halis, the director of the establishment, accepted that the pistols belonged to him and said, "The gas masks were to be sent to the Diyarbakır office which is under the risk of sustaining an attack. The Diyarbakır office of the newspaper is at the ground level. The probability of suffocation in case of sabotage is very high. Press members have unfortunately been confronted with the necessity of wearing gas masks while working." Hasip Kaplan said that the operation launched against the newspaper had no legitimate base.

The headquarters of Özgür Gündem in İstanbul, was searched once more on 14 December, this time by policemen from the Police Financial Department. Police squads that came to the newspaper building at noon hours, seized all the documents related to the financial accounts and the sales of the newspaper. Then, with a decision ordered by İstanbul SSC (on 16 September), the bank account of the newspaper which amounted to nearly DM 140.000, was

frozen by the police. In the meantime, M¼chahir Kuas, the bookkeeping director of the newspaper Özg¼r G¼ndem who was brought to the newspaper along with the policemen, said that the personnel of the newspaper who were held under detention in Gayrettepe Political Police Headquarters were being tortured. The lawyers who went to Gayrettepe Political Police Headquarters upon this news after taking permission from İstanbul SSC Prosecution Office, were not allowed by the police. In addition, the claims that the detained journalists were being tortured were denied by the police.

Gurbetelli Ersöz, Newscasting Manager of the newspaper, and Ali Rıza Halis, Director of the Establishment, who were among the detainees, were arrested on 23 December, while the remaining 16 personnel of the newspaper were released. The detained 18 persons were tortured and ill treated under police custody. Those who were detained were not given medical reports which would document the torture they had been subjected to. Protesting this situation, the personnel of the newspaper applied to the Turkish Medical Association in order that doctor Taner Apaydın, from the Forensic Medicine Office of the İstanbul Department of Justice be punished for giving them reports stating that "no torture or blow traces was seen" without sufficient examination. In the application, it was stated that the detainees had been put in cells for 13 days, the newspaper's executives Gurbetelli Ersöz and Ferda Çetin had been tortured, and the other people had been beaten everyday. In a statement they made, Nursel Polat and Mehtap G¼rb¼z also said that they had been tortured, insulted and threatened during the interrogation in an attempt to force them not to work for the Özg¼r G¼ndem.

Attacks on the newspaper were not limited to the incidents in İstanbul, but extended to all over Turkey. The Diyarbakır office of the newspaper was raided by the police on the night of 9 December. Some documents and publications in the office were seized, and 4 persons, 3 of whom being correspondents for the newspaper, were detained as a result of the raid. It was reported that 2 unlicensed pistols were found. Authorities from the newspaper confirmed the existence of the pistols without license and said, "We may always face the risk of sustaining an armed attack. For this reason, we applied to the official institutions a number of times in order to receive license. However, we could not reach an answer. We had no other means of securing our life but having a weapon." Besides, Diyarbakır office of the newspaper was once again raided on 13 December.

Hasan Özg¼n, Diyarbakır representative of the newspaper Özg¼r G¼ndem who had been detained following the raid carried out against Diyarbakır Office of the newspaper on 9 December by the police, was arrested on 20 December. Necmiye Aslanođlu, Botan Önen and Nuran Tekdađ were released. Necmiye Aslanođlu said that they had been tortured throughout their detention period. In the meantime, a trial was launched against Hasan Özg¼n who was arrested, on allegations of "being a member of the outlawed organization and disseminating separatist propoganda by publication."

Thirty-six persons, including Sezai Karakoç, İzmir representative of the newspaper Özg¼r G¼ndem, Rıza Zıngal, the news director, and Namık Alkan, Leyla Akg¼l and Emin Ünay from the staff of the newspaper, were detained during the raid carried out at İzmir office on 11 December. Among the detainees, Rıza Zıngal, Serdar Karakoç and Şenol Karaaslan were arrested on 14 December, while the others were released. Out of those released, Namık Alkan, Emin Ünay and Ođuzhan Öđr¼k were detained once more on 21 December, upon the demand of the İzmir SSC and were arrested on 24 December. Thus, the number of journalists arrested in connection with the raid carried out on the İzmir Office of the newspaper Özg¼r G¼ndem increased to 6, together with the aforesaid 3 persons. A trial was launched against the 6

journalists who were arrested on allegations that "they aided thePKK and harboured its members and disseminated PKK propaganda".

Adana, Mersin, Elazığ, Batman, Mardin and Van offices of the newspaper Özgür Gündem were raided by the police on 11 December. Five persons were detained in Elazığ, 4 in Adana including Hacı Çetinkaya, Adana representative of the newspaper, and one each in Van, Batman and Mersin, as a result of the raids during which a number of publications and material were seized. Nobody was detained during the raid carried out against the Mardin Office since there was nobody in the office. However, Rezzan Güneş, one of the personnel of the Mardin Office, was later detained by the policemen after raiding her house. Menaf Avcı, Cen-giz Taş and Bülent Güneş, from the personnel of the Elazığ Office, who all had been detained following the raids carried out against the Özgür Gündem offices, were arrested, while Yalçın Sevinç was released. After having been released, Yalçın Sevinç said that he and his friends had been tortured systematically during the first six days of their detention period, and that they had had to sign unfounded statements as a result of torture. Besides, İsmail Güneş who was detained after the raid carried out in Ağrı, was arrested on 25 December and sent to prison.

Hacı Çetinkaya, Adana representative of Özgür Gündem, and Mehmet Özen, Beyhan Günyeli and Gürsel Şahin, correspondents for the same newspaper, who were all detained after the Adana Office of the Özgür Gündem was raided on 11 December by the police, were released on 17 December. The released journalists stated that they had been tortured during their 7-day period of detention. The investigation launched by Malatya SSC Public Prosecution Office against Hacı Çetinkaya and his three friends, resulted in the decision not to prosecute. In the meantime, Nurdoğan Aydoğan, Ebru Yektaş, Şerif Kaplan and Kemal Avcı, from the personnel of the Ankara Office of Özgür Gündem, were detained following the raids carried out by the police on their houses on evening of 28 December. They were released on 30 December. The grounds on which 4 personnel, 2 of whom are correspondents, were detained could not be clarified.

Some other information about the pressures, attacks, bans or other similar practices on the newspaper Özgür Gündem and its personnel, are as follows:

The Van Office of the newspaper Özgür Gündem was raided and searched by the police on 8 January. After the search, distributor Orhan Karaağar (murdered by unknown persons on 19 January) was detained in connection with certain confiscated newspapers and journals found in the office. In the meantime, some newspapers and journals were seized.

Salih Tekin, Diyarbakır correspondent for the newspaper was detained by police on 13 February in Derik. Having been interrogated at Denizsuyu Gendarmerie Station, Salih Tekin was released on 18 February. He was detained on 19 August in Cizre once more, and later arrested. A trial was launched against him on allegations that "he aided the PKK and harboured its militants", but he was released following the hearing held on 18 December. However, while he was under arrest, his house in Cizre was raided by the police on 24 October. Some of the furniture in the house was destroyed and documents relating to his job were seized.

Haydar Geçilmez, one of the correspondents for Özgür Gündem, was detained together with his relatives, by the police who raided his house in the night of 10 March. Those who were detained with Haydar Geçilmez were released 3 hours later after being taken to Diyarbakır Security Directorate. Haydar Geçilmez was kept under detention for a week.

Mehmet Şenol, Diyarbakır Representative of the newspaper, and Raif Türk, Ankara Representative, were detained in Diyarbakır on 12 March. Serdar Uzun, one of the Cizre correspondents for the newspaper, was detained in Cizre on 11 March, while other personnel of the newspaper, Gülten Kışanak, Ali Rıza Halis, Naif Yaşar, Bülent Çiftçi and Hayrettin Çelik were detained on 14 March after a raid on the newspaper's office in Van. All of those detained were released after a short while. During the raid against the Van Office, some archive materials which were in the office, were seized.

The house of Rauf Yıldız, who is Diyarbakır correspondent for the newspaper, was raided by the police on 6 May. After the raid, Özer Yıldız, brother of Rauf Yıldız who was not in the house at that time, was detained and kept in detention for one hour. During the raid, a sound recorder, tapes and photographs belonging to Rauf Yıldız were seized. Tacettin Yıldız, Diyarbakır correspondent for the newspaper, was detained by the police on 7 May. Beşir Ant, Cizre representative for the newspaper, was detained by special team members on the morning of 13 May. Ekrem Aksel, Dicle (Diyarbakır) correspondent for the newspaper, was detained by the police who raided his shop. Mahmut Doğan and Abdullah Koç, Diyarbakır correspondents for the newspaper, were kept in detention by the police without any reason, in Bingöl to where they had gone for a news story on 3 June.

Ali Çelikten who was distributing the newspaper "Özgür Gündem" to subscribers in Barbaros quarter of Adana, was detained on 19 June. Ali Çelikten who was detained on the grounds that "he forced the tradesmen to close their shops and opposed the police", was arrested on 20 June. He was released after the first hearing held on 13 July.

Serdar Ateş, one of the correspondents for the newspaper who watched the protest meeting organized by the municipality workers on 30 June, was detained by the police. Serdar Ateş, who was released after being kept under police custody for an hour, stated that the police had threatened to kill him.

The Van office of the newspaper, was raided by the police on 2 July. During the raid, certain newspapers found in the office were seized and Yusuf Cacım, Van representative of the newspaper, and correspondent Bülent Çiftçi, were kept under police custody for a while. Bülent Çiftçi was detained by the police once more on 31 July night on allegations that he "aided the PKK and harboured its militants". Bülent Çiftçi, who was released by Van Public Prosecution Office on 2 August, stated that he had been tortured while being interrogated at Van Security Directorate.

Nejat Sunar and Atilla Halil, correspondents for Özgür Gündem, who were following a demonstration which was organized in Sultançiftliği, because of the 9th anniversary of the armed activities started by PKK, were harassed and detained by the police. The two journalists were released after a while.

Bayram Balcı, Urfa representative for Özgür Gündem, and Kemal Avcı and Ercan Aslan, both of whom are correspondents, were detained in Adıyaman on 17 August. The detained journalists had reportedly gone to Adıyaman in connection with a news story. The journalists were released on 19 August.

Elazığ office of the newspaper was destroyed by unidentified persons who entered the office by breaking the windows, on the night of 28 August. Those unidentified persons, who also examined the papers in the office, ran away with TL 800,000 from the cash box. The incident was described as an "ordinary theft" by the police authorities.

Batman Office of the newspaper was bombed by unknown persons at about 12.00pm on 12 September. Nobody was killed or wounded but the office was damaged in the attack. Mehmet Şah Yıldız, one of the Batman correspondents for the newspaper, and Vecdet Birkay, who was a member of the executive personnel, were detained by the policemen coming to the office for a search following the incident. Mehmet Şah Yıldız and Vecdet Birkay who were released on 21 September, stated that they had been tortured under detention.

Aslan Saraç, one of Van correspondents for Özgür Gündem, and his translator, Hasan Yıldız, were detained on their way to an interview with foreign parliamentarians. They were released on 14 September. The grounds for their detention was not explained.

Hüseyin Taş, one of the persons who distributed the newspaper Özgür Gündem in Antalya, explained that he had been detained on 20 September, and had been tortured. Hüseyin Taş said that he had been taken to Meydan Police Station after having been detained, and had been threatened by the police saying "Why are you selling this newspaper? Don't you know that it is prohibited? If we see you selling it again, we will kill you." Hüseyin Taş reported that he had been kept at the station for 2 days, and he had been continuously beaten and insulted during this period of time.

The correspondents for the newspaper Özgür Gündem were not permitted to watch the hearing of the Sivas incident case held in Ankara on 22 September. It was put forward that the police authorities, who did not permit the journalists to watch the hearing, said that "we behaved as such to retaliate against the press ban in the southeast". That prohibition against the correspondents of Özgür Gündem lasted 2 days.

Kültür Bookshop, which was located at Kartal Passage in the city center of Van and frequently warned not to sell the newspaper Özgür Gündem, was burnt by unidentified persons who threw a molotov cocktail on 23 September. Important material damage was caused in the bookshop as well as in other 3 workshops in the passage. Nuri Erdoğan, the owner of the bookshop, was threatened when he resisted the police who came to the shop two days before the incident, to try to seize Özgür Gündem newspapers without showing confiscation orders.

Arslan Ariç, Kütahya correspondent for the newspaper, was threatened to death by unidentified persons in September. In the threat letter sent to Arslan Ariç and signed by "Müslüman Milliyetçi Gençlik (Muslim Nationalist Youth)", it was said: "The dog, communist, Armenian servant, traitor named Arslan Ariç. We know your relations with the PKK. We are warning you. This land which was watered with the blood of the martyrs, has been a grave for many rebel traitors like you. Your activities will cost your death and your immoral wife named Azime." Receiving the letter, Arslan Ariç made an official complaint to the Prosecution Office, and demanded his personal security be maintained, and those who sent him the letter be found.

The windows of the Ağrı office of Özgür Gündem were broken by four unidentified persons. The security forces who came to the scene of incident, stated after a short examination that the attack was carried out by drunks. Not accepting this statement, the newspaper authorities stated that the incident was a planned attack, and made an official complaint to the Public Prosecution Office.

Mihriban Artıklar, Pakize Kızılca and Nevzat Aydın, Tatvan correspondents for the Özgür Gündem, were taken to the Security Directorate by the policemen who came to Tatvan office on the morning of 5 November. The journalists were told, "We are going to the Prosecution Office" and later taken to Tatvan Security Directorate where they were interrogated in

connection with an article published in the newspaper about the "killing of a person named Abdülselem Orak under detention". The journalists were released at noon hours.

İrfan Uçar, a correspondent for Özgür Gündem, who attended the funeral ceremony of Adnan Işık, one of the distributors of Özgür Gündem killed in Van, on 28 November, was detained by the police who raided his house after he returned from the funeral ceremony. İrfan Uçar and the other persons present in the raided house, were taken to the Security Directorate. İrfan Uçar, who was detained while reporting a news related to the funeral ceremony to his newspaper, along with the other persons, were released upon the interference of Van Deputy Remzi Kartal.

Bahattin Özen, Mardin representative for the newspaper Özgür Gündem, and Mahmut Taş, Rezzan Güneş and Akif Şenyiğit, correspondents for the same newspaper, were detained on 27 November in connection with news published in the newspapers dated 25 and 26 November. The news which caused the journalists to be detained, was about "a child named Turgut Berzan Kahraman who was shot in his head to death as a result of fire opened by the police panzer patrolling in Kızıltepe district of Mardin."

**Aydınlık:** A second newspaper facing intensive pressure and attacks during 1993 was Aydınlık, although not to the same extent as Özgür Gündem. The Aydınlık started publication as of 1 May. The newspaper began publishing some extracts from Salman Rushdie's book "Satanic Verses" starting from 26 May. This publication caused pressure and an attack campaign against the newspaper Aydınlık. The publication which continued until 7 June, took reactions from both the public prosecution offices and religious fundamentalists. All issues of the newspaper in which parts from Salman Rushdie's novel "Satanic Verses" (a total of 13 issues) were presented, were confiscated by İstanbul Şişli Court of First Instance No.1 and No.2. The confiscations were ordered under Article 175 of the Turkish Penal Code (TCK) on the allegations that "the newspaper insulted the Islamic religion by publishing extracts from the Satanic Verses". In the meantime, Aydınlık published some parts from the holy book of Muslims, "Koran", instead of parts from Salman Rushdie's novel "Satanic Verses". However, this issue was also confiscated on allegations that "Islamic religion was being insulted". The authorities of the newspaper explained that they had published parts from Koran in order to prove that the confiscation decisions were given without any serious examination and in a prejudiced manner. Then they made an official complaint against the public prosecutor who demanded the confiscation of the newspaper and the judge who had ordered the confiscation.

A trial was launched against Hale Soysü, chief editor of the newspaper "Aydınlık", in connection with parts of Salman Rushdie's novel "The Satanic Verses" published in the newspaper, in June. Hale Soysü was accused of "insulting the Islamic religion" in the indictment prepared by the İstanbul Public Prosecution Office, was demanded to be sentenced to up to 2 years 6 months in prison under Article 175 of the Turkish Penal Code.

The newspaper also received physical attacks in connection with publishing parts of Salman Rushdie's novel "The Satanic Verses". Its distribution in the Emergency State Region was obstructed as a result of the threats by the Islamic organization "Hizbollah" towards the newspaper distributors in the region. Sale and distribution of Aydınlık was hindered either completely or partially for a while in 15 cities, many districts and some quarters in İstanbul as a result of the threats and attacks by the Islamic groups. The vendors who insisted on selling the newspaper, were attacked many times and the distribution of the newspaper was sometimes ceased because of the obstructions of the security forces.

The most organized attack on *Aydınlık* took place in İstanbul on 28 May. A crowded group of Islamic fundamentalists who came out from the Friday prayer, gathered in front of the central building of the newspaper which is in Cağaloğlu quarter, and began to make a demonstration. The demonstrators who threw stones at the building, then entered in the "Kaynak Bookstore" located under the newspaper's office and caused damages. During the attack, two persons working for the bookstore were beaten with iron sticks and injured, and 17 of the Islamic fundamentalists involved in the attack were detained. The trial of those 17 persons was started on 13 July at İstanbul First Instance Court No.13. In the first hearing held, 10 defendants being tried under arrest, were released. In the indictment read in the hearing, sentences of up to 9 years in prison were demanded for the defendants.

İzmir office of *Aydınlık* was attacked on 29 May by an Islamic group which protested the publication of some parts from the book "Satanic Verses". As a result of the attack, damage occurred in the office. The same office was attacked with stones by an Islamic group on 30 May and 10 of the attackers were detained by the police. Meanwhile, during the demonstration made on 29 May in front of the newspaper's office in protest of the attack, 10 persons were detained by the police. Those detainees were released within a short time.

Diyarbakır office of the newspaper was set on fire by unidentified persons in the early morning hours on 1 June. In the fire, furniture in the office was burnt and a vehicle used to distribute the newspaper in Kayseri was also burnt by unknown persons. Furthermore, Emin Akyüz and Süleyman Yörük who were selling the newspaper *Aydınlık* in Niğde were injured as a result of an attack with stones and sticks on 31 May. In addition, on the night of 2 June explosives were thrown into two kiosks in Gebze and Osmaniye, Adana by unidentified persons on the grounds that they sold *Aydınlık*. Distribution of the newspaper in Kırıkkale was hindered for a while arbitrarily by the police on 3 June. İlyas Kaygusuz and Mahzuni Akkuş, 2 personnel of the newspaper, were kept under detention in Ankara on 8 June.

Unidentified persons threw explosive materials into the office of a company which distributes newspapers in Antalya and surrounding districts, at midnight on 25 June. In the fire caused by the explosives, about 1200 newspapers and periodicals in the depot of the company, were damaged. Company authorities stated that they had been warned previously not to sell the newspaper *Aydınlık*.

Attacks and pressure on *Aydınlık* were not carried out only for its publication of the book "Satanic Verses". Many news, articles and interpretations published in the newspaper took reactions in various circles, especially the Office of the General Staff. Much of the news published in the newspaper caused it to be confiscated or many trials to be launched against the editors, correspondents and writers of the newspaper on demands of imprisonment. The Office of the General Staff made official complaints in relation to 6 news items published in the newspaper. Publication of the newspaper in connection with the army and the soldiers caused open reaction from the General Staff.

Most of the advertising posters about the serials in *Aydınlık* prepared to be pasted on bill boards were banned. For instance, the posters advertising the serial about "Prime Minister Tansu Çiller's Land Booty" were banned by the governors of İstanbul, Ankara and Mersin. In the statement by the newspaper, it was said: "The publication policy of *Aydınlık* does not depend on arbitrary decisions of the governors. The policy of banning the commercial advertisements of a newspaper is wholly arbitrary."

In state institutions where newspapers are sold or bought, such as canteens, ministries, military garrisons and prison houses, *Aydınlık* was banned. The correspondents of *Aydınlık* were not allowed to enter many official meetings or activities. Sinan Onuş, a correspondent of the newspaper, was not allowed to watch the trial of Erhan Akyıldız and Ali Tevfik Berberoğlu at the Military Court of the Chief of Staff on 20 December. An officer said that he could not allow entrance to the correspondent due to "a command of the senior officers." And the correspondents of *Aydınlık* were not invited to the trips of the PM. The correspondents were banned to enter the buildings of the General Staff Office and the Ministry of Defence.

Some information regarding the pressure, attacks, hindering and similar practices which the newspaper *Aydınlık* was subjected to in 1993, are as follows:

Üzeyir Atmaç, Rize correspondent for the newspaper *Aydınlık*, was detained by the police without any reason on 30 June. Üzeyir Atmaç was detained while sitting in a coffee house in Rize, and was released after being threatened at Rize Security Directorate.

Ahmet Sümbül, one of the Diyarbakır correspondents for the newspaper, was detained by the police who raided his house in Diyarbakır on the night of 2 July, and arrested on 6 July. Before his detention, Ahmet Sümbül had made an interview for the newspaper with the PKK militants staying in the camps on Cudi Mountains. While Ahmet Sümbül was taken under detention, all the documents relating to the interview were seized by the police.

Metin Demir, *Aydınlık* correspondent for Elazığ, was threatened by a first lieutenant named Serhat and noncommissioned officer Mustafa Özmen from the Çağlayan Gendarmerie Station on 29 July. While Metin Demir was sitting in a coffee house in Çağlayan village of Erzincan, soldiers came and took him to the Station, beating him with their guns on the road. The officers said to him: "If there are any attacks against the Station, you will be responsible. In such a case, we will get you lost in an hour. If you behave yourself with us, nobody can touch you."

Kazım Çağlar, selling the newspaper in Elazığ on the morning of 12 August, was attacked by a group of right wing inclination. They beat him with sticks, causing injuries on his head. He was treated in hospital receiving 16 stitches to his head, and the doctor gave him a report stating that he could not work for 5 days.

Davut İrk, a correspondent of *Aydınlık*, was detained from his home in Ufuktepe quarter in Ankara on the evening of 20 August in regard to the denunciation of a night watchman. When he explained that he was a journalist, the police told him, "we will settle accounts in an other way", and released him. On his way from the police station, some men with walkie-talkies tried to abduct him. When he resisted, they opened fire into the air. Then they beat him with sticks. İrk said that he thought the perpetrators were civilian dressed police officers.

İbrahim Tokgöz and Tolga Gürocak, correspondents of *Aydınlık*, were detained on suspicion by the police in Ümraniye district of İstanbul on 20 August. They were beaten by the police in the station. They explained that they had been detained because of the books and journals they had had in their hands, and when the police learnt that they were journalists, they had been beaten for 15-20 minutes. They were threatened and released later.

Antakya Governorate did not give permission for a concert planned to be organized in Hatay for the purpose of getting financial aid for *Aydınlık*. It was stated that the concert was not given permission on the grounds that "sufficient security measures could not be taken". Singer Ahmet Kaya and a music group from Cuba were to attend the concert.

A vehicle used for distributing the newspaper *Aydınlık* in Antalya was burnt with gasoline poured by 3 persons, 2 of whom were armed, on the grounds that "it was distributing *Aydınlık*", towards morning on 5 September. During the following days, some newspaper vendors in Antalya were threatened on the telephone and warned that if they continued to sell the newspaper *Aydınlık*, they would be killed.

Necati Kızılkaya, Malatya correspondent for the newspaper, was beaten by unidentified persons on 10 September. Necati Kızılkaya who was wounded after being struck on the head with a stick, was treated at hospital.

Zeynel Karak, one of the correspondents for Diyarbakır Office of the newspaper, was detained by the police while he was leaving his house on the morning of 12 October in connection with a pistol he carried for the purpose of defending himself. The policemen who searched Zeynel Karak's house seized a number of books and journals. Yılmaz Odabaşı, Diyarbakır Representative of the newspaper, said: "If we do not have guns, we will be victims of murders by unknown assailants. If we have guns then we will be detained." Zeynel Karak was released by the court on 14 October, to be tried without arrest.

Özkan Güçtekin, Moscow correspondent for the newspaper, was detained at İstanbul Atatürk Airport on 26 October 1993 on his return to Moscow from Turkey where he had come for a vacation. Özkan Güçtekin was reportedly detained in connection with some publications he was carrying. Özkan Güçtekin was released after a short while.

The police seized photographs taken by İmam Hantaş, a correspondent of *Aydınlık*, in a press conference in the İstanbul Political Police Center. The police chief, who seized the photographs, insulted him saying, "You come here with your immorality, never come here again."

Ferhat Bulak, one of the Diyarbakır correspondents for the newspaper, was detained on 12 December by the police. Ferhat Bulak, who was detained in front of the Diyarbakır Office of the newspaper *Özgür Gündem*, was released 10 hours later. In a statement he made following his release, Ferhat Bulak said that he had been tortured under police custody.

Ali Osman İnce and Seyfi Boyraz, Zonguldak correspondents for the newspaper, were held under detention for some time on 14 December. It was discovered that the correspondents had been detained after a complaint was made after a dispute with a vendor who did not actually sell the newspaper *Aydınlık*.

**Other attacks:** According to the determinations of the HRFT, a total of **52** journalists, were insulted or beaten with sticks, curbs or truncheons by public or security officers, when they were on duty, in **33** different incidents (in 1991 a total of 52 journalists in 24 separate events, and in 1992 a total of 56 journalists in 26 events, were attacked). Many journalists were detained or arrested. There were also a number of bomb and armed attacks against journalists and press organizations.

Below are some examples regarding the physical attacks against the press organs, journalists, press organizations and press workers in 1993.

Bahri Kayaoğlu, one of the reporters for the daily "*Meydan*", who was following the inspections of the then President Turgut Özal in İstanbul, was beaten by the guards of Turgut Özal. During the event which arose on 9 January, Torun Dede, one of the reporters for the newspaper "*Milliyet*" and Nadya Gabeoğlu, reporter of the daily "*Günaydın*", were harassed

along with Bahri Kayaoğlu. Bahri Kayaoğlu, who was injured due to beating, had been beaten by the guards of President Özal and thrown into a swimming pool on 17 October 1992.

Ecman Şişman, one of the reporters for the journal "Devrimci Proletarya" (Revolutionary Proletariat), was beaten by three plain clothed police officers who blocked his road while he was taking certain reports to be published in the next issue, to the printing-office on 21 January. The police officers, who beat Ecman Şişman on the coastal road between Sirkeci and Bakırköy, reportedly got out of a vehicle with plate number "34 DT 877". During the event, the window of the car in which Ecman Şişman got into, was broken due to the police kicking.

Kurdish journalist Mahmut Baksi who has lived in Sweden since 1971 and was deprived of Turkish nationality in 1985, was not allowed to leave Turkey. Mahmut Baksi, who came to Turkey last December after a long period, was returned back from Kapıkule Border Gate on 22 January in connection with the trials launched against him. Mahmut Baksi who was granted to Swedish citizenship in 1982, said: "I am accused of committing a crime against the Turkish Republic and being a traitor. I am called to Diyarbakır to be tried. As is known there is emergency state law there. If I go to Diyarbakır, I may disappear". As a result of intensive reactions and interferences, Mahmut Baksi was allowed to go abroad in the beginning of February.

When the political prisoners in İstanbul Bayrampaşa Prison were not allowed to meet their families, a group of prisoners' relatives gathered in front of the prison and made a demonstration to protest the application. The demonstration, which took place on 11 February, was prevented by the police. Toygun Atilla, one of the correspondents for the newspaper Hürriyet, who was trying to take photographs during the event, was harassed upon directives of Bayrampaşa Security Chief Naci Ekinci. A walkie-talkie and camera belonging to Toygun Atilla, who was forced into a police car under harassment, was kept by the police for a while. His wireless was given back within a short time, but his camera was returned when İstanbul Security Director Necdet Menzir interfered after the film rolls in the camera were destroyed.

Levent Tunçsiper, District Governor of the Hisarcık district (Çanakkale), had the police bring a journalist named Celalettin Abdülkerimoğlu to his office by force for writing something sarcastic about him. There he was harassed and had a newspaper forced into his mouth. Celalettin Abdülkerimoğlu said the following about the incident which took place in February: "Mr. District Governor assaulted me by saying 'How can you write about me? I will make you eat this newspaper', at his office. Then he tried to put the newspaper in his hand into my mouth. I resisted, and I pushed him. We struggled for some time. At the same time, I was shouting 'Help me friends! District Governor has gone mad!'" After the incident, Levent Tunçsiper was ousted from office.

About 150 people who wanted to demonstrate for 8 March International Women's Day in Zafer Square of Ankara at noon hours on 8 March, were dispersed by the police. While the crowd was being dispersed, Hürriyet reporters Selçuk Şenyüz and Mehmet Oğuz Şenol who were following the event, were also beaten by the police. Furthermore, film rolls of the journalists, were seized.

Van office of the weekly newspaper "Azadi" was raided and searched by the police on 9 March. After the search, Hakan Kartal, one of the correspondents for the weekly, and 2 guests named Selçuk Matban and Seyfettin Kızılyıldız who were in the office, were detained. The detained correspondent who was arrested by court order on 10 March, was released on 17 March upon the acceptance of the objection raised by his lawyers. The Malatya office of the weekly

newspaper Azadi was also raided and searched on 18 March. After the search, some publications and documents which were in the office, were seized.

Işık Yurtçu (one of the chief editors of Özgür Gündem), who was the chief editor of the newspaper Güneş that ended publication in 1992, was detained on the morning of 15 March, "because a fine given to the newspaper was not paid". Işık Yurtçu was released in the evening hours when some amount of the fine was paid.

Hayrettin Değirmenci, editor of the local newspaper "Hedef Ankara" (Target Ankara) published in Sincan district of Ankara, was shot in his leg and wounded by an unidentified person. In a statement he made following the incident, Hayrettin Değirmenci said the following: "At the bottom of this incident is the Sincan Mayor Aziz Gürsoy. I have been writing about the corruption in the municipality for days. For this reason, I was beaten by Aziz Gürsoy's men some times ago; and an administrator in the municipality warned me to cease writing about such allegations of corruption."

Three persons named Ahmet Cumhuri Karaoğlu, Emin Canga and Adnan Morbulut opened fire on the car of Mustafa Göztaş, the owner of the local newspaper "Son Havadis" (Last News), on 15 March. The assailants, who reportedly "fired at the car" because of some news published in the newspaper, ran away after the incident.

A book fair in Afyon in which religious and right-wing books were sold, was raided and searched by the political police at noon hours on 17 March. In consequence of the search, books entitled "Çilenin Böylesi", "Yürüyenler ve Sürünenler" and "Huzur Sokağı" written by Hüseyin Üzmez, Sadık Albayrak and Şule Yüksel respectively, were seized. The seized books were reportedly freely sold in the market, and there were no confiscation orders issued against them.

Sinan Erdöl and Arif Yaşa, Edirne correspondents for the journal Emeğin Bayrağı, were detained in Edirne on 18 March, while Metin Arkan, Bursa correspondent, was detained in Bursa on 18 March, Malatya Representative Hüsniye Mitli was detained in Malatya on 20 March, and Adana Representative Hatice Güden was detained in Adana on 21 March. Malatya office of the journal was raided by the police twice on 25 and 26 February.

The journalists who were following a demonstration held for the Newroz feast on 21 March in Cudi quarter of Cizre, were opened fire at by the special team members. The journalists who were following the demonstration on the roof of a building, saved themselves as they were able to find time to lay on the floor when the shooting began. The attempted shooting of the journalists was recorded by a cameraman of a private TV channel and was broadcast on TV on 22 March evening.

Fikret Eğilli and Sakine Fidan, correspondents for the weekly Mücadele, who were following the Newroz celebrations held on 21 March in Şehitlik quarter of Diyarbakır, and a youth named Nabil Erdem, who was with the journalists, were detained by the police. The detained 3 persons were released in the evening hours after the films in their cameras were seized. On the same day, Halil Işık and Mehmet Çiftçi, correspondents for the newspaper Yeni Ülke, who were following the incidents which took place during the Newroz celebrations in Gülbahçesi quarter of Adana, were beaten by the police. The films in the cameras of the beaten journalists were also seized.

Entering the Diyarbakır office of the journal Newroz secretly on the night of 28 March, unidentified persons destroyed the documents and furniture in the office. The journal's editors, who regarded the police as responsible for the incident, stated that the persons who had entered

the office stole TL 650,000 in cash and many documents, and caused great damage to the archive of the journal.

Nalan Alıcı and Veysi Kaya, Diyarbakır correspondents for the newspaper Yeni Ülke, were detained by soldiers in Kulp where they went for a news. Nalan Alıcı and Veysi Kaya were interrogated at the Gendarmerie Station, and released on 1 April.

Ankara Office of the journal "Tavır" was raided by the police on 19 April and about 80 people in the office, were detained after some harassment. Some of those 80 people who were taken to Ankara Political Police Center after being detained, were tortured. 18 of the detainees were arrested on 3 May.

Musa Ağacık, one of the correspondents for Milliyet, who wanted to film the pictures of a clash that arose between the police and a group of people who wanted to march after the meeting organized by Türk-İş in Çağlayan, İstanbul, was beaten by the police. Slightly wounded after being beaten, the film rolls of Musa Ağacık were also seized.

Ümran Aras, Mehmet Beytül and Ahmet Uçar, correspondents for the newspapers "Meydan", "Türkiye" and "Sabah" respectively, who were filming pictures of the event which arose during the funeral ceremony in Maltepe, İstanbul organized for Şengül Yıldırım who died in a house raid carried out on 30 April in Bahariye, İstanbul, were harassed by the police. Furthermore, Mustafa Çetinkaya, correspondent for "Aydınlık" was detained after the ceremony on the grounds that he took photographs of the police. The police officers, who also beat Mustafa Çetinkaya, seized his film rolls.

Mehmet Sıldır, a correspondent for Hürriyet, was beaten by a group of robbers whose pictures he took, in the İstanbul Court of Justice. The doctor gave him a report indicating that he could not work for 5 days. He said that he had been beaten inside the court, and that the police watching the event had not interfere.

Mehmet Oğuz, a photo-correspondent for Hürriyet, was beaten by the police, while watching a demonstration by a group protesting the traffic accidents. His leg was broken and the Association of Journalists, giving a statement about the incident, said, "it has become a convention of the police to beat the correspondents, especially the photographers. This is a shame for democracy, and it goes on despite all the promises and apologies by the authorities that this will not occur again."

Salih Tekin and Cengiz Argüç, correspondents for Özgür Gündem and the journal Gerçek respectively, who went to the region for the funeral of 13 PKK militants killed in a clash around Kulp district of Diyarbakır, were kept in detention for 24 hours in Kulp Security Directorate. After being beaten and threatened with death under detention, the two journalists were claimed to have "opened the graves of the dead PKK militants". Nasır Gül and Özer Yıldız, Diyarbakır correspondents for the weekly journal Gerçek, were detained at Diyarbakır SSC where they went on duty on 20 May, and kept under police custody for a while.

Two photo-correspondents who wanted to photograph the police dispersion of high school students demonstrating in front of the National Education Directorate in Çağaloğlu, İstanbul, were attacked by the police. The film rolls of the beaten journalists were also seized.

Şükrü Aslan, Edirne Regional Director of the newspaper Zaman, was beaten by a security director named Faruk Yücel on 23 May. Şükrü Aslan was given a medical report certifying his "inability to work for 5 days". Şükrü Aslan made an official complaint with the public

prosecution office, later on. The incident had reportedly taken place because in an accident "Şükrü Aslan crashed into the private car belonging to Faruk Yücel."

Yılmaz Güven and Şükran Özçakmak, correspondents for Sabah, were beaten at the Bayrampaşa Prison where they went to follow a news story, by the Second Director of the Prison, Yılmaz Barut, and a group of guardians on 9 June. The cameras of the beaten journalists were seized for a while.

The demonstration made by the civil servants working in the tax office of Kartal, İstanbul, demanding a kindergarden, was dispersed by the police using force. The police also beat some of the correspondents watching the event. In the event, 20 people including the correspondents of Sabah and Meydan were injured.

Güneş Bookstore in Konya usually selling left-wing books, was burnt after its window was broken by unidentified persons on the night of 16 June. Because of the fire, a number of books and publications in the bookstore were damaged. After being repaired, the bookstore was re-opened in the beginning of July.

Central office of the monthly journal "Devrimci Çözüm" (Revolutionary Solution) in İstanbul was raided by 5 armed persons and fired on with guns on 21 June. As a result of the raid, Özgür Akbulut (one of his eyes became blind), Nurcan Güzel (chief editor), Gülay Kahraman, Cafer Givilli and Erkan Yalçın received bullet wounds, while Önder Dursun and Yusuf Büyükdag were wounded by broken glass. After the raid, 14 persons including Önder Dursun and Yusuf Büyükdag, who were wounded in the event, were detained by the police. The reason for the attack on the journal's office was said to be the organizational dissent within the "Devrimci Sol" organization. Meanwhile, the headquarters of the journal "Mücadele" in İstanbul was raided by the police just after the event and 42 persons were detained. These persons were kept under detention for 15 days and tortured, and a trial in accordance with Article 7 of the "Law to Fight Terrorism" was launched by İstanbul SSC against 15 of them.

Mustafa Şahin, a journalist from Vezirköprü district of Samsun, was taken to the police station under harassment by a group of police officers in front of the District Governor Emin Avcı on 22 June. Mustafa Şahin who got a medical report certifying "inability to work for 4 days" after the incident, made an official complaint to the Public Prosecution Office. Mustafa Şahin asserted that he was attacked because he had revealed the sexual abuses and attacks against children in the Vezirköprü Primary Education Regional School. Mustafa Şahin was also attacked and beaten by 4 persons in front of his house on 8 August.

Erdal Biber, Malatya correspondent for the journal Emeğin Bayrağı, was beaten by plain clothed police officers in Sivas where he went to follow the bloody incidents that took place on 2 July. In a statement, Erdal Biber said, "It didn't make any difference when I said to the police officers who beat me that I was a journalist. Besides this, I was harassed and threatened with death. My film rolls were also seized."

Remzi Hayta, Malatya correspondent for Sabah, was beaten by four armed persons in his office in Malatya on 6 June. They took him to the campus of İnönü University. The 4 persons who began to beat Remzi Hayta said, "Be careful with the news you write. If you write everything as news, your destiny will be worse." The perpetrators could not be identified. Remzi Hayta was taken under treatment at the Neurology Service of the Malatya State Hospital for some time.

Urfa office of the weekly newspaper Azadi was set on fire by unidentified persons on the night of 9 July. Unidentified persons who entered the office through the window by breaking the glass, gathered all the furniture and the books in the office and burnt them. İsmail Öztürk, head of Urfa office of Azadi, stated that the event was a plot, and the fire had been set by secret forces. Denying this statement, the police authorities said that the fire had started because of an electrical fault. However, after examinations of a group of experts headed by the Public Prosecutor Üresin Aysan, a minutes were written indicating that "the electricity system of the office was perfect" and that "the fire had started because of sabotage".

A group of about 500 people who wanted to organize a meeting in Mersin İstasyon Square on Saturday in protest of the events in Sivas, was dispersed under police beating. While the group was dispersing, Cumhur Soylar and Ahmet Özdemir, respectively correspondents for Milliyet and local Toros, were injured because of truncheon blows on their heads.

Kutlu Esendemir, a correspondent for weekly magazine Nokta, went to the Vatan Dormitory in Denizli in order to make a news story about religious orders on 16 July. He was beaten by Mustafa Çelebi, the director of the dormitory, there. After managing to escape he made an official complaint to the Public Prosecutor.

Some newspaper correspondents watching the events following the meeting organized by the Workers Party against the decision to close the mines and introduce privatization in Zonguldak on 24 July were beaten by the police. Among them, Nazım Ayaroğlu, a correspondent for Cumhuriyet, suffered injuries to his head. Doctor of forensic medicine gave him a report indicating that he couldn't work for 3 days, and could be treated in 10 days. Ayaroğlu made an official complaint to the Public Prosecution Office.

Aydınlar Printing Office in İstanbul which usually publishes left-wing journals and newspapers, was set on fire by unidentified persons on the night of 28 July. Because of the fire which was caused by sabotage, thousands of publications were destroyed and damage of TL 7 billion occurred. The printing house was reportedly swaddled by "Devrimci Sol" militants following Dursun Karataş who reacted against the publication of the monthly journal "Devrimci Çözüm" printed in that printing house. Aydınlar Printing House had been once again raided and destroyed by "Devrimci Sol" militants following Dursun Karataş on 18 July.

Ramazan İmrağ, Cizre correspondent for Sabah, was detained by the police on 1 August on the grounds that he had possessed a Kurdish music tape which was banned. He was released on 2 August after an interrogation. He had also been detained by special team members, and beaten and injured after the visit of the then President Turgut Özal in August 1992.

Correspondents Savaş Karakum (24) and Zeynep Arıkan Gülbağ (25), working at the headquarters of the journal "Mücadele" in İstanbul, were wounded in an armed attack in Sultanahmet quarter at about 5.30pm on 2 August. During the attack, a woman named Nazmiye Şakir who was passing by the scene, was wounded by a stray bullet. Zeynep Arıkan Gülbağ was also wounded by two bullets to her stomach. The reason for the attack carried out against the journalists was the dissent within the "Devrimci Sol" organization.

A group of journalists and leaders of mass organizations, who attempted to leave a wreath on 11 August in front of the building of Adana Governorate in protest of the killing of Özgür Gündem correspondent Ferhat Tepe, was prevented by the police. The police dispersed the group under duress and detained 10 persons, 7 of whom were journalists. The names of the detainees are as follows: "Hacı Çetinkaya (Adana Representative of Özgür Gündem)

dem), journalists Asiye Sürücü, Halil Işık, Arslan Sarıç, Songül Genç, Bülent Türkmen and Çağatay Yödek and trade union leaders Necati Özel, Kerim Timur and Fatma Reyhan".

A sound bomb was left in the toilet of the club of the South Marmara Branch of Contemporary Journalists Association (ÇGD) in Bursa Kültürpark by unidentified persons on the night of 22 August. In consequence of the explosion of the bomb left in the toilet of the club, a person named Tamer Yüksel was slightly injured and the building was damaged. Adnan Baştopçu who is the chairman of the South Marmara Branch of ÇGD, said "The offender and the aim of the attack is unknown.". However, it was revealed later on that the club had been bombed by the militants of a radical Islamic organization (İBDA-C).

Ufuk Dağbay, one of the correspondents for a local newspaper named "Özgür Karadeniz" (Free Blacksea) published in Trabzon, was beaten and detained in Trabzon on 22 August by the police while he was following a demonstration by the municipality workers demanding their salaries be given. Ufuk Dağbay, who was interrogated on the claim of being "a member of an illegal organization", was released by the court he was taken to on 28 August.

Berkan Aytuk, one of the cameramen of the Inter-Star Television, was attacked and harassed by some members of the Social Democratic Populist Party (SHP) while he was following a closed hall meeting organized by the Party in İzmit on 26 August. Berhan Aytuk, who was also insulted by the aggressors, was punched by Remzi Özkan, one of the leaders of Kocaeli Provincial Organization of the SHP. The Press Council reacted against the incident.

Ragıp Ersoy, a correspondent for Zaman, was beaten and injured by İsmail Hakkı Ulu, the director of the Adıyaman Registry of Births where Ersoy went in connection with a news story. The medical report given to him indicated that he could not work for 10 days. Administrative and judicial investigations were launched against İsmail Hakkı Ulu.

Özkan Köylüoğlu, a correspondent for Mücadele, was detained by the police in İstanbul SSC where he went to watch a trial on 20 September. He was released in the evening on the same day. It was said that he had been detained because he had taken pictures in the court. He explained that he had been tortured in Gayrettepe Political Police Center. The marks of torture on his face and back were certified by a doctor's report. He made an official complaint to the Public Prosecution Office.

Kenan Üzmez, the Director of National Education in Gelibolu, Çanakkale, banned the teachers in the district from bringing newspapers into the schools where they work. In reaction, he said "I banned the teachers from bringing newspapers to read in school since an investigation was initiated last year against a teacher who read newspapers in the class. I warned my friends for this reason. When a teacher brings newspaper to the class, and the students read it, who can like this?" Alaattin Özkurnaz, the chairman of Çanakkale Education and Science Labourers' Trade Union (Eğit Sen), said that they were against this ban on newspapers. He stated: "We cannot assume any democratic character in education in an atmosphere lacking conditions for free thought."

Murat Buldu, a correspondent for a private TV channel, was beaten by Baki Gülbayrak, the director of the İstanbul Tuzla Dockyard, where he went to make a news story about the continuing fire. Murat Buldu whose nose was broken during the event, underwent an operation in the hospital he was taken to.

İkramettin Oğuz, the owner of the newspaper Azadi, was detained by the police who came to the newspaper's central office in İstanbul on 18 October. İkramettin Oğuz who was interrogated at İstanbul Security Directorate for 3 hours, was released at the same night.

Osman Sağırılı, a correspondent for a private TV channel, and Alper Kaplan, his crew, were beaten by the personnel of the Samsun 19 Mayıs University where they went to make a news story about the boycott launched by the students on 26 October. The Press Council, demanded the authorities to initiate juridical investigation against Ali Sefakara, the director of the dormitory, Mehmet Aslan, his assistant, Cihangir Sabah, the director of the dining hall, and ten personnel, who beat the journalists.

Arzu Subaşı, a correspondent for the local newspaper "İnsana Dost" (Humanist) in Düzce, was insulted by Captain Zait Engin, the commander of a gendarmerie garrison, in a meeting which the District Governor and the Security Director also attended on 2 November. Captain Engin said to her: "You are journalists without any personality, morality and good intention." He told her to get out. The newspaper had published a news about illegal activities of a noncommissioned officer in Kaynaşlı town of Düzce a while before. Upon the news in question, the non-commissioned officer was appointed to another center.

Nurgül Balcioğlu, the newscasting manager of a local newspaper named "Sabah" published in Gaziantep, was wounded by an unknown person coming to her house on the night of 10 November. Nurgül Balcioğlu, who was shot by two bullets to her leg, and was treated at hospital for a while, said that the news on the irregularities related to municipalities that took place in the newspaper might have caused the armed attack.

Some unidentified persons opened fire at the bureau of local newspaper "Özgür Karadeniz", published in Trabzon, on 12 November. Nobody was killed or wounded. Only the window was broken. The editors made a statement: "The attacks against our newspaper have been continuing on various dimensions. Up to now, the printing houses that print the newspaper were threatened, our personnel were detained, tortured and arrested. All issues of the newspaper were confiscated."

Şendoğan Yazıcı and Sultan Özer, correspondents for the journal Gerçek, who went to Abidinpaşa High School in Ankara to watch an action by the students on 3 December, were beaten by the police. Issuing a statement about the incident, Mustafa Yalçiner, Ankara representative of the journal Gerçek said, "Our correspondent Sultan Özer was dragged by her hair and kicked by 6 policemen. Şendoğan Yazıcı's camera was broken and her press card was seized."

Cevat Aktaş, Sivas correspondent for the journal Gerçek who sent news relating a meeting which was organized by the students of Cumhuriyet University by fax from the post office to the center of the journal on the night of 24 December, was detained upon the notification of the post officers. He who was interrogated in relation to the news he wrote, was released by the Prosecution Office on the morning of 25 December.

### **PKK's ban on press**

The PKK also joined those who carried out a policy of pressures, bans and obstructions on press, during the last 3 months of the year. The PKK demanded the closure of Diyarbakır offices of some daily newspapers and of the Anatolia Agency, and the resignation of the journalists working there. The relevant decision of the PKK was made known to the newspaper authorities who were brought from Diyarbakır to a PKK camp located on a mountainous area in the vicinity of Silvan, by two PKK militants carrying guns on 16 October. A PKK authority who

announced the decision to the newspaper authorities said: "The bourgeois press and its pen-pushers have almost become the spokesmen of the dirty war the state has waged in Kurdistan. In addition, they have always been indifferent to the pressure on the socialist press, to the killings of the journalists and to the attacks on the distributors. We want a free and objective press. Yet, the existing newspapers have been more royalist than the king, up to now. Misinterpreting the special warfare and the national liberation struggle, and stripping the national liberation struggle from its essence, they have barred the people's freedom of being correctly informed. The decision made includes not only the bourgeois newspapers but *Aydınlık* as well." The same PKK authority added that the journalists had until 19 October to obey the decision, and that those who disobeyed the decision would be punished.

The decisions of the PKK against press almost halted the journalist activities in the Emergency State Region. The Diyarbakır offices of a considerable number of daily newspapers were entirely closed beginning from the morning of 18 October. Obeying the order by the PKK, more than 100 journalists working in the region gave up their duties. Contradicting the decision, Diyarbakır offices of Anatolia News Agency, and of the newspapers *Zaman* and *Türkiye* remained open. The local newspaper "*Söz*" (Expression) of Diyarbakır also continued its publication. Center of the newspaper *Söz* was bombed by PKK militants on 2 January 1994. Besides this, the Journalists Association of Southeast, the center of which is in Diyarbakır, stopped functioning beginning from the morning of 19 October.

In a statement by the PKK it was stated: "The prohibition included all the daily newspapers and news agencies and foreign press, except the daily *Özgür Gündem*". The ban over the foreign press was lifted on 25 October. As a result of the ban decision on the press, journalistic activities in Urfa, Mardin, Batman, Tunceli and Siirt were almost halted. In the meantime, Ferit Demir (23), Tunceli correspondent for *Milliyet*, was kidnaped on 22 October by PKK militants on the grounds that "he disobeyed the order by the PKK stating that he should no more work as a journalist". Ferit Demir was reported to have given up working as a journalist and hence was released on 26 October.

With the decision to ban, the newspaper sales in many settlements in the Emergency State Region almost stopped. Police teams intervened in the situation upon the rejection of the daily newspapers coming to Diyarbakır, Batman, Tunceli and Cizre by the distributors, and began to sell newspapers in front of the police stations. The newspapers the police tried to sell were reportedly not bought by the people with a few exceptions. Besides this, explosives were thrown at a kiosk which continued selling newspapers in Iğdır, on the morning of 26 October.

The PKK's prohibitions against press caused reactions in public. The PKK was reproached by many domestic and foreign press organizations in connection with its decision. In a statement on 21 October, Akin Birdal, Chairman of the İHD, said that closure of the news offices and prevention of the newspaper distribution constituted a serious problem with regard to human rights and freedom of information. Reporting that bars had been put up in the face of the freedom of information by the state's approach that had started from 12 September to now, Akin Birdal said: "The state developed the approach that says 'I am the state, I confiscate any publication, I impose what should be written and what should not. I punish those who opposes me'. It is the state that is primarily responsible for the malfunctioning of the press. In spite of all, we think that the situation, that resulted in the closure of the news offices and that targets journalists' rights to work and people's freedom of information, must come to end. Consensus maintained by journalists on the principles of a free press and their insistence on the matter will both end the situation and make it possible to use the freedom of information."

The PKK leader Abdullah Öcalan blamed the correspondents working in the region for being "personnel of special warfare in the guise of correspondents" in his statement to the BBC Turkish Service on 30 October. Claiming that the press ban was misunderstood, he said: "We don't mean to censor the press. We want them to work objectively. If they work under the command of the special warfare, if they don't inform the people correctly about, say, the massacre in Lice, how can we suppose that this press is simply a press? Isn't it the duty of the press to transmit the reality to the public opinion as it is? We think that this duty has not yet been fulfilled and the public opinion is not informed about the realities of Lice. There are many cases like this. There is no correct information. We can not suppose that such a press is just a press. They are the personnel of the special warfare in the guise of correspondents who try to conceal the reality. We are against such people and decided upon not allowing their offices in Kurdistan."

### **Confiscated publications**

In spite of the many statements made during the last 2-3 years by numerous authorities, particularly by Culture Minister Fikri Sağlar, such as "applications to ban publications were ended", confiscation orders were continued to be issued for books, reviews and similar publications in 1993. A total of **425** newspapers and reviews and **29** books were confiscated during the year. (A total of 121 newspapers and reviews, and 29 books were confiscated in 1991 while a total of 189 newspapers and reviews, and 20 books in 1992). Most of the confiscations were issued under Articles 6 and 8 of the "Law to Fight Terrorism" (\*).

Information about the confiscated publications and sample interesting cases witnessed in 1993 are as follows:

The 1 January 1993 dated issue of the newspaper *Özgür Gündem* was confiscated by İstanbul State Security Court (SSC) in accordance with Article 6 of the "Law to Fight Terrorism". The confiscation was ordered in connection with a press statement made by the PKK printed on the first page of the newspaper. On the other hand, no procedure was initiated against the newspapers *Cumhuriyet* and *Türkiye* which published the same statement.

The 39th issue of the weekly journal "Azadi" released on 8 February 1993 was confiscated by İstanbul SSC under Article 8 of the "Law to Fight Terrorism". The confiscation was ordered on the grounds that certain reports in the weekly had disseminated separatist propaganda. Protesting the decision Sedat Karakaş, the chief editor of the journal, said: "Our friend Zeki Okçuoğlu was not able to write his article this week because of his illness. In the confiscation it is stated that Zeki Okçuoğlu was disseminating separatist propaganda in the article. This shows that SSC prosecutors order confiscation decisions without reading our newspaper and that the judges fulfill their demands immediately".

The 2nd edition of Prof. Dr. İlhan Arsel's book "Aydın ve Aydın" (Intellectual and Intellectual) was confiscated by İstanbul Minor Court No.2. The confiscation was ordered on allegations of insulting Islam and its sacred values through the book". Criticizing the confiscation decision, İlhan Arsel said: "Since the first edition of the book attracted great interest, certain circles were greatly concerned. Thus, its 2nd edition was confiscated". Later, a trial demanding 2 years

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(\*) Various imprisonment sentences and fines are foreseen by Article 6 of the "Law to Fight Terrorism" for the persons who disclose the identities of denouncers or security forces who participated in the operations against illegal organizations, and for the persons who publish leaflets of illegal organizations and praise illegal organizations, and by Article 8 for the ones who make separatist propaganda.

in prison was launched against İlhan Arsel under Article 175 of the Turkish Penal Code. İlhan Arsel started to be tried in July at İstanbul Minor Court No.2. In the trial, Hikmet Ersavaş who is the owner of the publishing house which published the book in question, was also tried.

Ten out of the 22 (3 of which are special) issues of the periodical "Hedef" (Target) released in August 1993 were confiscated. The periodical Hedef had started its publication life in November 1988. Since then, a total of 33 trials were launched in connection with various news and comments in the periodical. Five of the trials resulted in acquittal while a total of 14 years 5 months' imprisonment and a fine of TL 93 million were judged at the end of 9 trials. Eight of the cases were dismissed while no decision could be reached in 11 cases by the end of the year.

İstanbul SSC ordered the confiscation of Ünal Erdem's book "Sınıf Sendikacılığı ile Burjuva Sendikacılık Arasındaki Temel Farklar" (Fundamental Differences Between Class Trade Unionism and Bourgeois Trade Unionism) in August. The confiscation was ordered on charges of "disseminating separatist propaganda" under the "Law to Fight Terrorism". Following the confiscation, a trial was launched against Süleyman Baş, the owner of Varyos Publishing House, demanding an imprisonment sentence of up to 5 years. In the trial, seizure of the machinery and other printing equipment in Gül Offset Printing House which printed the above mentioned book, was ordered.

The leaflets entitled "Call for Peace" prepared by the DEP within the frame of a "Peace Campaign" conducted throughout Turkey, and which started to be distributed to all provinces, were confiscated upon an order by Diyarbakır SSC. In the confiscation issued on 10 August, it was claimed that the leaflet in question incited people to commit crime and that it was in contravention of Article 312/2 of the Turkish Penal Code.

The August issue of the magazine "Media Cat", on advertisement and public relations, was confiscated by Ankara Court of First Instance No.10. The confiscation was ordered under Article 426 of the Turkish Penal Code on the grounds that "there was an obscene photograph in the magazine". The photograph which caused confiscation of the magazine displays an advertisement poster prepared by Benetton and which was banned from publication by most of the European publications.

Thirty-nine out of 50 issues of the review "Özgürlük Dünyası" (World of Freedom), released between 1 September 1988 and September 1993, were confiscated. Nine of the confiscation orders were taken after 12 April 1991 which is the date the "Law to Fight Terrorism" came into force. Ten separate trials were launched against the people responsible for the review in connection with the above stated 9 issues. Five of the trials resulted in acquittal while at the end of one trial Sadık Güleç, chief editor of the review, was sentenced to 6 months in prison and a fine of TL 50 million. The remaining 3 trials were not concluded by the end of 1993.

Ninety-seven of 209 issues (109 of which were special issues) of the periodical "Emeğin Bayrağı" released between March 1988 and October 1993, were confiscated on various claims. In the trial launched in connection with the confiscated issues, the total of the imprisonment terms demanded for the people responsible for the periodical exceeded 500 years.

The 77th issue of the newspaper "Azadi" released on 31 October 1993 was confiscated by İstanbul SSC under the "Law to Fight Terrorism" and Article 311 of the Turkish Penal Code. The confiscation was ordered on allegations that "separatist propaganda was spread and people were incited to commit crimes" through 5 separate writings that took place in newspaper. Tülay Geyik, newscasting manager of the newspaper "Azadi", underlined the fact that the confiscation

had been ordered on 30 October although the mentioned issue was dated "31 October 1993", and said: "The situation puts forward the fact that the decision is not only illegal from the logic of the law and politics, but also illegal from a procedural view".

The book entitled "Kürt Sorunu" (the Kurdish Problem), which had been compiled by the author Oral Çalışlar, was confiscated under Articles 6 and 8 of the "Law to Fight Terrorism" by İstanbul SSC. The confiscated book contains conversations with the PKK leader Abdullah Öcalan and Kemal Burkay, leader of the Kurdistan Socialist Party. The conversations taking place in the aforesaid book had been published in the newspaper Cumhuriyet before but had not been subject to any investigation.

Nineteen out of 29 issues of the monthly journal Newroz released between June 1991 and December 1993 (one of them was an introduction issue while 8 of them were special issues) were confiscated. Within the period indicated above, 32 separate trials were launched in connection with various articles, photographs and news taking place in the monthly. Two of the cases resulted in acquittal while a total of 3 years 10 months in prison and fine of TL 701,662,000 were passed at the end of 5 trials. The remaining 25 trials did not end by the end of the year.

The placard commonly prepared by İzmir Branches of the Human Rights Association and the Contemporary Jurists Association, related to the death penalties, was prohibited by the İzmir Public Prosecution Office. Police officers who went to the İzmir Branch of the İHD following the prohibition order, seized more than one thousand placards. A heading saying "Death Penalty is Murder - Do not share this blame." was written on the prohibited placards.

Ankara SSC ordered the confiscation of 6 books written by İsmail Beşikçi and brought onto the market in December. The names of those 6 books are as follows: "Bilimsel Yöntem, Üniversite Özerkliği and Demokratik Toplum İlkeleri Açısından İsmail Beşikçi Davası 1", (İsmail Beşikçi Case with regard to the Scientific Method, Autonomy of University and Principles of a Democratic Society 1), "Bilimsel Yöntem, Üniversite Özerkliği and Demokratik Toplum İlkeleri Açısından İsmail Beşikçi Davası 2", (İsmail Beşikçi Case with regard to the Scientific Method, Autonomy of University and Principles of a Democratic Society 2), "Bilimsel Yöntem, Üniversite Özerkliği and Demokratik Toplum İlkeleri Açısından İsmail Beşikçi Davası 4", (İsmail Beşikçi Case with regard to the Scientific Method, Autonomy of University and Principles of a Democratic Society 4), "Orgeneral Muğlalı Olayı-33 Kurşun" (Full General Muğlalı Incident-33 Shots), "Bir Aydın, Bir Örgüt ve Kürt Sorunu" (An Intellectual, an Organization and the Kurdish Problem) and "Kürt Toplumunu Üzerine" (On the Kurdish Society). Upon the aforesaid decision, 27 out of 31 (9 of them had been confiscated in 1991) books of İsmail Beşikçi have been confiscated. Eight separate investigations were launched against İsmail Beşikçi in connection with the confiscated 6 books.

The 245th issue of the newspaper Aydınlık dated 30 December 1993 was confiscated by İstanbul SSC because of a conversation with Ali Sapan, who is the PKK spokesperson for Europe, and on the claim that "illegal organizations were praised". The aforesaid conversation was taken from a bulletin named "Dış Basın ve Türkiye" (Foreign Press and Turkey) published by the General Directorate of the Prime Ministry responsible for Press, Publication and Information. On the other hand, no confiscation order has been issued for the newspaper Tercüman that published the same conversation.

### **c) Imprisoned journalists and writers**

In 1993, a total of **18** journalists and writers (14 of whom were in prison at the beginning of 1994) were imprisoned<sup>(\*)</sup> when the imprisonment sentences convicted because of their writings or speeches, were ratified. The number of the journalists and writers who were imprisoned in 1992 was 3 (İsmail Okçu (Hekimoğlu İsmail), one of the authors of the newspaper "Zaman"; Şükrü Aksoy, former chief editor of the periodical "Emeğin Bayrağı" and Sinami Orhan, chief editor of the review "Ak-Doğuş"). Following is the information about the journalists and writers imprisoned when the imprisonment sentences passed on them were ratified:

#### **01)- Erdoğan Yaşar Kopan**

Erdoğan Yaşar Kopan, former chief editor of the journal "Mücadele" (Struggle), was arrested on 3 February morning and sent to prison when a 2 years 4 months' imprisonment was passed on him in connection with an article in the 15 December 1990 dated issue of the journal, became decisive. The trial launched under Articles 158 and 312/1 of the Turkish Penal Code against Erdoğan Yaşar Kopan, on charges of having praised the activities prescribed as criminal by the laws and insulted the President, was concluded at İstanbul Court of First Instance No.2 on 9 April 1992. Erdoğan Yaşar Kopan benefiting from conditional release application, served in prison 5 months and 18 days.

#### **02)- Edip Polat**

Two years' imprisonment and a fine of TL 50 million convicted for Edip Polat in 1992 because of his book "Newrozladık Şafakları", was ratified by the Supreme Court on 10 June and became decisive. On the other hand, a fine of TL 1,728 million passed for Hikmet Koçak, the publisher of the above mentioned book, was not found suitable and was reprieved. Edip Polat had been tried by Ankara SSC and sentenced on charges of "making separatist propaganda". Edip Polat who was apprehended and detained at Ankara Esenboğa Airport while he was attempting to escape abroad on 16 July, was later arrested and sent to Ankara Central Prison. Edip Polat will serve in prison for 18 months of his imprisonment sentence. Another trial was launched against Edip Polat regarding his attempted escape.

#### **03)- Hacay Yılmaz**

Journalist-writer Hacay Yılmaz was sentenced to 20 months in prison and a fine of TL 42 million because of a speech he had made at a meeting organized by "Halkevi" in Söke district of Aydın on 3 February. The sentence was ratified by the Supreme Court at the beginning of July. The sentence in question was given by İzmir SSC under Article 8 of the "Law to Fight Terrorism". Hacay Yılmaz, arrested on 20 August, is still in Urla (İzmir) Closed Prison and will serve 15 months in prison.

#### **04)- Naile Tuncer**

A total of 11 months imprisonment and a fine of TL 92 million passed for Naile Tuncer, former chief editor of the journal "Devrimci Proleterya" (Revolutionary Proletariat), in con-

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(\*) The writers and journalists who were convicted under the "Law to Fight Terrorism" serve longer in prison than other convicts. According to the execution system implemented in Turkey, three fourths of the imprisonment terms given under the "Law to Fight Terrorism" are served in prison, on the other hand, two fifths of the imprisonment terms given under the Turkish Penal Code, etc., (excluding the Law to Fight Terrorism) are served in prison. In addition, fine sentences given under the "Law to Fight Terrorism" are much heavier than other fine sentences passed under the remaining laws. Thus, fines given for the journalists and writers are an additional burden and usually cannot be affordable. In the case that the fines are not paid, then the terms to be served in prison are increased (Unpaid fines are commuted into up to 3 years' imprisonment).

nection with certain writings which appeared in the 1st and 2nd issues of the journal released in 1991, was ratified by the Supreme Court and became decisive. Naile Tuncer sentenced by İstanbul SSC under the "Law to Fight Terrorism", was arrested following ratification of her sentence. After Naile Tuncer was arrested, another 10-month imprisonment term convicted by İstanbul SSC was ratified too. Naile Tuncer who is still in Çanakkale E Type Prison will serve in prison 15 months and 21 days of the sentence she was convicted.

#### **05)- Tuncay Atmaca**

Thirty months in prison and a fine of TL 83 million passed by İstanbul SSC in 1992 for Tuncay Atmaca, former chief editor of the periodical "Emek" (Labour) was ratified by the Supreme Court. Tuncay Atmaca was detained at the end of August in İzmir and sent to Buca Prison. Tuncay Atmaca who is at present in Urla (İzmir) Closed Prison, will remain in prison for 22 months and 15 days.

#### **06)- Elanur Kaya**

Elanur Kaya, former chief editor of the periodical "Hedef" (Target) was sentenced to 5 months imprisonment and a fine of TL 41 million by İstanbul SSC under the "Law to Fight Terrorism" because of an article news in the 12th issue of the journal, and the sentence was ratified by the Supreme Court. Arrested on 30 August, Elanur Kaya was sent to Sağmalcılar Special Type Prison. She was released after having served 3 months and 22 days in prison in accordance with the execution system implemented in Turkey. In addition, a fine of TL 83 million passed for Emel Atıcı who is the owner of the journal in question and who was tried together with Elanur Kaya, was also approved.

#### **07)- Günnur İlhan**

Twenty months' imprisonment and a fine of TL 41 million passed for Günnur İlhan, chief editor of the newspaper "İşçilerin Sesi" (The Voice of the Workers), in connection with an article entitled "Dirty War Became a Policy of the State" in the 11th issue of the newspaper dated 18 July 1991, was ratified by the Supreme Court. Günnur İlhan had been tried by İstanbul SSC and sentenced in accordance with the "Law to Fight Terrorism". Being arrested in Sep-tember, Günnur İlhan was sent to Çanakkale E Type Prison. She will serve in prison for 15 months of her sentence.

#### **08)- Mustafa Kaplan**

One-year imprisonment sentence passed for Mustafa Kaplan, one of the authors of the newspapers "Yeni Asya" and "Beklenen Vakit", because of a speech he made during a meeting organized in Uşak province, was ratified by the Supreme Court. In the trial which ended at Uşak Court of First Instance in 1992, Mustafa Kaplan had been sentenced to one year in prison on the grounds that he insulted Atatürk, the founder of the Turkish Republic. Mustafa Kaplan was convicted to two other terms in prison because of his various articles in 1992, and those imprisonment terms were ratified, in 1993. Thus, a total of 4 years' imprisonment for Mustafa Kaplan who was taken from his house and detained in İstanbul Güngören on 24 September, became decisive. He was arrested on 27 September and later sent to Bayrampaşa Prison. He will serve in prison for approximately 15 months.

#### **09)- Günay Aslan**

Journalist-writer Günay Aslan was sentenced to 2 years' imprisonment and a fine of TL 55 million because of his book "33 Kurşun" (33 Gunshots). The sentence was ratified by the Supreme Court in September. Günay Aslan was detained on 6 October while he was attempting to flee from Bodrum to Greece together with his wife, and on arrest was sent to Muğla E Type

Prison. The first trial against Günay Aslan in connection with the aforesaid book was launched in 1990 under the article 142 of the Turkish Penal Code, but then it was dropped when the article in question was removed. The book was re-published. Nevertheless, it was later confiscated under Article 8 of the "Law to Fight Terrorism" and another trial was launched against Günay Aslan by İstanbul SSC. Günay Aslan will serve in prison for 18 months of the sentence.

#### **10)- İsmail Beşikçi**

One-year imprisonment and a fine of TL 80.000 which was passed on writer İsmail Beşikçi on 23 December 1991 because of his article entitled "Participation of Kurdish Women in Guerilla Forces" published in the 1st issue of the newspaper "Yeni Ülke" released in 1990, was ratified by the Supreme Court and became decisive. İsmail Beşikçi had been tried by İstanbul Court of First Instance No.2 in connection with the article, and sentenced under Article 312 of the Turkish Penal Code. İsmail Beşikçi was detained in İskilip district of Çorum on 12 November after the sentence became decisive and was arrested on 13 November, and was sent to İskilip Closed Prison. Later he was transferred to Ankara Central Closed Prison while the number of the trials launched against him was being considered. Twenty months' imprisonment and a fine of TL 42 million judged by İstanbul SSC for İsmail Beşikçi because of his book entitled "Republican People Party 1931 - the Kurdish Problem" was also ratified, by the Supreme Court. İsmail Beşikçi had been tried and sentenced under Article 8 of the "Law to Fight Terrorism" because of his above stated book. In addition, 20-month imprisonment and a fine of TL 42 million has passed on İsmail Beşikçi regarding his book entitled "Thoughts on the PKK", was ratified by the Supreme Court. İsmail Beşikçi will have to serve many years in prison because of the imprisonment sentences ratified and expected to be ratified. From 12 April 1991 to the end of 1993, a total of 62 trials were launched against İsmail Beşikçi who had already spent many of his years in prison because of his thoughts. İsmail Beşikçi was acquitted in 5 of the trials while he was sentenced to a total of 14 years 4 months' imprisonment and a fine of TL 534 million at the end of 8 trials. No decision could be reached in 49 of the trials launched against İsmail Beşikçi by the end of 1993. Along with the above mentioned sentences, İsmail Beşikçi was convicted to 4 years 8 months in prison and a fine of TL 58,473,000 in another trial in connection with 15 of his other books. In the trial which ended on 2 July, Ünsal Öztürk, who is the owner of the Yurt Publishing House which published the books, was also sentenced to 2 years 4 months in prison. The imprisonment term given for Ünsal Öztürk was later commuted to a fine of TL 4,390,000.

#### **11)- Ömer Ağın**

#### **12)- Ahmet Zeki Okçuoğlu**

Final Judgment for author Ömer Ağın and Lawyer Ahmet Zeki Okçuoğlu was made by the Supreme Court approving their sentence to 20 months in prison and a fine of TL 42 million each in connection with the conversations in the 12th issue of periodical "Demokrat" (Democrat) which had voluntarily stopped its publication, released in May 1991. The Supreme Court also approved the chief editor Engin Günay's sentence to 6 months in prison and a fine of TL 50 million, and a fine TL 100 million given for Hikmet Koçak, the owner of the periodical. The trial launched against the defendants at İstanbul SSC under Article 8 of the "Law to Fight Terrorism" ended in March 1993. Ömer Ağın and Ahmet Zeki Okçuoğlu were arrested and sent to İstanbul Bayrampaşa Prison in December and on 13 January 1994, respectively. Ömer Ağın and Ahmet Zeki Okçuoğlu (still in Gemlik Closed Prison) will each serve in prison for 15 months of their sentences.

### **13)- Hıdır Ateş**

Six months' imprisonment and a fine of TL 100 million passed on Hıdır Ateş, chief editor the journal "Odak" (Focus), in connection with certain news and articles appearing in the 4th special issue of the journal published in 1992, was ratified by the Supreme Court. Hıdır Ateş sentenced by İstanbul SSC under Article 8 of the "Law to Fight Terrorism", was detained on 23 November in İstanbul. He was arrested on 25 November and sent to Bayrampaşa Prison. He will serve in prison for 4 months and 15 days. In addition to the imprisonment term and fine which became decisive, he was sentenced to a total of 2 years 11 months in prison and a fine of TL 184,053,000 at the end of 4 separate trials. The sentences passed for him are being examined by the Supreme Court.

### **14)- Mehmet Zeynettin Unay**

### **15)- Abdülaziz Aktaş**

### **16)- Mehmet Tekin**

Mehmet Zeynettin Unay, Abdülaziz Aktaş and Mehmet Tekin, leaders of the People's Labour Party İzmir Provincial Organization were sentenced to 6 months 20 days in prison and a fine of TL 56,000 each because of a leaflet they prepared but could not publish. The sentences passed for them were approved by the Supreme Court. The HEP leaders were tried on the grounds that they insulted the security forces and incited people to commit crime through the leaflet they prepared in 1992 about the ruining of squatters' houses. When the imprisonment sentences for the HEP leaders became decisive, they were arrested on 21 December and sent to İvrindi (Balıkesir) Prison. Mehmet Zeynettin Unay (Council member of the DEP), Abdülaziz Aktaş and Mehmet Tekin served in prison for 2 months and 23 days.

### **17)- Hikmet Çetin**

Hikmet Çetin, the owner of the newspaper "Azadi" and journal "Deng" was sentenced to 30 months in prison and ordered to pay a fine of TL 42 million because of a speech he made in a meeting held in İzmir on 10 January 1992. The decision was ratified by the Supreme Court. Hikmet Çetin was tried by İzmir SSC under Article 8 of the "Law to Fight Terrorism" and sentenced in December 1992. He was arrested in İstanbul on 30 December and sent to Bayrampaşa Prison. He will serve in prison for 15 months. Furthermore, a fine of TL 83 million passed on him in connection with one of his articles published in the journal Deng, was ratified and became decisive.

### **18)- Stephan Waldberg**

German journalist Stephan Waldberg who was tried whilst under arrest on charges of being a courier for the PKK, was sentenced to 3 years 9 months in prison on 22 January. Stephan Waldberg whose sentence was ratified by the Supreme Court, was forgiven by the President Süleyman Demirel on 23 December upon demand from the German Government. If he had not been forgiven, he would serve in prison by July 1995 (Detailed information is included in the sub-section entitled "Foreign Journalists")

In the meantime, arrest warrants in absentia were issued against former chief editors of the periodical "Emeğin Bayrağı" Nazım Taban (5 years 11 months) and Bülent Genç (2 years 10 months); former chief editor of the newspaper "Azadi" Sedat Karakaş (3 years); former chief editor of the periodical "Gerçek" Yücel Demirer (20 months); chief editor of the journal "Özgürlük Dünyası" Sadık Güleç (6 months); chief editor of the review "Barikat" Zekeriya Özdiñç (10 months); chief editor of the journal "Deng" Kamil Ermiş (5 months), and former chief editor of journal "Newroz" Celal Albayrak (5 months), who are form the group of journalists whose imprisonment sentences given under the "Law to Fight Terrorism" were ratified

by the Supreme Court. In case of the said journalists being caught, they will serve in prison for four thirds of their imprisonment terms.

20 months in prison and a fine of TL 41 million passed on Ass. Prof. Fikret Başkaya in connection with his book entitled "Bankruptcy of the Paradigm-Introduction to the Criticism of the Official Ideology", was ratified. The 5-month imprisonment and a fine of TL 41 million for Selim Okçuoğlu, the owner of Doz Publishing House that published the book, was also ratified by the Supreme Court. The aforesaid verdicts had been passed on 16 August by İstanbul SSC under Article 8 of the "Law to Fight Terrorism". Previously, Fikret Başkaya and Selim Okçuoğlu had been sued because of the same accusations but had been acquitted. However, the acquittals had been prevailed by the Supreme Court upon the application by the Prosecution Office of İstanbul SSC and it was decided to try the defendants once more. Fikret Başkaya and Selim Okçuoğlu will serve for 15 months, and 3 months 22 days in prison, respectively.

A sentence of 20 months in prison and a fine of TL 83 million for Münir Ceylan, the Chairman of Petrol-İş (Trade Union of Petroleum, Petrochemical and Rubber Industry Workers), in connection with his writing published in the newspaper Yeni Ülke dated 21 July 1991, was ratified by the Supreme Court. Münir Ceylan accused of disseminating separatist propaganda, had criticized the "Law to Fight Terrorism" in his article that led to him being sentenced. Münir Ceylan's objection to the decision of the Supreme Court was not accepted. Münir Ceylan, who was imprisoned in June 1994 will serve in prison for 15 months. Because of the imprisonment sentence, his right to be trade union chairman was taken back.

Ayşenur Zarakolu who is responsible for Belge Publishing House which published İsmail Beşikçi's book "Republican People Party 1931 - the Kurdish Problem", was sentenced to 5 months in prison and a fine of TL 41,666,000, and her sentence was ratified by the Supreme Court. Ayşenur Zarakolu was tried by İstanbul SSC under the "Law to Fight Terrorism" and convicted on 1 July. In the trial, İsmail Beşikçi was also sentenced to 20 months in prison and a fine of TL 83 million. Ayşenur Zarakolu who was imprisoned in May 1994, will serve in prison for 3 months 22 days.

Imprisonment sentences and fines judged for Sırrı Öztürk (5 months in prison and a fine of TL 41 million), the person responsible for the Sorun Publishing House, and for Semra Çaralan, responsible for the Evrensel Publishing House, for the books they published, were ratified by the Supreme Court in 1993. Sırrı Öztürk and Semra Çaralan had been tried by İstanbul SSC under the "Law to Fight Terrorism". In addition, 20-month imprisonment and a fine of TL 42 million given to journalist Hasan Bildirici because of his book "Return to the Country", was ratified by the Supreme Court.

Some of the journalists preferred to flee abroad rather than being imprisoned. For instance; Levent Yanlık, former chief editor of the periodical "Devrimci Gençlik" (Revolutionary Youth) fled to Germany. Levent Yanlık who went to Frankfurt through Syria on 20 October, was detained at the airport and interrogated. After being released, Levent Yanlık applied to the "Medico International". Levent Yanlık had been sentenced to 2 years 5 months in prison and a fine of TL 1,700 million in connection with certain writings in the periodical and because of the pictures on the calendar prepared by the periodical for 1992. The total number of imprisonment terms demanded in other trials launched against Levent Yanlık reached 23 years.

Yücel Demirer, former chief editor of the periodical "Gerçek", Selami İnce, a correspondent for the journal "Demokrat" (Democrat), Engin Günay, the chief editor of the journal

"Demokrat" and Sedat Karakaş, former chief editor of the newspaper "Azadi" fled abroad when their imprisonment terms were ratified by the Supreme Court.

Writer Ümit Oğuztan whose 3 books entitled "Queen Sisi", "The Immoral" and "The Lesbian" were confiscated and who was ordered to pay a total fine of TL 3,800 million under the Law on Obscene Publications, fled abroad as he was not able to pay the fine. Ümit Oğuztan who applied to French authorities in order to take shelter, would have to remain in prison for 3 years in lieu of unpaid fines according to the execution system implemented in Turkey. Before his flight, Ümit Oğuztan went on hunger strike for a short while in protest at the confiscation of his books and fines he was ordered to pay.

### **Arrested journalists**

Along with the ones who were imprisoned in 1993 because of ratified imprisonment terms, arrest warrants were issued against **60** journalists, writers or publishers. Arrest warrants intensified on chief editors of newspapers and journals. Among the arrested journalists, the ones working for the newspaper "Özgür Gündem" came first (a total of 28 persons). Following is the information about the journalists and writers who celebrated the new year under arrest:

#### **01)- Adnan Alp**

#### **02)- Salih Dündar**

Salih Dündar, out of the leaders of the Mesopotamian Culture Center (MKM) and Adnan Alp, responsible for the Melsa Publishing House were detained by the police in İstanbul. Salih Dündar and Adnan Alp interrogated and tortured for 15 days at Gayrettepe Political Police Center, were later arrested by İstanbul SSC on charges of being members of the PKK and having publication activities in the name of the organization. İstanbul SSC launched a trial under the "Law to Fight Terrorism" with a demand for 20 years' imprisonment against those arrested. Salih Dündar and Adnan Alp verified with medical reports that they had been tortured under police custody. Release demands of Salih Dündar and Adnan Alp started to be sued in June were rejected in each of the hearings.

#### **03)- Erdoğan Atılğan**

Erdoğan Atılğan, Elazığ correspondent for the newspaper "Zaman" (Time), was arrested because he had taken photographs without permission from judge during the 22 April dated hearing of a compensation trial launched by Elazığ Court of First Instance No.2 against the newspaper Zaman. He was released after a short time.

#### **04)- Ahmet Akkaya**

Ahmet Akkaya, the News Center Director of the newspaper "Özgür Gündem", was arrested on 26 May by İstanbul SSC in connection with his article entitled "New Reformism or Target for Independent United Kurdistan?" which appeared in the 2 April 1993 dated issue of the journal "Toplumsal Dayanışma" (Social Solidarity). Ahmet Akkaya against whom a trial was launched under Article 8 of the "Law to Fight Terrorism", was released at the end of the hearing held on 9 August at İstanbul SSC.

#### **05)- Ahmet Sümbül**

Ahmet Sümbül, one of the Diyarbakır correspondents for the newspaper "Aydınlık", was detained by the police officers who raided his house in Diyarbakır on 2 July, and arrested on 6 July. Before being detained, Ahmet Sümbül had interviewed PKK militants in the camps on Mount Cudi. During the raid, all of the documents and photographs related to the interview were seized. Later, a trial was launched by Diyarbakır SSC against Ahmet Sümbül on allegations of

"helping and harbouring PKK militants". Ahmet Sümbül's lawyer Zeki Atılgan stated in the trial that the documents shown as evidence were the photographs and writings required for journalism, and he reminded the court that all other publishing organs had carried out interviews with PKK militants or leaders. Indicating that arrest of his client was in contravention of the freedom of information laid down in the Constitution, Zeki Atılgan said: "My client is a correspondent. Freedom of illustrating and disseminating a thought which also covers receiving and publishing news without intervention of official authorities, is a right granted everyone by Article 26 of the Constitution. Arrest of Ahmet Sümbül in spite of this article, brings forward the suspicion that there is pressure over the press." Ahmet Sümbül was not released on the 8 September, 12 October, 23 November and 21 December dated hearings held at Diyarbakır SSC. In the hearing dated 21 December, the prosecutor demanded no less than 15 years' imprisonment term against Ahmet Sümbül on the claims of "his being a member of the PKK". By that time, Ahmet Sümbül was being tried on charges of helping and harbouring PKK militants, and demanded to be sentenced to between 3 to 5 years in prison.

#### **06)- Erhan İl**

Erhan İl, the chief editor of the monthly journal "Devrimci Emek", was arrested on 11 July in connection with articles taking place in a special issue released in June. A trial was then launched by İstanbul SSC against Erhan İl under Article 8 of the "Law to Fight Terrorism".

#### **07)- Şeyh Davut Karadağ**

Davut Karadağ, the chief editor of the newspaper Özgür Gündem was arrested by İstanbul SSC in connection with about 30 articles and news pieces published in certain issues of the newspaper released in July. It has been revealed that the articles and news which caused the arrest of Davut Karadağ who was accused of "disseminating separatist propaganda", appeared in 12, 13, 14 and 15 July 1993 dated issues of the newspaper. Under the "Law to Fight Terrorism", 4 separate trials were launched against Davut Karadağ who was arrested on 15 July, on the grounds that he published statements made by illegal organizations and that he disseminated separatist propaganda. Şeyh Davut Karadağ was released following the hearings held on 17 September at İstanbul SSC.

#### **08)- Mahmut Metin**

Mahmut Metin, the chief editor of the journal "Medya Güneşi", was arrested on 15 July by İstanbul SSC in connection with some articles that appeared in the 32nd issue of the said journal released on 16 June 1993. The 32nd issue of the journal "Medya Güneşi" which caused Mahmut Metin to be arrested was confiscated. The trial against Mahmut Metin was started at İstanbul SSC on 7 September. In the indictment read in the hearing, closure of the journal in question and imprisonment term ranging from 2 to 5 years against Mahmut Metin were demanded. He was released at the end of the 2nd hearing held on 19 October.

#### **09)- Nezahat Özen**

Nezahat Özen, Mardin correspondent for Özgür Gündem was detained on 18 July in Mardin. Nezahat Özen detained because of her article about a 17-year old girl named Şükran Aydın who had been tortured and raped under police custody, was arrested on 21 July on allegations of trying to make people rebel by exaggerating the rape in question. Nezahat Özen accused of having helped and harboured PKK militants during her interrogation, did not accept the accusations. She was released in the first hearing held on 14 September. Nezahat Özen who was 7 months pregnant when she was detained, gave birth just after her release.

### **10)- Adil Kurt**

Adil Kurt, the chief editor of the journal Newroz, was arrested on 19 July by İstanbul SSC because of an investigation launched in connection with some articles and news published in the 18th issue of the aforesaid journal. Later a trial was launched under the "Law to Fight Terrorism" against Adil Kurt arrested by İstanbul SSC to where he had been invited to testify. The trial began on 6 September at İstanbul SSC. In the indictment read in the hearing, closure of the journal "Newroz" was demanded along with imprisonment sentences varying from 2 to 5 years for Adil Kurt on allegations of disseminating separatist propaganda. He was released at the end of the 2nd hearing held on 1 October.

### **11)- Mehmet Yazıcı**

Mehmet Yazıcı, Samsun Representative of the newspaper Özgür Gündem, was detained on 20 July in Samsun and sent to Rize to be interrogated. Mehmet Yazıcı, arrested by the court on the morning of 26 July in Rize, made a statement in Erzurum Prison where he had been sent and disclosed that he had been tortured under police custody. Mehmet Yazıcı against whom a trial was launched on charges of being a member of an illegal organization, was released in the first hearing held on 16 September at Erzincan SSC. Mehmet Yazıcı and 3 of his friends released together with him were taken to Erzurum Security Directorate on the morning of 17 September when they were set free from the prison. Mehmet Yazıcı who was kept in detention until the evening, stated that he had been beaten, insulted and threatened to be killed. In the meantime, an unidentified person who called Samsun office of the newspaper Özgür Gündem on 2 August, threatened Serpil Soylu, one of the correspondents for the newspaper, saying "Your end will be worse than Mehmet Yazıcı's".

### **12)- Nergiz Gülmez**

Nergiz Gülmez who undertook ownership of Umut Publishing House and the journal "Özgür Gelecek" was arrested on 13 October by İstanbul SSC upon an investigation launched because of a book she published. Nergiz Gülmez against whom a trial was launched under the "Law to Fight Terrorism", was released at the end of the hearing held on 30 December at İstanbul SSC.

### **13)- Zana Sezen**

İstanbul SSC issued an arrest warrant in absentia against Zana Sezen, the chief editor of the newspaper "Azadi", on 18 October. He went to İstanbul SSC on the morning of 19 October, and was arrested and sent to prison. Zana Sezen against whom a trial was launched under the "Law to Fight Terrorism" was not released by the end of 2 hearings held in 1993.

### **14)- Gülay Çelik**

Gülay Çelik, the chief editor of the newspaper Özgür Gündem, was arrested on 22 October by İstanbul SSC in connection with the inquiry launched about certain news in some issues of the newspaper published in October. Gülay Çelik against whom a trial was launched under the "Law to Fight Terrorism" was released following the first hearing held on 14 December.

### **15)- Cemil Aydoğan**

Cemil Aydoğan, the owner and chief editor of the local newspaper "Mezopotamya" (Mesopotamia) published in Kızıltepe district of Mardin, was detained on 22 October 1993. Cemil Aydoğan, who is also a member of the Democracy Party's Party Council, was arrested on 9 November. Together with Cemil Aydoğan two persons named Ahmet Temel and Şefik Ökmen were also arrested. A trial was launched against Cemil Aydoğan on charges of "helping and harbouring PKK militants".

### 16)- Bülent Balta

Bülent Balta, one of the former chief editors of the newspaper Özgür Gündem, was arrested by İstanbul SSC on 1 November. An arrest warrant in absentia had been issued on 18 October against Bülent Balta who had worked for the newspaper for a short time in September, in connection with certain news items appearing in the newspaper. Later, a trial was launched by İstanbul SSC against him under the "Law to Fight Terrorism". He was released in the first hearing held on 30 December.

### 17)- Hatice Onaran

Hatice Onaran, the chief editor of the periodical "Devrimci Çözüm" was arrested on 4 November because of an investigation initiated in connection with 4 separate writings that were published in the 8th issue of the periodical. Hatice Onaran against whom a trial was launched under the "Law to Fight Terrorism" was not released by the end of 1993.

### 18)- Servet Yazar

Servet Yazar, one of the Tokat correspondents for the newspaper Özgür Gündem, was detained by the police officers who raided his house on the night of 11 November. Servet Yazar detained because of an article titled "Ülkücü's Attack on the Protesters in Amasya" that appeared in the newspaper Özgür Gündem dated 6 November 1993, was arrested on 12 November.

### 19)- Özgür Aslan

Özgür Aslan, one of the former chief editors of the newspaper Özgür Gündem, was arrested on 23 November by İstanbul SSC. Under Articles 6 and 8 of the "Law to Fight Terrorism" a trial was launched against Özgür Aslan arrested in connection with some writings and news that were published in the 25 October 1993 dated issue of the newspaper.

### 20)- Erkan Aydın

Erkan Aydın, the chief editor of the newspaper Özgür Gündem, was arrested by İstanbul SSC in connection with some news and writings in all issues of the newspaper released between 9 November and 23 November. 9 separate arrest warrants were reportedly issued against Erkan Aydın who was brought before the court on 24 November. Erkan Aydın, against whom many trials were launched, started to be tried under Articles 6 and 8 of the "Law to Fight Terrorism" at İstanbul SSC.

Along with the writers and journalists mentioned above, the journalists who were arrested in 1993 and most of whom entered the new year under arrest are as follows:

<u>Name and Surname(*)</u>	<u>Publication</u>	<u>Place</u>	<u>Date</u>
21)- Sadun Keve (C)	Özgür Gündem	Çatak (Van)	09 January 1993
22)- Osman Aytar (GPE)	Medya Güneşi	İstanbul	23 January 1993
23)- Müslüm Yücel (C)	Yeni Ülke	Urfa	26 February 1993
24)- Hakan Kartal (C) Released on 17 March.	Azadi	Van	10 March 1993
25)- Cemal Özçelik (O)	Medya Güneşi	İstanbul	12 March 1993
26)- Ümit Akduman (R)	Mücadele	Denizli	05 April 1993

(\*) EIC: Editor-in-Chief

W : Writer

R : Representative

AD : Administrative Director

C : Correspondent

GPB : General Publishing Director

O : Owner

PUB : Publisher

27)- Ayten Can (R)	Mücadele	Malatya	06 April 1993
28)- Hayri Karasu (R)	Emek	İzmir	07 May 1993
29)- Andrew Norman Penney	Foreign News.	Silopi	16 May 1993
Released on 24 May.			
30)- Metin Arıkan (R)	Emeğin Bayrağı	Bursa	19 June 1993
31)- Hüseyin Bektaş (R)	Özgür Gelecek	Kayseri	22 July 1993
32)- Beşir Gündem (C)	Azadi	Tatvan	08 August 1993
33)- Ahmet İçge (C)	Özgür Gündem	Doğubeyazıt	18 August 1993
34)- Salih Tekin (C)	Özgür Gündem	Cizre	19 August 1993
Released on 18 November by Diyarbakır SSC.			
35)- Ahmet İbili (C)	Mücadele	Silifke	01 September 1993
36)- Ercan Aslan (C)	Özgür Gündem	Adıyaman	04 October 1993
37)- Samet Yakıtı (C)	Özgür Gündem	Muş	12 October 1993
Released on 10 November by Diyarbakır SSC.			
38)- Sezgin Karakaya (EIC)	Hürses	Giresun	13 October 1993
39)- Sadettin Teksoy (C)	Star TV	Ankara	23 November 1993
40)- Mustafa Yıldız (EIC)	Kurtuluş	İstanbul	26 November 1993
41)- Gülay Güler (EIC)	Alternatif	İstanbul	09 December 1993
42)- Rıza Zıngal (C)	Özgür Gündem	İzmir	14 December 1993
43)- Serdar Karakoç (R)	Özgür Gündem	İzmir	14 December 1993
44)- Şenol Karaaslan (C)	Özgür Gündem	İzmir	14 December 1993
45)- Erhan Akyıldız (C)	HBB TV	Ankara	15 December 1993
Released on 21 December by the General Staff Court.			
46)- Ali Tefvik Berber (C)	HBB TV	Ankara	15 December 1993
Released on 21 December by the General Staff Court.			
47)- Ahmet Çaldıran (C)	Özgür Gündem	Gaziantep	15 December 1993
48)- Hasan Özgün (R)	Özgür Gündem	Diyarbakır	20 December 1993
49)- Gurbetelli Ersöz (GPD)	Özgür Gündem	İstanbul	23 December 1993
50)- Ali Rıza Halis (AD)	Özgür Gündem	İstanbul	23 December 1993
51)- Namık Alkan (C)	Özgür Gündem	İzmir	24 December 1993
52)- Emin Ünay (C)	Özgür Gündem	İzmir	24 December 1993
53)- Oğuzhan Öğrük (C)	Özgür Gündem	İzmir	24 December 1993
54)- İsmail Güneş (C)	Özgür Gündem	Ağrı	24 December 1993
55)- Menaf Avcı (C)	Özgür Gündem	Elazığ	25 December 1993
56)- Cengiz Taş (C)	Özgür Gündem	Elazığ	25 December 1993
57)- Bülent Güneş (C)	Özgür Gündem	Elazığ	25 December 1993
58)- Ergun Gümüş (EIC)	Hewdem	İstanbul	29 December 1993
59)- Nabi Barut (PUB)	Zagros Pub.	İstanbul	30 December 1993
60)- Cemile Yürümez (EIC)	Emekçi Kadın	İstanbul	30 December 1993

#### d) Sentences and trials

Approximately 2000 press trials launched particularly by İstanbul SSC within last 2-3 years, resulted in heavy imprisonment and fine sentences against journalists, writers and publishers in 1993. Total number of the imprisonment terms convicted to writers and journalists reached **165 years 3 months 10 days** while total fines passed TL **38,267 million** (appr. \$ **1,5 million**). Total of the imprisonment terms passed at the end of the press trials in 1992 was 25 years, 11 months and 15 days, while total fines reached TL 5,976 million (appr. \$ 240.000). Following is the breakdown prepared by the HRFT about **116** writers and journalists sentenced to various imprisonment terms or fines in the trials that ended in 1993:

Name and Surname <sup>(*)</sup>	Publication	Imprisonment	Fine (TL.)
001)- Hüseyin Alataş (O) (5 separate trials)	Newroz	---	433,332,000
002)- Remzi Bilget (W)	Newroz	20 months	46,666,000
003)- Fatma Karabacak (EIC)	Newroz	5 months	41,333,000
004)- Celal Albayrak (EIC) (3 separate trials)	Newroz	15 months	129,333,000
005)- Doğan Karakuzu (EIC)	Newroz	6 months	50,000,000
006)- Elanur Kaya (EIC)	Hedef	5 months	41,666,000
007)- Emel Atıcı (O)	Hedef	---	83,333,000
008)- Fikret Öntaş (PUB) Developments in Our Country and the World (Dönüşüm Publishing House)	Book	---	1,503,076,000
009)- Hüseyin Durmaz (EIC) (2 separate trials)	Devrimci Emek	38 months	91,666,000
010)- Cüneyt Can Oğuzer (EIC)	Penthouse	---	8,099,838,000
011)- Yücel Özdemir (EIC) (9 separate trials)	Gerçek	95 months	805,000,000
012)- Kamil Tekin Sürek (O) (2 separate trials)	Gerçek	---	466,000,000
013)- Tuncay Atmaca (EIC)	Emek	30 months	83,333,000
014)- Duran Çelik (EIC)	Komün	6 months	41,666,000
015)- Ahmet Kırımlı (O)	Komün	---	83,333,000
016)- Hüseyin Karataş (W) Dersim is the Folk Song of a Rebellion	Book	20 months	41,666,000
017)- Şevki Ömeroğlu (PUB) Dersim is the Folk Song of a Rebellion	Book	---	1,016,028,000
018)- Ahmet Zeki Okçuoğlu (W)	Demokrat	20 months	50,000,000
019)- Ömer Ağın (W)	Demokrat	20 months	50,000,000
020)- Engin Günay (EIC)	Demokrat	6 months	50,000,000
021)- Hikmet Koçak (D) (2 separate trials)	Demokrat	---	200,000,000
022)- Hasan Bildirici Return to the Country (Melsa Publishing House)	Book	20 months	42,000,000
023)- Naile Tuncer (EIC) (4 separate trials)	D.Proleterya	45 months	234,666,000
024)- Hacer Temirkıran (O) (3 separate trials)	D.Proleterya	---	283,333,000
025)- Stephan Waldberg (C)	Foreign news.	45 months	---
026)- Servet Engin (EIC) (2 separate trials)	Zaman	20 months	---
027)- Münir Ceylan (W)	Yeni Ülke	20 months	83,000,000
028)- Özer Değıştirici (EIC)	Direnış	6 months	40,000,000
029)- İpek Kazanç (O)	Direnış	---	85,000,000
030)- Levent Yanlık (EIC)	D.Gençlik	29 months	1,700,000,000
031)- Mehmet Bayrak (W)	2 books	---	7,000,000
032)- Selim Okçuoğlu	Book	---	969,000,000

(\*) EIC : Editor-in-Chief  
W : Writer  
R : Representative  
PUB : Publisher

C : Correspondent  
GPD : General Publishing Director  
O : Owner

Turkish Industry-Development and Exploitation in Kurdistan (Doz Publishing House)

033)-	Mehmet Akbaş (W)	Hedef	6 months 20 days	27,777,000
034)-	Hamit Baldemir (W)	Hedef	6 months 20 days	27,777,000
035)-	Bülent Aydın (EIC)	Yeni Ülke	5 months	117,000,000
036)-	Sadık Güleç (EIC)	Özgürlük Dün.	6 months	50,000,000
037)-	Sedat Karakaş (EIC)	Azadi	36 months	371,000,000
	(4 separate trials)			
038)-	Hikmet Çetin (O)	Azadi	---	83,000,000
	Hikmet Çetin (O)	Deng	---	100,000,000
039)-	İkramettin Kaya (O)	Azadi	---	450,000,000
	(3 separate trials)			
040)-	Kemal Boztaş (EIC)	Özgür Gelecek	36 months	254,850,000
	(3 separate trials)			
	Kemal Boztaş (EIC)	Partizan	60 months	262,183,000
	(3 separate trials)			
	Kemal Boztaş (EIC)	YD Gençlik	12 months	100,000,000
041)-	Haydar Uç (PUB)	Book	20 months	166,000,000
	Logic of Revolution and Power Problem (Honca Publishing House)			
042)-	Fikret Başkaya (W)	Book	20 months	41,000,000
	Bankruptcy of Paradigm-Introduction to Criticism of Official Ideology (Doz Publishing House)			
043)-	Selim Okçuoğlu (PUB)	Book	5 months	41,000,000
	Bankruptcy of Paradigm-Introduction to Criticism of Official Ideology (Doz Publishing House)			
044)-	Ash Yalçınoğlu (EIC)	Book-Review	---	3,850,000
045)-	Mehmet Duyar	Calendar	20 months	41,666,000
	Calendar prepared by HEP Aydın Provincial Organization for 1992			
046)-	Ünal Tümer	Calendar	20 months	41,666,000
	Calendar prepared by HEP Aydın Provincial Organization for 1992			
047)-	Kamil Ermiş (EIC)	Deng	6 months	50,000,000
048)-	.... .... (EIC)	D.Seçenek	---	25,000,000
049)-	Sırrı Öztürk (PUB)	Book	5 months	41,666,000
	1980-1990 Prison Poem Anthology (Sorun-Melsa Publishing Houses)			
050)-	Murat İlyas Burak (PUB)	2 books	5 months	1,177,666,000
	1980-1990 Prison Poem Anthology (Sorun-Melsa Publishing Houses)			
	Return to the Country (Melsa Publishing House)			
051)-	Selami İnce (W)	Demokrat	24 months	100,000,000
052)-	Ümit Erdoğan (EIC)	Demokrat	6 months	50,000,000
053)-	Yusuf Cacım (EIC)	Yeni Ülke	14 months	168,666,000
	(3 separate trials)			
054)-	Mehmet Bayraktar (R)	Özgür Halk	10 months	83,000,000
055)-	Ulutan Gün (W)	Mücadele	10 months	---
056)-	Hıdır Ateş (EIC)	Odak	35 months	184,053,000
	(4 separate trials)			
057)-	.... .... (EIC)	Serketin	5 months	81,000,000
058)-	Ertan Aydın (W)	Özgür Gündem	10 months	---
059)-	Osman Aytar (W)	Medya Güneşi	48 months	150,000,000
	(2 separate trials)			
060)-	Salih Bal (EIC)	Medya Güneşi	11 months	150,000,000
061)-	Cemal Özçelik (O)	Medya Güneşi	---	200,000,000
	(2 separate trials)			
062)-	Fevzi Yetkin (W)	Book	24 months	50,000,000
	Defence (Melsa Publishing House)			
063)-	Mehmet Tanboğa (W)	Book	24 months	50,000,000
	Defence (Melsa Publishing House)			

064)-	Rabbena Hanedar (R) (Because of the petition she read in the trial)	Mücadele	24 months	100,000,000
065)-	Mustafa Aşık (EIC)	Ak Zuhur	12 months	3,000,000
066)-	Selahattin Erdem (PUB) Small Peshmerga	Book	---	1,136,000,000
067)-	Hayrettin Soykan (EIC)	Ak Zuhur	20 months	41,000,000
068)-	Yalçın Küçük (W)	Speech	24 months	250,000,000
	Yalçın Küçük (W) Because of a meeting organized in Ankara in 1992	Speech	20 months	208,000,000
069)-	Eşref Odabaşı	Speech	24 months	250,000,000
070)-	Kamil Çelikten (EIC) (2 separate trials)	Özgür Gündem	---	3,000,000
071)-	Süleyman Baş (EIC)	İşçinin Yolu	12 months	---
072)-	N.Kemal Cıbaroğlu (EIC) (4 separate trials)	Mücadele	24 months	500,000,000
073)-	Gülten Şeşen (O) (4 separate trials)	Mücadele	---	1,050,000,000
074)-	Abidin Kızılyaprak (PUB) Memories of a Soldier (Pele Sor Publishing House)	Book	6 months	50,000,000
075)-	Ercan Kanar (W)	Özgür Gündem	---	3,000,000
076)-	Kubilay Kıran (EIC)	Özgürlük Dün.	6 months	50,000,000
077)-	Süleyman Baş (EIC)	İşçinin Yolu	---	3,970,000
078)-	Nedime Tunç (EIC)	Newroz Ateşi	6 months	50,000,000
079)-	Ferro Fırat (EIC)	İ. ve Politika	20 months	50,000,000
080)-	Muteber Yıldırım (O)	İ. ve Politika	---	100,000,000
081)-	Erdal Çınar (EIC)	Genç Kurtuluş	24 months	250,000,000
082)-	Recep Maraşlı (W) Defence in Diyarbakir Rızgari Trial (Komal Publishing House)	Book	24 months	100,000,000
083)-	Faruk Muhsinoğlu (PUB) Defence in Diyarbakir Rızgari Trial (Komal Publishing House)	Book	---	100,000,000
084)-	Numan Bektaş (W) Law of Resistance and Renewal	Book	20 months	208,000,000
085)-	Hale Soysü (EIC)	2000'e Doğru	24 months	155,833,000
086)-	Adnan Akfırat (EIC)	2000'e Doğru	---	25,000,000
087)-	Mehmet Sabuncu (O) (3 separate trials)	2000'e Doğru	---	433,666,000
088)-	Esmâ Turan (EIC) (2 separate trials)	Taraf	24 months	500,000,000
089)-	Kazım Albayrak (O) (4 separate trials)	Taraf	22 months	658,000,000
090)-	Hasan Tepe (EIC) (2 separate trials)	Özgür Halk	30 months	150,000,000
091)-	Haydar Demir (O) (2 separate trials)	Özgür Halk	---	200,000,000
092)-	Nazım Taban (EIC) (3 separate trials)	Emeğin Bayrağı	47 months	294,000,000
093)-	Bülent Genç (EIC) (2 separate trials)	Emeğin Bayrağı	24 months	250,000,000
094)-	Yalçın Ateş (O) (2 separate trials)	Emeğin Bayrağı	---	200,000,000
095)-	S.Nusret Öztürk (EIC) (5 separate trials)	Ekimler	83 months	346,000,000
096)-	Nedime Tunç (EIC)	Newroz Ateşi	6 months	50,000,000

097)- Müştak Erhan İ (EIC)	Devrimci Emek	5 months	41,660,000
098)- Haluk Gerger (W)	Message	20 months	208,000,000
099)- Kemal Gönül (GPD)	Günaydın	---	4,000,000,000
100)- Murtaza Güler (EIC)	Günaydın	---	400,000,000
101)- Fahrettin Avcı (EIC)	Günaydın	---	400,000,000
102)- Celal Başlangıç (EIC)	Cumhuriyet	---	2,275,000
103)- Aydın Engin (W)	Cumhuriyet	15 months	---
104)- Müslüm Gündüz	Cumhuriyet	15 months	---
A conversation published in the daily Cumhuriyet between 23-27 March			
105)- Kemal Okutan (EIC)	Bulletin	6 months	50,000,000
News bulletin released by HEP Headquarters			
106)- M. Zeynettin Unay	Leaflet	6 months 20 days	56,000
107)- Abdülaziz Aktaş	Leaflet	6 months 20 days	56,000
108)- Mehmet Tekin	Leaflet	6 months 20 days	56,000
109)- Işık Yurtçu (EIC)	Özgür Gündem	141 months	648,000,000
(12 separate trials)			
110)- Yaşar Kaya (O)	Özgür Gündem	---	1,935,750,000
(12 separate trials)			
111)- Ş.Davut Karadağ (EIC)	Özgür Gündem	17 months	133,000,000
(2 separate trials)			
112)- İsmail Beşikçi (W)	Article-book	172 months	534,080,000
(8 separate trials)			
İsmail Beşikçi (W)	15 books	56 months	58,474,000
113)- Ayşenur Zarakolu (PUB)	Book	5 months	41,666,000
CHP Program-1931 Kurdish Problem (Belge Publishing House)			
114)- Ünsal Öztürk (PUB)	15 books	---	4,390,000
Books written by İsmail Beşikçi (Yurt Publishing House)			
Ünsal Öztürk (PUB)	Book	12 months	100,000,000
12 September Fascism and PKK Resistance (Yurt Publishing House)			
115)- Sait Öner (O)	Emek	---	100,000,000
116)- Erdoğan Yaşar Kopan	Mücadele	12 months	250,000,000
(3 separate trials)			

"Unserious considerations for press trials" and "application to outlawed methods" were the outstanding points of 1993. For instance; sentences for Sait Öner, owner of the journal "Emek" and Tuncay Atmaca, chief editor of the same journal, tried because of certain news published in the journal, were judged before the trial ended and even before the plea of the defendants were listened to. The event was brought out and made public by the İHD İstanbul Branch Chairman Ercan Kanar, who undertook advocacy of the defendants. Taking the floor in the hearing held on 19 July at İstanbul SSC, Ercan Kanar stated that while he had been examining the file before the hearing he had found the verdict hand-written by the Court President Lütfü İşbulan who had been on annual vacation at that time. Pointing out that the right to defend was disregarded and that Lütfü İşbulan should withdraw from the case, Ercan Kanar said: "In the case where the attitude of the courts towards the freedom of press is not changed, we will have to prefer to be silent instead of making a defence at court."

In another trial which ended in March at Ankara SSC, the owner of the Yurt Publishing House, Ünsal Öztürk, who re-published the book entitled "Dairy of Death under Torture Witnessed by Life" (Hayatın Tanıklığında-İşkencede Ölümün Güncesi) whose writer (Nihat Behram) had been acquitted before, was ordered to pay fine. The objection raised by Ünsal Öztürk against the fine verdict was not accepted by the Supreme Court and the fine was ratified. Hereupon, Ünsal Öztürk applied to the European Human Rights Commission.

Meanwhile, singer Alev Aytaç was sentenced to 20 months in prison and a fine of TL 41 million at the end of the trial launched against her on the grounds that she made separatist propaganda while she was talking to clients in the casino where she used to sing in Van in 1992. The trial which ended at Diyarbakır SSC on 26 May had been launched under Article 8 of the "Law to Fight Terrorism". Her saying "Now I am leaving Van. When I come back I want to see here a Kurdistan" had occasioned the trial. Later she had been detained by the police, interrogated at Van Security Directorate for 5 days and then released to be tried without arrest.

### Closure orders

In the last three months of 1993, an old provision which had not been applied for a long time was put on the agenda in the cases heard by İstanbul SSC. As a result of this application, closure orders varying from 1 to 3 days were started to be demanded in numerous press cases (about 100). At the end of 23 of those cases, closure orders totalling **16 months and 21 days** were passed for 14 reviews or newspapers. Following is the breakdown of the closure orders issued by İstanbul SSC to be implemented (when the closure orders are ratified by the Supreme Court they are put into effect):

<u>Publication</u>	<u>No of trials</u>	<u>Closure period</u>
01)- Newroz	1 trial	1 month
02)- Özgür Gelecek	1 trial	15 days
03)- Partizan	1 trial	1 month
04)- Mücadele	2 trials	18 days
05)- Özgür Gündem	5 trials	4 months
06)- Emegün Bayrağı	2 trials	18 days
07)- İşçinin Yolu	1 trial	15 days
08)- İşçiler ve Politika	1 trial	1 month
09)- Genç Kurtuluş	1 trial	1 month
10)- Azadi	1 trial	15 days
11)- Taraf	1 trial	1 month
12)- Ekimler	4 trials	3 months
13)- Devrimci Emek	1 trial	1 month
14)- Devrimci Proleterya	1 trial	1 month

### Trials and investigations

The number of the trials and investigations launched against journalists and writers increased by 3-4 times in 1993 compared to the previous years and broke a record. 46 % (**1,081**) of 2,351 trials heard by İstanbul SSC in 1993 were the ones related to press. The total of imprisonment sentences and fines demanded in those cases reached incredible figures.

Some of the sample cases on the trials and investigations launched against the press in 1993 are as follows:

Ahmet Yusuf Gencer, Mehmet Yale, İlhan Bardakçı (İlhan Murad) and İsmail Okçu (Hekimoğlu İsmail) against whom separate trials had been launched in connection with their articles published in various issues of the newspaper "Zaman" in 1992, started to be tried on 28 January. In the trials heard by Bakırköy Heavy Penal Court No.2, various imprisonment terms and fines were demanded for the journalists. Also, Servet Engin, chief editor of the newspaper "Zaman" was tried in the trials launched against the authors of the newspaper.

A trial was launched against Aziz Nesin because of a conversation published in the 27 September 1992 dated issue of the newspaper "Hürriyet". Nuriye Akman, the reporter of the conversation and Hasan Kılıç the chief editor of the newspaper, were also tried in the trial launched by İstanbul Public Prosecution Office. Those 3 defendants were demanded to be sentenced to up to 6 years in prison on allegations of insulting Turkish people. In the conversation which occasioned the trial, Aziz Nesin had said "Turkish society is a fool. Turkish people are no heroes". The trial heard by İstanbul Heavy Penal Court resulted in acquittal on 30 April. İstanbul Public Prosecution Office raised objection to the acquittal and the case file was referred to the Supreme Court.

Separate trials were launched against Togay Bayatlı, sportswriter for the newspaper "Milliyet", Altan Öymen editor for the same and Rıdvan Yelekçi, sportswriter for the newspaper "Hürriyet" because of their articles over-criticizing the imprisonment sentence passed on football player Tanju Çolak (he had been sentenced to imprisonment and ordered to pay fine for car smuggling). Those journalists were tried at İstanbul Court of First Instance No.2 for acting in violation of the Law on Press by criticizing a verdict not yet final.

A trial was launched against journalist-writer Kadir Mısırlıoğlu in connection with his speech during a conference organized by Konya Municipality on 16 December 1992. In the trial, imprisonment sentence varying from 1 to 3 years was demanded against Kadir Mısırlıoğlu on the claims that he had insulted Atatürk, the founder of the Turkish Republic, through his speech. The trial began on 7 April at Konya Court of first Instance No.4.

The Court approved the seizure by the police of the notes, photographs and recordings of the interview with the PKK leader Abdullah Öcalan made by journalist-writer Yalçın Küçük. In the decision made by İstanbul SSC on 11 January, it was claimed that the documents seized by the police, aimed at destroying the unity of the state. Yalçın Küçük, had been detained on 25 December 1992 at İstanbul Atatürk Airport when he had returned to Turkey after interviewing with the PKK leader Abdullah Öcalan. All documents and recordings of Yalçın Küçük released 36 hours later, had been seized. Subsequently, a trial was launched by İstanbul SSC Prosecution Office against Yalçın Küçük because of his interview with the PKK leader. In the trial a sentence of up to 5 years' imprisonment was demanded against Yalçın Küçük accused of praising the PKK and making separatist propaganda. The trial which started on 10 March at İstanbul SSC resulted in acquittal.

A trial was launched by Ankara SSC against journalist-writer Haluk Gerger in connection with his article entitled "To Support the Kurds, Why and How" which was published on 15 September 1992 in the newspaper Özgür Gündem. Imprisonment sentence ranging from 2 to 5 years was demanded for Haluk Gerger under Article 8 of the "Law to Fight Terrorism".

Three separate trials were launched against Ünsal Öztürk who published the book entitled "Boğaziçi İşgali" (Boğaziçi Occupation) which had been confiscated in November 1992. Ünsal Öztürk was tried on charges of "making propaganda of illegal organizations", by Ankara SSC, on charges of "praising activities prescribed as a crime by the law" by Ankara First Instance Court No.17 and on charges of "insulting the justice system and the security officers" by Ankara Heavy Penal Court No.2. The total number of the imprisonment sentences demanded for Ünsal Öztürk varies from 3 to 11 years. Ünsal Öztürk said "Those trials launched in connection with a book are indicators of how the state is afraid of thought".

The trial launched against Ramazan İmrağ, Cizre correspondent for the newspaper "Sabah" ended on 11 May at İstanbul Heavy Penal Court No.2. The trial dealt with the photo-

graphs which appeared in the 21 October 1992 dated issue of the newspaper Özgür Gündem and which was about Mesut Dündar who had been dragged on the ground by being tied to an armoured vehicle. At the end of the trial the court brought in an acquittal verdict saying: "What was done is journalism. The photographs in question and the writings below them match qualification of news". In the trial, from 1 to 5 years in prison was demanded under Article 159/1 of the Turkish Penal Code against Ramazan İmrağ alleged "to have insulted the state and security officers by disseminating the photographs". Because of the trial, Ramazan İmrağ was kept under arrest for a long time.

İstanbul SSC Prosecution Office launched a trial against Recep Maraşlı, the person responsible for Komal Publishing House, because of a calendar prepared by the publishing house for 1992. In the indictment, up to 5 years' imprisonment and a fine of TL 100 million was demanded for Recep Maraşlı on charges of making separatist propaganda.

A trial was launched against writer-artist Bilgesu Erenus in connection with a speech she had made during a meeting organized by trade unions in Lüleburgaz in 1992. No less than 3 years in prison was demanded for Bilgesu Erenus for making separatist propaganda and trying to alienate people from military service. The trial started on 23 May at İstanbul SSC.

A trial was launched in connection with the news and articles about the PKK, Abdullah Öcalan and the Devrimci Sol organization which took place in 2 separate issues of the periodical "Panorama" released in June. In the trial launched by İstanbul SSC, a total of 15 years in prison and a fine of TL 1,5 million were demanded for Yılmaz Yüksel, the owner of the periodical and for Okan Alkan, the chief editor.

A trial was launched by Ankara SSC against journalist-writer Yalçın Küçük in connection with his book entitled "Kürt Bahçesinde Sözleşti" which consists of the interviews he made with the PKK leader Abdullah Öcalan. In the first hearing held on 24 August, imprisonment sentence from 2 to 5 years was demanded for Yalçın Küçük under Article 8 of the "Law to Fight Terrorism". Hikmet Koçak, who is the owner of the publishing house which published the book in question was also tried at the same trial. No confiscation was issued for the book which caused Yalçın Küçük and Hikmet Koçak to be put on trial.

Ankara Public Prosecution Office initiated an investigation against writer Mehmet Bayrak in connection with his book entitled "The Kurds and Their Democratic Struggle". The investigation was initiated under Article 159 of the Turkish Penal Code on claims of insulting Turkish people through a Kurdish wail for Sheik Sait taking place in the book. Mehmet Bayrak testified on 4 September. Stating that he criticized not the Turkish people but brutal methods against the Kurdish people and assimilation policies, Mehmet Bayrak said: "The investigation will not serve for the solution of the Kurdish problem and of the other problems of Turkey".

The trial launched against Berin Nadi, the owner of the newspaper "Cumhuriyet" and Celal Başlangıç, former chief editor of the newspaper as a result of an article about 3 police officers who were sentenced on charges of torturing, started at İstanbul SSC on 28 September. In the indictment, a fine of no less than TL 5 million was demanded for Berin Nadi and Celal Başlangıç under Article 6 of the "Law to Fight Terrorism".

An administrative investigation was initiated against Burhan Özbey, SEKA General Directorate's Inspection Board President because of the articles he wrote for the newspapers. As a result of the investigation conducted by the inspectors of the Ministry of Industry, he was removed from his office and assigned to another post under the Ministry. Reacting against the

decision, Burhan Özbey stated that the application was unjust and thus he would apply to the courts for annulment of the decision and that he would struggle to prove his right to speak.

A trial was launched against Ruşen Aydın, the Chairman of the Human Rights Association Kütahya Branch, in relation with a conversation published in a local newspaper called "İlk Haber" (the First News) on the occasion of "1 September World's Peace Day". Ruşen Aydın accused of "making separatist propaganda", was demanded to be sentenced from 2 to 5 years in prison under the "Law to Fight Terrorism" in the trial launched by the Prosecution Office of Konya SSC. Arslan Arıç, who is the chief editor of the newspaper and also Kütahya correspondent for Özgür Gündem were judged along with Ruşen Aydın.

The Supreme Court quashed the acquittal verdicts passed for author Mehmet Bayrak in connection with 3 separate books "Dünü ve Bugünüyle Geri Kalmışlık Sorunu", "Kurdistan" and "Contemporary Kurdish Ballads" all of which were printed by the publishing house he owned. Mehmet Bayrak had been tried by Ankara SSC in connection with the above mentioned books under the "Law to Fight Terrorism" and acquitted. Nevertheless, Ankara SSC Prosecution Office raised objection against the acquittal and referred the file to the Supreme Court. He started to be re-tried by Ankara SSC pursuant to the annulment by the Supreme Court.

Two trials launched regarding certain news in the 8 July 1993 and 12 August 1993 dated issues of the newspaper "Aydınlık" resulted in acquittal. The trials which ended at İstanbul Heavy Penal Court No2 on 7 November had been launched upon demand of the General Staff under Article 155 and 159 of the Turkish Penal Code.

İstanbul SSC's Prosecution Office initiated investigation against singer İbrahim Tatlıses and businessman Besim Tibuk in connection with their statements on the Kurdish problem and Kurdish people, in accordance with the "Law to Fight Terrorism". The investigation against İbrahim Tatlıses was initiated because he said at one of his concerts that he would offer to be a mediator to solve the Kurdish problem, while the investigation against Besim Tibuk was initiated since he said "a Kurdish state may be founded in Southeast Anatolia" in his statement to the newspaper Milliyet released on 16 November 1993. As a result of the investigation, a trial was launched against Besim Tibuk on allegations of disseminating separatist propaganda. On the other hand, a decision not to prosecute was passed for İbrahim Tatlıses.

### **Foreign journalists**

The attacks and pressures against the press also affected some of the foreign journalists who work in Turkey or came to Turkey. Work of the foreign journalists was sometimes hindered (particularly in the Emergency State Region) and on certain occasions some of the foreign journalists were detained and arrested.

German journalist Stephan Waldberg, detained on 20 October on charges of being a courier for the PKK and arrested one week later, was sentenced to 3 years and 9 months in prison. The trial which ended at Diyarbakır SSC on 22 January had been launched under Article 169 of the Turkish Penal Code and Stephan Waldberg had been accused of being a courier for the PKK. Sezgin Tannıkulu, Stephan Waldberg's lawyer, claimed that the court was prejudiced and said: "The decision of the court is a scandal from the view of the law. My client was convicted because of political fears". The imprisonment sentence passed on Stephan Waldberg was ratified by the Supreme Court and became definite. Upon ratification of his sentence, Stephan Waldberg was transferred from Diyarbakır E Type Prison to İzmir Buca Prison. Stephan Waldberg would have to serve in prison for 33 months in accordance with the execution system, but he was

exempted by President Süleyman Demirel on 23 December upon demands of the German Government. The exemption decision was taken on the grounds that the German journalist was ill. Stephan Waldberg who returned to Germany on 24 December stated that he had been tortured in Şırnak, Silopi and Cizre and threatened under police custody, and said the following: "I told the authorities of the German Embassy and other German authorities who visited me in the prison all about what I had experienced. They stated that they were not prepared to harm the relations between Turkey and Germany just for me."

Faik Bulut, one of the writers for Özgür Gündem, and British journalist Andrew Norman Penney were detained on 14 April after entering Turkey through Habur Customs Gate. In the official statement it was claimed that certain documents, video and audio tapes belonging to the PKK had been found in the valise of Andrew Norman Penney. The 2 journalists were interrogated for two days in Silopi, but Faik Bulut was released while Andrew Norman Penney was arrested on charges of being a courier for the PKK and harbouring its militants. The British journalist was released at the end of the hearing held on 24 May at the Diyarbakır SSC.

Yüksel Uğurlu, one of the correspondents of the German Spiegel TV group that went to Diyarbakır at the beginning of November in order to conduct an investigation into the Emergency State Region, and Michéger Enger, the cameraman of the same TV company were detained on the morning of 4 November in front of the Diyarbakır Office of the newspaper Özgür Gündem. Along with the German TV personnel, Akif Şenyiğit, one of the correspondents for the daily Özgür Gündem, was taken to the Security Directorate. The detainees were released on the same day.

### **Radio and television**

About 800 private radio stations functioning all over Turkey were closed at the beginning of April pursuant to a circular from the Ministry of Transportation issued in accordance with the decision of the Government. Broadcasting of local TV stations was also stopped in accordance with the circular dated 1 April 1993. On the other hand, the circular enabled the TV stations which broadcast all over Turkey to continue to broadcast. Closure of private radios and local TV stations caused great reaction. However, all those reactions were made invain and the Government did not draw back its decision. Proposal of Hüsamettin Cindoruk, Chairman of the National Assembly, foreseeing postponement of the closure decision for 15 days and necessary legal arrangement to be made within this period, was rejected by the then Prime Minister Süleyman Demirel. The trial launched by some of the private radio and TV stations with the aim "to stop the implementation and withdraw the decision" was returned by the State Council Office No.10.

In the meantime, owners of 4 private radio stations broadcasting in Nazilli district of Aydın were arrested on 7 April by Nazilli Court of First Instance on allegations of "opposing the Wireless Law No. 2813". The names of the arrested radio owners are as follows: "Atilla Toraman (Radio Özlem), Orhan Narin (Radio Nazar), Mustafa Subakan (Radio Gün) and Filiz Güven (Radio Venüs)". The arrested radio owners were released after a short while when their objections to the higher court were accepted. In addition, a trial was launched against Murat Demiray, the director responsible for the Radio Anki of the Ankara Metropolitan Municipality, on allegations of acting in contravention to the Law on Wirelasses. Murat Demiray was sentenced to 6 months in prison on 15 September.

The radio ban which lasted for 74 days, ended when Tansu Çiller became Prime Minister. Making a statement on 14 June when she undertook the Prime Ministry, Tansu Çiller said

that she did not approve the closure of the private radio stations. Then, the radio stations started to be re-opened in succession. Subsequently, Article 133 of the Constitution which foresees TRT's (Turkish Radio and Television Authority) monopoly on radio and TV broadcasting was changed by the National Assembly on 8 July. As a result of the changing, the monopoly on radio and TV broadcasting was lifted. Nevertheless, legal arrangements which should be made following the amendment in the Constitution were not realized.

Nine private radio stations broadcasting in Diyarbakır were closed by the Governorate on 22 November. It has been reported that the radio stations were closed on the grounds that they destroyed police wirelasses and prevented broadcasting of TV channels. On the other hand, radio authorities claimed that the closure of the radios was arbitrary and said: "The radio stations were closed because we play Kurdish songs and do not play the ones demanded by police officers. The closed radio stations re-started broadcasting on 14 December when Mehmet Kahraman, the State Minister responsible for human rights, intervened in the event.

### **e) Kurdish**

Pressure on the Kurdish language, on the people who spoke Kurdish or made publications and sang songs in Kurdish continued in 1993 without any decrease when compared to the previous years, although there is no legal restriction against the Kurdish language. In addition, intolerance against circumcision feasts and wedding ceremonies made in accordance with Kurdish traditions was not abolished. Many people were detained and occasionally arrested for singing Kurdish folk songs. Circumcision and wedding ceremonies held in accordance with Kurdish traditions were prevented by security officers. Furthermore, some of the persons who attended those ceremonies were detained or arrested. In addition, reactions continued to be made against the colours of "red-yellow-green" that constitute the Kurdish flag. Clothes, ornaments, vehicle accessories and shop plates having those three colours allegedly symbolizing the PKK were seized and destroyed.

Bans and obstructions on Kurdish had been modified at the end of 1991 as a result of several positive steps taken by the SHP-DYP coalition government. Thus, bans on Kurdish publications had been almost completely lifted, Kurdish cassettes, books and dictionaries had been able to be sold freely in the market and reviews some parts of which were written in Kurdish were published. Even, a review called "Welat" which is written completely in Kurdish had started to be published. The review Welat continued its publication in 1993, too, but it could not avoid investigations and trials launched in connection with articles in certain issues. On the other hand, there were illegal applications on Kurdish cassettes, for example; Kurdish cassettes sold in Diyarbakır, Van, Muş, Bitlis, Erzurum and Tatvan were seized by the police upon an order by the Diyarbakır Governorate on 11 February. It has subsequently been discovered that those seized cassettes had permission to go on sale.

Following are some of the sample cases regarding the intolerance against the circumcision feasts and wedding ceremonies made in accordance with Kurdish traditions, and against flags, ornaments etc. coloured "red-yellow-green":

The Kurdish Cultural Foundation establishment procedures of which were completed on 22 June 1992 was not registered by İstanbul Court of First Instance No.1 on the grounds that it was based on race. Diyarbakır Deputy Hatip Dicle, one of the founding members of the foundation, criticized the court's decision and said: "What was banned is the word "Kurdish" and what was not recognized is the national and cultural rights of the Kurds. Turkey, acted against the decisions of the Paris Charter and CSCE." Hatip Dicle added that they would apply to the

Supreme Court for annulment of the decision. The Kurdish Cultural Foundation had been founded with the aims of conducting research on the Kurdish language, literature, geography, folklore, music and ethnography, and of holding introduction and publication activities.

A trial was launched against İbrahim Kaya for wearing the red-yellow-green colours while performing in a Kurdish play put on for the first time since 12 September 1980 by the players of "Şanoya Roja Azadi" (Theater of Freedom Day). In the trial launched by İstanbul SSC Prosecution Office, İbrahim Kaya was demanded to be sentenced under Article 8 of the "Law to Fight Terrorism" on allegations of making separatist propaganda with his "red-yellow-green" coloured cloth. İbrahim Kaya who made his defence in the first hearing held on 12 February pleaded not guilty, pointing out that the activities were not in contravention to the law.

A wedding ceremony held in Dağlıoğlu quarter of Adana on 1 March was raided and prevented by police although police permission had been granted for the ceremony. During the raid, members of the music group playing were beaten and their musical instruments were damaged. Six persons, including the organizer of the ceremony, were also detained. Those 6 persons kept at Adana Security Directorate for 48 hours stated after being released that they had been tortured under police custody.

The play "Mirin ü Jiyana" (Life and Death) to be performed in March in Ankara by Jiyana Nü Theatre formed under Mesopotamian Cultural Center was banned by Ankara Governorate. The ban decision was communicated to the theatre authorities just before the performance. Protesting against the decision Kemal Okutan, the Secretary General of the People's Labour Party, claimed that the play was banned on the grounds that it was in Kurdish.

Five persons who had been detained and against whom a trial had later been launched for singing Kurdish folk songs during a wedding ceremony held in Gaziantep on 9 October, were convicted. In the trial which ended on 25 June at Malatya SSC, defendants Abdülmecit Sezgin, Mustafa Utkun, Kasım Şen, Ahmet Bilgin and Naif Özkılıç were sentenced to 20 months in prison and a fine of TL 83 million each. The trial had been launched under Article 8 of the "Law to Fight Terrorism".

Dişarbakır branch of the Mesopotamian Cultural Center (MKM) was raided by police officers on the evening of 29 July. Nobody was detained in the raid. The authorities of the Center said: "Our branch was raided by the police without a search warrant. During the police raid, identities of our personnel and their quests were determined, our archive and documents were searched. This situation bothered our personnel. The raid is an arbitrary application made in order to browbeat and intimidate us".

İstanbul SSC Prosecution Office launched an investigation in connection with articles entitled "Gele Tirk Ji Bi Serxwe ve Te" (Turkish people rose up, too) and "Li Edene Polisan Teror Pekani" (Police terror in Adana) published in two different issues of the Kurdish review Welat in August. Chief editor of the review Mazhar Günbat testified in connection with the investigation.

The security officers who disturbed in a wedding ceremony on 20 August in Göklü town of Halfeti, Urfa detained 15 children aged between 7 and 15 under duress. The names of the children detained on charges of shouting slogans in favour of the PKK are Doğan Demir, Deniz Yiğit, Ali Solay, Erol Kaya, Mahmut Yiğit, Ali Korkmaz, Nihat Büyükkaya, Enver Ateş, Murat Yiğit, Mehmet Yiğit, Salih Karayılan, Metin Yılmaz, Yasin Yiğit, Bekir Yiğit and Kenan Gökoğlu.

During the debates on the draft bill concerning the private radio and televisions, the motion submitted to the National Assembly by the Social Democratic Populist Party deputies in order to enable "radio and TV broadcasting in Kurdish" at the beginning of November, was rejected. The motion was supported by only 15 out of the 140 deputies present in the session.

Adana Branch of the Mesopotamia Cultural Center was raided by the police on 11 November. Seizing some journals, books and video cassettes in the center, the policemen detained 6 persons named Hüsni Adıbelli, Mehmet Eşli, Hamit Eldemir, İlhan Özdemir, Bişar Korkut and Hasan Kaya who were all in the building at the time. Among the detainees, Hüsni Adıbelli, İlhan Özdemir and Mehmet Eşli were arrested later. The Mesopotamia Cultural Center was raided by the police for the second time on 16 November. During the raid, 5 persons, who were at the office at that time, including 2 members of the Democracy Party namely Niyazi Çelik and Hasan Kaya, were detained. Five persons who were detained on grounds that "they were carrying illegal publications", were released after 24 hours. In a statement he made after being released, Niyazi Çelik (40) said that he was tortured under detention.

Singer Fevzi Kurtuluş was detained by the police after a concert on 14 November. Fevzi Kurtuluş detained on the grounds that he made separatist propaganda through the songs he sang was arrested by İstanbul SSC on 15 November. Fevzi Kurtuluş's lawyer, Sabri Kuşkonmaz, reacting against the arrest of his client, raised objection to the decision. However, no result could be drawn. Fevzi Kurtuluş against whom a trial was launched under Article 8 of the "Law to Fight Terrorism" was kept under arrest for 2 months.

Police officers who intervened in a wedding ceremony held on 25 December in Şahin Tepesi quarter of Mersin, detained 20 persons including the bridegroom Kadri Esenli, on the grounds that Kurdish songs with separatist lyrics were sung. Some of the music instruments played during the ceremony were also damaged.

In the meantime, the Laz people living in Turkey started to publish a culture and art magazine called "Ogni". Articles written in the Laz language and Laz alphabet appeared in the first issue of the magazine released in November. Administrators of the magazine an important part of which is printed in Turkish said: "We cover an outstanding deficit. We are aiming to introduce our language commonly used in the Black Sea region to a great extent". The first issue of the magazine was confiscated within a short time by the İstanbul SSC on allegations that it disseminated separatist propaganda in three separate articles. Following the confiscation, a trial was launched against Mehmet Barış Beşli, the chief editor of the magazine under Article 8 of the "Law to Fight Terrorism".

The Sheik Sait Research, Education, Culture and Solidarity Foundation organized by a group of Kurdish intellectuals was founded in October in İstanbul. Kasım Fırat, grandson of Sheik Sait was assigned as President of the Foundation founded by a delegation of 50 people, journalist Gurbetelli Ersöz as the Deputy President, lawyer Baki Çelebi as accountant and Celal Baykara, Yılmaz Çamlıbel, Ali Beyköylü, İbrahim Gürbüz, Musa Sağnıç, Osman Ayar, Sabah Kara and Sıddık Taşdemir as members of the Administration Board. Reminding people that Sheik Sait who had risen up against the Turkish Republic in order to found a Kurdish state around Genç, Palu and Hani in 1925 had been executed after the repression of the uprising within a short time, the administrators of the Foundation said: "All propaganda and bans enforced for years in order to make people forget the struggle of Sheik Sait and his friends remained insufficient. Now, what we should do is to revive him and his friends".

## **f) Freedom of conscience and religious pressure**

When we consider the year 1993 from the view of the freedom of religion and conscience, the first issue coming to mind is the problem of headscarves. The problems related to the headscarved students studying at universities were not completely removed in 1993. Female students who wear headscarves were easily allowed to enter the classes in most of the higher education institutions, however, they did face some difficulties in a few universities and faculties. Those such students were given various disciplinary sentences and among the universities and higher education institutions where the headscarved students faced most difficulty were the Middle East Technical University (METU) and the Hacettepe University in Ankara. According to a report prepared by the Parliamentary Human Rights Commission, 86 students were punished with condemnation at the Middle East Technical University while 27 students were removed from the school for one week, 7 students for 15 days, 17 students for one month and 12 students for half a semester between the years 1984 and 1992. Ömer Saatçioğlu who is the then Rector of the METU which is one of the universities applying the headscarf ban in a very strict manner, replied the report: "It is not true that students are not allowed to enter the classes or are prevented from education because of their headscarves".

The decision taken by the Council of State on 13 November 1992 which enables the students to enter the classes while wearing headscarves, lost its validity in 1993. Middle East Technical University student, Pınar Tetik, who had been punished when she had insisted on following courses wearing a scarf, had applied to the Council of State in 1991 with demand of annulment of the disciplinary regulation authorizing her punishment. The Council of State Office No.8 had found the application proper and annulled the said disciplinary regulation on the grounds that it was in contravention to the law and the Constitution. The decision had been taken by 3 favour votes against 2 opposition votes. Nevertheless, the decision was not found appropriate by the Council of State and quashed in 1993. In accordance with the decision of the General Board of Administrative Cases reporting to the Council of State, the condemnation for Pınar Tetik prevailed. The decision was taken by a majority of votes.

Sema Kırıcı studying at the Middle East Technical University was suspended from classes for half a term in February, upon her insistence on wearing a headscarf while attending courses. During the same period, disciplinary investigations were initiated against 10 students at the METU for similar reasons.

Term registrations of headscarved students studying at the Nursery High School and the Health Services High School of the Hacettepe University were not accepted because they had their photos taken while being headscarved. The students against whom disciplinary investigations were launched claimed that some of the lecturers insulted them and said: "Our lecturers tell us that they feel sick when they see us. They swear at our friends studying at the Health Services High School. All these insults take place in front of friends".

In addition, during the new academic term which started in October, students were not permitted to follow the courses while wearing headscarves in some departments of the Middle East Technical University. For example; in a circular signed on 4 October 1993 by Ayşe Bener, Head of the Foreign Languages Department of the METU, it was reiterated that the decision taken by the University Senate in 1990 on dress of the students was in force and stated: "The students must not be headscarved in closed places such as classrooms, amphitheatres, laboratories, corridors, studios and libraries etc. An administrative procedure will be initiated and disciplinary investigation will be launched against those who disobey this rule". According to the

rule, students who enter the classrooms wearing headscarves will be warned by lecturers, and if the headscarved students are in corridors, they will be warned by administrative authorities. If the students insist on covering their heads, a memo will be recorded and the faculty they study at will be informed about the situation in order for an investigation to be launched. The students in such cases will be punished in accordance with the Discipline Regulations.

During the same period, the headscarved students were not allowed to enter the classes in certain faculties of the Hacettepe University. The ruling was strictly applied at the Faculties of Medicine and Dentistry. Headscarved students studying at the Faculty of Dentistry were not given patients. Students who made a statement on the subject said: "In certain courses, some of our lecturers do not give us any patients for examination. Thus, we are not able to pass the courses and we forfeit one year. When we tell our lecturers that such an application does not exist in the regulations, they threaten us." Indicating that she was still in the 2nd term for 3 years because of the punishments she received, a headscarved student said that she was considering transferring to another university due to pressure. In addition, the students at the Health Services High School stated that the headscarved students were under pressure and subjected to every kind of punishment. "Freedom of religion and conscience is assured by the Constitution. However, what we experienced shows that this freedom is not assured as it should be" the students said.

In the meantime, the European Human Rights Commission did not accept the application made by female students Şenay Karaduman and Lamiye Bulut whose diplomas were not awarded because they refused to have their photos taken without headscarves. Şenay Karaduman who graduated from the Faculty of Pharmacy of Ankara University, and Gazi University graduate Lamiye Bulut lodged complaints about Turkey to the European Human Rights Commission in 1992, stating that their freedom of religion and conscience was restricted and that their personal rights were ignored. The justification for the rejection given by the Commission which studied the complaints and listened to defence of the Turkish Republic, is briefly given as follows: "When it is preferred to study at a secular university, rules of that university must be obeyed. To wear special clothes showing characteristics of a certain religion in a place where most of the people are members of this religion, causes pressure on other persons who do not actively follow this religion or who are members of other religions. Secular universities may enact some principles about the code of dress of students. Therefore, there are no elements restricting the freedom of religion and conscience mentioned in the aforesaid complaints". Şenay Karaduman reacting against the decision of the Commission said: "Europe acted with double standards as usual. The decision states "When it is preferred to study at a secular university, rules of that university must be obeyed". This statement cannot be accepted. If the rules and regulations violate human rights, they should be rearranged. In Europe, everyone who wants to be headscarved can follow courses even if at primary schools".

The applications similar to those witnessed at the universities also caused various difficulties for the female lawyers who wanted to carry out their duty while wearing a headscarf. For instance; Hayriye Yıldız, one of the lawyers of the Malatya Bar Association was taken out of the court hall by the police when she wanted to attend a hearing held at Malatya Court of First Instance No.1 on 15 July while wearing a headscarf. Hayriye Yıldız, subsequently, applied to the Parliamentary Human Rights Commission and complained about the application. Following the event, a circular, dated 16 August 1993, and signed by Önder Sav, Chairperson of the Turkish Bar Associations Union, was sent to all bar associations. In the circular it was stated: "Unfortunately it has been revealed that some female lawyers attend hearings with their heads

covered and that some bar associations stand by those attitudes which are in contravention to the law. Bar associations should warn their members who disregard the rules and initiate the necessary procedure on the subject. In addition, they should inform the Bar Associations Union about related decisions".

The Justice Ministry's decision enabling female lawyer candidates under training, to cover their heads was quashed by the Council of State on the grounds that being headscarved during probation was contrary to secularism. The process which occasioned the Council of State to take such a decision developed as follows: "Melahat Akgün who started probation under the structure of the İzmir Bar Association in 1989 insisted on being headscarved in spite of many warnings and she was subsequently discharged. The discharge decision taken by the İzmir Bar Association's Discipline Board was examined by the Turkish Bar Associations Union upon the objection raised by Melahat Akgün, but the decision was found appropriate and approved. Subsequently, Melahat Akgün applied to the Ministry of Justice in 1990. The then Minister of Justice took the application into consideration and decided that she might continue her probation wearing a headscarf. The decision of the Ministry of Justice was then put on trial by the Bar Associations Union. The Council of State deemed the Bar Associations Union to be right and abrogated the decision of the Ministry. The Council of State stated the following in its decision: "Since lawyer candidates carry out their probation in accordance with the Law on Ad-vocacy, their illegal attitudes are determined within the frame of the same law and it is trusted that the necessary procedure will be made. The attitude of the probationer who continued her probation despite all warnings is contrary to the principle of a secular law state and does not suit advocacy. In this situation, the decision against the lawyer candidate is appropriate".

No information was received about military officers and non-commissioned officers who were dismissed from the army or against whom investigations were launched on charges of carrying out religious activities within the army in 1993. However, no result was drawn from the attempts made on demand of "recharging of the military officers and noncommissioned officers dismissed from the army because of their religious activities" or of "compensation for them". During the year, the police carried out operations against certain Islamic groups and paths and put restrictions on them.

In addition, various operations were carried out against the members of radical Islamic İBDA-C organization. As a result of those operations more than 100 members or followers of İBDA-C(\*) were detained and some of them were arrested. The detainees and arrested were described in public as perpetrators of various armed and bomb attacks. Most part of the detainees stated that they had been tortured and that they had obtained medical reports verifying the torture inflicted on them.

In the meantime, an attempt to hold a demonstration on 6 February in Ankara by an Islamic group of the "Aczmendi" religious order, was prevented by the police. Buses carrying about 150 members of the Aczmendi order from Malatya and Elazığ, were stopped near Gölbaşı district of Ankara. The people in the buses were notified that they would not be allowed to enter Ankara. Then the order members who wore turbans, cassocks and baggy trousers, and who were holding scepters, sang hymns accompanied by tambourines in protest of the prevention. The

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(\*) İBDA-C took responsibility for most of the bomb and armed attacks carried out (especially against entertainment centres and shops selling alcoholic drinks, churches and some state buildings) in various areas of Turkey, particularly in İstanbul in 1993.

religious order members returned after some negotiations between their leader Müslüm Gündüz and police authorities. In the meantime, 25 members of the Aczmendi order who were walking on the streets in certain quarters of Ankara on the same day, were detained. A trial was launched against the detainees for acting in violation of the "Law on Clothing".

A trial was launched against Müslüm Gündüz, the leader of the Aczmendis in connection with a speech he made on a private TV channel. In the indictment read in the first hearing held on 23 September at Elazığ Heavy Penal Court, Müslüm Gündüz was accused of insulting the Turkish Republic and its institutions and demanded to be sentenced to between 1 to 6 years in prison. Müslüm Gündüz said in a statement he made later that he was tried only because of his thoughts. He was also sentenced to 15 months in prison on 23 December because of an interview made with him by the newspaper Cumhuriyet and published between 23 and 27 March 1993.

Another situation threatening the freedom of religion and conscience in 1993 is the intensified attacks against non-muslim minorities (Armenians-Greeks-Syriacs). Particularly in İstanbul various attacks were carried out against Greek and Armenian cemeteries, churches and schools. (Most of those attacks were reportedly carried out by the members of the radical Islamic İBDA-C organization) Syriacs living in the Emergency State Region were also exposed to various attacks.

In the last week of April, the cross on the roof of Surp Astvazazin Armenian Church in Bakırköy, İstanbul was dismantled, thrown to the street and damaged by unidentified persons. In addition, a bucket of human excrement was poured through the window and door of the same church at the beginning of October. Windows of the church in question were broken by sticks and stones on the evening of 8 October. On Christmas night, a radical Islamic group of 15 people who gathered in front of the church held a demonstration shouting slogans against Christianity and Armenian society. Before dispersing, the demonstrators broke the windows of the church. Nigos Hahamcıyan, Board of Trustees Chairman of Bakırköy Surp Astvazazin Church Foundation, applied to Bakırköy District Governorate stating that Armenian society was very worried about the attacks.

Certain graves in a cemetery belonging to Greeks in Yeniköy quarter of İstanbul, were destroyed by unknown persons in August. The event was discovered by the employees who went to the cemetery on 25 August for maintenance. Following the investigation conducted upon the application of Aleksandr Nikolai who is the Chairman of the Paniya Humaritos Greek Orthodox Church Foundation in Yeniköy, it was determined that 12 graves were destroyed by sledge hammers and skeletons in the graves were interfered with. Nikolai said he believed that either radical islamic persons or land mafia were responsible for the event.

Fener Greek Lycee for girls in İstanbul was set on fire by 7-8 unidentified persons on the night of 28 September. The fire was extinguished by the residents within a short time. A short while before the event "Patriarch, you will be kicked off" was written on the walls of the Fener Greek Patriarchate.

Armenian churches in Narlıkapı, Kadıköy and Üsküdar were the victims of attacks with molotov cocktail, sticks and stones in 1993. On the walls of the churches which were damaged because of the attacks, slogans against Armenian were written. Besides this, Armenian cemeteries in Uzuçayır, Edirnekapı, Ortaköy, Boyacıköy and Kınalıada were destroyed by unknown persons, and crosses there were broken. In connection with the attacks, Turkish Armenian Patriarch Karekin applied to İstanbul Governor Hayri Kozakçıoğlu and demanded effective protection measures. Pointing out that Armenian society was very restless because of

those attacks, Patriarch Karekin demanded the Armenian churches to be protected in a more strict manner on the days of 5 and 6 January 1994, the Christmas days for Eastern Orthodox Churches.

In the meantime, the Ministry of Education made a decision in 1993 in which it became compulsory that all courses in Armenian schools, except Armenian language courses, be given in Turkish. The decision caused reactions among the protectors of the students studying at Armenian schools in İstanbul. Armenian protectors stated that Article 47 of Lausanne Agreement was violated by the decision. How the religion courses would be carried out in Turkish excited everyone's curiosity. The Armenian Patriarchy applied to the İstanbul Governorate for correction of this mistake. Article 47 of Lausanne Agreement foresees: "In the cities and towns mostly inhabited by non-Muslim citizens, the Turkish Government shall show necessary comfort for the children of those citizens to study in their own languages at primary schools. This provision will not prevent the Turkish Government from making Turkish teaching obligatory at the aforesaid schools".

Seven persons died and 10 persons were wounded as a result of fire opened by unidentified persons on 13 January on two different minibuses carrying Syrians around Midyat district of Mardin. The names of those killed are "Aziz Kalaycı (44), Aydın Aydın (27), Gevriye Durmuş (50), Nuriye Kayar (60), Halil Dede (51), Yusuf Bozbakır and İsa Koç". In a statement made by the Netherlands' Assyrian Federation as to the event, "Hizbullah followers" and "village guards" were accused and it was said: "Two months ago Hizbullah followers sent letters to all Syrians living in the region, and warned them saying that they would be killed one by one if they did not leave the region within two months. Now, the threats of this gang is being applied". Agents of the attack which resulted in the deaths of 7 persons were not found in 1993. The official statements claimed that the attack had been carried out by PKK militants. A woman named Hanna Demir who escaped with injuries from the attack made a statement in the Netherlands where she was taken to for treatment and said: "I saw one of the attackers. He was about 18 years old. He had a G-3 made rifle. It is not true that the attack was carried out by PKK militants. If they had been PKK militants, it would have been known. We had no problem with the PKK up to now. They never disturbed us. We never accepted to be village guards and to carry the guns of the state".

Village guards who raided Zaz village of Midyat, Mardin on 22 January where Syrians live, seized about DM 200.000 belonging to the church in the village. They detained 4 villagers and tortured them in a shop in Midyat. The villagers of Zaz had been subjected to pressure and threats in the previous years, too. Thus, some of the villagers had left the village and moved other settlements.

Kösralı (Hasena) village of Silopi district of Şırnak, inhabited by Syrians was evacuated at the end of 1993 for security reasons upon an order of the security officers. The villagers were ordered to leave the village by 20 November 1993. Appeals by the villagers for an extension of the deadline by April 1994 was rejected. More than 400 people were living in Kösralı village which has 60 houses and is the last Syriac village of Silopi. Following the evacuation of the village, some villagers went to their relatives in Midyat and Mardin while a group of 13 families settled in Öğündük (Mideh) village of İdil inhabited by Syrians. Öğündük village which is located 15 kilometres from İdil is among the villages thought to be evacuated. The number of houses in Öğündük where there were 300 houses 5 years ago, declined to 60 due to pressure and events in the region. Most of the people living in the village went to Europe. Meanwhile, grape gardens in Öğündük village were burnt by village guards in August.

## **FREEDOM OF ORGANIZATION**

1993 was not so different from previous years concerning the view of freedom to organize, meet or hold demonstrations. Pressure and attacks against democratic mass organizations and some of the political parties continued. Anti-democratic provisions of the Law on Associations, the Law on Political Parties, the Law on Assemblies and Demonstrations, inherited from the "12 September period", were often applied. Discomfort felt against certain political parties and democratic mass organizations was pointed out during meetings of the National Security Council. Within this framework, certain decisions were taken and pressure on political parties and organizations in question were intensified. Provisions of the "Law to Fight Terrorism" were frequently applied to those parties and organizations and to their leaders and members.

Pressure, attacks and difficulties that the democratic mass organizations, political parties and demonstrators faced during the period of the 1st SHP-DYP coalition government, continued during that of the 2nd SHP-DYP coalition government. Legal institutions were closed, their leaders were arrested, prosecuted, convicted to various penalties of imprisonment and fines. Fire was opened at demonstrators, leaders or members of democratic mass organizations and political party members became victims of unsolved murders. Promises given by the SHP-DYP coalition on the freedom of organization, were not kept, and there was no positive attempt on this subject.

### **a) Pressure on the İHD**

The Human Right Association, its members and human rights advocates often faced various pressure and attacks. In 1993, 3 İHD leaders (Elazığ Branch Chairman Metin Can, Urfa Branch Administrative Board member Kemal Kılıç and Tatvan Representative Şevket Epözdemir) were murdered by dark forces. 4 branches of the İHD (Konya, Elazığ, Mersin-twice and Çorum) were closed upon orders by local authorities. Many branches of the İHD (particularly those in the Emergency State Region) had to stop functioning due to pressure and attacks. Leaders and members of the İHD were detained, arrested, tortured and subjected to various attacks. Trials on demand of imprisonment and fine sentences were launched against many İHD members and leaders, particularly against the İHD Chairman Akın Birdal and the İHD Secretary General Hüsni Öndül.

Ideological attacks which had been initiated against human rights advocates by the political powers in 1992 and supported by some media institutions and certain journalists, escalated in 1993. The attacks on the İHD and human rights advocates went as far as accusing the İHD of being a "terror organization" and human rights advocates of being "terrorists". Many

publications did not publish the news about statements and activities by the İHD. Replies by the İHD and human rights advocates to the news or articles accusing them, were ignored.

Following are some of the sample cases on pressure, attacks and bans against the Human Rights Association and human rights advocates:

Yavuz Binbay, the Vice Chairman of the İHD, was detained on 9 January at İstanbul Atatürk Airport. Yavuz Binbay, who was among the delegation members to attend a conference in Denmark was reportedly detained because of a detention order issued on 6 March 1992. Yavuz Binbay was released 6 hours later when the order in question was lifted.

İHD Adana Branch which had been closed in November 1992 was opened again in January. İHD Adana Branch Chairman Cumali Tunç held a press conference and stated that the branch had been opened again because the trial launched by Malatya SSC resulted in a decision not to prosecute.

Musa Turan and Celal Turan, Administrative Board members of İHD Tunceli Branch, and persons named Musa Aksoy, Musa Arslan, Hıdır Doğan, Veli Talay and Metin Besi were detained on 19 January and arrested on 29 January.

Sekvan Aytu, the İHD Şırnak Branch Chairman, arrested on May 1992 was released on 16 February. A trial had been launched against him on demand of up to 10 years in prison.

The Freedom and Democracy Party (ÖZDEP) Erzincan Provincial Organization Chairman Cemal Akar (30), who is also among the founding members of the İHD Erzincan Branch, was kidnapped by unidentified persons on 25 January. No information could be received about the fate of Cemal Akar for a long period of time. He was found dead in the vicinity of Zagge village of the Pülümür district of Tunceli on 25 February. It was revealed that he had been killed on 21 or 22 February and that his head and one arm had been cut off.

Journalists Kemal Kılıç, a member of the Administrative Board of the İHD Urfa Branch, was killed by unidentified persons on 18 February at about 6.00pm near Külünçe village located 17 kilometers away from Urfa. The assailants escaped by getting into a taxi. Kemal Kılıç had applied to the Urfa Governorate in order to buy a licensed gun, but his application had been rejected. (Detailed information is under the section titled "Assassinated Journalists")

The İHD Elazığ Branch Chairman lawyer Metin Can and physician Hasan Kaya were kidnapped and killed in February. The event developed as follows: Metin Can left his house together with Hasan Kaya upon a phone call on the evening of 21 February. An unidentified person who called the house of Metin Can at noon on 22 February, said his wife Fatma Can that they had been killed. Following this, the car that Metin Can and Hasan Kaya had got on was found near Beldekonak town. An unidentified person called the house of Metin Can on 23 February said: "We will set Metin Can free, but keep Hasan Kaya". On the same day, someone called the house of Hasan Kaya and made listen to the sounds of a person screaming under torture. The shoes that Metin Can had worn on the day that he had disappeared, were found around his house on the evening of 24 February. Various attempts were made in order to find Metin Can and Hasan Kaya alive. A delegation including Fatma Can, the wife of Metin Can, came from Elazığ to Ankara. A platform was formed of representatives from various associations, chambers and trade unions. A hunger strike was staged in Elazığ. A delegation headed by the İHD Chairman Akın Birdal went to the National Assembly on 25 February. A group of 10 persons, including Akın Birdal and the relatives of those who had disappeared, met with Fehmi Işıklar, the Deputy Chairman of the Assembly, in accordance with the appointment made before. Other members of

the delegation while awaiting consequences of the meeting at the entrance of the Assembly, were dispersed under beating by the police, and some persons were dragged and wounded. During the event, İHD Secretary General Lawyer Hüsni Öndül was also beaten by the police. Twenty-nine deputies from various parties, put forward a motion separately to the National Assembly Chairmanship on 27 February and demanded Minister of Interior İsmet Sezgin to clarify the fate of Metin Can and Hasan Kaya. The following questions were asked in the motions: "Is there any connection between the incident and the demand to exclude Elazığ from the Emergency Legislation?"; "May certain security officers tend towards artificial provocation in order not to be deprived of additional payment allocated for only emergency state regions?".

All these efforts remained fruitless. Metin Can and Hasan Kaya were found dead on 26 February in a place 12 kilometers from Tunceli. It was revealed that İHD Branch Chairman and his friend had been tortured and then shot dead with one bullet each in their heads. As a result of the autopsy it was established that one tooth of Hasan Kaya had been broken and there was a cord trace around his neck, and that one rib of Metin Can had been broken. The Human Rights Association Chairman Akin Birdal who made a statement about the event, said: "We made every effort to find our friends alive, and applied to all authorities. However, we could not prevent their deaths. We are so sorry. We condole with human rights activists. Unfortunately, pressure and threats against our association turned into murder at the end". Metin Can and Hasan Kaya were laid to rest in Elazığ on 28 February.

In February, the İHD İzmir Branch that attempted to send food to Güçlükonak district of Şırnak, under food embargo of the security forces, was prevented by the İzmir Governorate on the grounds that the activity violated the Law on Gathering Aid.

Hacı Oğuz, the İHD Siirt Branch Chairman and his daughter Sevim Oğuz were taken from their house by the police on the night of 25 February. It was discerned that Hacı Oğuz and his daughter had been detained in accordance with explanations of a confessor in prison. Hacı Oğuz, beaten by the police, was arrested on 26 February.

İHD İzmir Branch Chairman Yeşim İşlegen stated that they were frequently receiving death threats from unknown persons introducing themselves as "police officers". Pointing out that the persons in question made them listen to the screams of tortured persons, Yeşim İşlegen applied to the İzmir Governorate and demanded necessary precautions and personal security.

Kayseri SSC launched a trial against the leaders of İHD Ordu Branch in connection with a press statement they had made. In the trial, the leaders named Metanet Öztürk (the Chairman), Seydi Ahmet Eribol, Hakkı Katırcıoğlu, Atilla Cebi, Avni Kalafat, Bahattin Kılıç and Ömer Kılıç were accused of making separatist propaganda. Sentences of no less than 2 years in prison were demanded for the İHD leaders under Article 8 of the "Law to Fight Terrorism".

A case was initiated against Ercan Kanar, who is Vice Chairman of the İHD and İstanbul Branch Chairman of the İHD, because of a speech he had delivered in a press conference in 1992. A sentence of up to 10 years in prison was demanded for Ercan Kanar on charges of insulting the state by saying "the state is not only a terrorist but also immoral" in the press conference in question. Ercan Kanar prosecuted by İstanbul Criminal Court No.2, said the following at the first hearing held on 12 March: "In my speech I said that the state applied illegal ways and that to urge people to be a denouncer was immoral. However, I did not aim to insult the state".

The İHD Elazığ Branch was closed for one week as of 20 March. The closure verdict was given on the grounds that persons who were not members of the association went there.

Evin Aydar, who is the former Chairman of the İHD Siirt Branch and the wife of Siirt Deputy Zübeyir Aydar, was not allowed to go abroad. Evin Aydar who went to İstanbul Atatürk Airport on 9 April in order to go to Tehran, the capital of Iran, was not permitted to get on the plane on the grounds that there was a ban against her.

Two separate trials were launched against the leaders of the İHD Bursa Branch in connection with the "Solidarity Night", they had organized on 10 January and because of a report, they had prepared on the human rights abuses witnessed in Bursa. The abovementioned İHD leaders who were tried at İstanbul SSC and Bursa First Instance Court were accused of distributing leaflets without permission and of trying to alienate people from military service. The names of the İHD leaders against whom trials were launched are as follows: "Muhammed Aydın (Chairman of the Branch), Ayhan Diken, Lütfü Kurtuluş, Hıdır Gültepe, Handan Eruçar, Işlay İrmak and Turan Akgün".

A trial was launched against lawyer İsmail Kavak who gave pens produced by the İHD İzmir Branch and on which it was written "Pride in humanity will overcome torture", as gifts to his clients in Buca Prison. In the trial launched in May, an imprisonment sentence ranging from 6 months to 3 years was demanded for İsmail Kavak. Kemal Kırılancı who is the lawyer of İsmail Kavak stated that a crime like "allowing pens in prison" had been invented and said: "There are no provisions on the Law of Advocacy which forbids pens in prisons. A pen is not a means for crime but service. In fact, the trial in question is an attack against the right to advocate". İsmail Kavak was acquitted at the end of the hearing held on 30 June by İzmir Heavy Penal Court No.4.

A group of İHD leaders and members named Derviş Altun, Demir Dervişoğlu, Melek Yıldız, Gürsel Demir and Halime Özçelik, who went to Aydın E Type Prison on 26 May in order to talk to the prison administration about demands of the prisoners on hunger strike, were detained under beating by the police. The abovementioned 5 persons who were taken to Aydın Meşrutiyet Police Station were released 4 hours later.

Rıfat Karakuş, Secretary General of the İHD Çankırı Branch, was detained on his way to home on the night of 15 June. Rıfat Karakuş, detained without any justification, was released on 16 June.

The "Congress on the Kurdish Problem" organized by the İHD and a group of intellectuals and planned to be held on 25, 26 and 27 June, was banned by the Ankara Governorate. The following was stated in the decision to ban: "The congress is not appropriate for the present time when the conditions and new developments are taken into account (to hold the Congress on the Kurdish Problem at this stage will bear the results which can not be redressed in the future)". The İHD Secretary General Hüsnü Öndül reacted against the decision and said: "The ban on the Congress puts forward, once more, the fact that the Kurdish problem is deemed as a military problem. They even try to prevent people from thinking about this problem. The President, Deputy Prime Minister, Chairman of the Assembly, political parties, trade unions, vocational organizations and intellectual were invited to the Congress. The intellectuals who approach the problem from different aspects will explain their ideas freely. We will convene for a just, democratic and peaceful solution to the problem". The objection raised against the ban decision was rejected. In the decision given by Ankara Administrative Court No.7, it was pointed out that the Constitution and the laws enabled governorates to ban meetings if necessary.

Ankara SSC Prosecution Office initiated an investigation against 5 persons because of the speeches they had delivered in the meetings held within the framework of the "Human Rights Week" activities organized by the İHD in December in 1992. The names of the 5 persons against whom an investigation was launched on charges of inciting people to enmity against each other through race discrimination, are as follows: "Akin Birdal, the İHD Chairman, Alpaslan Berktaş, former Chairman of the İHD İzmir Branch, Hüsnü Okçuoğlu, former Deputy from İstanbul, lawyer Ali Yıldırım and writer Yalçın Küçük". As a result of the investigation, a trial was launched against those 5 persons.

The İHD Mersin Branch was closed by the İçel Governorate for 15 days in June on allegations that "it had activities out of its aims". Kadir Arıkan, the Chairman of the Branch, said that it had been closed on the grounds that they supported the strike by workers of a filter plant in Mersin. The İHD Mersin Branch was indefinitely closed in July. The closure decision was taken because of the slogans shouted during the meeting held by the branch on 16 July. Kadir Arıkan said that the branch had been closed as a part of the operations carried out in order to make the democratic mass organizations ineffective, and added that they would apply all legal ways for annulment of the closure decision. Following the closure decision, a trial on demand of the closure of the branch was launched. The first hearing of the trial was held by Mersin Court of First Instance No. 4 on 23 December. Indicating that the trial did not accord with the legal procedure, lawyers of the association demanded its annulment. However, the application was rejected.

As a result of the operations carried out in Derik district of Mardin following the PKK attack on the district on the night of 6 July, about 40 persons including Veysi Karagül the DEP District Organization Chairman, and Mehmet Gökalp, the İHD Derik Representative, and Şeyhmuz Yükler, one of the leaders of the İHD Mardin Branch, were kept under police custody. During the operation carried out in Derik on 24 November, 9 persons including Veysi Karagül and Mehmet Gökalp were detained. The detainees were arrested on 21 December. Mehmet Gökalp and his friends, who had been subjected to torture in detention, were kept under arrest for 4 months.

A group of civil servants demanding syndical rights and collective bargaining held a demonstration on 28 July in Konak Square of İzmir, but the demonstration was prevented by the police and 40 persons were detained after being harassed. The İHD İzmir Branch Chairman Yeşim İşlegen and Administrative Board member Derviş Altun who went to the Security Directorate to be informed about the detainees were also detained. The detainees were released on the evening of 29 July.

The İstanbul Public Prosecution Office launched a trial demanding closure of the İHD İstanbul Branch on the grounds that separatist propaganda had been made and the PKK had been praised during a meeting held by the aforesaid branch on 6 December 1992. Ercan Kanar, the Chairman of the İHD İstanbul Branch, who took the floor in the first hearing held by the Beyoğlu First Instance Court No.4 on 6 October said that the trial violated international conventions and laws. He said: "According to Article 53 of the Law on Associations, there must be a definite penal court decision which may serve as proof for demand for closure in order to launch a trial demanding closure. There is no such decision against our association up to now. This trial has been launched against human rights and friendship of nations." The trial resulted on 8 December in refusal of prosecution because the İHD Headquarters was in Ankara. Following the last hearing, Ercan Kanar said: "The trial aimed at making the İHD ineffective."

The August issue of "Human Rights Bulletin", the monthly publication of the İHD Headquarters was confiscated by Ankara SSC. The confiscation decision was issued in connection with an article by İsmail Beşikçi, titled "İnsani-Moral Değerler" (Human-Moral Values), under Article 8 of "the Law to Fight Terrorism". Subsequently, a trial was launched by Ankara SSC Prosecution Office, against the İHD Secretary General Hüsnü Öndül, the chief editor of the bulletin and İsmail Beşikçi. The trial ended in 1994. İsmail Beşikçi was sentenced to 2 years in prison while Hüsnü Öndül to 6 months in prison.

Writer Muzaffer İlhan Erdost was acquitted at the trial that had been launched against him because of his speech in a meeting on "the Kurdish Problem" organized by İHD Ankara Branch in February 1993. The case, which ended at Ankara SSC on 2 September, had been launched under the "Law to Fight Terrorism" on allegations of making separatist propaganda. Leaders of the İHD Ankara Branch, Ayşe Yaşar (the Chairman), Nurşen Meriç, Emirali Türkmen, Hasan Tatar and Sait Demir, who had been judged on the same trial were also acquitted.

The İstanbul Public Prosecution Office launched a trial against İHD İstanbul Branch Chairman Ercan Kanar because of his article headed "Emret Komutanım Cumhuriyeti" (Yes, Commander Republic) published in the 25 June 1993 issue of Özgür Gündem. Ercan Kanar, prosecuted by İstanbul Heavy Penal Court No.2 on charges of insulting the state and judiciary system, was convicted to 10 months in prison on 17 December. The sentence for Ercan Kanar was commuted to a fine and reprieved.

The prosecution of Ahmet Canpolat (former chairman of the İHD Uşak Branch), Mehmet Karakavak and Hasan Peker against whom a trial was launched because of articles in the bulletin released in December 1992 by the İHD Uşak Branch, started at İzmir SSC. In the hearing held on 29 September, imprisonment and fine sentences were demanded for the defendants accused of disseminating separatist propaganda. Defending himself, Ahmet Canpolat said: "If the article is wholly read, it would be apparent that not separation but brotherhood is defended". Mehmet Karakavak stated that he had not made separatist propaganda, and said: "In my article, I criticized human rights abuses and extra-judicial executions."

Lawyer Yıldız Koluvaçık, one of the leaders of the İHD Malatya Branch, was attacked by an unknown person who entered her house on the night of 7 October. Yıldız Koluvaçık, threatened by the unknown person, was slightly wounded because of a blow of a gun handle to her head. Yıldız Koluvaçık stated that she had been threatened with her life for a long period of time. She said that the attacker had seized her bracelets, but she did not think that the incident was theft.

İstanbul SSC launched a trial in connection with an article in the 5th issue of the "Human Rights Bulletin" prepared by the İHD İstanbul Branch in September. The Branch Chairman Ercan Kanar and the chief editor of the journal, İzzet Eray were prosecuted on charges of disseminating separatist propaganda. In the first hearing held on 4 November by İstanbul SSC, no less than 2 years' imprisonment was demanded for Ercan Kanar and İzzet Eray. The trial resulted in acquittal.

Şevket Epözdemir, the Tatvan Representative of the İHD and Chairman of the DEP Tatvan District Organization was kidnapped from Tatvan by unknown persons on the night of 25 November. He was found dead near Güroymak district at about 3.00pm on 26 November. It was revealed that one of his arms had been broken and that he had been shot dead with one bullet in his head.

A placard commonly prepared by İzmir Branches of the Human Rights Association and the Contemporary Jurists Association, as to the death penalties, was prohibited by the İzmir Public Prosecution Office. Police officers who went to the İHD İzmir Branch on 11 December following the prohibition, seized more than one thousand placards. A heading saying "Death Penalty is Murder - Do not share this blame." was placed on the prohibited placard.

The İHD Çorum Branch was raided and searched by the police on 24 December, and some of the documents and publications there were seized. In addition, the Branch Chairman Mefzun Yücel and 3 leaders of the association were kept under custody for 12 hours. The İHD Çorum branch was temporarily closed by the Çorum Governorate.

## **b) Closed associations, prevented activities**

In 1993, numerous mass organizations faced attacks and pressure similar to those faced by the İHD. Planned activities were banned or prevented by security officers using force. Fire was opened at demonstrators and thus people were killed and wounded. Leaders and members of democratic mass organizations were attacked, detained and arrested. Trials demanding fines and imprisonment sentences were launched against those persons.

During the year, 31 associations or similar mass organizations (4 of them İHD branches) were closed upon the orders by local administrators or courts. The closed associations are as follows:

- Elazığ Solidarity and Culture Association (EHADKAD-2 times)
- Beykoz Cultural Research and Solidarity Association (BEYKAD-İstanbul)
- Association of Construction Workers and Technicians (YİTED-İstanbul)
- Mamak People Culture Association (Ankara)
- Association of Democratic Rights (DHD-İstanbul)
- Sincan Culture and Research Association (Ankara)
- Keçiören People Culture Association (Ankara)
- Sultandağ Culture and Research Association (SULKAD-İstanbul)
- Yenibosna Halkevi (a kind of culture house-İstanbul)
- Pendik Halkevi (İstanbul-2 times)
- Of Halkevi (Trabzon)
- Çorum Halkevi
- Solidarity Association of People from Tunceli (İstanbul)
- Students' Association of Çorum Vocational High School (ÇMYYO)
- People Culture Association (HKD-İstanbul)
- Pub of the Chamber of Chemical Engineers (Bursa)
- Mersin Branch of Municipality Workers' Association (Bel-Der)
- Association of People from Tunceli (İstanbul)
- Marmara Özgür-Der (Association of Rights and Freedoms-İstanbul)
- Konya Özgür-Der
- Kırıkkale Özgür-Der
- Uludağ Özgür-Der (Bursa)
- Malatya Özgür-Der (2 times)
- Kırşehir Özgür-Der
- Association of War Opponents (SKD-İzmir)
- National Democratic Women's Association (UDKD-İstanbul)
- Kağıthane Sadabat Sports Club (İstanbul)

Following are some of the cases out of the hundreds of practices and actions in violation of the freedom of association witnessed in 1993:

Following the concert by the Group Ekin on 19 February in Bergama district of İzmir, 39 of the persons who attended the concert were detained. The detainees were later released by the Public Prosecution Office. The released persons said that they had been beaten with truncheons and iron sticks by police officers. Two of the beaten persons applied to the HRFT's İzmir Representative Office.

Police officers raiding the Association of War Opponents (SKD) functioning in İzmir on 4 March, detained Murat Gül, the chief editor of the journal "Bakaya" (Absentee Conscript) because of certain articles published in the journal. Subsequently, the closure of the association was ordered.

Student Gülay Beceren who had been paralyzed as a result of fire opened by the police on the participants of the May Day demonstration on 1 May 1990, was acquitted at the end of the trial on which she was tried for being a member of an illegal organization. 39 defendants, on the same trial which concluded on 4 March at İstanbul SSC, were also acquitted. The other trial launched against Gülay Beceren and other 39 defendants because they had attended an unauthorized demonstration, will be held at Heavy Penal Court.

The Congress of Labour Women to be organized on 6 March 1993 in İstanbul in connection with the World Women's Day, was not permitted by the Governorate. Upon the ban, about 150 women held a demonstration in Aksaray. The demonstration was prevented by police force, and some of the women were beaten while 14 people were detained.

About 150 people who attempted to demonstrate for 8 March World Women's Day in Zafer Square of Ankara, were dispersed under beating by the police. More than 40 people were detained in the event during which 12 people were injured due to beating. The newspaper Hürriyet reporters Selçuk Şenyüz and Mehmet Oğuz Şenol who were following the event, were beaten by the police.

İbrahim Yalçın Arkan killed during a house raid carried out on the night of 24 March in Bahçelievler quarter of İstanbul, was buried in İstanbul Kocasinan Cemetery on 28 March after a funeral ceremony attended by 200 people. Demonstrations attempted to be held before and after the funeral were prevented by the police. A group of people who started to march after the funeral were dispersed by the police by opening fire in the air. In the incidents during which the demonstrators responded the police by throwing stones, 11 people, 3 of whom were police officers, were injured and 48 people were detained. Besides this, 5 persons who attended the funeral of Avni Turan, killed in the same house raid, in Ömerfendi village of Düzce on 27 March, were detained.

Kayseri Halkevi was burnt after unidentified persons poured gasoline on the premises on the night of 7 April. Since the fire brigade came to the scene of the fire half an hour later, the building was completely destroyed.

In Rize, 6 lycé students named Sevim Lokumcu, Aydın Ercan, Sinan Helvacı, Ali Gökçelik, Fuat Elmacı and Habib Kurtuluş who collected signatures for the campaign launched by the humour magazine "Deli" (Mad) for Nazım Hikmet's reacceptance to Turkish citizenship, were detained on 2 April. 4 of the students were released while students Fuat Elmacı and Habib Kurtuluş were arrested. The detained students stated that they had been tortured in detention.

The Festival for the Respect to Democracy planned to be held in Malatya on 17 April was not permitted by the Malatya Governorate on the grounds that incidents might occur and that the festival might turn into a political show. The concert by folk music singers Deste Gü-

neydin and Hamza Dođan on 13 June in Malatya was banned by the Governorate. The Malatya Governorate did not permit many activities on superficial grounds in 1993.

May Day Worker's Festival was celebrated in many settlements, particularly in İstanbul. May Day meetings were held by Türk İş and DİSK in Şişli Abide-i Hürriyet Square and in Pendik in İstanbul, respectively. Tens of thousands of people attended the meetings. Police officers dispersed a group of people who attempted to march after the meeting in Şişli and detained numerous people. On the other hand, the meeting in Pendik ended without any incidents. During the May Day celebrations in İzmir, 7 persons were detained. Among the detainees Müjdat Bilgiç, Mennan Azgın and Sezai Özkan were arrested. Besides this, police officers intervened in the "May Day" assembly organized on 30 April by the students of Ankara University's Faculty of Science, and detained 21 students. While the police officers were dispersing a meeting held at the Diyarbakır Dicle University on the same day, 10 persons were detained. Other "May Day" meetings ended without any incidents.

İzmir SSC launched a trial against Kemal Sahir Gürel and Elif Sumru Gürel, members of the music group "Grup Yorum" in connection with their concert on 15 March 1992 in Denizli. The trial launched under Article 8 of the "Law to Fight Terrorism" ended on 14 May in Denizli, and Kemal Sahir Gürel and Elif Sumru Gürel were sentenced to 1 year 8 months in prison and a fine of TL 42 million each. Later, the sentences were ratified by the Supreme Court. Kemal Sahir Gürel was arrested in December and sent to Çorlu Closed Prison. Kemal Sahir Gürel will serve 15 months in prison.

Meryem Erdal, former Chairman of the Contemporary Jurists Association Ankara Branch, and Sait Kiran and Vedat Bilgi, former members of the Administrative Board of the Branch, were acquitted in the trial launched under the "Law to Fight Terrorism". The trial which ended on 20 May at Ankara SSC, had been launched on the grounds the separatist pro-paganda had been spread during the meeting held by the Ankara Branch of the Association on 15 December 1992.

A demonstration planned to be held at noon on 9 June in Kartal Square by the civil servants in charge of İstanbul Kartal Tax Office on demand of a nursery was prevented by the police. The police officers who dispersed the crowd also beat the journalists who were following the event. Thus, about 20 persons including correspondents for the newspapers "Sabah" and "Meydan" were slightly injured.

Murat Özdemir, soloist of the music group "Grup Ekin" was detained by the police at the Ankara Justice Building where he went on 10 June in order to get back his belongings under trust of Ankara SSC. Murat Özdemir detained upon directives of SSC Prosecutor Nuh Mete Yüksel, was released 10 days later. Other soloist of the Group Ekin, Metin Turan, was also detained on 12 June in Antalya and he was subsequently arrested. In the meantime, concerts to be given by the Group Ekin in Samsun on 26 June, in İzmir on 18 July, in Konya on 25 September and in Zonguldak on 5 October were banned.

Seven shop owners who kept their shops closed for a while in Kurtalan district of Siirt in June were ordered to close their shops from one week to 15 days. Besides this, 9 of the shop owners who participated in the activity in the form of shop closing were detained. The names of the detained tradesmen are as follows: "Nezir Olcay, Ahmet Soy, Metin Yavuz, Mahmut Tur, Süleyman Tekedir, Ramazan Türkan, Cebrail Türkan, Bayram Sevda and a person named Abdullah."

The 1st Congress of Solidarity with Homosexuals planned to be held in İstanbul on 3 July by the homosexual persons coming from all over the world was not permitted by the İstanbul Governorate. The Congress was not permitted on the grounds that it was in contravention to traditional and ethical values of society and it would break the public order. 27 persons, most of whom foreigners, who attempted to hold a press conference in protest at the ban, were detained by police on 3 July. The detained foreigners were deported on the evening of the same day.

The burning to death of 37 writers and artists who attended the "Pir Sultan Abdal Festival" held in Sivas on 2 July provoked reactions all over Turkey. In many settlement centers, demonstrations were held in protest at the incident. Some of the demonstrations were prevented on various grounds.

A group of 500 people who demonstrated in İstanbul Sultanahmet Square on 6 July in protest at the Sivas incident were beaten and dispersed by the police. During the dispersion, some persons received wounds caused by truncheons and kicking, and 92 persons were detained, including İHD İstanbul Branch leaders Semih Mutlu and Aynur Tuncer. A trial was launched against those 92 persons, released on the next day. On the same day, while police officers were dispersing a crowd of people who demonstrated in Adana Sanatçılar Park, 4 persons, one of them was a journalist, were injured, 15 persons were detained and film rolls belonging to the journalists were seized. Following the demonstration held in Buca district of İzmir, 9 municipality workers were detained after being beaten by the police. A crowd of 4 thousands of people who gathered to demonstrate in Tunceli Cumhuriyet Square at noon on 7 July, were dispersed by the police. The police officers tried to disperse the crowd by beating them, but when the crowd resisted special team members around opened fire into the air. In the incident which lasted for half an hour, 7 persons were injured. In addition, about 500 people who gathered in İstasyon Square in Mersin on 10 July in order to demonstrate, were dispersed under beating by the police. Seven persons were wounded due to truncheon blows to their heads, and about 30 persons were detained. On the same day, 12 of the demonstrators in Alibaba quarter of Sivas were detained.

Meetings planned to be held in protest at the Sivas incident in İzmir, Antalya, Malatya, Mersin, Hatay, Turhal and Çorum were banned by the related governorates on the grounds that the meeting might disturb the public order and incidents might take place. Nine of the persons demonstrating in protest at the prevention in Turhal, were detained by the police. In addition, festivals planned to be held in Avanos district of Nevşehir, in Şarkışla district of Sivas, in Bahadın town of Sorgun district of Yozgat and in Ulubey town of Isparta in July and August were banned because of the Sivas incidents. Culture and music festival to be organized in August in Ankara for commemoration of the 37 persons, killed in Sivas, was not permitted by the Ankara Governorate on the grounds that the festival would disturb the public order. The activities organized by the Ankara Middle East Technical University students for the same purpose was cancelled by the Rector Süha Sevük. The activities to be held between 8 and 12 November was allegedly cancelled upon an order by the Ankara Governorate.

Thirty-five of the people who attended the music festival organized by Kuşadası Worker's Association on the night of 7 August in Kuşadası, were detained on charges of having made separatist propaganda through the slogans shouted during the festival and 21 of the detainees were arrested on 9 August. The names of the arrested persons are as follows: "Erol Engin, Hamdullah Akbaş, İsmail Süzgün, Halil İbrahim Sındırğaç, Ümit Kanlı, İbrahim Şeker, Bayram Dalgıç, Turan Türkmen, Fethi Koç, Şahin Çoban, Bayram Devrim, Mehmet Özenir, Zeki Çelik, Vatan Dinç, Muharrem Çifter, Eray Taşden, Hüseyin Koç, Feray Karapınar, Niyazi

Orak, Mehmet Nuri Balcı and Demir Dervişoğlu". Out of the arrested "Bayram Devrim, Eray Taşden, Hüseyin Koç, Niyazi Orak, Feray Karapınar, Mehmet Nuri Balcı and Demir Dervişoğlu" were released to be tried without arrest upon the objections raised by their lawyers on 12 August.

As a result of shooting by security officers at the people demonstrating on 15 and 16 August because of the 9th anniversary of the armed activities staged by the PKK, 16 persons died in Digor district of Kars and 3 persons in Malazgirt district of Muş. (Detailed information is in the section titled "Extra-judicial Executions"). Demonstrations were held by PKK followers in Sultançiftliği, Sağıclar, Eyüp and Parseller quarters of İstanbul on 15 August. The demonstrations attended by hundreds of people were dispersed, more than 150 demonstrators were detained while some of them were injured.

The "Peace, Culture and Art Festival", planned to be organized in Batman on the days of 27, 28 and 29 August was not permitted by the Batman Governorate on the grounds that they would not be able to take sufficient security measures and maintain personal safety of the artists, who attend the festival. However, authorities from the Batman Security Directorate said: "August is the month of action by the PKK. A festival to be held this month will serve for the benefit of the organization. We could not have permitted to such a trick."

The "Peace and Brotherhood Festival" planned to be held in Diyarbakır on 3 and 4 September was not permitted by the Diyarbakır Governorate. The festival was reportedly banned on the grounds that they had intelligence that wide-scale incidents would take place and that some of the artists to attend the festival were known for making separatist propaganda. Subsequently, a statement made in the name of the Festival Organization Committee indicated that propaganda of the circles against peace and articles in a local newspaper published in Diyarbakır led to the ban.

"Maden Culture and Art Festival", which had been organized for 5 years in Divriği district of Sivas on the days of 3 and 4 September, was prevented by the Sivas Governorate. The festival was not permitted on the pretext of the incidents in Sivas on 2 July 1993. The meeting, titled "Democracy and Humour" and organized by the Municipality of Torbalı district of İzmir on the same days, was prevented since writer Aziz Nesin was among the speakers.

A meeting to be organized in İstanbul on 11 September concerning the 73rd foundation anniversary of the Turkish Communist Party (TKP) which dissolved itself after functioning illegally until 1987, was banned by the İstanbul Governorate. No justification was shown for the ban order.

Diyarbakır SSC issued arrest warrants in absentia against 24 persons consisting of leaders or representatives of certain trade unions, association and journals in Diyarbakır in connection with a press statement they made on 27 May 1993 about the human rights abuses witnessed in Turkey at that time. The names of the 24 persons against whom arrest warrants were issued, are as follows: "Sedat Aslantaş (the İHD Diyarbakır Branch Chairman), Bahri Zülküf Karakoç, Tahir Keskin, Halil Öztopalak, Mehmet Yıldız, Ali Öncü, Mahmut Alpaslan, Zülküf Aydın, Sadık Yaşar, Mehmet Tekin, Hasan Gürtek, Selahattin Güvenç, Yüksel Zengin, Veysi Parlı, Güzel Ak, Aziz Akçan, Metin Akın, Mehmet Keşli, Hamdullah Akyol, Hüseyin Bora, Fehim Işık, Sakine Fidan, Cengiz Argüç and Hanefi Yıldırım". A trial was launched under the "Law to Fight Terrorism" against the 24 people, some of them were later arrested. Prosecution of the defendants started on 20 October at Diyarbakır SSC.

Hasan Erdem, the chairman of Democratic Rights Association (DHD) functioning in İstanbul, was detained on 14 October by policemen coming to the association office in Aksaray. Hasan Erdem was reportedly detained because he had been wanted by the police. The right leg of Hasan Erdem, shot by the police in İstanbul on 19 October 1992, had turned to gangrene and for this reason and amputated afterwards. He had launched a trial against 3 policemen in connection with the incident.

Arif Hikmet İyidoğan, the Chairman of the Association of War Opponents in İstanbul, was detained by the police on 15 October. Ayşe Erol, one of the leaders of the Association said: "He was detained without any justification. He was not permitted to have access to his lawyer."

The meeting planned to be organized in İstanbul on 17 October by the periodical Mücadele under the title of "the Middle East will not surrender to Imperialism" was banned by the İstanbul Governorate. The order was issued under Articles 9 and 10 of the Law on Assemblies and Demonstrations.

Funeral participants were beaten by the police after the funeral ceremony held for Naime Güngör on 4 November, who had remained in prison for considerable time during the 12 September period and then had begun suffering from cancer. Günseli Kaya, a member of the Central Administration Board of the İHD and one of the personnel of the İzmir Representative Office of the HRFT, who tried to prevent the police, was detained. In addition to Günseli Kaya, Derviş Altun, one of the leaders of the İHD İzmir Branch, and the persons named Enver Başaraner, Şahin Başaraner and Ramiz Sağlam were detained. The detainees were released in the evening hours.

"Solidarity Festival", planned to be organized in İstanbul on 21 November by the National Democratic Women's Association, was banned by the İstanbul Governorate. People who went to the hall where the meeting was to be held, being unaware of the ban order, were dispersed by the police. On the other hand, a common meeting to be organized in Diyarbakır by unions, associations and professional organizations, could not be held because of bars and barricades set by the police. A meeting to be organized by a group of women in Ankara on 27 November on the occasion of the "Day of No to the Violence against Women", was not permitted by the Ankara Governorate.

The "People Culture and Art Festive" to be held on 27 November by Keçiören Halkevi in Ankara not permitted by the Governorate for security reasons.

The police raided Ege Özgür-Der (Association of Rights And Freedoms) functioning in İzmir on 25 December, and detained 2 persons there.

### **c) Pressure on political parties**

1993 was not a positive year from the view of political parties and activities. Within one year 4 political parties were closed and closure for 2 political parties was recommended. Attacks on political party leaders, members and buildings also increased. Verbal and physical attacks against deputies intensified. Mardin Deputy Mehmet Sincar was killed in an armed attack. Trials or investigations demanding the death penalty, imprisonment sentences and fines were launched against party leaders and some deputies. Numerous party leaders and members were convicted to various sentences. The pressure and attacks on the parties mostly intensified on the People's Labour Party (HEP), the Freedom and Democracy Party (ÖZDEP) and the Democracy Party (DEP). Along with these parties, the Worker's Party (İP), the Socialist Union

Party (SBP), the Green Party (YP) and the Party of Socialist Turkey (STP) faced certain attacks and pressure.

The Constitutional Court concluded the trial on 14 July launched against the HEP in 1992 and decided to close the party. The closure order was issued on the claims that the HEP functioned in violation of the Constitution and the laws. In the order, it was stated that Deputy Chairman of the National Assembly, Fehmi Işıklar (former Chairman of the HEP), former Chairman of the HEP, Feridun Yazar, and former Secretary Generals, Ahmet Karataş and İbrahim Aksoy had caused the closure of the party with their statements and behaviour. Thus, Fehmi Işıklar was evicted from Parliamentary membership. The closure order was taken with 10 votes in favour against 1 opposition vote. Yılmaz Aliefendioğlu, a member of the Court, pointed out that a party should not be closed in the case which it did not participate in and support armed activities, and it did not defend separation of the country frankly. The decision about Fehmi Işıklar was taken with 9 votes in favour against opposition by Yılmaz Aliefendi-oğlu and Mustafa Gönül.

The grounds behind the order on the closure of the HEP, was promulgated in the Official Gazette on 18 August and in consequence, closure of the HEP came into force and the Parliamentary membership of Fehmi Işıklar ended. Subsequently, Ankara SSC Prosecution Office banned Fehmi Işıklar from going abroad. The ban decision was notified to officers in charge of borders by the Security General Directorate. Ankara SSC Prosecution Nusret Demiral stated that Fehmi Işıklar was accused of making separatist propaganda and that he would not be able to go abroad without testifying. Hereupon, Fehmi Işıklar went to Ankara SSC Prosecution Office on 27 September and testified. The ban on traveling abroad was later lifted.

The DEP Secretary General İbrahim Aksoy launched a trial at the European Human Rights on the grounds that closure of the HEP was in contravention to international conventions. Pointing out that the order by the Constitutional Court violated the European Human Rights Convention, Universal Declaration of Human Rights and the Paris Charter, İbrahim Aksoy said: "Due to illegal implementation by the Constitution, many members of the HEP were aggrieved. Therefore, we launched the trial."

The Chief Public Prosecution Office of the Supreme Court launched a trial in January demanding the closure of the Freedom and Democracy Party (ÖZDEP) which had been founded in November 1992 taking into account possible closure of the HEP. The ÖZDEP dissolved itself on 30 April upon the trial launched by the Constitutional Court demanding closure of the party. The trial in question continued to be heard and the Constitutional Court closed the ÖZDEP on 23 November on charges of "making separatist propaganda through the activities and regulations of the party".

Upon the closure trial against the ÖZDEP, the Democracy Party was founded. 18 Kurdish deputies were among the founding members of the DEP. Yaşar Kaya, the owner of the newspaper Özgür Gündem, undertook the Chairmanship of the party by December. In the congress held on 12 December in Ankara, Diyarbakır deputy Hatip Dicle was elected Chairman of the DEP. The DEP had been subjected to heavy pressure and attacks since its foundation. Leaders and members of the DEP were often accused of being PKK followers and supporters. Numerous DEP leaders, including the Chairman Yaşar Kaya, were arrested and convicted. Armed attacks were carried out on the DEP members. As a result of those attacks, 16 DEP leaders and members (one of them a deputy) were killed. Buildings of the party were attacked. Immunity of some DEP deputies were lifted.

The Chief Public Prosecution Office of the Supreme Court launched a trial on 2 December at the Constitutional Court demanding closure of the DEP. Speeches delivered by the DEP Chairman Yaşar Kaya and Peace Call by the DEP on 1 August were shown as justification for the trial. In the indictment it was stated that activities of the DEP violated Articles 2,3,14 and 69 of the Constitution and Articles 78,81 and 101 of the Law on Political Parties.

Parliamentary Justice-Constitution Mixed Commission, decided in December to lift immunities of the Democracy Party Chairman Hatip Dicle and DEP Diyarbakır deputy Leyla Zana, Mardin deputy Ahmet Türk and Şırnak deputy Mahmut Alınak. The Commission also decided to lift immunities of the DEP Şırnak deputies Orhan Doğan and Selim Sadak and Muş deputy Sırrı Sakık. In addition, İstanbul deputy Hasan Mezarıcı, with the Welfare Party origin, who became the subject of criticism because of "his thoughts about Atatürk, the founder of the Turkish Republic", was later included in those whose immunities were wanted to be lifted. The decisions of the Commission were ratified by the National Assembly in 1994. Deputies Hatip Dicle, Leyla Zana, Mahmut Alınak, Ahmet Türk, Sırrı Sakık and Orhan Doğan were detained first and later arrested and sent to prison. Studies were started to launch a trial demanding the death penalty against the arrested deputies.

The Chief Public Prosecution Office of the Supreme Court launched a trial in February at the Constitutional Court demanding closure of the Party of Socialist Turkey (STP), founded on 7 November 1992. Upon the trial, members of the STP founded another party with the name of "Socialist Power Party". The Constitutional Court decided on 30 November on the closure of the STP and transfer of its properties to the treasury. The decision was unanimously taken on allegations that the STP acted in violation of the Constitution and the law, and that separatist propaganda was made in the party program.

The Chief Public Prosecution Office of the Supreme Court launched a trial on 29 December demanding closure of the Socialist Union Party (SBP). An indictment claimed that separatist propaganda was made in the party program and congress' decisions and through the statements made by the Party Chairman and some of the party officials. Reacting to the closure decision, İHD Chairman Akın Birdal said: "With the trial, the freedom of thought and organization, among fundamental rights and freedoms, was deemed criminal." The case was started by the Constitutional Court in 1994.

In the meantime, the European Human Rights Commission accepted the official complaint lodged by the Socialist Party, closed by the Constitutional Court in 1992. The Commission, thus, invited Turkey to make a defence case related to the subject.

### **Attacks**

In 1993, bomb and armed attacks against party leaders and members increased incredibly. The attacks were mostly carried out against HEP, ÖZDEP and DEP leaders and members. Assailants of all these attacks remained unknown. In the meantime, PKK militants carried out attacks against certain party leaders, members or against their buildings and meetings. A total of **15** party leaders were killed in the unidentified murders or during PKK attacks. Following is the information about the party leaders killed in 1993:

Name – Surname	Party and Title	Date	Place	
01)- Mehmet Ertan (45)	HEP Batman Pr. Org. leader	21 January 1993	Batman	UA(*)
02)- Cemal Akar (30)	ÖZDEP Erzincan Pr. Cman.	25 February 1993	Erzincan	UA
03)- Ömer Güven	SP Şırnak Pr.Org. leader	27 February 1993	Near Cizre	UA
04)- Davut Yalçınkaya	HEP Kızıltepe Dst. Cman.	10 April 1993	Kızıltepe	UA
05)- Şefik Arın	MHP Genç Dst. Chairman	23 Mayıs 1993	Near Genç	PKK
06)- Kerim Geldi (46)	ANAP Varto Dst. Chairman	05 June 1993	Near Varto	UA
07)- İsmet Türkmen	CHP Ilıç Dst. Chairman	27 June 1993	Bağıştay vil.	PKK
08)- Mehmet Yeşil (29)	DEP Batman Pr. Org. leader	19 August 1993	Batman	UA
09)- Musa Ak (25)	DEP Diyarbakır delegeate	20 August 1993	Diyarbakır	UA
10)- Habib Kılıç (38)	DEP Batman Pr. Org. leader	02 September 1993	Batman	UA
11)- Mehmet Sincar	DEP Mardin Deputy	04 September 1993	Batman	UA
12)- Metin Özdemir	DEP Batman Pr. Org. leader	04 September 1993	Batman	UA
13)- Abbas Demiroğlu	DEP Diyarbakır Org. leader	18 September 1993	Diyarbakır	UA
14)- Şevket Epözdemir	DEP Tatvan Dst. Chairman	26 November 1993	Tatvan	UA
15)- Eyüp Gökoğlu (38)	DEP Urfa Pr. Org. leader	04 November 1993	Urfa	UA

The most important attack was carried out in Batman. On 4 September at about 6.30pm unidentified persons opened fire at the delegation consisting of the DEP deputies and leaders who had gone to Batman in order to investigate into the murders by unidentified assailants. In the attack on Bankalar Street, the DEP Mardin deputy Mehmet Sincar and among the DEP Batman Provincial Organization leaders, Metin Özdemir died, while Batman deputy Nizamettin Toğuç and 3 persons named Özgür Özdemir, Tenzile Tanzim and Ahmet Başkaya were wounded. Kemal Bilget, the DEP Vice Chairman, Mazhar Çınar, the DEP Batman Central District Organization Chairman and Abdullah Yaman, a member of the DEP, escaped the attack without any wounds. An unidentified person who called the İstanbul offices of some newspapers 5 hours after the attack stated that the attack had been carried out by the "Turkist Revenge Brigade" in reprisal for the PKK activities in Diyarbakır. The person in question said: "Our main target was Diyarbakır deputies Sedat Yurtdaş and Leyla Zana, but since our men who pulled the trigger shot incorrect persons, the goal was not achieved. We will continue our activities on the parliamentary level."

Diyarbakır deputy Hatip Dicle claimed that the attack was had been carried out by dark forces known as "contr-guerilla". Stating that they went on the morning of 3 September and there were guarding officers around them on that day, Hatip Dicle said: "While leaving the hotel on the day of the incident, we noticed that there were no guarding officers". Saying that he had warned his friends saying "Be careful, there were not guarding officers", Hatip Dicle continued as follows: "We went to Batman in order to talk to the public about necessary mea-sures to be taken against murders by unidentified assailants. We formed two groups. Since we finished our job early, we were sitting in the party building. We learnt about the event by telep-hone. 10-15 minutes after the incident, a curfew was announced while we were going to hos-pital. This mean

(\*) Pr. Org. : Provincial Organization Pr. Cman: Provincial Chairman Dst.: District,  
UA : Unidentified assailants

that 'The attack had been planned before. The murder would be committed and then a curfew would be announced'. This certainly a murder by contr-guerilla."

The attack against the DEP deputies and leaders provoked great reactions. Yavuz Önen, President of the Human Rights Foundation of Turkey, stated that the attack had damaged the brotherhood of the Turkish and Kurdish people, and said the following: "The attacks are now directed at the parliament, an institution which has been highly emphasized by the ones claiming that "There is a democratic system in Turkey". We believe, all the official authorities, from bottom to top, who pointed out the DEP deputies as targets encouraged the offenders to be as bold as to shoot at a deputy. Together with the wish that Mehmet Sincar and Metin Özdemir be the last victims of the terrorism, we invite everybody with or without authority, to behave with common sense, to cease the bloodshed, to take part in attempts for a peaceful and democratic solution to the Kurdish problem and to find out the offenders of all murders by unidentified assailants."

The incident remained in the dark as did the other murders by unidentified assailants. It was discovered that the two youths who had been caught after the event and shown as "offenders" were persons who had not been involved in the attack, but detained for carrying guns. Official statements claimed that the attack had been carried out by Hizbollah militants. Statements made by state authorities after the killing of Mehmet Sincar contradicted each other. Certain persons who called offices of the newspaper Özgür Gündem in the name of Hizbollah alleged that Mehmet Sincar had been killed by state agents and the attack had been tried to be loaded on the Hizbollah organization on purpose. Those persons stating that the Hizbollah had no connection with the attack, said: "The aim of the Turkish Republic is to set us at loggerheads. The Hizbollah did not carry out this attack. The attack was carried out by the state. The state used our name in order to absolve itself from the attack."

The funeral ceremony planned for Mehmet Sincar in Ankara was not held due to difficulties and barricades. The Ankara Governorate did not let the corpse of Mehmet Sincar be put on the catafalque in the DEP Headquarters on the justification that the corpse might stink and that security could not be maintained. The DEP Chairman Yaşar Kaya evaluated the ban as "seizure of right". The DEP decided not to take the corpse out of the morgue until the barricades and intensive police pressure were lifted and said the following: "The state prevented us from organizing the funeral of Mehmet Sincar within the schedule. We inform the public that in this case the corpse will be kept in the morgue and not buried until the conditions necessary to organize a traditional funeral ceremony are realized".

Necatibey Street where the DEP Headquarters is located was closed for the traffic and blockaded by the police as of 6.00am on 8 September. Police officers who blocked with panzers the entries to the street, prevented people from entering. Groups of people who gathered in Kızılay, Yenışehir Bazaar, Abdi İpekçi Park and in front of the Justice Building in order to go Necatibey Street, were beaten ruthlessly and dispersed. During the events 12 persons were wounded and 38 were detained. Besides this, 40-50 persons waiting in front of the DEP Headquarters at about 3.00pm were attacked by official and plain clothed police officers. In this event, 8 persons were injured, Siirt deputy Naif Güneş was harassed and some windows of the DEP building were broken. A pregnant teacher named Gülhan Aksu, among the beaten persons, had a miscarriage. Pictures on the beating was broadcast by a private TV station.

People who wanted to attend the funeral of Mehmet Sincar were not allowed to leave the settlements where they were living (particularly in İstanbul, İzmir, Adana and Mersin), and 650

people were detained in İstanbul, 300 people in Mersin and 288 people in İzmir. The detainees were released in the morning hours. Intercity motorways were blockaded by the police at various points in the morning and the buses carrying people to attend the funeral were not permitted to be driven to Ankara. 3 buses were returned both in Turgutlu and Polatlı, 8 buses in Şereflikoçhisar, 10 in Aksaray and 1 in Düzce.

The corpse of Mehmet Sincar was sent to Diyarbakır on 9 September in a private plane rented by the Ankara Governorate. The corpse was taken from Diyarbakır to Kızıltepe by helicopter. Relatives of Mehmet Sincar and the DEP leaders were not present while the corpse was being taken from the morgue, put on the plane and sent to Kızıltepe. In Kızıltepe, it was attempted to deliver the corpse to Mehmet Sincar's father, Tevfik Sincar, but he refused to receive the corpse and shouted at the Kızıltepe Security Director "Lay him away in the way you brought him!" The corpse was then laid to rest in a hurry, by the workers of the municipality and the police. No one in Kızıltepe but 2 imams and 6 workers of the municipality attended the religious ritual for Mehmet Sincar. Hundreds of people who did not attend the funeral, came together in Sincars' house and protested at the pressure on the funeral ceremony. The DEP Chairman Yaşar Kaya, condemned that the funeral ceremony they planned for Mehmet Sincar had not been permitted and that the corpse had been forcibly buried without their approval. Stating that their wish to show respect and to organize a funeral ceremony for Mehmet Sincar were among their natural rights, Yaşar Kaya said: "We wanted to use our right. We were open for dialogue until the end. However, our ceremony was barred by the Ankara Governorate. Those who wanted to express their condolences were beaten with truncheons. The state extorted our corpse."

In Kızıltepe, unidentified persons threw a bomb into and opened fire at the house of Mehmet Sincar on the night of 10 September at about 11.30pm. In the event, women named Kadriye Bozkurt (65), Hamdiye Sincar, Suriye Sincar (35) and Hazar Sincar, and a child named Rojbin Sincar (2) were wounded. Diyarbakır deputy Leyla Zana who was in the house during the event, escaped the attack without any wounds.

Some of the sample cases about the physical attacks, pressure, investigations and trials against the HEP, ÖZDEP and DEP and their leaders and member are as follows:

5 leaders of the HEP Muğla Provincial Organization against whom a trial had been launched because of the leaflets they had released in protest of the events during Newroz Feast in 1992, were sentenced to 1 year 8 months in prison. In the trial which ended on 23 February at İzmir SSC, the defendants were also ordered to pay a fine of TL 41,660,000 each. Names of those HEP leaders are Mehmet Nuri Ermiş, Zülfü Atay, Mehmet Salih Hekimoğlu, Mehmet Okur and İhsan Şahin.

Former Chairman of HEP Feridun Yazar and Chairman of the Worker's Party Doğu Perinçek were acquitted in the trial launched against them because of a press meeting they had commonly held before Newroz Festival in 1992. The trial which ended on 9 March at Ankara SSC, had been launched under Article 8 of the "Law to Fight Terrorism" for making separatist propaganda.

Hasan Kara, Niyazi İletmiş, Musa Ant and Sait Çakmak who had hanged placards in the HEP Üsküdar District Organization in March 1992 because of the Newroz Festival, were sentenced to 2 years in prison by the Üsküdar Court of First Instance on 11 April. The imprisonment sentences were commuted to a fine of TL 221,000.

The trial launched against 126 of 290 people who signed the application made to the Turkey Representative of the United Nations on 2 April 1992 under the leadership of Kurdish deputies started on 13 May. In the trial heard by Ankara SSC, up to 5 years' imprisonment were demanded for the defendants under Article 8 of the "Law to Fight Terrorism". Subsequently, a decision of having no jurisdiction over the case was taken and the file was referred to Ankara Heavy Penal Court. However, Ankara Heavy Penal Court did not think fit to hear the case saying that it was under the jurisdiction of the SSC. Later, the file of the case was considered by the Supreme Court and the defendants were decided to be tried by Ankara SSC. The trial against 126 defendants began again on 22 December at Ankara SSC. Following are the names of the defendants: "İsmail Beşikçi (Writer), Nabi Barut, Davut Karadağ (Journalist), Fevzi Gerçek, Ali Zeki Albayrak, Mehmet Newroz Türk, Mahmut Konuk, Besra Eksen, Orhan Altuğ, Süleyman Eryılmaz, Vicdan Baykara (Chairman of the Municipality Workers' Trade Union), Mansur Burgucu, Ali Rıza Küçükosmanoğlu, Sabri Topçu (Chairman of the Transportation Workers' Trade Union), Salih Duran, Yaşar Murat Dağdelen, Aysel Doğan, Celal Vural, Hasan Kaya, Suna Aras, Tekin Akan, Faik Candan, Münir Ceylan (Chairman of the Petroleum Workers' Trade Union), Mahmut Can, Habib Kılıç, Muzaffer Karataş, Yalçın Küçük (Journalist-writer), Ali Özler, Abdülgafi Çemberlitaş, Nezih Öcek, Hasan Yavuz, Mecit Hamaç, Meryem Erdal, Şahabettin Özaslaner, Naif Oğraş, Nurettin Harhar, Ali Yıldırım, Ömer Aşkara, Yurdal Şenol (Secretary General of the Transportation Workers' Trade Union), Ertuğrul Usanmaz, Kemal Okutan (Secretary General of the People's Labour Party), Ahmet Bozkurt Çağlar, Hüsnü Öndül (Secretary General of the Human Rights Association), Cemal Emir, Hatice Kızılçay, Hakkı Bingöl, Ayşenur Demirkale, Mehmet Nuri Özmen, İsa Kocabıyık, Barbaros Önenc, Mustafa Olcayto, Saim Kahraman, Orhan Kaya, Mustafa Okumuş, Mahmut Özgür, Mehmet Ali Durmaz, Serap Mutlu, Ahmet Karataş, Niyazi İletmiş, Felemez Başboğa, Ahmet Kulaksız, Muzaffer Erdoğan, Mehmet Nur Terzi, Hikmet Fidan, Nuran Güvenilir, Hasan Yücel, Hasan Özcan, Muhsin Melik, Haşim Kutlu (Writer), Hamit Geylani, Fevzi Veznedaroğlu (former chairman of the İHD's Diyarbakır Branch), Mustafa Demir, Musa Çelik, Bahattin Kıran, Hüseyin Turhallı, Zekeriya Özdiç (Journalist), Hasan Ali Sönmez, Mehmet Yıldız, Hıdır Ateş (Journalist), Vezir Perişan, Sabahattin Kaya, Selahattin Güvenç, Orhan Turab, Eren Keskin, Ercan Kanar (Vice Chairman of the İHD), Ali İncesu, Ali Ekber Uğuz, Hüseyin Yakut, Emin Köse, Ayşe Öztürk, Kamil Özalp, Ferda Çetin (Journalist), Erdal Çınar, Hekim Çoşkun, Mualla Çetin, Yusuf Cacım (Journalist), Hüseyin Aykol (Journalist), Remzi Çakın, Edibe Şahin, Ayşenur Zarakolu (Publisher), Suat Kaya, Bahattin Kılıç, Ragıp Zarakolu (Journalist), Muhlis Nergiz, Cuma Şahin, Zafer Yurdakul, Hüsnüye Ölmez, Edip Yıldız, Halit Temli, Sevtap Yokuş, Cabbar Leygara, Sedat Özevin (Chairman of the İHD's Batman Branch), Ahmet Teymurtaş, Osman Gündeş, Haydar Uç, Fatma Okutan, Mehmet Salih Solmaz, İlhan Çalar, Mahmut Ekin, Ahmet Kırımlı, İmdat Halis, Nusret Öztürk, Sırrı Öztürk (Journalist-writer), Hüseyin Şimşek, Zeynep Yengil and Süleyman Yaşar". In the application which occasioned the trial to be launched it was pointed out that a war had been waged against the freedom and democracy struggle of the Kurdish people and that the Turkish Government had preferred to solve the problem through killing the Kurdish people. It was also said: "While one of the parts is in favour of having a dialogue, the other part does not pay attention. The Turkish Government's indifference to this point and its insistence on the the dirty war, cause many hardships for both parts. It is apparent that the responsibility for probable deaths and damages in the future will be the part which does not feel inclined to find a political and democratic solution for the problem. All foundations and institutions having no attitude on this subject will be responsible too."

Lezgin Culdaz, former Chairman of the HEP Aydın Provincial Organization and Hamdullah Kuran and Ethem Kısır, leaders of the organization, were sentenced to 12 years 6 months in prison on charges of being members of the PKK. Other HEP defendants İsmet Dağ, Şakir Sula, Ekrem Atala, Mahmut Ekinci and Vezir Çiçek on the same trial which ended on 7 July at İzmir SSC, were acquitted.

The DEP continued a peace campaign all-over Turkey between 1 August and 1 September. The campaign was initiated with the press meeting held in the Sultanahmet Square of İstanbul on the morning of 1 August. The then DEP Chairman, Yaşar Kaya, pointed out that there was a war in Turkey whose name had not been given yet and called everyone to attend the peace campaign. In the leaflet prepared by the DEP for the campaign it was said: "Guns should be laid down. The PKK and the state should announce a cease-fire, and the cease-fire is able to be controlled by impartial powers." The leaflet became one of the most important reasons for the trial launched by the Constitutional Court demanding closure of the DEP. Because of the leaflet, a trial was launched against 14 DEP leaders, who were not deputies. In the trial which started at Ankara SSC on 8 November, sentences between 2 and 5 years in prison were sought for the DEP leaders. The names of those DEP leaders accused of disseminating separatist propaganda are as follows: "The DEP Chairman Yaşar Kaya, the DEP Vice Chairmen Murat Bozrak, Kemal Okutan and Kemal Bilget, the DEP Secretary General İbrahim Aksoy, İsmail Aslan, Raşit Develi, Ali Beyköylü, Osman Özçelik, Bahattin Güner, Refik Karakoç, Cabbar Gezici, Nesim Kılıç and Nevzat Özbay". The DEP leaders who were deputies were excluded from the trial because of their immunity.

The campaign launched by the DEP faced with various barricades. 2 members of the DEP Beyoğlu District Organization were detained while distributing "Peace Call" leaflets in Beyoğlu Örnektepe Bazaar on 10 August within the framework of the Total Peace Campaign. The detained DEP members named Gülay Oktar and Reşit Şahin were released after being kept for 3 hours at Beyoğlu Security Directorate. To hang the placards, prepared for the campaign was banned throughout Turkey. The DEP Vice Chairman Nesim Kılıç said: To ban a placard on which it was only written 'The peace just now, not war but democratic solution' may be a decision taken by those who do not want peace but want to sabotage the campaign initiated by our party." Meetings planned to be held in Urfa on 28 August and in Adana on 1 September because of the campaign, were banned.

The DEP Chairman Yaşar Kaya was detained on the morning of 15 September in connection with the speech he had delivered in the congress of the Kurdistan Democratic Party in August in Erbil and upon an order by the Ankara SSC Prosecution Office. Yaşar Kaya was arrested on 16 September by Ankara SSC and sent to Ankara Central Closed Prison. The Ankara SSC Prosecution Office issued another arrest warrant against Yaşar Kaya because of his speech during a meeting in Germany under Article 8 of the "Law to Fight Terrorism". Subsequently, the Ankara SSC Prosecution Office launched two trials against him under Article 8 of the "Law to Fight Terrorism". The trials were connected on 8 November in the first hearing. The indictment, read in the hearing, sought from 4 to 10 years' imprisonment and a fine of TL 200 million for Yaşar Kaya accused of spreading separatist propaganda. Indicating that his speech in Kurdish was incorrectly translated in Turkish, Yaşar Kaya said: "The indictment disregarded the existence of Kurds. The Kurdish problem is neither a problem of terror nor of the PKK. We think that the Kurdish problem had been present before the PKK and will remain after it. To hinder the solution on justification of the PKK is not a remedy." Yaşar Kaya was released at the end of the hearing held on 7 December.

Yaşar Kaya was sentenced to 2 years in prison and a fine of TL 50 million because of his speech during the HEP Congress, held in Ankara on 15 December 1991. In the trial which ended on 20 October at Ankara SSC, the HEP leaders Muhsin Melik and Selahattin Çelik, tried together with Yaşar Kaya, were also convicted to 2 years in prison and a fine of TL 50 million each. The trial against Yaşar Kaya and his friends had been launched under Article 8 of the "Law to Fight Terrorism".

Mehmet Duyar and Ünal Tümer tried in connection with a calendar prepared by the HEP Aydın Provincial Organization in 1992, were convicted to 20 months in prison. In the trial which ended on 15 September at İzmir SSC the defendants were also ordered to pay TL 41,666,000 each. Mehmet Duyar and Ünal Tümer had been tried because of the aforesaid calendar before, and they had been acquitted. However the Supreme Court did not find the verdict appropriate and decided the defendants had to be re-tried.

The buildings of the DEP in Ağrı and Doğubeyazıt were sabotaged by unidentified persons who threw molotov cocktails on the night of 28 September and as a result, the buildings were damaged. Besides this, the building of the DEP Hakkari Provincial Organization was bombed by unidentified persons on 13 November evening. As a result of the explosion of the bomb, placed at the entrance of the building, the provincial center and shops were damaged.

DEP-member Kozluk (Batman) Mayor Abdullah Kaya was arrested by İstanbul SSC on 13 November because of his press statement published in the newspaper Özgür Gündem on 18 September 1993. In the press statement, Abdullah Kaya had protested at the killing of Mar-din deputy Mehmet Sincar and demanded an end to the war in the region. İstanbul SSC launched a trial under Article 8 of the "Law to Fight Terrorism" against Abdullah Kaya, accused of making separatist propaganda.

Journalist-writer Yalçın Küçük was sentenced to 2 years in prison and a fine of TL 250 million in connection with his speech during a meeting held by the HEP in Kırşehir on 7 June 1992. In the trial which ended on 15 October at Kayseri SSC, the HEP Kırşehir Provincial Chairman Eşref Odabaşı was also sentenced to 2 years in prison and a fine of TL 250 million. The verdicts passed at end of the trial which had been launched under Article 8 of the "Law to Fight Terrorism", were repealed by the Supreme Court.

In İdil, security officers opened fire at the house of the DEP Party Assembly member Hasip Kaplan, on the morning of 14 November. Hasip Kaplan protesting at the incident, invited the Prime Minister to explain whether she approves such kinds of attacks or not.

Kemal Bilget, Deputy Chairman of the DEP, who went to the Ankara Security Directorate to get his passport on the morning of 15 November, was detained by the police. Kemal Bilget who was sent to İstanbul for interrogation following his detention, was reportedly "detained in connection with an operation relating to TKEP (Communist Labour Party of Turkey)". Kemal Bilget who was not allowed to have access to his lawyer during the period in detention, was arrested by İstanbul SSC on 23 November.

İbrahim Aksoy, former Secretary General of the DEP, was detained by the police who went to his house in Ankara on the morning of 14 December. İbrahim Aksoy, arrested on 15 December, was sent to Konya in connection with an arrest warrant issued against him in a case in which he was prosecuted by Konya SSC. He was released on 21 December evening.

A trial was launched against Kemal Okutan, the chief editor of the bulletin released by the HEP on the occasion of Newroz Feast in the year 1992, because of an article in the aforesaid

bulletin, and he was sentenced to 6 months in prison and a fine of TL 50 million. The trial that ended at Ankara SSC on 30 December had been launched under Article 8 of the "Law to Fight Terrorism".

### **Other parties**

The Worker's Party Chairman Doğu Perinçek was sentenced to 2 years in prison and a fine TL 50 million in the trial, launched against him under Article 8 of the "Law to Fight Terrorism" for making separatist propaganda. The trial which ended on 15 January at Ankara SSC, had been launched because of the TV and meeting speeches he had delivered before the 20 October 1991 election while being the Chairman of the Socialist Party (closed by the Constitutional Court). However, the Supreme found the verdict not enough and decided he had to be re-tried. The prosecution of Doğu Perinçek re-started on 9 November. In the hearing held on 16 December, Doğu Perinçek stated that the court president Muammer Ünsoy was not impartial and demanded him to retreat from the trial. The demand of Doğu Perinçek was refused.

Bahattin Kılıç, one of the leaders of the SBP Ordu Provincial Organization, was sentenced to 10 months in prison at the end of the trial on which he was tried on the grounds that he had insulted Atatürk during his speech in the Ordu Provincial Congress held on 26 January 1992. Other defendants Kemal Yenilmez, the Chairman of the SBP Provincial Organization, and Şemsettin Yeşilyurt, one of the party leaders, were acquitted. The imprisonment sentence passed on Bahattin Kılıç was ratified by the Supreme Court.

Cizre Mayor Haşım Haşimi was detained by the police on 30 March and he was later taken to Şırnak to be interrogated at the Security Directorate. Haşım Haşimi who was released on 1 April by the Şırnak Public Prosecution Office, was reportedly subjected to no ill-treatment. During his interrogation, he was asked questions about his statements to journalists.

The Socialist Party Nazilli (Aydın) District Organization leaders Ramiye Güran, İsmail Bedir, Nesim Konma and Fuat Yemez were convicted to 20 years in prison a fine of TL 41 million each at the end of the trial, launched against them for disseminating separatist propaganda in the leaflet they had prepared in October 1991.

The trial launched against the Socialist Party İzmir Provincial Organization leaders Fevzi Avan and Mehmet Veli Yeşilbağ in connection with the placards they had hanged in the party building during the visit of the US President George Bush to Turkey in 1991, was concluded at the end of May at İzmir Court of First Instance. At the end of the trial, Fevzi Avan was sentenced to 11 months 20 days in prison while Mehmet Veli Yeşilbağ was sentenced to 6 months 10 days. On the placards which caused Fevzi Avan and Mehmet Veli Yeşilbağ to be sentenced, slogans such as "We will bring the contr-guerilla to book", "Damn the American Imperialism", "Off with you Bush" were written.

The 18 years' imprisonment and a fine of TL 83 million passed under Article 8 of the "Law to Fight Terrorism" on Hüseyin Aslan, the Independent Mayor Candidate for Narlı-bahçe, İzmir in the local elections held on 1 November 1992, was ratified in August. Subsequently, Hüseyin Aslan was arrested and sent to prison. The trial against Hüseyin Aslan had been launched on charges of disseminating separatist propaganda in his speeches and leaflets.

Doğu Perinçek was acquitted in the trial launched against him in connection with the speech he had delivered in Cizre prior to the general elections on 29 October 1991. The trial which ended on 16 October at Şırnak Heavy Penal Court had been launched under Article 159 of the Turkish Penal Code for insulting the quality of being a Turk and the Turkish Republic.

Mehmet Ali Teker, Remzi Değerli, İsa İnanç and Eyüp Aslantürk, leaders of the Welfare Party Nazilli (Aydın) District Organization were detained by gendarmes on 15 December. The Welfare Party leaders, detained following a meeting that they held in Kızıldere village of Nazilli, reportedly made separatist propaganda and insulted the army. A trial was later launched against the 4 persons under the "Law to Fight Terrorism".

In the meantime, the PKK demanded all parties, except the DEP, to stop their activities in the Emergency State Region. In a statement made as to the event by the ARGK (Kurdistan People Liberation Army), the military wing of the PKK, it was pointed out that party leaders and members had to resign, party organization should be closed and the party plates should be taken down by 24 October. The ban by the PKK against the parties, increased the tension in the Emergency State Region and in the political circles in Ankara.

#### **d) Labour life and trade unions**

In 1993, expectations about labour life were frustrated and promises on this subject were not kept. Amendments to the legal arrangement which had been put into force by the 12 September regime and which restricted workers' rights and syndical freedoms, were not made in 1993, either. The amendments which were among the important promises of the coalition government were postponed, and on the contrary a row of negative developments were witnessed. Workers working under unhealthy conditions without security of work faced with industrial accidents. Therefore, many workers died or were crippled. Dismissals continued on a large scale. The textile and metal sectors came first for the dismissals. The number of the workers dismissed from their jobs reached tens of thousands. Protests by the dismissed workers were prevented by the police force.

About 100 workers held a demonstration in Şişli, İstanbul on 15 January in protest at dismissals at leather plants. The police officers who intervened in the demonstration, detained 6 workers including Ömer Ergül, the Vice Chairman of the Leather Workers' Trade Union of Turkey (Deri-İş). The detainees were released on 16 January.

A group of 1000 people consisting of workers and their families held a demonstration on the morning of 20 January in protest at the dismissals at İstanbul Küçükçekmece Municipality. However, the police attempted to prevent the demonstration. When the workers did not disperse and resisted, a short-term conflict broke out, during which Hasan Gülüm, the secretary of the trade union branch of which the workers were members, and a 7-year old child named Serap Uzunçayır were wounded.

The march by about 350 workers who had been dismissed from İstanbul Kağıthane Municipality in January and their families in protest of the dismissals, was prevented by the police force. The workers and their families gathered in front of the municipality building at noon on 29 January and started to march shouting slogans against Kağıthane Mayor. The crowd was beaten and dispersed by police at the beginning of the march. In the incident, 30 persons were wounded and 25 persons were detained. The dismissed workers who attempted to march in Çağlayan on 15 February, were once more prevented by the police. 4 of the workers who reacted to the police warning "disperse" were detained. The activities of the workers continued for a

long period. The workers came to Ankara in May and started to go on with their activities in the tents they set up in Güvenpark. The tents were pulled down by the police on the night of 23 May. Hence, the workers went on hunger strike. The hunger strike which continued for 2 months ended on 24 July. While the activities in Ankara were continuing, a club frequented by the resistant workers in Kağıthane, İstanbul was raided by police officers and constables, and closed. 8 persons, including the İHD member Nazan Üstün, who were in the club during the raid were kept under police custody for a while.

271 workers who started to resist in protest at dismissals at a textile factory in Bursa, were beaten and dispersed by gendarmes on the morning of 14 September. Because of the beating, one leg of a worker named Minnet Kahraman and the ribs of another worker named Neriman Öztürk were broken.

Since the collective bargaining provisions were not fulfilled and wages were not paid, workers launched resistance. Resistance, particularly applied by municipality workers affected the city life firstly in Ankara, İstanbul and İzmir. Security forces were sent on the resisting workers. Trades unionists and workers were harassed, beaten, detained, arrested and tried.

The number of strikes which is the most effective weapon for the workers to seek their rights declined compared to previous years. In 1993, about 11,000 workers at 44 workshops went on strike when collective contract with employers failed. About 2,400 of those workers entered the new year on strike. The strike which started at the Prime Ministry Publishing House on 15 February was banned for 60 days with the decision of the Board of Ministers on 6 May 1993. Because of the strikes at state or private enterprises, the loss of working days exceeded 600,000. A total of 540,000 workers utilized collective contracts. When we take account that there are 6 million workers in Turkey (1,5 of whom are members of trade unions); we realize that only one twelfth of the workers utilized collective contract provisions in 1993. It often took long periods to end collective bargaining negotiations. Elongation of collective bargaining provoked the reactions of workers and certain activities by trade unions. For instance, tens of thousands of workers working at state plants, enterprises and institutions did not start work on 22 July in protest at the failure in collective bargaining. The workers who gathered in front of their workshops in the morning hours, particularly in Ankara, İstanbul, İzmir and Adana, wanted to undergo check-up, going to the hospitals and dispensaries. Since security officers did not intervene, the acts ended without incident and the workers re-started work at noon. The workers repeated their acts on 29 and 30 July.

### **Civil servants' trade unions**

1993 did not let civil servants have the syndical rights which had been awaited for years. Civil servants' trade unions which could not have a legal status faced various kinds of administrative pressure and barricades. Many activities organized by the civil servants' trade unions were not allowed. In order to prevent foundation of trade unions and their branches, every kind of obstruction methods were applied. Those who attended the activities organized by trade unions were beaten ruthlessly and detained. In spite of all pressure, members of the civil servants' trade unions were continuously active with the aim of gaining their rights. Numerous demonstrations, meetings and marches in which tens of thousands of civil servants participated, were organized in many settlement centers, particularly in Ankara, and sometimes they went on strike. In most cases, the police intervened in those acts. In the draft bill prepared by the Ministry of Labour on the "civil servants' trade unions", the right to strike and collective bargaining was not given place. The draft foresaw only the right to participate in the studies on budget

preparation, coefficient determination and on wage increases. The draft law gave a status to the civil servants' trade unions similar to associations, and this caused reactions among civil servants' trade unions.

Civil servants coming from all parts of Turkey to Ankara held a demonstration on 3 July demanding syndical rights including rights of strike and collective bargaining. The civil servants who gathered in the Hipodrom Square, later marched to the Zafer Square in Sıhhiye. The crowd of about 25,000 people was barricaded there by police officers. The civil servants after discussing with the police officers for a long while, marched shouting slogans towards the Prime Ministry when the barricade was lifted. The demonstration continued for a while in front of the Prime Ministry and ended following the negotiations between trade unions leaders and the ministers.

Most of the civil servants did not start work on 15 July in protest at the insufficient increase in their wages. Because of the act, works at municipalities, ministries, tax offices, hospitals and general directorates were halted. Tens of thousands of civil servants who did not start work, held demonstrations in many provinces and districts, firstly in Ankara, İstanbul, İzmir, Adana, Eskişehir and Antalya. The demonstrations ended without incident, except those in Ankara and Antalya. Police dispersed the demonstration and detained 6 civil servants in Antalya. In Ankara, thousands of civil servants started to gather in Sakarya Street and neighbouring streets in Kızılay at noon hours. The number of the civil servants who gathered reached 20,000 within a short time. Subsequently, the civil servants attempted to march towards the National Assembly at about 1.30pm, but they were barricaded by the police. Then, a dispute arose between trade union leaders and police authorities. While the dispute was under way, the police squirted water on a group of civil servants who passed over the barricade and drove panzers towards them. The civil servants laying on the ground prevented the panzers. A group of 2,000-3,000 people passing over the barricade, started to march towards the National Assembly shouting slogans calling the government to resign. The group was stopped in front of the Ministry of National Education by the police supported with the vehicles squirting water. A short-term clash with stones and sticks broke out between the civil servants who did not disperse in spite of pressurized water, and the police. Subsequently, the group continued their acts by sitting-on which lasted for about an hour. At that time, the police attempted to disperse another group of civil servants who were coming from the Kızılay Square. However, the group did not disperse and continued marching towards the Zafer Square. As a result of incidents, some persons were slightly injured and 13 persons were detained. The detainees were later released. Because of the above mentioned act a trial was launched against 12 trade union leaders and members. The defendants were acquitted in the trial which ended on 24 September at Ankara Court of First Instance No.14. Because of the acts on 15 July, another trial was launched against 9 trade union leaders at the end of 1993 and sentences of between 4 months to 1 year in prison were sought for the 9 defendants under Article 236/2 of the Turkish Penal Code on charges of "stopping work in contravention to the law".

Most of the workers and civil servants in charge of tax offices and Navigation Works did not start working on 26 July in protest of insufficient increase in their wages and privatisation studies on state enterprises. Due to the acts, intracity passenger ships in İstanbul and İzmir did not run and tax collection works in many cities stopped. Meanwhile, a demonstration wanted to be made in front of Zonguldak Tax Office by the civil servants, was prevented by the police and 5 trade union leaders were detained. In addition, civil servants working at municipalities, highways and certain tax offices did not start work on 29 July in protest at insufficient increase

in their wages. They held various demonstrations in Ankara, İstanbul and İzmir and condemned the government.

Investigations were launched against certain leaders and members of the Tüm Maliye Sen (the trade union founded by the civil servants working at tax offices and the Ministry of Finance), one of the trade unions which organized various activities in July with demand of syndical rights including the rights of strike and collective bargaining. The investigations were launched first in İstanbul, Kocaeli, Samsun, Bolu, Burdur and Düzce in accordance with a circular of the Ministry of Finance. Along with the investigations, Tüm Maliye Sen Kocaeli Branch leaders İsmet Yurtsever and Selahattin Karabay were removed from duty. Uşak Branch Chairman Mehmet Çetin, Bolu Branch Chairman İlyas Apak and İzmir Branch leaders İbrahim Berber, Şükriye Tutak and Aysen Özbatur were assigned to other duties. Besides, 3 trade union leaders working at the tax offices reporting to the İstanbul Head of Financial Department were relieved of duty. A trial was launched against Tüm Maliye Sen Eskişehir Branch leaders because of the protest activities. In the trial which started on 9 November at Eskişehir Court of First Instance No.1, Yusuf Eryılmaz, Selahattin Bilyaz, Arif Oylukan, Ke-nan Öğ and İsmail Aydemir were accused of organizing unauthorized demonstration.

The civil servants did not work for a while on 15 October demanding syndical rights including right of strike and collective bargaining. The act was effective in many settlement centers, particularly in İstanbul, Ankara, İzmir, Adana, Gaziantep, Bursa and Zonguldak. The civil servants who did not start work went to hospitals in groups and wanted to undergo check-up. In addition, demonstrations were held in protest at the insufficiency in wages and attempts for privatisation of the state enterprises. The acts caused a halt in the works at hospitals, tax offices, municipalities and post offices.

Physicians complaining about the insufficiency in their wages and social rights went on an act all over Turkey as of 18 October. Within the framework of the act, physicians working at hospitals in Adana, Eskişehir, Hatay, İçel and Bilecik did not start work on the morning of 18 October. In Ankara, a group of leaders from the Turkish Medical Association marched towards the Prime Ministry and distributed leaflets.

20 civil servants who are trade union members were detained on 23 October in Ankara while they were distributing the leaflets entitled "To the Public Opinion" jointly prepared by civil servants' trade unions. Sixteen of the detainees were released on the same day and the remaining 4 detainees were released on 24 October. Nine of the civil servants, kept under custody at Anafartalar Police Station were reportedly beaten and one of them received a medical report showing inability to work for 2 days.

In accordance with the call of civil servants' trade unions, thousands of civil servants organized various activities in many settlements on 10 December with demand of syndical rights including the right of strike and collective bargaining. The activities ended without any incidents, except those in Ankara. A group of 3,000 civil servants who gathered in the Sakarya Street in Kızılay and attempted to march were prevented under police duress. During the police prevention, many civil servants were beaten with wooden truncheons, some of them were injured, and 26 persons were detained.

## SİVAS INCIDENTS

On the second day of the Pir Sultan Abdal Cultural Festival which began on 1 July in Sivas, thousands of Islamic fundamentalists massacred many people on the pretext of various articles and a speech by Aziz Nesin in the Festival. A total of 37 persons were murdered in the incidents which began at noon, expanded step by step and resulted in burning of the Hotel Madımak where artists and writers who had come in order to attend the Festival were staying.

Following the Friday prayer on 2 July, groups leaving the mosques gathered in Atatürk Street. The crowd of about 2,000 people started to march shouting slogans against Aziz Nesin and secularity. The crowd which was not prevented by security officers, attacked with stones and sticks on the Governorate building and Sivas Cultural Center. Subsequently, they damaged the statue of Pir Sultan Abdal and book fair organized within the framework of the festival. Security officers preferred to follow the attacks which expanded within a short period of time. The crowd which expanded gradually, besieged the Hotel Madımak where Aziz Nesin and other participants of the Festival were staying at about 2.00pm .

The security officers never intervened in the crowd which kept the hotel under siege until the evening and damaged it. Although the people, confined in the hotel, called and demanded assistance from state authorities in Ankara, primarily from Deputy Prime Minister Erdal İnönü, their attempts were of no use. The crowd which was encouraged by tolerant attitude of the security officers, burnt the hotel by pouring gasoline at about 7.30pm. Aziz Nesin, who was the target of the attacks, was hardly taken out of the hotel and rescued. While he was being taken out of the hotel, a member of the Provincial Committee from the Welfare Party attempted to kill him. The incidents could be prevented in the evening hours when security officers opened fire into the air and a curfew was announced after many people had burnt or suffocated to death.

During the incidents, a total of 37 persons died, 35 of whom were burnt or suffocated to death while 2 of whom were shot dead. More than 50 persons were wounded and workshops of left-wing persons were damaged. The Hotel Madımak where the incidents focused on turned into ruins. Following are the names of the persons who died, were wounded or escaped the burnt hotel without any wounds:

**Those who died:** “Muhlis Akarsu (Singer), Behçet Aysan (Poet), Asım Bezirci (Writer-Critic), Serkan Doğan, Hasret Gültekin (Singer), Yeşim Özkan (Theater player), Gülsüm Karababa, Gülender Akça, Edibe Sultan Ağbaba, Sehergöl Ateş, Ahmet Özyurt, Koray Kaya (12-year old), Belkıs Çakır, Muammer Çiçek, Handan Metin, Kenan Yılmaz, Erdal Ayrancı (Cameraman), Asaf Koçak (Caricaturist), Huriye Özkan, Menekşe Kaya, İnci Türk, Ahmet

Öztürk, Özlem Şahin, Hakan Türkgil, Sait Metin, Uğur Kaynar (Poet), Yasemin Sivri, Asu-man Sivri, Nurcan Şahin, Mübibe Akarsu, Serpil Canik, Murat Gündüz, Ahmet Alan (Theater player), Carina Cuanna (Dutch), Nesimi Çimen (Singer), Mehmet Atay (Theater player), Metin Altıok (Poet)”.

**Those wounded:** “Mustafa Uzun (Vice Security Director), police officers Nevzat Gündoğdu, Sabahattin Dinç, Sönmez Kayaş, Bülent Dünilacı, Ersoy Kara, Ramazan Karataş, Ersin Güren, Şamil Gebenay, Zülali Pilgir, Seyit İnat, Rahim Çalışkan and persons named Bülent Daylaşlı, Faruk Daylaşlı, Bedia Atmaca, Sadiye Tanış, İnci Şener, Nevzat Kimdağlı, Ünal Altunay, Ali Uygur, Hasan Yıldırım, A.Turan Onak, Mustafa Kaya, Erdal Koç, Mustafa Ulun, Rukiye Güler, Ercan Develi, Oktay Samur, Ahmet Bayram, Faruk Yalçın, İbrahim Darbiçer, Ahmet Yapar, Şaban Yılmaz, Selahattin Özarlan, Nurettin Darıka, Sabri Kangal, Birsen Gürbüz, Mustafa Göktekin, Turan Keser, Azize Çimen, Erkan Kılıç, Şükrü Gülmez, Bilal Kale, Adem Şahin, Ali Sertaş, Ersoy Kaya, Turan Tecer, Çiğdem Gülhan, Kanber Çakır, Mecit Ünal, Hidayet Özden, Solmaz Yılmaz, Kadir Ardıç, Hasan Yıldırım, Ersoy Kara, Metin Gedik, Lütfü Kaleli, Aydoğan Yavaşlı and Aziz Nesin”.

**Those who escaped:** “Cevat Geray, Gülsen Geray, Cahit Külebi, Arif Sağ, Yıldız Sağ, Murtaza Demir, Ali Çağan, Haydar Ünal, Yüksel Yıldırım, Ali Balkız, Ali Baştuğ, Ali Doğan, Ayten Kop, Ali Yüce, Nimet Yüce, Celal Yıldız, Nuranhan Metin, Cem Celasun, Zerrin Taşpınar, Mehtap Yüce, Hülya Kaderoğlu, Battal Pehlivan, Türkan Pehlivan, Neval Can, Tuncay Yılmaz, Demet Işık, Elif Dumanlı, Murat Kılıç, İclal Karakuş, Ertan Kartal, Ali Rıza Koçyiğit, Mustafa Türkan, Demir Hunar, Hidayet Karakuş, Orhun Şensoy, Ferhat Ateş”.

Demet Işık, who managed to escape from the burnt hotel, said the following about what she had experienced: "On Thursday (1 July) Pir Sultan Abdal Festival was started at the Cul-ture Center. The Governor, Aziz Nesin and the President of the Pir Sultan Abdal Association delivered a speech. Nothing happened on that day. On Friday, we went to "medrese" (Muslims' theological schools not functioning now). Everyone brought their own books and we had talks each other. When we left the medrese, they were performing Friday ritual worship. We had lunch in a restaurant and then returned to the hotel. Subsequently, we left the hotel to go to the concert by Arif Sağ. A group of about 100-200 people were shouting slogans in front of the Culture Center such as 'Sivas will be a grave for Aziz Nesin', 'Damn the secularism, long live shariat'. The group was getting larger gradually. Police officers dispersed them. We returned the hotel again. Subsequently, the hotel was besieged. At about 8.00pm the group set on fire the hotel by pouring the gasoline they got from the depots of cars in front of the hotel. We went downstairs to the 1st floor and found a space between two buildings. There we could go out. Other persons went upstairs. When we went out, we tried to enter the opposite building belonging to the Great Union Party Provincial Organization. They shouted 'Peg out!'. However, an old man whom we later discovered to be the provincial chairman of the party, let us enter the building. At that time, we heard sounds of shots fired into the air by the security officers. Subsequently, a curfew was announced. While the massacre was spreading step by step, authorities in Ankara did not turn a hair. Hodjas provoked the incidents through their khutbahs (sermon delivered at the noon prayer on Friday). A fetwa (religious order) was issued for the attack. Those who stoned the hotel, halted when they heard sound of the ezan and continued when the ezan finished."

Aziz Nesin who was the target of the attacks and was saved from the hotel at the last moment, was secretly brought to Ankara. He was kept under police surveillance for a while. Aziz Nesin held a press conference on 4 July and accused the authorities in a harsh manner.

Pointing out the state was responsible for the incidents in Sivas, Aziz Nesin said that the incidents in Sivas were made public by being distorted. He stated that Sivas Mayor Temel Karamollaoğlu from the Welfare Party played a big role in organization of the bigot demonstration, but the main factors which provoked the demonstrators were local newspapers such as "Anadolu", "Bizim Sivas" and "Hakikat" published in Sivas, and he claimed that the incidents were entirely a problem of Alewis and Sünnis. Expressing that there was no inciting factors in his speech in Sivas and that the statements related to his speech did not reflect the facts (\*), Aziz Nesin said: "State authorities, firstly the Prime Minister Tansu Çiller, encourage the bigot forces. This is an errant behaviour. One day, the bigot will hold the hair of Tansu Çiller and drag her on the grounds saying 'there should not be female prime minister'."

Twenty four of the 37 persons killed during the Sivas incidents were laid to rest on 6 July in Ankara after a funeral ceremony attended by about 150,000 people. The attendants who traversed about 20 kilometers from Dikmen, where the funeral started, to Karşıyaka Cemetery, where the victims were buried, shouted slogans against the shariat, the government, police and armed forces. The then Social Democratic Populist Party Chairman Erdal İnönü and the ministers from the SHP who attended the first stage of the funeral were protested. The funeral during which no civilian or official dressed police officers appeared, ended without any considerable events. Writer Asım Bezirci and singer Nesimi Çimen, out of those killed in Sivas, were laid to rest on 8 July after funerals held in İstanbul. Hundreds of thousands people attended the funerals during which the government, security officers and shariat followers were protested. Towards the end of the funerals, an Islamic financial establishment, certain banks and police vehicles were stoned. Hence, police officers opened fire into the air and on demonstrators. Because of the police shooting, Hasan Karaçay (21) and Suat Altın (28) were wounded. Meanwhile, journalist-writer Metin Altıok who was severely wounded in the incidents and died at hospital, was laid to rest on 11 July in Ankara after a funeral with attendance of about 3-4,000 people. The funeral that the police did not interfered ended eventless.

The Sivas incidents took reactions all over Turkey and wide-scale protest demonstrations were held. Some of the demonstrations were prevented by security officer. During the events which took place because of the prevention, many people were injured and hundreds of people were detained. (Detailed information is in the section entitled "Freedom of Organization".) Besides, meetings planned to be organized in İzmir, Antalya, Malatya, Mersin, Hatay, Turhal and Çorum in protest at the incidents were not allowed by the Governorate on the grounds that public order might be broken and events might arise. Besides this, festivals planned to be held in the Avanos district of Nevşehir, the Şarkışla and Sivrialan districts of Sivas, Bahadın town of the Sorgun district of Yozgat and Uluğbey town of Isparta were banned on the pretext of the Sivas incidents.

The report prepared by authorities of the Ministry of Interior as a result of pre-investigation, stated that the incidents had been provoked by Islamic fundamentalists and that local administrators had not taken the necessary measures to prevent those incidents. After evaluating the report, the Board of Ministers decided to remove Sivas Governor Ahmet Karabilgin, Security Director Doğukan Öner and Mayor Temel Karamollaoğlu from duty who were found to be negligent in the incidents. Upon his objection, Temel Karamollaoğlu was returned to duty within

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(\*) The then Interior Minister Mehmet Gazioğlu and some authorities claimed that the speech delivered by Aziz Nesir had led the incidents in Sivas. In addition, certain newspaper published similar interpretations and news stories.

a short time. In consequence of the operations conducted after the incidents, more than 150 people, most of whom were members of radical Islamic groups and organizations, were detained, and 111 of the detainees were arrested. Arrest warrants were issued in absentia against those who could not be apprehended. Cafer Erçakmak, a member of the Municipality Council from the Welfare Party (he attempted to kill Aziz Nesin while he was being saved) was among the persons against whom arrest warrant in absentia were issued.

Kayseri SSC Prosecution Office launched a trial under the "Law to Fight Terrorism" against 94 persons at the end of July in connection with the Sivas incidents. The indictment by the Prosecution Office asserted that 94 persons were members of an illegal radical Islamic organization, had activities in the name of the organization and had provoked the public. The indictment also stated that the attack had been carried out by the "Müslümanlar" (Muslims) organization, the public had been provoked through leaflets entitled "To the Public Opinion" and signed by Müslümanlar, and that Aziz Nesin and Sivas Governor had been shown as targets. The indictment continued as follows: "The organization 'Müslümanlar' declared that day 'the day of bringing to book' in the leaflets entitled 'To the Public Opinion'. Groups of people who went out of Paşa and Meydan Mosques following the Friday prayer, launched an unauthorized meeting and demonstration in protest at Aziz Nesin and the Governor. The people who were encouraged with the tolerant and kind behaviour of the security officers, continued their action for about 7.5 hours." Following are the names of the defendants: "Erkan Çetintaş, Ali Kurt, Halil İbrahim Düzbiçer, Durmuş Tufan, Uğur Yaraş, Halil Kutu, Hayrettin Gül, Zafer Yelok, Ömer Faruk Gezmiş, Latif Karaca, Harun Gülbaş, Bekir Çınar, Erol Sarıkaya, Abdülkadir Arıdıncı, Ahmet Tufan Kılıç, Faruk Belkavlı, Harun Kavak, Ekrem Kurt, Harun Yıldız, Muh-sin Erbaş, Murat Songür, Ömer Demir, Tufan Caymaz, Yusuf Ziya Eriş, Gazi Tufan, Metin Ceylan, Sedat Yıldırım, Özay Karatürk, Sadettin Yüksel, Mevlüt Atalay, Hayrettin Yeyin, Sü-leyman Toksun, Murat Çanaklıtaş, Yalçın Kepenek, İbrahim Duran, Bülent Dövençi, Adem Kozu, Ahmet Oflaz, Ali Temiz, Temel Toy, Nevzat Aydın, Yusuf Şimşek, Cafer Tayyar Soy-kök, Özer Çanaklıtaş, Kenan Kale, Alim Özhan, Faruk Ceylan, Ethem Ceylan, Ali Teke, Çetin Aşama, Metin Yokuş, Ahmet Kaskaya, Süleyman Kurşun, Emin Bozkurt, Mustafa Dürer, Ali Uluçay, Zekeriya Tekin, Haydar Şahinoğlu, Murat Karataş, Ahmet Onar, Kemal Onar, Ahmet Hakan Aslan, Orhan Demir, Ünal Berkan, Osman Düzardıç, Kerim Küçükkösen, Abdullah Malatya, İlhami Çalışkan, Ahmet Turan Yalçınkaya, Hüseyin Kaya, Ali Yılmaz, Mehmet Yılmaz, Vahit Kaynar, Erol Yıldız, Eren Ceylan, Mehmet Demir, Serhat Özgentürk, Kazım Yıldırım, Engin Durna, Adem Bayrak, Sadettin Temiz, Bülent Karayiğit, Halis Duran, Osman Kılıç, Osman Cıbıkcı, İsmet Onar, Fatih Erdem, Mehmet Koraman, Zaim Bayat, Ramazan Önder, Yıldırım Yüksel, Cafer Erçakmak, Tekin Arız and Yunus Karataş".

Along with the trial by Kayseri SSC, 2 more trials were launched by the Sivas Heavy Penal Court and Sivas Court of First Instance in connection with the incidents. In the trial by the Heavy Court against 78 persons, death penalty was sought for defendants Halil İbrahim Düzbiçer, Erkan Çetinbaş and Durmuş Tufan and sentences of to 20 years in prison were demanded for the remaining 75 defendants. The indictment accused the defendants of having burnt to death 37 persons, attempted to kill 45 persons and prevented to extinguish the fire. In the second trial launched by the Court of First Instance under the "Law on Assemblies and Demonstrations", imprisonment sentences varying from 1 to 8 years were demanded for 102 defendants. Most of the defendants on the trials launched by the Heavy Penal Court and the Court of First Instance were those on the trial launched by Kayseri SSC.

The trials in connection with the Sivas incidents were later unified under one trial with 124 defendants. The trial was transferred to Ankara SSC for security reasons. The prosecution of 124 persons, 111 of whom were arrested, started on 21 October at Ankara SSC. The indictment stated that the defendants were members of an illegal Islamic organization. The defendants interrogated in the first hearing, pleaded not guilty and stated that their testimonies were taken under torture in the security directorate. Prior to the hearing on 20 October, various difficulties were raised against the lawyers who wanted to attend the hearing in the name of the victims. Some lawyers were harassed during the dispute which broke out between the lawyers and police officers at the entrance of the court hall. It was observed that some of the police officers had attempted to throttle Şanal Saruhan, the Chairman of the Contemporary Jurists Association. The lawyers of the victims who could enter the court hall after length of dispute, protested at this application. Besides this, when a defendant performed ritual worship during the noon break, tense events which sometimes reached to pummelling each other occurred between the lawyers of the victims and that of the defendants.

Nobody was allowed to follow the first hearing, except deputies and party leaders. This implementation provoked reactions of the people most of whom were relatives of the victims and who went to the Justice building in order to follow the hearing. Groups who demonstrated in front of the Justice building and in Sıhhiye Square in protest at the implementation were beaten and dispersed. During the police dispersion, some people were dragged on the ground and detained. Ankara Deputy Salman Kaya was hit with the fist by the police. Those detained were released within a short time. Two of the persons wounded during the events applied to the HRFT for treatment.

Thirty two of 111 persons who had been arrested in connection with the Sivas incidents were released in the hearing held on 28 October. The names of the 32 persons to be tried without arrest are as follows: "Osman Düzardıç, Serhat Özgentürk, Turan Yalçınkaya, Rama-zan Önder, Osman Kılıç, Erol Yıldız, Orhan Demir, İlhan Çalışkan, Emin Bozkurt, Kemal Onar, Mustafa Saydam, Kerim Küçükköse, Mustafa Dürer, Osman Çubukçu, Ünal Berka, Metin Asmakaya, Mehmet Ercan İter, Halit Karakaya, Ali Yılmaz, Zekeriya Tekin, Saadetin Temiz, Mehmet Toraman, Ahmet Kaşkaya, Ali Uluçay, Adnan Kepenç, Mehmet Karakaya, Abdullah Malatya, Ergun Kılıç, Ergin Turna, Kazım Yıldırım, Rıza Özpembe and İsmail Bıçakçığıl". With the last release decision, the number of the defendants tried under arrest declined to 79. Certain journalists who wanted to follow the hearing were prevented by police officers.

Subsequent hearings also became a scene to various tense events. Hard disputes arose between the lawyers of the victims and that of the defendants during which sometimes the lawyers pummelled each other. Tense events took place between court officers and followers. The victims' lawyers and relatives protested the attitude of the court board. The trial also continued in 1994, and the number of the defendants under arrest declined to 38 with release verdicts. In the meantime, the lawyers on behalf of the victims decided not to enter the hearings in protest of broadcast ban on the hearings.

### **Hotel fire in Van**

A hotel fire in Van was among the important events in 1993 although it did not call much attention. A hotel in Sebze Hali quarter of Van where generally tourists from the Commonwealth of Independent States stayed, was set fire to by pouring gasoline in the early morning hours on 30 June. As a result of fire, a total of 11 persons died, and 27 persons were wounded, 5 of whom were severely. The names of the persons who died in the fire are "Rasova

Zinando, Marina Kaçyova, Hüseyin Dalkavuk, Fahrettin Erkinek, Ayberk Alpaslan, Selim Ağrak, Nedim Çelikkulu, Yıldırım Güvercin and Alpaslan Yılmaz". Identities of two foreigners among the persons who died, could not be revealed. The hotel was allegedly set fire to by Hizbollah followers on the grounds that there was prostitution there. An Islamic group of 40 persons had applied to the Van Governorate at the end of June, complained about the prostitution in the hotel and demanded the hotel to be closed.

As a result of the investigation into the event, it was stated that the hotel had been set fire to by its owner Necip Yenigün. The statement claimed that Necip Yenigün had confessed that after buying gasoline from a fuel station he had set fire to the hotel in order to get money from insurance company to pay his debt. It was also recorded that Necip Yenigün was addicted to heroin and thus he run into debt of about TL 3 billion. Subsequently, Necip Yenigün was arrested and sent to prison, and a trial was launched against him under Article 146/1 of the Turkish Penal Code on charges of "killing more than one person".

Prosecution of Necip Yenigün started on 6 August at Van Heavy Penal Court. Necip Yenigün pleaded not guilty in the hearing. He stated that his testimony had been taken under torture at the Security Directorate and it was unreal. Admitting that he was addicted to heroin, Necip Yenigün said the following: "I am not aware of the incident. I did not buy gasoline on the day of the incident and I did not run into a debt of TL 3 billion. I want this case to be determined by the court. The minutes indicating that I confessed my crime are baseless and the expressions that I set fire to the hotel are a scenario." Ziyaettin Denizli, one of the hotel officials who was called as a witness, said that he had waken up upon noises and after getting up he had seen 3 persons escaping. He added that he had preferred to save those in the hotel instead of chasing the 3 persons. The owner of the fuel oil station from which Necip Yenigün reportedly bought gasoline stated that he had not sold gasoline to the hotel owner on the day of the incident and said: "At the Security Directorate I was confronted with Necip Yenigün. I said that I had not sold gasoline him. At that time, he could hardly stand and was wholly wet through, especially his head. He begged saying 'Please, say that you sold gasoline me'. Hereupon I said so. However, this was not true." At the end of the prosecution, Necip Yenigün was discovered to be innocent and he was acquitted. The hotel fire as a result of which a total of 11 persons were burnt to death, remained 'an incident by unidentified assailants'.

## UNIVERSITIES

Disorder in the universities and the YÖK (the Higher Education Council) system continued throughout the year. The promises on the universities and YÖK indicated in the programs of the coalition governments were not kept. (It was promised that after necessary changes on the Constitution, the YÖK would be lifted and universities would be granted autonomy.) Along with the negative aspects of the YÖK system, detention of students and torture on them continued. Many students were removed from schools because they criticized the YÖK and education system, and because of their political thoughts. Universities and students were kept under surveillance of the police or gendarmes. Activities of the students' associations and various activities at universities were obstructed. In addition, conflicts and clashes arose between student groups with different political views.

18 of the students who attended the concert in the canteen of the Administrative Sciences Faculty of Eskişehir Anadolu University, were detained by police officers. Police authorities stated that separatist propaganda had been made during the concert and the students had been

detained for this reason. However, the students said that the incident was a co-operation between the police and faculty administration.

Students of İstanbul Yıldız University went on a meal boycott demanding that the increase in price of meals should be drawn back and health services should be free of charge. During the boycott, 11 students were detained.

24 left-wing students studying at the Middle East Technical University (ODTÜ) in Ankara were expelled from dormitory at the end of February on allegations of giving harm to state properties and inciting other students. Besides this, a conflict broke out when the left-wing students marching in protest of Islamic organization in ODTÜ on 5 March were attempted to be prevented by Islamic students. In the conflict which took place in front of library, 14 students and 4 gendarmerie soldiers were wounded. The students, detained during the incidents, were released within a short time. Thirty-two students were removed from the school as a result of disciplinary investigation into the incident.

A left-wing student was beaten by right-wing students on 16 March in the Language and History-Geography Faculty of Ankara University and upon the beating a clash broke out between the left and right-wing students. The clash caused a tension and events continued also on 17 March. At noon, a clash with stones and sticks arose between left and right-wing students in the garden of the faculty. During the clash in which the police did not intervene, 2 students were injured. In addition, two left-wing students named Uğur Özdem and Remzi Aydın were attacked and injured by right wing students on 6 May in the faculty.

Ten students were detained following a forum held at Siirt Education High School on 10 March. As a result of the police raid on the student dormitories on the same evening, the number of the detained students reached 12. The detained students were later released.

In the Faculty of Literature of Ege University (İzmir), 30 of the students who attempted to hang posters on 15 March in protest at extra-judicial executions were detained. Subsequently, a disciplinary investigation was launched against the detained students within a short time. As a result of the investigation, the students were removed from the school for periods varying from one week to one term.

A group of students staying at in İzmir Bornova Student Dormitory went on a hunger strike on 14 June with demand of improvement in living conditions in the dormitory. 22 of the students on the hunger strike were indefinitely removed from the school on the 9th day of the strike. Then, 60 students studying at the faculties of Ege University initiated a march to Ankara in protest of the incident and the instructions sent by the National Security Council to university rectorate. The students who started out from İzmir on 24 June, were stopped and beaten by the police at the entrance of Manisa province on the 2nd day. The students were not allowed to enter Manisa. The students were not allowed to enter Balıkesir either and beaten. As a result of beating, arm of one of the students was broken and 3 students were injured. Because of the obstructions raised, the march was halted.

In a clash which arose between left and right-wing students in the canteen of the Görük-le Campus of Uludağ University on the evening of 26 October, students named Serdar Coşkun, Saadet Akkaya and Barış Çağdan were wounded. Gendarmes did not intervene in the clash, but detained 7 students.

A meeting was held on the night of 6 November in the dormitories of ODTÜ for the 76th anniversary of the October Revolution. Following the meeting, gendarmes carried out an

operation in the dormitories and detained 43 of the students who attended the meeting. Seven of the detained students were released by the Ankara SSC Prosecution Office and the remaining students were released by commander of the gendarmes. A trial was launched against the detained students for organizing meeting without permission. In November, certain communities which had been formed by the students of ODTÜ and held various activities were closed by the Rectorate. In addition, a meeting planned to be held in connection with the Sivas incidents were not allowed by the Rectorate.

A group of right-wing students attacked the left-wing students on their way out of the Kırşehir Vocational High School on the evening of 19 November, and 6 students were wounded. Police officers who were in front of the school did not prevent the attackers. Three of the wounded students were treated out of bed while 3 students were issued medical reports from Kırşehir State Hospital showing their inability to work for 7 days.

In a clash which broke out between right and left-wing students in the canteen of the Faculty of Dentistry of Erzurum Atatürk University on the evening of 13 December, students named Aziz Kaya and Yılmaz Gürel were stabbed and wounded. The clash broke out when the right-wing students attempted to take the left-wing students out of the canteen. 19 students, detained after the incident were released by the prosecution office on 14 December.

Because of a signature campaign with the topic "No to Capital Punishment" which was initiated by the students of the Faculty of Law of İzmir Dokuz Eylül University on 7 December, a disciplinary investigation was launched against 7 students named Cem Altınparmak, Olgun Soydan, Alper Onursev, Yavuz Dursun, Seçil Ege, Sevim Çakır and Ramazan Akkaya. As a result of the investigation various disciplinary sentences were passed on those students in 1994. In addition, the canteen where the campaign was conducted was indefinitely closed upon directives of the Dean of the Faculty.

A meeting planned to be organized on 14 December in the Education Faculty of Balıkesir University because of the "Human Rights Week" was prevented by the police officers called by Rector Asım Yücel, and 21 students were detained. The detained students were released one week later. The students stated that they had been subjected to torture and lodged an official complaint with the Balıkesir Public Prosecution Office about the police officers who had tortured them.

Activities of the Student Association of the Ankara University's Faculty of Law were stopped by the faculty administration. Besides this, the faculty administration launched an investigation against 3 members of the association in connection with the press clippings from the newspapers Cumhuriyet and Özgür Gündem hanged on the panel of the faculty during the activities organized between 10 and 17 December because of the "Human Rights Week". Association-member students criticized the decision stopping the activities of the association and said: "We want the decision to be drawn back and an atmosphere to be created in which we continue our activities."

Disagreement on the school yearbook between the left and right-wing students of the Faculty of Economics of Eskişehir Anadolu University turned into fight. The disagreement which started when the left-wing students won the election held to elect the yearbook preparation committee on 18 November, turned into a fight within a short time. In the fights in the noon and evening hours, students were wounded and the faculty building was damaged.

In the meeting on "Universities and the YÖK" held in December in Trabzon, it was stated that the YÖK system eliminated democratic university and contemporary education, and that education on payment made university education impossible for people of small income. In the meeting it was also indicated that for the last ten years 10 changes had been made on the regulations concerning higher education, 9 decrees with the force of law had been put into force, the Board of Ministers had taken 8 decisions and the rules had been changed 42 times. In the meeting, it was also said: "Rights of academicians and students obtained after length of struggles were taken back, interest of the universities on social problems was cut off, a new understanding conforming with the official ideology was formed, pressure on the universities increased, and because of the pressure, scientists receded the universities."

"Democratic University Congress" planned to be held by group of university students on 25 and 26 December in İstanbul, was not permitted. On 25 December, environs of the Ümraniye Municipality's Wedding Hall where the congress was to be held and roads to Ümraniye were controlled by police officers, nobody was allowed to enter the hall and a total of 157 students were detained. Hereupon, a group of students went to the DEP Ümraniye District Organization and staged a hunger strike in protest of detention of their friends. The hunger strike ended when the detainees were released on 26 December.

## DETENTIONS

Detentions for political acts and activities continued intensively in 1993. During the year, ten thousands of people were detained all over Turkey, particularly in the Emergency State Region. People were mostly detained because of authorized or unauthorized demonstrations or on charges of 'being members of illegal organizations' and 'sheltering members of illegal organizations'. Detainees were interrogated under torture for lengthy periods of time. Two third of the detainees were released at the prosecution office or on first interrogation stages. If we take into account that almost half of the arrested persons were released in their first hearings or acquitted at the end of trials, it will be apparent how personal rights and freedoms were abused by unlawful and arbitrary attitude witnessed in detention cases.

Statistics on this subject displayed the dimensions of arbitrary behaviour in detention cases. According to the 1992 statistics disclosed by the Ministry of Justice in 1993, 28,5 percent of the trials launched by the State Security Courts resulted in sentence, 53,3 percent of them resulted in acquittal while 18,2 percent of them were concluded or transferred to 1993 because of non-prosecution, unification and dismissal decisions. According to data of the Ministry of Justice, 34,4 percent of the trials heard by the SSCs resulted in sentence while 45,3 resulted in acquittal in 1991. The data showed that detentions for political reasons might be arbitrary and unlawful, police officers and gendarmes were in attempt to make each detainee as a defendant and that SSC prosecutors could easily launch trials against persons without sufficient evidence. According to the data of the Ministry, following is information about results of the trials launched by other courts: "Heavy Penal Courts: 54 percent in sentence-31 percent in acquittal; Co-urts of First Instance: 49 percent in sentence-29 percent in acquittal; Minor Courts: 60 in sentence-11 percent in acquittal; Juvenile Courts: 70 percent in sentence-16 percent in acquittal."

Yılmaz Çamlıbel, one of the judges of Ankara SSC, who had criticized Ankara SSC's Chief Prosecutor Nusret Demiral because of a decision he had taken, was removed from his duty in December. Yılmaz Çamlıbel against whom Nusret Demiral lodged a complaint with the

Ministry of Justice saying "He shows us as a target", was ordered to change position by the Judges and Prosecutors Higher Council. In accordance with the order, Yılmaz Çamlıbel was appointed to Afyon Heavy Court. In the event which caused him to be punished, Yılmaz Çamlıbel had criticized Nusret Demiral who had demanded issue of an arrest warrant against Islamic fundamentalist Cemalettin Kaplan in Germany, by saying 'To create a crime suitable for a defendant is unacceptable' and he had objected to arrest warrant issue against Cemalettin Kaplan. The İHD Secretary General Hüsnü Öndül protested at the decision and stated that appointment of Yılmaz Çamlıbel to Afyon made apparent the pressure on judges. Hüsnü Öndül said: "The decision of the Judges and Prosecutors Higher Council proved those who have defended for years the independence of judgement and assurance by judges and emphasized necessity of reform in the judiciary system, to be right. It is not possible to accept being punished of Yılmaz Çamlıbel because of his juridical thoughts. We protest at this implementation and defend freedom of thought also for judges. None of the judges should be exposed to administrative sanctions because of their thoughts and decisions."

On charges of helping and harbouring PKK militants, a trial was launched against physician İlhan Diken working at Diyarbakır Child Hospital, in January. The prosecution of İlhan Diken for whom up to 5 years in prison was sought, started on 16 February at Diyarbakır SSC. İlhan Diken's lawyer Sezgin Tanrikulu stated that his client had been arrested and prosecuted because he had treated a wounded PKK militant, and said: "My client did not know the person whom he treated, was a PKK militant. Besides this, a physician must treat everyone in accordance with the principles of the profession. My client has to treat every person whoever s/he is." İlhan Diken was later convicted to 3 years 9 months in prison.

The prosecution of 4 lawyers named Zerrin Sarı, Fethiye Pekşen, Ulutan Gün and Ümran Gün on charges of helping the Devrimci Sol organization, started on 22 February at İstanbul SSC. In the indictment read in the first hearing, imprisonment terms varying from 3 to 5 years were sought for the defendants. The defendant lawyers claimed that the trial had been launched by the circles who were bothered because of political trials and the trials concerning torture cases and extra-judicial executions they had undertaken on behalf of victims.

Physician Sabri Soysal working at Mersin State Hospital was detained by the police on 21 July on charges of treating PKK militants. Sabri Soysal, interrogated for period of time, was arrested on 31 July. Subsequently, Sabri Soysal disclosed that he had been tortured during 11 days under police custody. Indicating that police officers inflicted every kind of torture on him in order to receive the testimony they desired, Sabri Soysal said that due to torture, 3 of his ribs had been broken, he was continuously vomiting blood and his condition was terrible.

Lawyer Ulutan Gün, one of the leaders of the Contemporary Jurists Association İstanbul Branch, was sentenced to 10 months in prison in connection with his article published in the weekly Mücadele. In the trial which ended on 29 September at the İstanbul Heavy Penal Court No.2, Namık Kemal Cıbaroğlu, the chief editor of the weekly Mücadele, was also sentenced to 10 months in prison. Ulutan Gün and Namık Kemal Cıbaroğlu were tried under Article 159 of the Turkish Penal Code on charges of insulting judiciary system.

In Ankara, house of lawyers Zeki Rüzgar and Murat Demir who undertook numerous political cases, was raided by the police on the night of 12 October on the pretext of a theft in the same quarter. As a result of the raid, Zeki Rüzgar was taken to the Security Directorate and kept in detention for a period of time.

Nurse Mediha Curabaz in charge of Adana was threatened by two plain clothed police officers named Ferit Çakır and Muzaffer Aydın who blocked her way while she was walking in the Kızılay Street of Adana on 17 October. Mediha Curabaz stated that the police officers said to her "We will show you as a member of an illegal organization and send you to SSC". Mediha Curabaz had been detained in August 1991 and raped at the Adana Security Directorate where she had been interrogated. Mediha Curabaz who had proved the rape with medical reports, could not obtain any results from her official complaints.

A total of 16 lawyers were detained in mid-November as a result of the operations started in Diyarbakır in direction with the statements by confessor Abdülhakim Güven serving in Diyarbakır E Type Prison. The names of the lawyers who were kept in detention between 15 to 25 days are as follows: "Arif Artunkalem, Mesut Beştaş, Arzu Şahin, İmam Şahin, Hüseyin Ölmez, Vedat Erten, Mehmet Selim Kurbanoğlu, Tahir Elçi, Sebahattin Acar, Meral Beştaş, Fuat Hayri Demir, Baki Demirhan, Gazanfer Abbasioglu, Şinasi Tur, Nevzat Kaya and Niyazi Çem". Out of the 16 lawyers, Mesut Beştaş, Arzu Şahin, İmam Şahin, Hüsnüye Ölmez, Vedat Erten, Mehmet Selim Kurbanoğlu, Tahir Elçi and Sebahattin Acar were arrested and the remaining were released. Subsequently, an arrest warrant in absentia was issued against Arif Artunkalem. The prosecution of 9 lawyers, 8 of whom were arrested while one of whom was arrested in absentia, started on 17 February 1994 at Diyarbakır SSC. In the indictment read in the hearing, defendants were accused of helping and harbouring PKK militants and various imprisonment sentences were demanded against them. At the end of the hearing, the arrested lawyers were released. Arzu Şahin, one of the arrested defendants, said in the hearing that they had been tortured in detention. Prison officials Mehmet Salihoğlu, İhsan Çatak, Muhsin Yıldız, Necip Ceylan, Fuat Şimşek and Seyfettin Aslan are also tried in the same case along with the defendant lawyers. In the meantime, prosecution of 4 lawyers named Ferudun Çelik, Zafer Gür, Mehmet Biçen and Sinan Tanrıku against whom a trial was launched for the same charges, started also on 17 February and the case was unified with the case of the 16 lawyers.

The then Minister of Interior İsmet Sezgin disclosed on 10 January that a total of 1.300.000 persons were screened out and filed because "they had committed various crimes". İsmet Sezgin stated that out of those screened out and filed persons, 300.000 were the persons exposed to enquiries launched against them for political crimes, 850.000 were the ones in connection with ordinary crimes and 150.000 were smugglers, and he said most of these files would be destroyed. He also pointed out that most of the files to be destroyed would be the ones concerning ordinary cases. The Minister of Interior İsmet Sezgin stated that the files with regard to the political cases and smugglers would be kept in general, and said: "Among the files in connection with the political cases and smugglers, only the ones about which nothing has been recorded for 5 years, will be destroyed". In another statement he made at the beginning of June, the Minister of Interior İsmet Sezgin stated that the number of the Turkish Republic citizens who were prohibited from going abroad and for whom no passport was issued, was 170,453. İsmet Sezgin who made a statement upon a question by İstanbul deputy Halit Dumankaya, said that 142,813 of them were prohibited because of court decisions, 24,948 of them because of unpaid tax debts and 2,692 of them owing to political reasons.

## BALANCE SHEET OF 1993

### DEATHS

Deaths in custody or in prison .....	29
Deaths during Newroz incidents .....	3
Deaths during attacks on settlements.....	46
Those killed during house raids.....	57
Those killed as a result of fire on demonstrators .....	20
Those killed for ignoring stop warnings, etc. ....	109
Deaths as a result of mine explosions .....	123
Killings by unidentified assailants .....	467
Deaths during Sivas incidents .....	37
Killings by attacks on civilians.....	406
Those killed in armed attacks and assassinations .....	341
Security personnel killed in combat .....	776
Militants killed in clashes.....	1078
<b>Total number of people killed in 1993.....</b>	<b>3492</b>

### TORTURE

Deaths in custody or in prison .....	29
"Disappearances" after detention.....	13
The number of tortured individuals <sup>(*)</sup> (known to the HRFT) .....	827

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(\*) 160 of them , including 29 children and 126 women, verified the torture with medical reports they had received from official institutions. 22 of the females who reported that they had been tortured, stated that they had been raped or sexually harassed.

## **FREEDOM OF PRESS, THOUGHT AND BELIEF**

Killed journalists .....	7
Killed newspaper vendors .....	11
Press workers who disappeared .....	3
Journalists attacked by public officers.....	52
Confiscated newspapers and journals .....	425
Confiscated books .....	29
Closed newspapers and journals.....	14
Convicted journalists and writers .....	116
Total of imprisonment sentences given to journalists and writers .....	<b>165 years 3 months 10 days</b>
Total of fines given to journalists and writers .....	<b>38,267,000,000 TL (*)</b>
Journalists imprisoned after their sentences became decisive .....	18
Arrested journalists .....	60

## **FREEDOM OF ORGANIZATION**

Killed İHD leaders .....	3
Shut down İHD branches .....	4
Shut down democratic mass organizations.....	31
Killed political party leaders .....	15
Killed teachers .....	50
Closed political parties .....	4
Political parties demanded to be closed .....	2
Banned strike .....	1

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(\*) Approximately 1.5 million US Dollar .

## ACTIVITIES OF THE HRFT

### a) Activities we attended

- The meeting on "Human Rights and the Searches for a Regional Treatment and Rehabilitation Center", organized by the "Civil Society Group" of Initiative for Peace and Cooperation in the Middle East. (Spain, March 1993, participant: Önder Özkalıpçı.)
- The symposium on "Physical and Psychological Sequels of the Torture Victims", organized by AVRE. (Paris, May 1993, participants: Veli Lök, Şule Duruarı.)
- The United Nations Human Rights Conference (by means of the International Federation for Human Rights), on "Migration, Asylum and Human Rights in the CSCE Countries." (June 1993, participants: Yavuz Önen, Murat Çelikkın.)
- The third annual Conference of Journalists" organized by the Representation of the Commission of European Communities in Turkey. (Ankara, 20-21 September 1993, participants: Yavuz Önen, Mahmut Tali Öngören.)
- The campaign on "Political Assassinations and Disappearances" organized by AI in Washington DC, USA. (October 1993, participant: Mahmut Tali Öngören.)
- USA, the Seminar of Initiative of Physicians for Human Rights. (San Francisco, October 1993, participant: Mahmut Tali Öngören.)
- Council Meeting of the IRCT. (Buenos Aires, October 1993, participant: Okan Akhan)
- The symposium on "Torture and the Medical Profession" organized by the IRCT. (Buenos Aires, October 1993, participants: Şule Duruarı, Okan Akhan, Türkcan Baykal.)
- The symposium on "War Medicine in the Balkans and Function of the Physicians in Peace", organized by the Balkan Network. (Athens, October 1993, participant: Türkcan Baykal.)
- The training seminar for the documentalists, organized by the IRCT. (Copenhagen, November 1993, participant: Havva Cankat.)
- The meeting on "Where does Eupore End?", organized in Ankara by the Helsinki Citizens Assembly. (December 1993, participants: Yavuz Önen, Mahmut Tali Öngören.)
- As an observer to the general council meeting of the International Helsinki Federation for Human Rights. (Paris, 10-12 December 1993, participant: Yavuz Önen.)
- A visit aiming at presenting the Foundation upon an invitation by the Turkei Demokratische Forum. (Cologne, December 1993, participants: Ümit Erkol, Şahika Yüksel.)
- The conversation on HRFT and its projects with the medical students at the Ankara Chamber of Medicine. (Ankara, December 1993, participant: Ümit Erkol.)
- The conversation on the situation of the human rights in Turkey, with the student candidates of the Medical Faculty at the Ankara Chamber of Medicine. (Ankara, March 1993, participant: Fevzi Argun.)
- The assembly organized by the İstanbul Democracy Platform. (İstanbul, December 1993, participant: Yavuz Önen.)

- The meeting organized by the Representation of the Commission of European Communities in Turkey, on "Turkey-European Community, Economical and Social Aims, the Relations Between Turkey-EC, and Jeopolitical Environment". (İstanbul, May 1993, participant: Yavuz Önen.)
- The meeting on treatment activities, upon an invitation by the Swedish Red-Cross, (Stockholm, May 1993, participants: Mahmut Tali Öngören, Veli Lök, Evin Kantemir.)
- A speech on occasion of the Human Rights Week held by the Faculty of Law, Ankara University. (Ankara, December 1993, participant: Ümit Erkol.)
- The discussion on "Human Rights in Turkey", organized by the Ankara Bar Association. (Ankara, September 1993, speaker: Yavuz Önen.)

## **b) Activities and relations**

**Activities of the Headquarters:** We have been considering important to have regular and efficient relations between the foundation personnel, volunteers and the administrative board, and to ripen the taken decisions with common discussions, since our establishment. For this reason, last year the administrative board deemed it useful to have a common meeting with the personnel and the volunteers, and made this decisive. The most important result which came out after such kind of meetings held 2 times within the year, was the tendency to expand the board of founding members in order to maintain participation to the Foundation's activities and decision process. To include new names in the board of founding members, starting from those who took part within the activities of the Foundation, was accepted in principle.

**Relations with the TTB and the İHD:** Our Foundation actively participated in the seminar on "Medical Ethics and the Medical Profession", organized last year in Bolu by the Turkish Medical Association (TTB). Our physicians working at Ankara, İstanbul and İzmir centers took part in the organization of the meeting. Two meetings were held with the İHD. The contents of the meetings were the Foundation-Association relations, cooperation and the future projects. In fact, there was already a functional relationship between the Foundation and the Association as the branches of the Association in the cities where our centers are, sent the torture victims to the Foundation. During the meetings, it was decided to have similar relations with the branches in other cities.

**France's Human Rights Honourable Mention:** Last year, our Foundation was given the human rights honourable mention which is organized by the French Government's Human Rights Commission and given to the organizations or persons from different countries of the world, which/who conduct activities in the field of human rights. We learned this from a letter sent by the French Prime Minister, Mr. Beladur, to our Foundation. Our Foundation had also been given the French Human Rights Award in 1991.

**The Initiative to Rescue the Captives:** In August, a delegation formed of MD Bernard Granjon, President of "Medicins du Monde", Yavuz Önen, the President of the HRFT, and İsmet İmset, Chief Editor of the newspaper Turkish Daily News, went to the city centers like Diyarbakır, Batman, Muş, Tatvan, Van, and made initiatives to rescue the 4 French, 1 English and 1 Australian tourists who had been abducted by the PKK. Because of the obstacles by the security forces, these initiatives could not be achieved. The abducted tourists were released one day after the delegation left the region.

**Other Relations:** Last year, meetings on human rights were held in Ankara with the Foreign Ministers of Sweden, Belgium, Luxembourg and the Netherlands, who had visited

Turkey. Besides, meetings were held with the diplomatic mission representatives in Ankara, foreign journalists, writers, parliamentarians and representatives of NGOs.

**Documentation Center:** Last year, our Documentation Center met the information requests, answered innumerable written or verbal questions, and prepared various documents. Throughout the year, the center prepared many notes and summary reports as answers to the specific or general questions of various persons or organizations. (Detailed information can be found in the introduction of the report.)

### **c) Activities of the treatment centers:**

The treatment projects which were started in 1990 in Ankara, and in 1991 in İstanbul and İzmir, continued in these cities in also 1993. 1993 Treatment Project continued with the support of the Swedish Red-Cross. A meeting was organized in İstanbul in October 1993, with the participation of our 3 centers and the Swedish Red-Cross personnel. The project is also continuing in 1994. A report which is prepared as a result of the activities of the treatment centers of the HRFT in 1993, will be published (in Turkish and English) in a book form soon.

**Ankara:** A meeting was organized with the medical volunteers on 5 March 1993, on subjects like "treatment of applicants", "approaches towards applicants", and "an evaluation of the year 1992". A dinner with medical and social volunteers, which has become a traditional affair in the Human Rights Week, was held on 17 December 1993. Certificates were given to the persons made contributions to the HRFT. A total of 115 persons applied to the Ankara Treatment Center in 1993.

**İstanbul:** With the attempts of the volunteers group, 2 activities were held in 1993. The play by Ben Elton named "Derin Bir Soluk Al" was staged by Theater Studio at İstek Cultural Foundation's Art Center in March, and the play by Maksim Gorki named "Küçük Burjuvalar" was staged by the State Theater at Atatürk Culture Center in May, on behalf of the HRFT. Besides this, the HRFT organized a joint scientific meeting with the Treatment Center for Tortured Refugees of the Swedish Red-Cross between 29 and 31 October. Ten guests who are working at the related centers in Sweden, persons dealing with this subject in Turkey, and the professional medical staff from three centers of the HRFT, participated in the meeting. Dr. Gill Hinselwood from the Medical Foundation in London, came to İstanbul on 25 July, and organized a work group of 25 persons with the participation of the physicians working at the 3 centers of the HRFT, and psychologists and psychiatrists who have studies on torture. A total of 101 people applied to the Treatment and Rehabilitation Center of the İstanbul Representative Office in 1993.

**İzmir:** In İzmir, studies about the pathological investigation of the wounds formed due to application of electric shocks, were continued. Firstly, some preparatory stages were taken such as collecting literature which would provide new perspectives on proving the application of electric shocks, determination and organization of the team which could evaluate these and conduct researches. Besides, the studies regarding the determination of falanga through syntigraphy, were continued. A new investigation was started to prove the trauma to genital area (trauma to scrotum and squeezing testicles) by using three phase dynamic syntigraphy techniques. (First results are on the way.) Within the framework of the activities in the Human Rights Week, the Foundation was presented, and torture and medicine were evaluated in a forum organized by the İzmir Chamber of Medicine. The Foundation was introduced in a tele-vision

program on a local TV called Channel Ege, and presented in programs at 2 local radio stations with participation of the Foundation personnel.

The HRFT İzmir Representative, Veli Lök, attended to a panel organized by Muğla Chamber of Medicine on 14 March 1993, and made a speech on the longstanding symptoms of the torture. He gave a conference at the Mazlum-Der İzmir Branch in May, on the subject of "the investigation of the longstanding symptoms of the torture". He also participated in the conference organized by the European Parliament in Brussels on the same subject on 20 December. He participated in the conference organized by the Swedish Red-Cross and Carolinska Hospital again on the same subject, and gave a speech. Mr. Lök attended to another meeting on "Treatment of Torture Victims" organized by the AVRE in Paris on 7-9 May 1993.

The preparation of alternative forensic reports which was conducted in collaboration with the Examination and Report Commission of İzmir Chamber of Medicine and the physicians of our Foundation, was continued. We took part as an observer in the mission which was formed in order to investigate the killing of Baki Erdoğan under torture in Aydın, and we provided scientific contributions to the clarification of the killing. Two personal appeals to the Human Rights Commission of the European Parliament, which were based on the alternative forensic reports prepared by the physicians of our Foundation and Examination and Report Commission of the İzmir Chamber of Medicine, were admitted. A total of 107 people applied to the Treatment and Rehabilitation Center of the İzmir Representative Office in 1993.

In order to present the Foundation, to provide some income and to create temporary work facilities to the applicants of the Foundation, a number of stands were opened. One of the stands which was opened in collaboration with the İHD in an area prepared as "Handicrafts and Arts Center" in a park in Karşıyaka by the Karşıyaka Municipality in May 1993, remained open until March 1994. The Foundation also took part in the "Souvenir and Gift Fair" held in İzmir Fair area in December 1993. During these activities, leaflets were distributed and our annual reports were sold.

**Five Cities Project:** Since its foundation, the HRFT have tried to establish another center in Diyarbakır. However, since the appropriate political conditions for the establishment of such a center have not come into existence yet, the HRFT has decided to establish representative offices in Diyarbakır, Malatya, Gaziantep, Adana and Mersin, in order to provide help for the people living in the region where human rights violations are witnessed to a great extent. The persons who will make applications via the representative offices in these 5 cities, will be treated at the Treatment Centers in Ankara, İstanbul and İzmir, and all of their expenses (travel, accomodation and medical help) will be met by the HRFT. During the second half of 1993, information on this subject was given to the Turkish Medical Association, the related Chambers of Medicine and the İHD Branches, and their contribution was demanded.

**Common Meeting of the Treatment Centres:** A 3-center meeting was held in İstanbul on 3 July 1993. In that meeting, a Science and Ethics Council was constituted within the framework of our Treatment Project. The attitude towards the urgent applications was discussed and the epicrisises were decided to be prepared in the same form by the 3 centers. The aims of the social services, their qualifications and the role of the social workers were discussed. A meeting was held in İstanbul on 4 July 1993 with the participation of administrative Board members, personnel of the treatment centers, social volunteers from Ankara and İstanbul. In that meeting, relations between the Foundation and social volunteers were discussed. Another 3-center meeting was held in Ankara on 25 September 1993. In that meeting, epicrisises and fi-

nancial reports were discussed. The third 3-center meeting was held in Ankara on 18 December 1993. In that meeting, the activities in 1993 were evaluated. Besides, to separate the representative offices and the treatment centers, and the activation of the Science and Ethics Council in training and researches were discussed.

#### **d) Our losses**

**Kemal Kılıç:** Journalist Kemal Kılıç, a member of the İHD Urfa Branch Administrative Board, was killed as a result of the fire opened by unidentified persons near Külünçe village located 17 kilometers away from Urfa. Kemal Kılıç was buried at his birth place, Abdurrahmandede village of Urfa, on 19 February.

**Metin Can:** The İHD Elazığ Branch Chairman lawyer Metin Can and his friend physician Hasan Kaya who were kidnapped by unknown persons on the evening of 21 February, were brutally killed later on. Metin Can and Hasan Kaya were found dead at a place 12 kilometers away from Tunceli on 26 February. It has been established that the İHD Branch Chairman and his friend were tortured and then killed with one each bullet in their heads. Metin Can and Hasan Kaya were laid to rest in Elazığ after a funeral ceremony on 28 February.

**Emil Galip Sandalcı:** Journalist-writer Emil Galip Sandalcı, one of the founding members of the Human Rights Association (İHD) and the Human Rights Foundation of Turkey and former Chairman of the İHD İstanbul Branch, died because of an asthma attack on the morning of 10 March in İstanbul. Emil Galip Sandalcı born in 1922 in İstanbul, had struggled for democracy and human rights throughout his life. He had been detained and arrested following 12 March and 12 September military coups. A ceremony was held for Emil Galip Sandalcı on 12 March in front of the İHD İstanbul Branch office for which he had been a chairman for a long time. A crowd of people including the İHD and the HRFT leaders, human rights activists and the İHD members, journalists and representatives of political parties participated in the funeral ceremony. Later corpse of Sandalcı was taken to Teşvikiye Mosque. Following the ritual prayer there, Emil Galip Sandalcı was seen off by thousands of people with demonstrations made with applause and carnations.

**Abidin Dino:** One of the world-wide famous painters of Turkey, Abidin Dino, died in Paris on 7 December, because of a heart attack. Abidin Dino was brought to Turkey later on, and laid to rest in İstanbul. Abidin Dino had prepared the logo of the HRFT.

**İbrahim Tezan:** Lawyer İbrahim Tezan who was the lawyer of the defendants in numerous political trials in the last 15 years, died as a result of a heart attack in Ankara on the night of 16 August. İbrahim Tezan who was born in Giresun, in 1948, had worked as a lawyer in his own name for about 20 years. Working as an administrator in the General Center of "Halkevleri", İbrahim Tezan was among the founding members of the Human Rights Association and had been the Deputy General Secretary in the first period.

**Harun Çetin:** A youth named Harun Çetin (20), who had been detained in Avcılar in İstanbul on the night of 15 March 1993 and had gone into coma as a result of the torture inflicted on him, died in the hospital where he was under treatment, at about 2.00am on 5 September. Harun Çetin, who was one of the torture victims dealt by HRFT, was being treated at İstanbul

Taksim Hospital for the last time. Harun Çetin was laid to rest in Batman on 8 September, after the funeral ceremony in which only his relatives were able to attend.

**Cuma Tepe:** A person named Cuma Tepe, who had troubles with his kidneys because of the torture he had been subjected to while being arrested in Mamak Military Prison after the 12 September Coup, and whose both kidneys decayed as he had not received necessary treatment, died in Ankara on 6 September. Cuma Tepe was laid to rest in Ankara on 7 September by his colleagues. Cuma Tepe, who was the first torture victim who applied the HRFT, had been found unguilty and acquitted in the trial which had caused him to be kept arrested for 5 years. Cuma Tepe had undergone a kidney transplantation in 1991, but desired result could not be maintained after this transplantation.

**Şevket Epözdemir:** Şevket Epözdemir, the Tatvan Representative of the İHD and Chairman of the DEP Tatvan District Organization, was kidnaped from Tatvan by unknown persons on the night of 25 November. He was found dead near Güroymak district at about 3.00pm on 26 November. It was revealed that one of his arms had been broken and that he had been shot dead with a single bullet in his head.

### **e) Planned activities**

**The HRFT's Human Rights Award:** The Administrative Board took the decision that the HRFT would give an award every year to persons or organizations who conduct beneficial activities in the field of human rights. It is necessary to prepare regulations regarding this award. The regulations are planned to be completed in 1994, and the award will be given by 1995.

**The Album and Exhibition of Abidin Dino's Pictures:** In accordance with a decision taken by the Administrative Board last year, the pictures which prescribe the torture applications of 1950s, of the honourable artist Abidin Dino, who was also the creator of the logo of the HRFT, will be exhibited in December 1994, and these pictures will be prepared as an album form and published.